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3 May 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.

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, 11 MAY 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

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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 6 April 2011 as a correct record.

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- 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.

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- Mutual respect
- A commitment to improving services
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"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).
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South Cambridgeshire District Council

Planning Committee – 11 May 2011 – Declaration of Interests

Councillor

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Reason:

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/0399/11 - COTTENHAM**Erection of 3 bedroom dwelling and vehicular access at land to the rear of 71 High Street following demolition of existing garage building.
- 71, High Street, Cottenham, Cambridge, Cambridgeshire, CB24 8SA for Mr Jerram Dawes****Recommendation: Approve Conditionally****Date for Determination: 04 May 2011****Site and Proposal**

1. 71 High Street is a late 19th century dwelling of simple gabled form. The dwelling is built from buff brick and a slate roof with two end stacks and two hipped bay windows at ground floor level on the front elevation. The dwelling has a prominent street fronting position occupying a back of pavement location with a small decorative wall enclosing the front curtilage. The dwelling has been extended at the rear in the early 20th century by way of a two storey lean-to extension and a two storey gabled range. The range runs for approximately 5m before stepping down to single storey height with an adjoining weather boarded double garage/store. A large linear rear garden serves the dwelling accommodating a few mature trees and is bisected by the development framework at roughly its mid point.
2. Surrounding development is predominantly a mix of residential and commercial uses. Development lines the High Street on both sides following a fairly strict back of pavement building line, many plots have long linear rear ranges, often of utilitarian weather boarded character, projecting to the rear of the site. There are gaps in the frontages that form characteristic views to the back of plots allowing glimpses of these elongated rear ranges. Such a frontage gap exists to the south of No.71 between the dwelling and the adjacent Public House, a mono pitch outbuilding divides this space and Smiths Path runs eastwards from the High Street. Development along the high street is characterised by the simple forms of the 19th century and the predominant use of buff brick and slate.
3. The dwelling falls within the Cottenham Conservation Area and development framework.
4. The proposal comprises the erection of a two-storey three-bedroom dwelling to the rear of no.71 High Street Cottenham following the demolition of an existing garage. The proposal would be built in a barn like style adjoining the existing group of rear outbuildings associated with no.71 High Street. The proposal would be accessed via an independent and new access from Smiths

Path allowing both the proposed and existing dwelling to benefit from off road car parking for 2 vehicles each and private garden amenity areas.

5. The application is accompanied by a Design and Access and Heritage Statement and a draft heads of terms for S106 planning obligations.

Planning History

6. Planning Application S/0818/10/F was approved for an extension.
7. Planning Application S/0223/09/F was approved for a new dwelling to rear of no. 71 High Street.

Consultation

8. Cottenham Parish Council – Recommends refusal on the grounds of poor access onto Cottenham Road from Smiths Path and the potential overbearing nature of the dwelling.
9. Cottenham Village Design Group – Comment that the design appropriately reflects the ranges of outbuildings and barns often found along plot edges. In the main the proposed materials are locally appropriate.
10. Conservation Officer – No comments have been received.
11. Trees Officer – Raises no objections
12. Local Highway Authority – Raises no objections subject to the provision of 1.5m x 1.5m pedestrian visibility splays and that the access is constructed in accordance with County Council specification.

Representations

13. None

Planning Comments – Key Issues

14. The key material planning considerations in the determination of this planning application are the impact that the proposal would have upon the historic environment, infrastructure provision, residential amenity, tree protection, car parking and highway safety.
15. The site is located within the village development framework and benefits from extant consent for the erection of a dwelling the principle of residential development is therefore acceptable.

Residential Amenity

16. The proposed dwelling would follow the linear plan of the existing rear range of outbuildings serving no.71 High Street. The proposed dwelling would be located approximately 18m from the rear elevation of no.71. There are no windows within the flank elevation of the proposal other than a high level roof light window. As a consequence there would be no direct overlooking afforded to the rear windows of No.71 or its private garden area. The rear garden allocated to No.71 as part of the proposals would be screened by a

1.8m high boundary fence, which is considered to provide adequate screening to this amenity area from the proposed new dwelling.

17. The proposed dwelling would run along the common boundary with No.69 High Street and would have four roof lights within the northeast roof slope. However, the proposed structure is largely back-to-back with an outbuilding of similar size and proportions that serves No.69. Additionally, the proposed structure is sufficiently divorced from the rear amenity area serving No.69 in spatial terms so that it is considered no significant harm would occur from the four roof lights proposed. The proposed structure is likely to contribute to limited overshadowing of the adjacent site at 69 High Street but this will only fall on the driveway that runs to the rear of the site and again is not considered to harm the dwelling or its rear amenity area.
18. The adjacent site to the south is The Jolly Millers Public House, which does provide some living accommodation. However this site is approximately 15m to the south east of the proposed dwelling with Smiths Path in between, additionally the southern boundary of the site comprises tall landscaping and a proposed 2m high close-boarded fence. By virtue of this spatial relationship there is not considered to be any harm to the amenity of the Jolly Millers Public House, in terms of loss of privacy, outlook or light.

Historic Environment (Design)

19. The proposed design follows the linear form of the existing rear range of outbuildings and does so in a style considered contextual to the local Cottenham vernacular. The dwelling has been designed with a 'barn-like' articulation, both in terms of materials, simple rectilinear form and the minimal openings proposed. To this end the proposals are not considered to appear incongruous to the area and the development would be considered to preserve the character and appearance of the Conservation Area. This is particularly important as, although a rear development, the gap in the street frontage will provide strong views to the development when finished. The building's siting, form and design mimics that of the extant consent for the site.
20. Due to the site being upon the village edge and within the Conservation Area there is little scope to extend the dwelling within the confines of the village framework. Any such extension would have a considerable impact upon the character and appearance of the Conservation Area and the public realm. As a consequence it is considered appropriate to remove the dwellings permitted development rights to ensure that the character of the site and surrounding area is retained.

Highway Safety & Car Parking

21. The proposal would provide sufficient off road parking clear of the public highway for two vehicles for each dwelling. This also includes adequate turning area to allow both properties the ability to turn and exit the site within a forward gear. Furthermore the proposal would improve the existing access onto the High Street for no.71 High Street with 1.5m x 1.5m pedestrian visibility splays and 2.4m x 70m vehicle to vehicle visibility splays.
22. The proposed dwelling would gain access to the public highway (High Street) via Smiths Path. This is an existing private road of unknown ownership that

has limited visibility to the south due to the flank elevation of the Jolly Millers public House. Nevertheless, the proposal would improve visibility to the north due to the demolition of the garage serving no.71 High Street and the improved visibility to the access serving no.71. In light of the fact that the proposal would only increase the vehicle movements using this track by one it is the view of officers and the Local Highway Authority that no adverse impact upon the safety and free flow of the High Street would occur as a result of the proposed development.

Trees and Landscaping

23. The proposal would involve the removal of a number of conifer trees upon the northern boundary, however these trees are considered to be of little merit and there is no objection from the tree officer to their removal. The proposal shows indicative hard and soft landscaping detail, nevertheless, it is considered necessary to condition a scheme to be submitted prior to development commencing to ensure that an adequate species mix and planting methods are provided.

Planning Obligations

24. The South Cambridgeshire recreational study audit identifies Cottenham as having a shortfall in both play space and sport space. In accordance with Policies SF/10 and DP/4 and the adopted SPD on Open Space, the development will require a contribution towards this shortfall. In addition to this the proposal would also require the provision of refuse storage and S106 monitoring fees. The agent has indicated a willingness to agree to the provision of the above obligations through the submission of a draft heads of term. A section 106 agreement is currently being drafted and will be issued to secure the above obligations prior to the approval of the application.

Conclusion

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

Recommendation

26. 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: 591/10/006D, 591/10/02C & 591/10/01C.
(Reason - To facilitate any future application to the Local Planning Authority)

under Section 73 of the Town and Country Planning Act 1990.)

3. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. No development shall take place until a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage for each dwelling shall be completed before that dwelling is occupied in accordance with the approved scheme and shall thereafter be retained.
(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. The building, hereby permitted, shall not be occupied until covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
7. 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.)
8. During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

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

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C, D, E, F and G of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - In the interests of maintaining the character of this setting in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

10. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

(Reason – Top avoid displacement of loose material onto the highway, in the interests of highway safety.)

11. 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 1.5m x 1.5m 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.)

12. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

(Reason – To prevent surface water discharging onto the highway.)

Contact Officer: Mike Jones - Senior Planning Officer
01954 713253



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Cambridgeshire
District Council

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Time of plot: 12:56

Date of plot: 28/04/2011

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/1487/10 - FOWLMERE**Ten Affordable Dwellings - Land Adjacent to 4, Cambridge Road
for Mr Darren Blake, Circle Anglia Ltd****Recommendation: Approve Conditionally****Date for Determination: 22 June 2011****This application has been reported to the Planning Committee for
determination at the request of the Local Member****Site and Proposal**

1. The site is located outside the designated Fowlmere village framework. The site lies outside the Cambridge Green Belt, the boundary of which is located to the eastern side of Fowlmere Road, set to the east of the site. The Cambridge Green Belt continues to the southern side of the rear gardens of the properties to the south side of Thriplow Road.
2. The land currently forms paddock/grassland that is a portion of the "triangle", an area of land located between Thriplow Road, Cambridge Road and Fowlmere Road. The west boundary of the site forms the boundary with the rear gardens of 4 Cambridge Road and Triangle Farm House. There is no physical feature on the site to denote the eastern boundary. To the south of Thriplow Road are a number of dwellings located within the village framework, and to the north of Cambridge Road is a dwelling and yard located outside the framework.
3. The full application, received on 31st August 2010, seeks the erection of ten affordable dwellings on the site. This would represent an "exceptions site". Access would be gained from Cambridge Road. The site has a width of approximately 30m, with a proposed 2m landscaping belt along the eastern edge. The application is accompanied by a Design and Access Statement, Housing Need Survey Results, Phase 1 Drainage Strategy, a Building for Life Applicant Checklist, a Code for Sustainable Homes Ecological Assessment, a Phase 1 Geoenvironmental Report, and an Archaeological Evaluation Brief. Amendments have been received dated 23rd March 2011, which show a revised red line to include the landscaping belt, submission of a Site Investigation report, and changes to the site plan and house types.

Planning History

4. There appears to be no planning history for the site.

Policies

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

10. **Fowlmere Parish Council** recommends approval of the originally submitted plans, but wish to seek information regarding guarantees the dwellings will be for local people, the retention of the hedge along Thriplow Road, guarantees of parking numbers, a footpath to be provided linking the site to the village, an extension to the 30mph zone, zero light spillage from the site, a condition regarding bird and bat boxes, information as to how the dwellings would be heated, use of green technologies, and provision of a bin shelter to prevent the loss of the hedge along Thriplow Road (there is currently two openings in the hedge for bins to be collected along Thriplow Road). The design of the dwellings is praised.
11. The **Council's Housing Development and Enabling Manager** notes the 2007 Cambridgeshire ACRE housing needs survey demonstrated there were 28 households in need of affordable housing. The recent January 2011 housing register showed this figure to be 30. The proposal does not exceed local need. All 10 proposed would be social rented, the tenure with the greatest demand in the District. The housing mix is also supported. The site is considered to be well related to the village, and the Design and Access Statement notes Code Level 3 would be met. The application is supported.

12. The **Council's Trees Officer** notes the site has a rural aspect that should be retained. The mature tree to the rear garden of 4 Cambridge Road will be compromised by the access, and a condition seeking an Arboricultural Implication Assessment is requested. There are no objections to the removal of the small newly planted trees at the front of the site. The hedge along Thriplow Road should be retained and not fragmented by paths
13. The **Local Highways Authority** has concerns about the amount of parking to plot 1 of the original plan, and notes that manoeuvring is likely to take place on the adopted public highway. Conditions are requested regarding the retention of vehicle-to-vehicle visibility splays, the removal of permitted development rights to allow vehicle access off Thriplow Road for plots 7-10, the drainage of water to ensure it does not affect the public highway, and the material to be used for the highway. An informative regarding works to the public highway is also recommended. In a separate comment, the Local Highway Authority have also added the need for footpaths linking the site to the junction between Cambridge Road and Thriplow Road along both roads.
14. The **Council's Scientific Officer (Contaminated Land)** notes the Desk Study provided and requests a standard contamination condition be added if the application is approved.
15. The **Environment Agency** notes the site is within flood zone 1, and there are no other Agency matters in respect of the scheme. Informatives are proposed.
16. The **Council's Drainage Manager** notes no objections subject to local concerns.
17. The **County Archaeology Team** notes the site has a high archaeological potential, and recommends a standard condition ensuring a scheme of investigation be provided.
18. The **Council's Landscape Officer** seeks to ensure the proposed boundary hedge is within the application site. Some suggestions regarding the landscaping are provided.
19. The **Council's Ecology Officer** has no objection to the scheme, but wishes Natural England to be notified given the Site of Special Scientific Interest (SSSI) that lies approximately 75m to the north. This is an aquifer related site that contains specialist plants. The use of soakaways should not adversely impact upon the natural ground water re-charge. A scheme of nest boxes should be sought. There is evidence of barn owl roosting on site, although it appears unsuitable for nesting. Two roost/nesting boxes are also suggested. There are no signs of bats on the existing sheds.
20. **Natural England** states the site is within 70m of the Whittlesford-Thriplow Hummocky Fields SSSI, which contains a series of hollows which are periodically flooded and support rare plants and invertebrates. There is no direct hydrological link from the application site, and little risk of impact upon the water quality. A condition regarding details of ground water contamination prevention is recommended.

Representations

21. The occupiers of **4 Cambridge Road** have concerns regarding increase in noise levels resulting from the construction and the number of residents, highway safety, the lack of footpaths in the site, light spillage, the bin storage area adjacent to the boundary, parking provision, loss of habitat, loss of character, the date of the housing needs survey, and overlooking into rear garden areas. They wish to increase their garden depth to allow further distance between them and any new dwellings.
22. The occupiers of **Triangle Farm, Thriplow Road** object on grounds of inadequate sizes of the plots, and noise and disturbance.
23. The occupiers of **Walnut House, Thriplow Road** object on grounds of the housing needs survey being out of date, the availability of other sites in Fowlmere rather than this green field area, the size of the development (more than 8 dwellings), the loss of landscape features and hedgerows, a lack of parking on the site, impact upon the adjacent SSSI, and highway dangers as the roads are used as a rat run from the M11.
24. The occupiers of **Wetherlee, Thriplow Road** object on grounds of the lack of public consultation, a high density inappropriate for the village, the lack of effort blending the development in with the landscape features, the removal of trees, the importance of the grazing land for wildlife and plants, the lack of a full hydrology survey, the lack of parking on the site, and highway safety issues given the lack of traffic calming measures.
25. The occupiers of **Linburn, Thriplow Road** object to the access to the rear of plots 7-10 on grounds of the loss of the hedge, and the safety of residents. There are also concerns about parking levels on site and the loss of habitat
26. The occupiers of **5 Cambridge Road** note there is a need for affordable housing in the village, but have concerns regarding the amount of parking at the site, and the speed of traffic using Cambridge Road. Traffic calming is suggested.
27. The occupiers of **1 Fowlmere Road** object on the grounds of the design of the dwellings and its density, lack of on site open space, lack of parking provision, segregation of the community and potential crime, ecological implications, flood risk, and loss of agricultural land.
28. The occupiers of **2 Cambridge Road** object on grounds of the density of development, and highway safety given the speed of traffic
29. The occupiers of **Burnaby, Thriplow Road** note concerns regarding the date of the housing needs survey, the size of development, the density of development, the unwelcome precedent of increasing the village envelope, impact upon the rural approach to the village, insufficient parking, the lack of relationship with the rest of the village, the lack of provision for footpaths or traffic calming, and the loss of the hedgerow.
30. The occupiers of **14 Fowlmere Road, Thriplow** object on grounds of the size of development, inadequate parking, flooding, and loss of habitat.

31. The occupiers of **Pear Tree House, Thriplow Road** object on grounds of the size of development, the loss of habitat on the site, parking provision, and highway safety concerns.
32. The occupiers of **Oakleigh House, Lynch Lane, Royston** object on grounds of the size of development, lack of public consultation, inappropriate parking, highway safety, loss of habitat, and the ability for the dwellings to be occupied by persons without a local connection.
33. The occupiers of **35 School Lane, Royston** object on grounds of the loss of habitat, inadequate parking, and flooding.
34. The occupiers of **4 Middle Street, Royston** object on the lack of public consultation, highway safety, and loss of habitat. It is noted that infill sites should be considered first.
35. The occupiers of **Twentypence, High Street** are generally in favour of the scheme, but have concerns regarding parking provision, highway safety, the lack of footpaths, overcrowded development and the upkeep of the hedge.
36. The occupiers of **15 Ryecroft Lane** have written in support of the scheme, with emphasis on local need, redevelopment of unused land, the retention of hedgerows and trees, good design, and the lack of bats in the area.
37. The occupiers of **Lynch Lane** state there is no footpath linking the site to the village, and no street lighting along Cambridge Road. It is also noted parking provision appears low on site.
38. The occupiers of **28 Chapel Lane** have written in support of the scheme, stating it would be an asset to the village.
39. The occupiers of **1 Pine Cottages, Rectory Lane** have written in support of the scheme, although there are concerns about the opening of the hedge for bin collection to plots 7-10.
40. Comments to Fowlmere Parish Council have been received in support of the scheme from the occupiers of 11, with particular emphasis on the local need.
41. Members should also be aware that a petition signed by 40 residents opposing the scheme has been received.

Planning Comments

42. The key issues to consider in this instance are the principle of development, the impact upon the amenity of occupiers of adjacent properties, design and the impact upon the street scene, highway safety and parking provision, open space provision, and ecological and landscape impacts.

The Principle of Development

43. The application site is located outside the designated Fowlmere village framework, and the application is therefore an exceptions site to allow 100% affordable housing to meet the identified local housing needs. This need has

been confirmed by the Council's Housing Development and Enabling Manager. The development represents a density of approximately 40 dwellings per hectare. Fowlmere is classified as a Group Village, with some local facilities within the village. Policy HG/5 of the LDF DCP 2007 states that exceptions sites for affordable housing should be on small sites within or adjoining villages. The Affordable Housing SPD quotes "rural exceptions sites that have been approved in South Cambridgeshire since the requirement for "small" sites, having regard to local circumstances, typically range from about 6 to 20 dwellings". The scheme seeks 10 dwellings and therefore is considered to be "small" having regard to Policy HG/5. Local objections to the size and density of the scheme are noted, but it is nonetheless considered appropriate to the Group Village.

44. Policy HG/5 sets out a number of criteria that exceptions sites should achieve. Criterion 1a and 1b seek the securing of affordable housing in perpetuity and the number, size, design, mix and tenure of dwellings should all be confined to, and appropriate to, the strict extent of the identified local housing need. This would be secured through a Section 106 Agreement and the applicant is aware of this. Criterion 1c seeks the site to be well related to the built-up area of the settlement and in scale with the size and character of the village. It is located adjacent to the designated village framework with existing housing on three sides. As described above, the size of the scheme is considered appropriate.
45. There has been local concern regarding the date of the housing needs survey, which was completed in 2007. However, the figures are backed up by the January 2011 Housing Register. The Housing Development and Enabling manager has confirmed there is local need for the dwellings.
46. Criterion d relates to the relationship of the scheme to the facilities and services within the village. Fowlmere Primary School is located approximately 765m from the site. The public houses/restaurants of the Chequers, Swan Inn and the Queens Head, are located closer at 540m, 580m and 660m respectively. There is a post office function within the Queens Head. St Marys Church is located 405m from the site. The village hall is located at the southern edge of the village, some 1,200m from the site. Given the village as a whole, I consider it is well related to these facilities and would promote walking and cycling as an alternative means of transport to the private car.
47. Criterion e seeks development to not damage the character of the village or the rural landscape. This aspect will be partially covered in the impact upon the street scene section below. The development does alter the character of the site. However, this is not considered to damage the character of the area. In line with the criteria, the proposal is considered to meet the aims of Policy HG/5.

Impact upon the Amenity of the Occupiers of Adjacent Properties

48. 4 Cambridge Road is a large detached property, which has a single storey rear extension and conservatory not shown on the site plan. The property has a number of ground and first floor windows in its rear elevation facing the site. The original plan shows the road running approximately 1.4m from the proposed boundary fence at its closest point, extending out to 3.2m to allow further planting by the boundary. Plots 3 and 4 are located approximately 13m from the shared boundary. The original design of the plan showed one first

floor window in each plot, both serving a bedroom. Plot 5 originally had a bedroom and bathroom window facing the neighbour. There was concern regarding potential overlooking from these windows.

49. The amended plan retains the distance from the shared boundary, but has rearranged the room layout. There remains one bedroom window facing the site in plots 3 and 4 although the windows have been reduced in size. New first floor facing windows have also been added, which serve bathrooms, and these can be obscure glazed. Plot 5 retains one bedroom window. The amended plan shows the road moved to 3.6m away from the western boundary for the length of the shared boundary, allowing more space for planting. 13m is quite tight for overlooking. However, in this instance, the ability to replace some boundary planting is considered appropriate, and no serious overlooking should result to the occupiers of 4 Cambridge Road. The distance between units at first floor level is over the 25m suggested within the District Design Guide SPD. Moving the road from the boundary also provides a buffer to prevent noise disturbance from vehicles using the access.
50. To the south of 4 Cambridge Road is Triangle Farm House. This is again a large detached property, which is currently screened from the site by large leylandii hedging, although there are some small gaps in this hedge. This hedging would need to be removed or significantly reduced to enable the access way into the site to be constructed. Plots 5 and 6 were originally located just 9m from the shared boundary, with plot 5 having a bedroom and bathroom window, and plot 6 having two bedroom windows at first floor level facing Triangle Farm House. The amended plans have shifted these dwellings to 12.6m from the shared boundary, and altered the room layout to just one facing front window to each property, both serving bedrooms. Again, this distance is quite tight. However, given the potential for boundary planting, the proposal is not considered to cause serious overlooking to Triangle Farm House.
51. The end of terrace plot 10 would be located 2.1m from the boundary with the rear garden of Triangle Farm House. This dwelling has been reduced in both span (6.5m) and height (4.3m and 8m to the eaves and ridge respectively) to the main terrace. Whilst it will be visible from Triangle Farm House, its reduced size combined with the size of the rear garden means the proposal would not appear overbearing. A condition is required to ensure no windows are added to the side elevation of plot 10, which is currently blank.
52. The terrace comprising plots 7-10 would be located between 10 and 14m from the southern boundary of the site. The development should not seriously impact upon the occupiers of the dwellings to the south side of Thriplow Road. Again, there is a 25m gap between the dwellings in line with the District Design Guide SPD.
53. Within the site, there would be some mild overlooking into rear gardens, although this is effectively unavoidable given the shape of the plot and the number of dwellings proposed. Permitted development rights should be removed to prevent further windows being added to the side of plot 3, with the landing window being obscure glazed.

Design and the Impact upon the Street Scene

54. The design of the proposal is considered key given the size and shape of the plot. It has attempted to retain some frontage to both Cambridge Road and Thriplow Road, whilst retaining a cul-de-sac feel. Plots 2 and 3 have been designed as dual-fronted dwellings. This is particularly important for plot 2 which will easily be visible from Cambridge Road but is important at the start of the access road. No bland elevations are provided in this location, to the benefit of the development. There are interesting features of dormer windows and canopies, the themes of which continue throughout the site, giving it a character in its own right.
55. The terrace of plots 7-10 does provide a larger bulk of development. Plot 10 has been reduced in height and span, and it is proposed to be constructed with weatherboarding rather than brick. This would add some variety and also become a focal point when entering the site from Cambridge Road. The reduction in size also breaks up the terrace, as well as benefiting the occupiers of Triangle Farm House. Subject to conditions regarding the materials to be used, the design of the scheme is considered appropriate, a thought echoed by the Parish Council. It is considered to sit well within the street scenes of Cambridge Road and Thriplow Road, and would create an appropriate street scene of its own within the site.

Highway Safety and Parking Provision

56. The development is accessed from Cambridge Road, which is a 60mph road entering the village from the east. The 30mph signs are located approximately 20m west of the proposed access point. The Local Highways Authority seeks the retention of 2.4m by 43m vehicle-to-vehicle visibility splays. However, the applicant has shown 215m splays are achievable (although they are not clearly shown) given the large grass verge area. Further discussion will be held with the Local Highways Authority to ensure the correct splays are retained. There is no considered need to add traffic calming along Cambridge Road.
57. The Local Highways Authority had concerns regarding the access to plot 1 of the original plan. This was to be served by an individual access from Cambridge Road, and would have resulted in vehicles reversing out onto this road. The amended plan has removed this access, with plot 1 now being served from the main access. This also benefits the setting of the site by retaining the verge outside this plot. The Local Highways Authority also recommends conditions removing the ability to add vehicle accesses from Thriplow Road to plots 7-10, drainage details, and details of the material to be used for the access road. These can be added to any approval accordingly.
58. The Local Highways Authority has also requested a footpath along the southern side of Cambridge Road and the northern side of Thriplow Road. The Parish Council also request the Cambridge Road path, and local comments note concern about the lack of such a path. The applicant, in an e-mail dated 14th April has confirmed they would agree to providing a footpath, but have concerns about how this could be achieved. A condition could ensure that a path is provided. I do not consider a footpath along Thriplow Road could be justified from this development as there are no main openings, and the land may not be within highways ownership. A footpath along Cambridge Road, whilst removing the green verge, would integrate the scheme better into the village and would provide a safer walk to and from the site.

59. With regards to parking, the amended layout plan shows 18 parking spaces on the site. Each unit has at least one designated space, with three visitor spaces shown. The Council's maximum parking standards seeks 1.5 spaces per dwelling plus provision of short-term parking. In line with this standard, a maximum of 18 spaces should be provided, and a condition should ensure these are retained in the future. The development therefore meets the requirements of the policy. There is justified local concern regarding the need to park on Cambridge Road or Thriplow Road, which may cause highway dangers. Such parking should not be encouraged given the speeds vehicles are travelling, especially on Cambridge Road. There are other potential spaces available on site that short-term users could use without blocking the access road. The Local Highways Authority have not stated the need for the relocation of the 30mph signs to the east side of the access.
60. Each plot is shown to have a shed in the rear garden. This would allow the secure storage of a bicycle as required by the standards for cycle parking provision.

Open Space Provision

61. The applicant has stated in their letter submitted with the application dated 24th August 2010 that they are aware of the need for a contribution in line with open space provision, and associated legal fees from a Section 106 Agreement (which would also incorporate the affordable housing aspect). There is no on-site provision of open space. Whilst this is not ideal, given the shape of the plot and the road nearby, it has been difficult to design in whilst retaining the number of needed dwellings. I consider an off-site contribution to be satisfactory in this instance. There is a surplus of sport and play space in the village, and therefore the required figure would take this into account..
62. Pre-application discussions on the site started prior to the need for provision of community infrastructure. However, there is a justifiable requirement in the village. Therefore, if no open space provision is considered necessary given the surplus, a community benefit could be in the form of contributions towards upkeep of community facilities.

Ecological and Landscape Impacts

63. The site currently has planted boundaries along the north, west and south boundaries of the site. The development will require the removal of a number of trees and hedges on site. Along the north boundary, boundary vegetation and small trees would need to be removed to allow for the access and frontage to plots 1 and 2, along the west boundary, planting would need to be removed or cut to allow the erection of the boundary fence and the road, and along the southern boundary, the existing hedge would need to be cut back and would also be cut to allow two accesses for bins for plots 8 and 9. It is important to note that none of the vegetation affected is protected in its own right.
64. With regard to the northern boundary, a hedge is proposed to grow along the proposed picket fence, which will retain some softening of the site. Removal of the individual access to plot 1 retains the tree on the highway verge. There is a large tree to the northeast corner of the garden of 4 Cambridge Road. The Tree Officer notes there is potential for it to be compromised by

construction of the access and therefore a condition can be added to ensure development does not harm the root system of this tree, which is considered important in the street scene. A landscape condition can ensure appropriate planting takes place along the northern boundary.

65. The west boundary borders the rear gardens of the dwellings of 4 Cambridge Road and Triangle Farm House. The fencing proposed would be a 1.8m high panel fence. Some boundary vegetation would be lost, significantly the leylandii by Triangle Farm House. The amended site plan does show planting along this boundary that should mitigate the loss of the existing planting. This would again need to be secured through a landscape condition.
66. The southern boundary of the site is currently a large hedge that runs along Thriplow Road for the length of the site. It is slightly overgrown with an unkept appearance, and is quite deep at times. The original scheme proposed to reduce this significantly, with four pedestrian accesses punched through to allow access for bin collection from Thriplow Road. The amended plan has retained a wider strip of the existing hedge, measuring 2m in width, with two of the bin collection gaps filled in, with two remaining. This hedge adds a green rural character when entering the village, and its retention is important in the approach to the village. I do not consider two bin collection points would significantly harm the character of the area. The Parish Council's concerns are noted, and if Members insist the hedge remains fully intact, then it may be possible to negotiate with the applicant to ensure a form of rear access to plots 8 and 9 so bins are collected along the access road.
67. At present, there is no physical feature on the site that the proposed eastern boundary of the site follows. A 1.8m high panel fence topped with 300mm of trellis is proposed. This is not in itself appropriate for the countryside boundary. However, the site plan shows a 2m strip of landscaping beyond the fence but within the application site that will help to soften the new urban edge that will be created. This should consist of a hedge with random spacings of trees within. This would then provide a more rural edge to the site. I consider this hedge is imperative to blend the development into the area.
68. The application was submitted with an ecological assessment that has been assessed by the Council's Ecology Officer. There has been evidence of Barn Owls roosting in the existing shed on site that would be removed. A scheme of mitigation to include two roosting boxes is requested. This could be achieved within the red line of the application site, and a condition can be added to ensure this is the case. A scheme of other nest boxes is also requested and can be added as a condition.
69. There have been concerns regarding the proximity of the site to the SSSI of Whittlesford-Thriplow Hummocky Fields located to the north east of the site on the opposite side of Fowlmere Road. The comments from Natural England regarding this site are noted, and no significant impact is expected. However, the recommended condition regarding groundwater contamination shall be added to any approval to ensure any risk is minimal. A full hydrology survey is not considered necessary.

Other Matters

70. The comments from the Environment Agency, the County Archaeology Team and the Council's Scientific Officer are noted, and the suggested informatives and conditions would be added to any approval. There are local concerns about flooding given the local hydrology. However, appropriate drainage of the site is considered appropriate.
71. Policy NE/3 of the LDF DCP 2007 seeks all residential schemes greater than 10 dwellings would need to include technology for renewable energy to provide at least 10% of their predicted energy requirements. Whilst there is no obligation for a scheme of 10 dwellings, the applicant has stated the development will achieve a minimum level 3 of the Code for Sustainable Homes, and thermal efficiency would be in excess of current Building Regulations. The use of air source heat pumps are being considered together with solar panels. These would be encouraged into the design of the scheme.
72. A bin collection point is proposed to the west side of the access road, specifically for plot 1 given the lack of space available for collection from their dwelling. The proposal shows this to be screened. This should ensure there is minimal impact upon the street scene. A condition can ensure a suitable screen is provided and retained.
73. There has been local concern regarding light spillage from the site. The proposal seeks two lighting columns as shown on the site plan. Assuming standard spillage, this should not result in serious light pollution from the site.

Conclusion

74. The application complies with Policy HG/5 of the LDF DCP 2007 relating to an exceptions site for the provision of 100% affordable housing. The proposed tenure of the dwellings meets the strict extent of an identified local need. The various local concerns raised as part of the consultation exercise have been addressed in the report. Whilst the scheme will inevitably have some impact on the existing character and appearance of the village, officers are satisfied that amendments to the proposals mean it can be supported.

Decision/Recommendation

The application is recommended for approval, subject to conditions relating to the time period for implementation, the approved plan numbers, materials for the exterior of the dwellings, landscaping and landscaping implementation, a scheme securing the affordable housing in perpetuity, archaeological investigation, land contamination investigation, obscure glazing of bathroom windows to the front elevation of plots 3 and 4 and the landing window to plot 3, removal of permitted development rights to the front elevation of plots 3-6 and the side elevations of plot 3 and 7, the retention of parking spaces for the future, the provision of appropriate vehicle-to-vehicle visibility splays, the removal of permitted development rights to allow further pedestrian or vehicle access from Thriplow Road, details of drainage from the access, materials to be used for the access, provision of a footpath along Cambridge Road, a scheme to reduce the risk of groundwater contamination to the adjacent SSSI, a scheme of nesting boxes to be provided (including boxes for Barn Owls), foundation details for the access and an Arboricultural Implication Assessment to ensure retention of the existing tree at 4 Cambridge Road, provision of public open space, times of use of

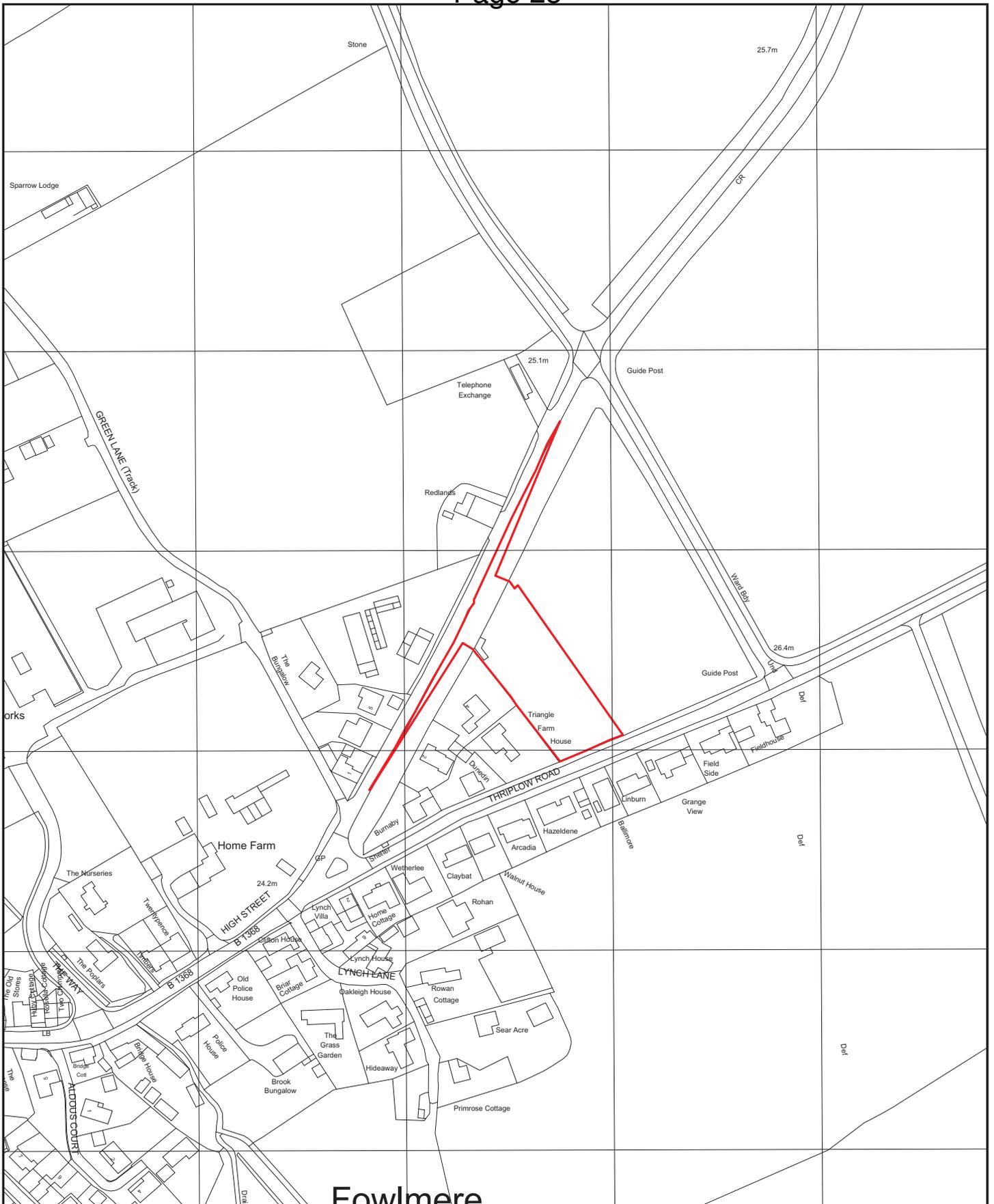
power operated machinery during construction, and details of the bin collection area screen.

Informatives as requested from the Environment Agency and Local Highways Authority can also be added, and a further informative regarding the amount of open space provision would also be required.

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

- **South Cambridgeshire Local Development Framework (LDF) Core Strategy.**
- **Local Development Framework Development Control Policies 2007.**
- **Open Space in New Developments SPD, Public Art SPD, Trees and Development Sites SPD, Affordable Housing SPD & District Design Guide SPD.**
- **Circular 11/95 – The Use of Conditions in Planning Permissions.**
- **Circular 05/2005 - Planning Obligations.**
- **Planning File ref: S/1487/10.**

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Fowlmere

Planning Dept - South Cambridgeshire DC



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Scale - 1:2500
Time of plot: 09:15

Date of plot: 20/04/2011



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Cambridgeshire
District Council**

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/0319/11 - CROYDON

Continued use as agricultural land and erection of new solar farm of up to 5mw of generating capacity, comprising the installation of solar voltaic panels and associated infrastructure including electrical inverter and transformer cabins, switch gear and meter housing, access track, fencing, security cameras and landscaping at Land at Valley Farm, South of Lower Road, Croydon for Vogt Solar Limited

Recommendation: Delegated Approval

Date for Determination: 25th May 2011

Site and Proposal

1. The application site is located in the Parish of Croydon and approximately 1km to the south east of Croydon village, south of the B1042, Lower Road that forms the sites northern boundary. The A1198 is approximately 1km to the west of the site and the village of Shingay-cum-Wendy is approximately 500m to the immediate south. The site lies outside any village framework within the countryside and is proposed on agricultural land with a grade 3 classification. The site has an area of approximately 14.2 hectares comprising an agricultural field. The proposed access point is located in the northwest corner of the application site. The land lies within flood zone 1. There is a change in levels across the site where the site slopes from north to south towards the flood plain of the River Rhee. The northwest corner is 27m AOD 26m in the northeast, 23 m in the southwest and 22m AOD in the southeast corner.
2. The boundaries of the application site are predominately made up of trees, hedges and fencing. The northern boundary of the site runs along the B1042; along this stretch of road comprise various developments. Opposite the application site entrance is a group of three dwellings comprising Croydon Old Farm, Valley Cottage and The Beeches. 400m due east is Valley Farm itself and a cluster of single storey farm buildings, which were converted, to offices. Lower Manor Farm and the single storey house called Toll Bar lay approximately 400m further to the west and comprise a mixture of residential and commercial units.
3. The western boundary of the entire application site runs parallel with a public footpath (number18), this footpath continues north of the Lower Road to Croydon as footpath 20/21 and south to Wendy.
4. The full application, received on the 17th February 2011, 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. This requires 890 mounting frames, each of which would hold 24 solar panel modules, totalling 21360 modules in total. The panels would be arranged in 46 rows running east to west across the application site. They would be mounted at 30° from the ground to maximise solar gain, and would total 2.7m from the ground at the highest point.

5. Four transformer and inverter cabinets are proposed within 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 northwest corner of the site as the electricity would be exported by a new underground cable to be connected to an existing substation located to the north of Croydon.
6. 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. Two maintenance roads are proposed on the site, these are proposed to be between 3-4.5 m wide and not hard surfaced. A temporary car park and materials storage area is proposed during the construction period and would be established in the field to the east of the site (opposite Valley Court offices). This would be reinstated to agricultural following completion of the construction works, which is expected to take approximately 4 months. New native 'rapid' species hedges are proposed around the perimeter of the site on the north, south and west boundaries, full details of which are included in the landscape proposal plan.
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 Flood Risk Assessment, a Noise and Vibration Assessment, A Historic Environment Assessment, an Assessment of potential for impact on Aviation report, a Transport Statement and a Landscape and Visual Impact Assessment.

Planning History

8. None relevant to this application

Policies

9. **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.
10. **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 and **TR/1** Planning for More Sustainable Travel.
11. **East of England Plan 2008:** **ENG1** Carbon Dioxide Emissions and Energy Performance and **ENG2** Renewable Energy Targets

12. **Biodiversity SPD** – adopted July 2009, **Landscape in New Developments SPD** – adopted March 2010 & **District Design Guide SPD** – adopted March 2010.
13. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
14. **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultations

15. **Croydon Parish Council** recommend refusal for the following reasons:
 - a) **Visual impact.**

Although the site is on flat land, and behind fencing and proposed hedging, the local topography means that the whole site of 21,360 solar modules with associated infrastructure including electrical inverter and transformer cabins, switchgear and meter housing, access track, 2.1 metre wire fencing, and security cameras, will be highly visible from a number of locations, including footpaths 10, 18, 20, and 21, houses at and around Old Farm, the many houses on higher land in Croydon High Street as well as houses outside Croydon parish, especially in Shingay cum Wendy, and from High Street, Croydon Road, and Lower Road itself.
16. The appearance of the solar farm would be on an "industrial scale" of approximately 15 hectares in otherwise open farmland, which is at the core of this rural village community. This incongruous and alien development will be especially damaging to the view from bordering houses and footpaths, which have recently been promoted by the village by way of a new footpath map. Although natural hedging is planned to be planted as a screen, this will have no beneficial effect for view points on higher land at all, and for six months of the year when there are no leaves, will be of minimal value as a screen - a precedent is the electrical transformer site in Wimpole on the A603 which has a mature screen of similar species providing little, if any screening in the winter months.
17. The Parish Council believes that the recent decision to reject the nearby Arrington Wind Farm Test Mast, Appeal Ref: APP/W0530/A/10/2141457 is particularly relevant, as the scale and visual impact of the proposed solar farm is far greater than the single test mast under that consideration - Para 21 is particularly relevant:
18. The appeal site is close to a number of public rights of way giving access to and providing views of the surrounding area. Concern is expressed that it would represent an intrusive feature in what is otherwise an open agricultural view, broken only by occasional lines of hedge and tree planting along field boundaries and by the area of woodland

19. We ask the planning committee visit the site and also to view the site from Croydon High Street to see how the view and landscape would be affected if the solar farm were approved. In addition, the Conservation Officer should be asked to review the application from both the aspect of the landscape and wildlife.

20. **b) Road safety.**

This is a major concern. The thirty nine accidents and six fatalities in recent years along the B1042 close to the site is well documented elsewhere, and local people will all tell the same story of near misses and dangerous manoeuvres of traffic (car and lorry) at high speed along this fast stretch of very busy road. The siting of the proposed solar farm with its inevitable high "distraction factor" for drivers is very worrying.

21. The recent development of businesses along this stretch of road has already had an impact and made matters worse. As discussed above, the proposed screening will have little or no effect for at least the winter, six months of the year, or for higher vans and lorries which will have line of sight over the hedging to the reflective panels. The access to the site as shown by the company's own photographic montage is an open invitation for further driver distraction as there would be no screening there at all, and it is close to a bend on the road. It is the local residents who naturally use this road most and it is the duty of the Parish Council to point out to SCDC how alarmed local people are about this increased danger.

22. Based on these concerns, the Parish Council request that an independent traffic survey be carried out by SCDC to assess the impact of the site on the B1042, which has been of long standing concern to this Parish Council.

23. **c) Noise pollution**

This is a difficult subject on which to find hard, easily understood data, to assess the impact of the noise from fans and machinery. What we do believe however, is that the measurement of ambient and predicted noise levels in dB are based on averages over a period, and do not reflect the fact that the noise will vary with peaks and troughs, the nuisance value of which cannot be assessed by averages alone. The village has long experience of low level, yet annoying noise pollution from the sub-station in the village. Although the humming sound emanated is not loud, and has been reduced after much complaining, it is still a nuisance to some residents. We believe we have good reason to fear similar issues for nearby houses to the proposed solar farm.

24. The council and public also expressed concerns regarding the presentation and interpretation of the noise data in the applicant's report, and Council requests that the Environmental Health Officers inspect and review the data provided.

25. The Parish Council has also been approached with concerns over flooding which is well known to local residents, despite some Environment Data not reflecting this,

26. It was also commented that it seemed a shame to use perfectly good arable land for a solar farm, when there are doubtless brownfield sites that could be utilised.

27. Croydon Parish council does not object to solar farms per se. However, in this case and for the reasons stated above, the Parish Council believes this to be an unsuitable site.
28. **Shingay-cum-Wendy Parish Council** comments had not been received at the time of writing this report.
29. The **Council's Acting Environmental Health Manager** has studied the noise and vibration assessments and considers it as extremely thorough, addressing concerns raised at pre-application stage. It is also considered that if the electrical equipment is housed within enclosures it will significantly reduce the noise emissions from the sources stated in 1.1 of the submitted report. No objections are raised and the scheme recommended for approval subject to the following condition: The approved use shall be operated in accordance with the submitted RPS report titled Croydon Solar Farm, Noise and Vibration Assessment, Corydon, South Cambridge on behalf of VOGT Solar Limited dated 04 February 2011, Project No. JAL 6311.
30. The **Council's Contaminated Land (Scientific) Officer** raises no objection to the proposed scheme.
31. The **Local Highways Authority** notes that following detailed pre-application discussions the proposed Transport Statement is acceptable to the Local Highway Authority and should mitigate as far as possible the impact of traffic generated by the short but intense construction phase.
32. The **Council's Landscape Officer** - The Landscape and visual impacts are probably greater than suggested by the Applicant's landscape and visual impact assessment, which assess the impact as Minor Adverse or Negligible. I feel the impacts would mainly range from range from Minor Adverse to Moderate Adverse. This is because the proposed development is a very large scheme, composed of regular, uniform elements. It will certainly be noticed particularly from Lower road and intermittently from local areas of high ground.
33. The impact of the development will be most keenly seen from the properties on Lower Road, The southern side of Croydon High Street, and from public rights of way north and south of Croydon village.
34. There may be views to the development from the grounds of Wimpole Hall, which is 40m above the application site. To the west of the Hall avenues look southwest directly towards the site, although these would be long views at about 2700m distance.
35. However, in principal I feel that the proposed development could be accommodated within wide valley floor landscape, which is open, low lying and regular in character. Historically this has long been the case, with old maps showing few trees and hedges dividing large fields once away from the river to the south. Although the valley floor is largely open, there are existing blocks of woodland to the west, and given an appropriate landscaping scheme, the development could establish a similar character to these valley floor woodlands.

36. To address the adverse impacts, I would like to see more extensive mitigation proposals, particularly in relation to the proposed planting along the northern and eastern boundaries.

Landscape Character

37. The development would be by far the largest element in the local landscape and the proposed change in character could only be partially mitigated. The local Landscape character south of Croydon is distinctive and is Moderately Sensitive to change. The degree of change would also be Moderate. In the Early years of the development the effect on the Landscape Character will be Moderate Adverse, lessening to Minor Adverse as the boundary planting becomes established. However, although some long views along the valley bottom and the wide sense of scale will be lost, an extensive planting scheme will be in accordance with the Cambridgeshire Landscape Guidelines Proposals for both the Chalklands and Western Claylands Landscape Character Areas. (The site lies on the boundary)

Visual Impact

Views from the North and West

38. The most significant visual impacts will be experienced from the dwellings at Toll Bar and the new dwelling at Lower Manor Farm to, and by the users of lower Road, the footpath running along the western boundary, and the public rights of way running south from Croydon High Street.
39. At paragraph 6.15 it is stated that only views from ground floor windows have been considered, this approach being in line with the Guidelines for Landscape and Visual Impact assessment (GLVIA) which states that –
- “When considering views from windows, views from rooms normally occupied during waking / daylight hours are generally deemed to be more important than those used for sleeping, from which only occasional views may be obtained.”
40. However, the guidelines do not state that views from first floor windows should not be considered, and in its present form the visual impact of the development from some ground floor and first floor rooms, from the road and from the closer footpaths could be assessed as ‘Major Adverse’. This would be due to the Sensitivity of the Receptors (High and Medium) the distance to the development (Close, less than 500 metres) and the magnitude of change (Major – ‘The proposed changes form a dominant or immediately apparent feature within views that would significantly affect the character of the view)
41. Other receptors to the North and West (dwellings on Croydon High street and public rights of way north and south of the High Street) would experience Minor Adverse to Moderate Adverse visual impacts, particularly from first floor windows. The existing roadside hedge to the north of the road noted at 6.18 will not screen the site as suggested.

A robust planting plan will help to mitigate the visual impact of the extensive runs of fencing and once established will screen much of the development, including views from higher ground to the north. The local landscape will remain substantially altered however. Long views and the continuous valley floor will be broken and replaced with what appears to be a block of woodland and hedging.

Views from the East

42. There are some views to the site from Croydon Road to the east of the village. Paragraph 6.20 states that views from locations on the Bridleway will be Minor Adverse to negligible. I would suggest that these would be minor adverse to moderate adverse. The development will certainly be noticeable, and the effect of the screening vegetation will be to reduce the 'depth of field' in the view ie visually joining the vegetation on either side of the valley.

Views from the south

43. There are few views to the site from the village of Wendy or Elecks Lane due to the river corridor vegetation and field and roadside hedges.

There will be close views of the development from the southern section of the Croydon-Wendy footpath and these will be Major Adverse to Moderate Adverse with similar effects to those described viewed from the north and west described above. Again planting will help to lessen the impact of the fencing and solar panels, eventually resembling a woodland block. The views from the footpath will remain substantially altered however, with the wide views to the east lost.

Summary of Landscape and Visual Impacts

44. The landscape impact will be Moderate Adverse falling to Minor Adverse as the mitigating planting matures. Visual impact will range from Minor to Major adverse.
45. It should be possible to mitigate the landscape and visual effects with a strong planting scheme around the perimeter. These hedges and blocks of planting will add to biodiversity and support recommendations described in the Cambridgeshire Landscape Guidelines.
46. However the historically open valley bottom landscape will be substantially altered, particularly when viewed from close to the development. There will be a loss of depth of vision when the development is viewed from higher ground, as the mitigating planting will visually merge vegetation on either side of the valley.
47. Recommendations - The proposed hedgerow planting will need to be more substantial along eastern and particularly the northern boundaries. The northern planting will screen the development from Lower Road, local properties, Croydon Village, Croydon Road and public rights of way to the north. It is important that this planting contains some tree planting to break up the regular appearance of the long stretches of fence and ranks

of solar cells. Some additional planting will be required in addition to that shown on plan R1481-800-05

48. **Natural England - Ecology** The site proposed for development is not located in proximity to any statutory nature conservation sites and no such sites are likely to be affected. We advise that the local Wildlife Trust (The Manor House, Broad Street, Cambourne, Cambridge, CB23 6DH) is consulted with respect to non-statutory wildlife designations.
49. The landscaping proposals include planting of new native species hedgerows and sowing of a native grassland mix across the site. Field margin grasslands would be retained. As the site is currently arable farmland of limited ecological value the landscaping plans would enhance the value of the site to wildlife. In terms of the new hedgerows it would be beneficial to include elm in the species to be planted. This would benefit species such as white spotted pinion moth, a UKBAP species, which feeds on elm. Should the application be approved Natural England advises that a Biodiversity Management Plan is produced. This should ensure impacts of construction on wildlife are minimised, provide details of how the site will be managed to benefit biodiversity and specify monitoring protocols to assess the effectiveness of habitat creation and site management. Natural England would be willing to advise on the content of this document.
50. With regards to the potential impact of the development on protected species you are advised to consult Natural England's standing advice for guidance on survey and mitigation requirements. This can be found at: <http://www.naturalengland.org.uk/ourwork/planningtransportlocalgov/spatialplanning/standingadvice/default.aspx>
51. **Landscape** - Natural England is not a statutory consultee for landscape conservation on this application, however we note the following points. Natural England is generally satisfied with the results of the Landscape and Visual Impact Assessment (LVIA). This identifies that there would be minor adverse impacts to landscape character and a number of visual impacts. Visual impacts are to highways, rights of way and to some dwellings and places of business. Some of the visual impacts are classed as major in the short term but all diminish to minor / negligible in the long term once hedgerows planted as screening mature.
52. In terms of the selected viewpoints we have not been able to undertake any site visits. The viewpoints chosen appear reasonably representative for the surrounding area, we do note however that the ground continues to rise steeply to the north of Croydon and there may be views to the south from several rights of way in this area. The LVIA does not include a mapped Zone of Theoretical Visibility; this would have been useful in choosing suitable viewpoints and demonstrating that their coverage was adequate. The photographs and photomontages are generally helpful in considering the visual impacts of the proposal but the photographs used for the photomontages were taken in poor light, which makes their interpretation difficult.
53. The **Council's Ecology Officer** raises no objections. A thorough ecological assessment has been provided concluding no significant impact upon local biodiversity. The application will deliver significant biodiversity

gains in the form of 1387m of native hedgerow and 12 hectare of tussock grassland. The final details of the grassland's management are yet to be determined, as such a condition should be used to secure the full details of the grassland establishment and future management regime.

54. The **Environment Agency** notes the site lies within low risk category flood zone 1. There is no objection in principle to the proposal. Conditions regarding surface water drainage and pollution control have been included should the scheme be recommended for approval.
55. The **County Archaeology Team** notes the site has a high archaeological potential. Known sites in the vicinity include a medieval moat and associated earthworks to the north (Historic Environment Record Numbers 01220, 00933), the deserted medieval village of Wendy and a further moated site to the south (HER 09518, 01223). Extensive evidence for ridge and furrow traces of medieval agriculture in the vicinity adds to the identified pattern of medieval land use. There is also evidence for Roman activity with a possible Villa identified to the immediate east of the site (HER 09185). This is part of a broader pattern of Roman land use and settlement, which includes the nationally important site of Arrington Bridge to the east (Scheduled Monument Number CB86). It is likely that elements of these Roman and medieval landscapes extend into the proposed development area. Archaeological remains of potential national importance could be impacted by the proposed scheme.
56. We would strongly recommend that the site be subject to an archaeological evaluation, to be commissioned and undertaken at the expense of the developer, and carried out prior to the granting of planning permission. The evaluation results should allow for the fuller consideration of the presence/absence, nature, extent, quality and survival of archaeological remains within the development area. An informed judgement can then be made as to whether any planning consent would need to include provisions for the recording and, more importantly, the preservation of important archaeological remains in situ.
57. The **County Council Countryside Access Team** notes that no public rights of way would be affected by the proposal but highlights in its comments points of law relating to the public right of way and the potential to carry out works with regard to underground cables.
58. **English Heritage** - have no objection in principle to the scheme and it appears from the application that the development is unlikely to have an impact on the setting of any heritage assets in the area. Our one concern is that the visual mitigation, which consists of hedges planted along the perimeter, will not be fully effective to screen the development until it has grown. This is likely to be after a period of 5-10 years. In our view it is important to explore with the developer all possible measures to adequately screen the development in the early years. We need to ensure that the areas with the most vulnerable views are protected as soon as possible.
59. No comments have been received from 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 the Sustainability Officer, the Economic Development Officer, Drainage Manager, the Ancient Monuments Society, Gransden

Airfield, Bassingbourn Barracks, the Conservation Officer and Ecology Officer. The consultation periods for these consultees had expired at the time of writing.

Representations

60. In total there have been 9 representations made objecting to the proposed scheme. These have come from residents and users of the office buildings in the surrounding vicinity.
61. One major complaint was that there was not enough notification. However, the application was advertised in the local press, in total 9 site notices were erected around the application site and in the villages of Croydon and Shingay-cum-Wendy, of which both Parish Councils were notified. For those who wanted to make representations were able to do so in the statutory 21 days either from the date of the site notice or from the receipt date of the correspondence. Both Shingay and Croydon Parish Council were given extra time based on the delivery dates of its correspondence. A public exhibition was held by the applicants where residents and employees could attend and ask questions.
62. The following issues raised are as follows:

Highway safety

- a) Highway safety concerns - the road has a history of fatalities and this would be a major distraction along an already dangerous road
- b) construction stage would add to this
- c) the laying of cable in a dangerous stretch of road - How will this be managed?
- d) At the exhibition the applicant was unaware of how dangerous this stretch of road was, what confidence can we have in the rest of the application?
- e) Traffic calming required

63. Landscaping

- a) the proposal would dominate the landscape
- b) Croydon village is set on relatively high ground and the view from the village looking down would be ruined.
- c) Proposed fence surround not in keeping
- d) the hedge mitigation proposed will never be adequate
- e) blot on the landscape
- f) fast grow species already out of character with general open landscape
- g) Earth bunds may be better
- h) lights, surveillance cameras and containers are proposed to be screened by already inadequate hedging
- i) security requirements are likely to be high creating potential for increased security measures that will in turn have an adverse impact on the landscape further still.
- j) potential sprawl of development on neighbouring fields
- k) surrounding footpaths negatively impacted
- l) photomontage indicates only one line of hedging and not the 3 rows proposed in the landscaping scheme - further clarification required.

64. Noise

- a) Noise disturbance from the development

- b) the noise assessment was carried out at an industrial unit where background noise is much higher than average
- c) lack of survey data and questions robustness of application
- d) will the enclosure close to the entrance emit noise?
- e) properties not within the village framework must be considered regarding noise also - seems to be an oversight in the Noise Assessment.

65. Flooding

- a) drainage is poor in this area and whilst the development is not in the flood zone localised flooding does occur and this will exacerbate it.
- b) a more thorough FRA is required that addresses local flooding

66. Other

- a) clarification that the land use will continue to be agricultural land
- b) how can the surrounding area be safeguarded against similar development
- c) the collectors could be sited further into the ground
- d) the panels are available in reduced sizes - why not use smaller ones?
- e) devalue property
- f) inappropriate location

Planning Comments

67. 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 adjacent residential properties and business units, the impact upon users of aviation, the impact on the historical environment, the impact upon highway safety, the loss of agricultural land and ecology considerations.

The Principle of Development

68. 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 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;

69. 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.

70. 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.
71. 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".
72. 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

73. The Landscape and Visual Impact Assessment concludes that the proposal would not have a materially significant adverse impact upon the landscape. The survey notes that the landscaping proposals would reduce short and medium term 'Moderate Adverse' impacts upon Valley Farm and Toll Bar, 'Major Adverse' impacts upon footpath 18 and 'Moderate Impacts' upon the B1042 Lower Road to no more than 'Minor Adverse' significance in the long term.
74. The Landscape Officer says the development will have a greater impact than the applicants have suggested, but given the scale of the landscape and surprisingly limited views the development could possibly be integrated into the landscape.
75. It will change the landscape - and it will be noticeable. According to old maps the valley bottom has always been open with few trees, and the fence and panels will alter the landscape by closing off the long views to the south and east and introducing very regular forms and a large block of planting

76. It is important to have a strong area of planting to the north, so I have suggested that the proposed hedge is replaced with a hedge and triple row of trees to give a staggered filtered view.
77. It would also be very beneficial to have some off - site tree planting to the west and south - does the applicant have control of this land? The impact of a 780m length of fence and hedge here from the public footpath will need breaking up and some variation in height
78. A condition can be added to ensure that adequate landscaping is provided, including in the additional areas described by the Landscape Officer. Such planting would again be achieved through a landscaping condition.

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

79. There are a small number of residential dwellings and business use locations around the site. There are three residential properties located on the north of the B1040 close to the access point of the application site. These are Croydon Old Farm, Valley Cottages and The Beeches.
80. 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 on to planting within the residential curtilages, which does not allow direct views through to the application site. The planting is a mixture of deciduous and evergreen species and therefore would allow only limited views through during winter months. The first floor openings would allow views over and through the hedgerow; these openings are approximately 100m south from fascia to the field beyond. The solar panels closest the road are less than 10 m from the proposed hedge screening, making a distance of approximately 115m between the closest of the three dwellings and the proposed panels. Guidelines for Landscape and Visual Impact Assessment states when considering views from windows, views from rooms normally occupied during daylight hours are generally deemed more important than those used for sleeping, from which only occasional views may be obtained.
81. Other residential properties known as Toll Bar and Lower Manor Farm are located approximately between 350-400m west of the application site. It is considered that the views of the solar farm will be more oblique for these units; particularly Lower Manor Farm house which is located to the rear of its ancillary business units allowing only oblique views from first floor. Toll Bar is a single storey property, again allowing only oblique views across the open field to the west of the application site.
82. The business uses are primarily located at Valley Farm; the closest unit being Valley Farmhouse itself sited approximately 80m northeast at its closest point. The business units are sited slightly further northeast and benefit from some tree screening that filters views when looking south towards the site. It is considered that the proposed mitigation will aid this also.
83. 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 or business units. Whilst there would be a serious change to the outlook from these properties, 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 based on the comments of the landscape officer this may not be appropriate in this instance. Further planting would also further screen the proposed boundary fence.

Noise and Vibration impact

84. It is stated in the submitted report that it is not the panels themselves that are the sources of noise but the electrical equipment associated with the development. The equipment is to be housed within enclosures to help reduce the noise emissions from these sources, of which there are 3 main sources across the site. The significant sources of noise will be cooling fans for the equipment containers. Responding to energy generation the noise emissions will only occur in the daytime. Significant operational vibration effects are unlikely and therefore no further assessment has been carried out. The report concludes that the effects would be of less than 'marginal significance' during the daytime in accordance with the methodology contained within BS4142 and there would be no change in daytime ambient $L_{Aeq,16h}$ noise levels at the noise sensitive (residential) receptors.
85. The EHO officer has commented that there are no objections with the proposed scheme subject to the development being carried out in accordance with the submitted noise assessment. It is considered that the noise emissions from this development do not warrant a reason for refusal.

Impact upon Aviation

86. The applicant has provided an assessment of the impact of flying operations. 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.
87. A consultation letter was sent to Gransden Airfield and Bassingbourn Barracks and no response was made. Members will be updated on any comments received. There are examples of panels located adjacent to airfields, such as in Adelaide Airport, Australia, which suggest that there should be no objection in principle.

Impact on the Historical Environment

88. The site is not located in a designated Conservation Area. The proposal was, however, submitted with a Historic Environment Assessment that aims to address the impact the development would have on the various Scheduled Ancient Monuments (SAMs) within the vicinity. All SAMs are of national significance. There are no SAMs within the application site, however there are three located nearby. These comprise the Arrington Bridge Romano-British site (CB86) located approximately 1km to the east, the moated site of medieval 'Preceptory of Knights Hospitaliers (CB108) approximately 1.3km to the south of the River Rhee and the Deserted Village of Clapton (CB45)

located approximately 1km north west north of Croydon House. The assessment concludes that the impact of the development is neutral to all surrounding SAMs.

89. The comments from the Conservation Manager not yet been received at the time of writing the report.

Impact upon Highway Safety

90. A Transport Statement that provides details on construction methods and details of the anticipated construction programme for the solar farm supports the application. 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, which would arrive at the site on their own accord.
91. The comments from the Local Highways Authority are noted. The Construction Method Statement is a good basis for analysis. The Local Highways Authority has not requested any further information.
92. The objections raised with regard to this road being a danger hotspot have also been referred back to the Local Highway Authority and an update response will be provided prior to the meeting or verbally on the day.
93. Glare and distraction are raised in the Transport Statement under Part 2, within paragraphs 2.7- 2.10. The panels will be facing south, away from the B1042 and therefore unlikely that glare will be problematic to drivers. Additionally the solar panels are primarily absorptive and designed to minimise reflection.
94. The applicant has stated that parking for workers during the construction phase would be available on land adjacent the site, in land to the east of the application site. 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 the B1042. However, if this is not in the ownership of the applicant there is little control. Confirmation is being sought from the agents with regard to this and Members updated accordingly.

Loss of Agricultural Land

95. 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. 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>).

96. 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.
97. 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

98. 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 arable field, field margins, cereal field margins and hedgerows 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.
99. 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. A condition should also be added to confirm the management of the land following erection of the panels.

Other Matters

100. Planning for Renewable Energy, a Companion Guide for Planning Policy Statement 22 (Renewable Energy) notes that there would be direct economic benefit for such proposals from the creation of jobs for the installation and maintenance of solar panels.
101. The comments from the County Archaeology Team are noted and have been forwarded to the agent, it is requested that the applicants carry out the

necessary works prior to a decision being made. Members will be updated accordingly following a response from the agent.

Conclusion

102. 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

103. Delegated approval, subject to any relevant updates received prior to the presentation of the application before Members. If approved, conditions would be required regarding the start time for implementation, the plans to be approved, the construction phase method statement, 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 B1042, 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.

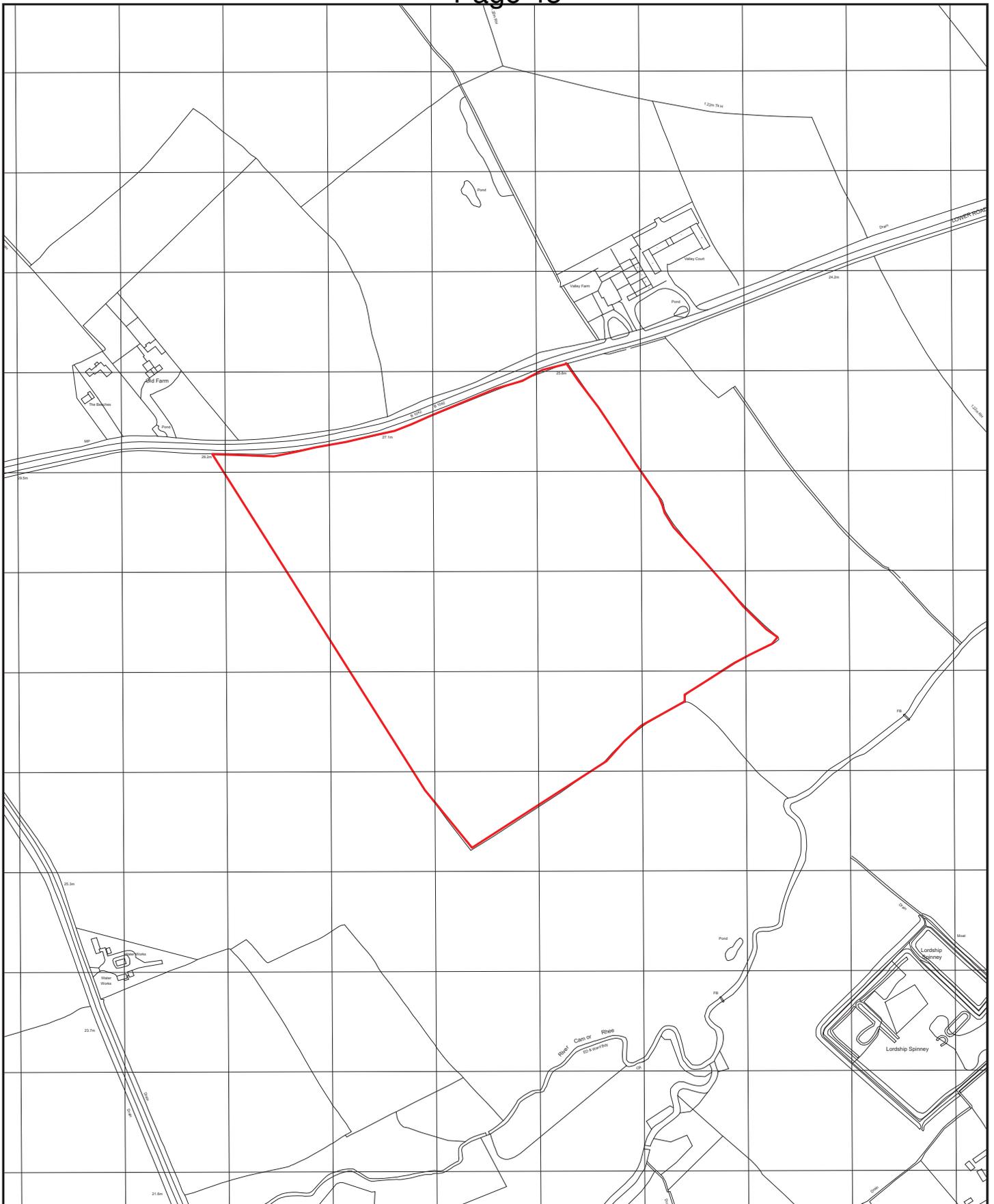
Paragraphs 5.18 of the Phase I Habitat and Ecological Scoping Survey suggest pre-development monitoring of the site is carried out to determine whether there are any nesting birds present within the existing hedgerows. Such monitoring is to be encouraged, with the results made available to the Council.

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
- Biodiversity 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/0319/11

Contact Officer: Saffron Garner - Senior Planning Officer
01954 713256



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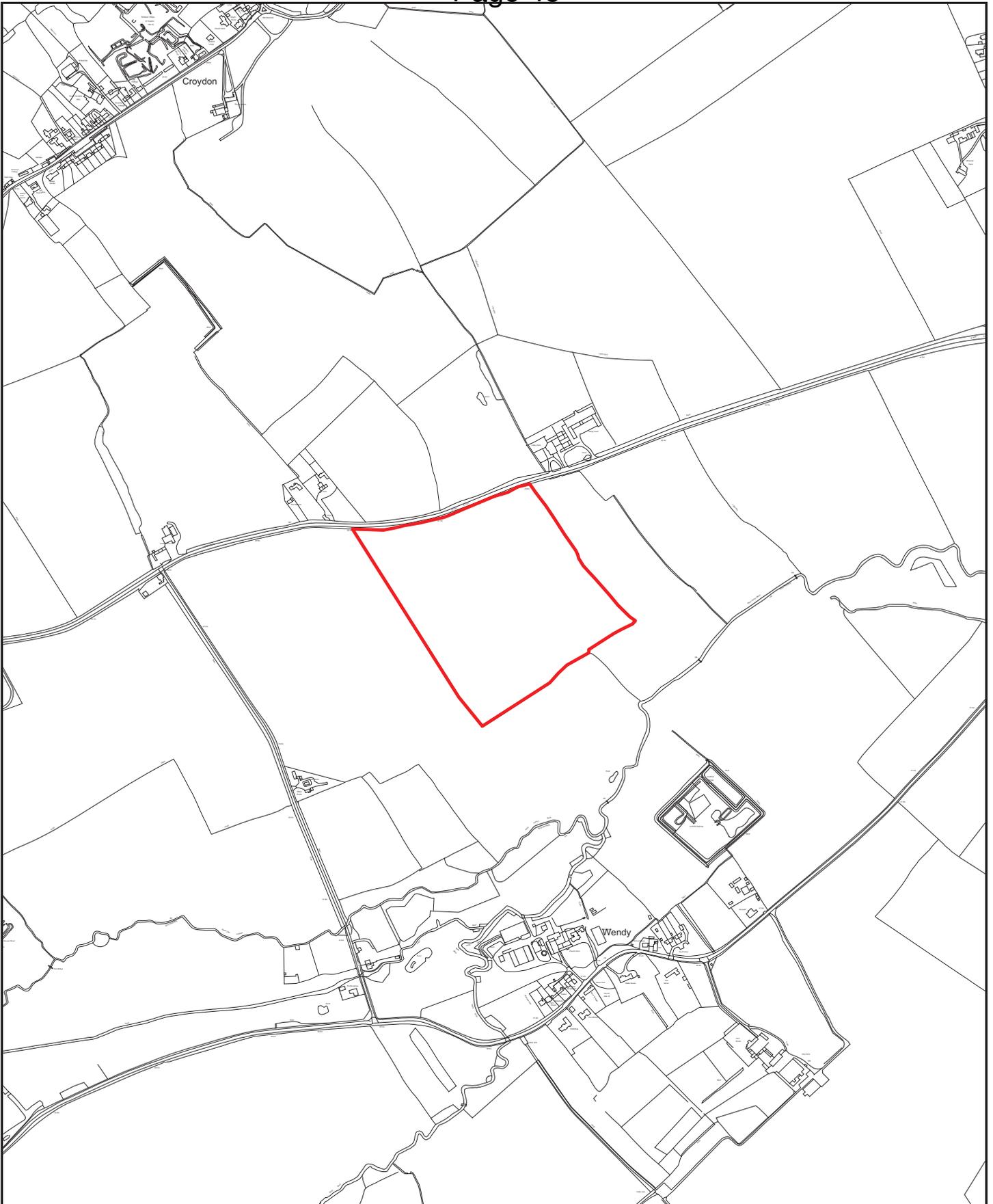
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/0567/11 - BOURN**Construction of Solar Energy Farm to include installation of solar panels, with on-site plant and machinery, access tracks, security fencing, landscaping and associated works. - Land East of Broadway & South of access to Grange Farm Park for Vogt Solar Ltd****Recommendation: Delegated Approval****Date for Determination: 21 June 2011**

This application has been reported to the Planning Committee as a recommendation of approval would conflict with written representations on material planning grounds received from the Parish Council

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 18th March 201, 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 926 mounting frames, each of which would hold 24 solar panel modules, totalling 22,224 modules. The panels would be mounted at 30° from the ground to maximise solar gain, and would total 2.3m 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 32 rows although only 17 would run across the whole site.
6. Four 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 full 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, 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 for the previous scheme on the site and concluded the development was not Environmental Impact Assessment development.

Planning History

8. A recent application for a similar solar energy farm (S/2205/10) was refused at Planning Committee on 2nd March 2011 on grounds of impact upon the surrounding countryside and impact upon the amenity of the occupiers of adjacent properties. Members will recall visiting the site on this day.
9. There have been a number of other planning applications made on and around the application site. Of interest to the determination of this planning application are the following:
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 refusal of the application on grounds of impact upon the local landscape, impact on the landscape character on an important approach to the village, and loss of grade 3 agricultural land. The additional screening is noted but it would take years to be effective and would not screen during winter months. No community benefit has also been provided. If approval is granted, conditions regarding a temporary use only, a restriction on working hours, use of evergreen planting, the minimisation of water runoff, improvements to biodiversity, and a plan to ensure vehicles do not arrive through the village are all suggested.
19. **Cambourne Parish Council** recommends approval subject to conditions providing mature planting to the wets boundary, and subject to solar panels being fitted to the Lower Cambourne Cricket Pavilion.
20. **Caldecote Parish Council** states no recommendation for the proposal.
21. Comments from the **Council's Landscape Officer** have yet to be formally received. However, the changes appear to have followed the advice provided, and a verbal informal recommendation of approval has been provided.
22. The **East of England Development Agency** notes that the Council should give material consideration to strategic plans and the evidence base that underpinned them. The region is a leader in sustainable energy production in the UK and given proposed levels of growth, the region will continue to require a broad range of sustainable energy production. The contribution of this proposal is relevant in working towards this aim and helping to achieve regional headline ambitions for renewable energy targets.
23. The **Environment Agency**, after consultation with the applicant, notes the scheme is satisfactory in principle, although they note the owner/occupier will be responsible if problems to arise from surface water run-off/disposal at the site.
24. The **County Definitive Maps Officer** notes no public rights of way would be affected by the proposal.
25. The following comments were received from consultees in relation to application S/2205/10
26. 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.
27. **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.

28. 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.
29. 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.

Representations

30. The occupiers of **Broadway Farm** note the scheme would still dominate the landscape and would be viewed as an industrial site, still located close to dwellings.
31. The occupiers of **Park Farm** note the Government is reviewing the feed-in tariff for such schemes.
32. With regard to the previous application, letters of objection were also received from 6 and 7 Grange Park, Cambridge Microfab Limited and 158 Caxton End. Letters of support were received from the occupiers of 3 Stagwell Road, Cambourne and 3 Devonshire Mews, Cambridge.

Planning Comments

33. The key issue to be considered in the determination of this application is whether changes to the scheme have overcome the previous reasons for refusal regarding impact upon the countryside and impact upon the amenity of the occupiers of adjacent properties. Whilst departing from DP/7, the principle of developing the site subject to site specifics was established through application S/2205/10. Impact upon the users of Bourn Airfield, impact upon the Conservation Area and adjacent Listed Buildings, highway safety concerns, the loss of agricultural land, and ecology considerations were all considered appropriate subject to planning conditions.
34. Below is a summary of the changes to the scheme:
 - The solar panels have been relocated away from the western boundary. In the previous scheme, they were located 24m from the road at the closest point. They have been moved 49m away from Broadway.
 - The heights of the panels have been reduced from 2.7m to 2.3m.

- The number of panels has been reduced from 22,416 to 22,224, with mounting frames reduced from 934 to 926 and the number of rows reduced by one.
- The number of inverters and transformers has been reduced from five to four.
- The security fence is located away from the boundary hedge along the west and south boundaries
- Additional planting is proposed, including a 20m wide strip of native planting along the western boundary, and further planting along the north, south and east boundaries.

Impact upon the Countryside

35. The previous reason for refusal related directly to the site being prominent when viewed from the public realm, changing the rural character of the area to an industrial form creating an unacceptable harm to the visual quality of the surrounding countryside. As noted, a number of measures have been taken to mitigate any impact the development would have upon the surrounding countryside. The landscape plan follows discussions with the Council's Landscape Officer. Although no formal comments have been from the Landscape Officer, a verbal opinion that the scheme appears satisfactory has been provided.
36. The key concern was the views from Broadway. Previously, the hedgerow along the western boundary of the site was to be left to grow taller to create a screen. This proposal sees an additional 20m band of native hedging to be planted within the site, as well as some native trees to be planted between the existing and proposed hedge. The trees and hedges would be species that would grow to heights of approximately 10m and 4-5m respectively. The planting to the northwest corner remains, screening views from the road. Planting is also proposed by the mature trees along the north boundary. This would help screen views of the site under these trees. Further larger trees are proposed in the northeast corner of the site. The eastern boundary, which currently is not all complete, would have smaller trees grown to help fill the gaps. Additional planting is proposed to the south boundary.
37. Subject to the formal comments of the Landscape Officer, I consider this proposal will help to significantly reduce the impact of the development on the countryside. The key views from Broadway would be significantly reduced by the planting. The reduction in height of the panels and their location away from the boundary is considered acceptable. There would still be views of the site from Broadway, and this is likely to be unavoidable. The scheme does not include evergreen planting due to the preference for native species, so there would be more views into the site in winter months. However, the harm to the visual impact is likely to be outweighed by the benefit of produced renewable energy.

Impact upon the Amenity of the Occupiers of Adjacent Properties

38. The previous reason for refusal related directly to the three properties along Broadway and Rockery Farmhouse to the south of the development, all of which would have clear views of the proposal. Its scale was considered to be overbearing for the occupiers of these dwellings. Again, the changes to the

scheme have been devised to attempt to reduce the impact on the occupiers of these properties.

39. Shifting the panels further eastwards has the effect of creating a further 20m gap between the panels and the dwellings along Broadway. These properties would now be approximately 60m from the start of the solar panels and the security fence. Given the proposed level of planting between them, the outlook from first floor windows would be significantly improved. Given the length of the site, some of the panels will remain visible, but the overbearing nature of the development would be dramatically reduced. With regards to Rockery Farmhouse, the strengthening of the southern boundary would again provide additional screening to reduce the harm on the occupiers of this property. Subject to receipt of formal comments, which members will be updated on, I consider the scheme would overcome the concerns regarding the overbearing impact upon the neighbouring properties.

Community Benefits

40. The applicant has been in talks with the Parish Council regarding the potential for a community benefit to be provided for Bourn. Again such offers could not be tied through this application, but would be subject to a unilateral undertaking from the developer. Members will be updated on any progress on this matter. I note the request from Cambourne Parish Council. However, as the development is within the Bourn Parish and on the main route into the north of the village, it is considered any community benefit should be provided for Bourn Parish Council.

Decision/Recommendation

41. Delegated approval, subject to comments from outstanding consultees and neighbours. The consultation period will be completed prior to May Committee. If approved, conditions would be required regarding the start time for implementation, the plans to be approved, implementation of the landscape plan, the construction phase method statement and routing arrangements, parking for workers during construction, a Biodiversity Enhancement 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

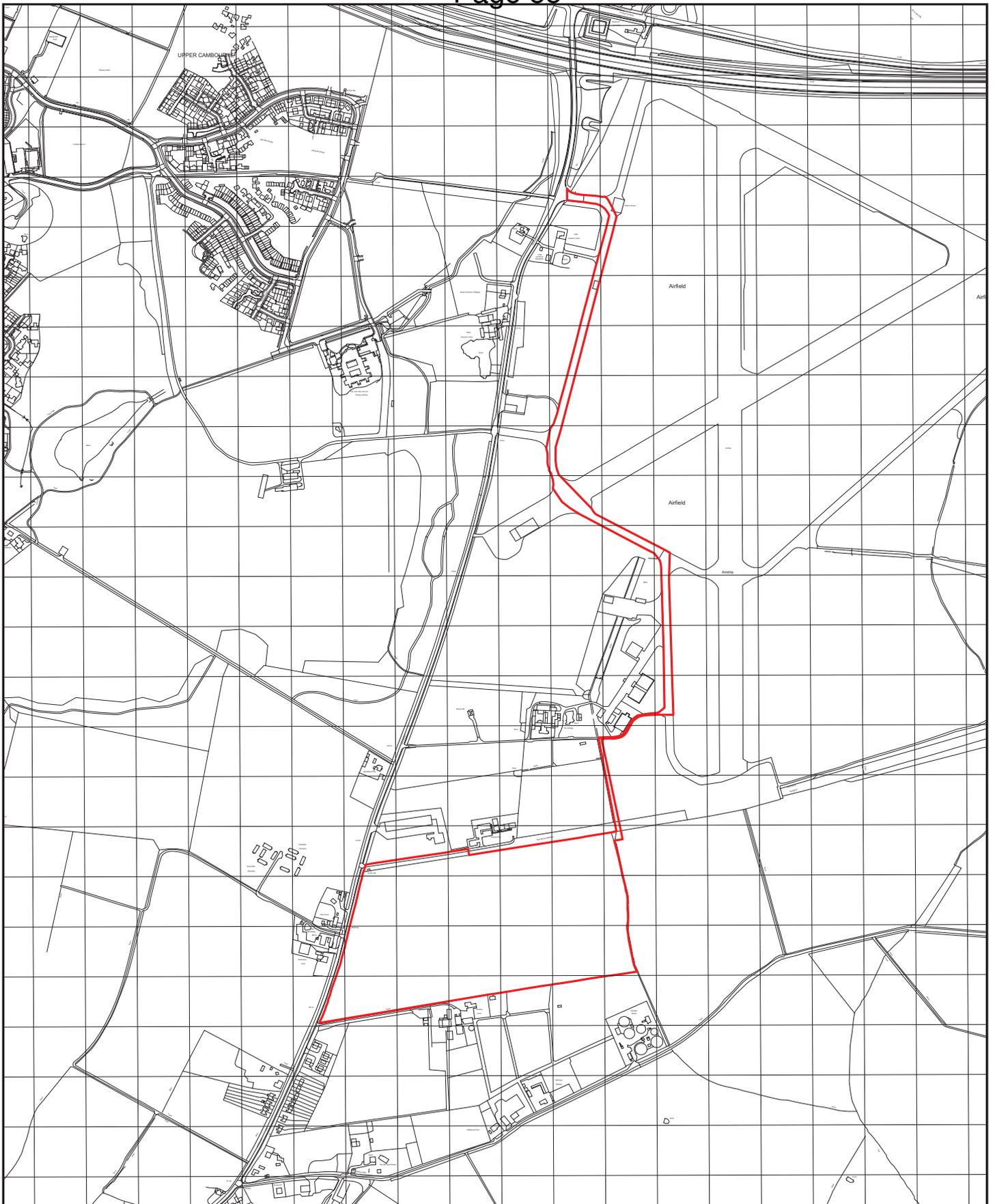
Act 1991/Water Resources Act 1991. The Environment Agency seeks to avoid culverting and its consent for such works will not normally be granted except as a means of access. The granting of planning approval must not be taken to imply that consent has been given in respect of the above.

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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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/1778/10 - GIRTON
12 Extra Care Apartments at Gretton Court, High Street, Girton for Barton
Housing Association
Recommendation: Approve Conditionally

Date for Determination: 17 December 2010

Site and Proposal

1. The site is located in the Parish of Girton inside the designated village framework. The site is located outside the Green Belt and not in a Conservation Area. The existing property comprises approximately 59 individual apartments with various internal and external communal areas. The use is residential and owned by Barton Housing Association. It houses various elderly people privately. The building is set in a large 0.2-hectare plot with surrounding private gardens for use by the residents.
2. The proposed scheme is for 12 new single occupancy extra care flats for the elderly. These are to be made available to those who need ongoing supervision and care more regularly than those residing in the existing building. The proposed unit is attached to the existing building via a glazed ground floor link. The new build is a 3 storey flat roofed building to be located in the grounds of Gretton Court. At ground and first floor are the 12 extra living units (6 on each floor). These are all self contained. On the second floor is an activities room and roof terrace. The ground level of the ground floor is significantly lower than the existing buildings ground floor and the overall height of the new build, although 3 storeys is lower than that of the existing building. Proposed units 1, 2, 7 and 8 have terraces overlooking the existing garden area.
3. The application dated 18th October 2010 is accompanied by a Design and Access statement and a Flood Risk Assessment

Planning History

4. S/1763/09 - 16 x 1 bed Extra care units - Withdrawn
S/1988/04 - Erection of 4 garages and provision of 3 parking spaces - approved.
S/1166/95 - 18 Garages, potting sheds, workshop and cycle store following demolition of existing garages - approved
S/0840/95 - Staff car park and refuse store - approved
S/1042/84 - Gretton Court - Approved
C/0183/70 - Housing for the Elderly - approved
C/0563/69 - Residential Development for Old People - Withdrawn

Planning Policies

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

ST/6 – Group Villages
6. South Cambridgeshire Local Development Framework Development Control Policies DPD, adopted July 2007:

DP/1 - Sustainable Development
DP/2 - Design of New Development
DP/3 - Development Criteria
DP/4 - Infrastructure and New Developments
DP/7 - Development Frameworks
GB/3 - Mitigating Development in the Green Belt
NE/6 – Biodiversity
TR/1 – Planning for More Sustainable Travel
TR/2 – Car and Cycle Parking Standards
7. South Cambridgeshire LDF Supplementary Planning Documents:

Trees and Development Sites – Adopted January 2009.
District Design Guide – Adopted March 2010.
Landscape in New Developments – Adopted March 2010.
8. **Circular 11/95 (The Use of Conditions in Planning Permissions)** - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
9. **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

10. **Girton Parish Council** – recommends refusal for the following reasons:
 - The Council found the FRA inadequate in that proper estimation of potential flooding tolerability's has not been made
 - Lack of provision for the disposal of solid waste
 - Arrangements for parking sketchily considered
11. **Local Highway Authority** – Raise no objections to the proposed development and state that no significant adverse effect upon the Public Highway should result from this proposal should it gain the benefit of planning permission.
12. **Environment Agency** - The Environment Agency is now able to withdraw its objection to S/1778/10, the proposed extension to an extra care facility at Gretton Court, Girton. We have been in consultation with the consultant, Alan Rich of AE Designs Ltd, and have now agreed that his current watercourse modelling work is fit for purpose.

- 13 Mr. Rich has also sent us a revised Flood Risk Assessment (FRA) reference 1193/2009-3 FRA dated March 2011 (copied to you under separate cover). This document should be recognised as being part of the formal application and should therefore supersede and replace the former FRA reference 1193/2010-2 FRA dated October 2010 currently on your website. We have reconsidered the above in context with the recent discussion meetings, site meetings and consultations.

I can therefore confirm that the Environment Agency is now able to withdraw its Objection to the proposed development on flood risk grounds.

The site is shown to be in Flood Zone 3 according to the Environment Agency's Flood Maps.

The watercourse modelling work undertaken by the consultant has confirmed that the bank will overtop during a 1 in 100 year flood event in the Washpit Brook and therefore the site must be considered to be within Flood Zone 3a.

14. As we have stated previously; built development, or the raising of ground levels within any defined 1 in 100 year floodplain, without adequate compensatory works or suitable mitigating measures, will increase the risk of flooding to other land/properties due to the impedance of flood flows and/or the reduction of flood storage capacity. To date, we have not received any details of where the compensatory works are proposed. This may have a bearing on your determination as it may impact upon any landscaping proposals and the physical and visual amenity of the site. The Agency would be happy for this matter to be dealt with by condition, in terms of flood risk, if you are in agreement.
15. Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information demonstrating that the proposed development can proceed without posing an unacceptable flood risk. As the matters referred to in the suggested planning conditions are not "reserved matters" as defined in the Town and Country Planning Act, 1990, it will be necessary to impose a separate condition for each issue to ensure that these matters are addressed by the future developers.
16. We consider that planning permission should only be granted to the proposed development if the following planning conditions are appended to any approvals given.
- Condition 1. Unless otherwise approved in writing, Finished Floor Levels shall be set no lower than 10.65 metres above Ordnance Datum Newlyn.
- Reason. To protect the development and its occupants from flooding in extreme circumstances.
17. Condition 2. Development shall not begin until a scheme for the provision of flood risk mitigation measures and compensatory flood storage on, or in the vicinity of the site, shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority.

The submitted information shall include a detailed topographical survey of existing and proposed ground levels and full calculations for any level for level, volume for volume compensatory ground works. The scheme shall also include details of how ground levels shall be maintained and managed after completion.

Reason. To prevent the increased risk of flooding elsewhere.

18. Condition 3. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority.

Reason. To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the system.

19. **Ecology** - Previous comments apply. Please secure new orchard planting through suitable scheme of planting. The FRA suggests that surface water discharge is to be attenuated by a tank or pond, a pond is preferable.
20. **Trees and Landscape Officer** - No objection. Landscape conditions should be included if minded to approve.
21. **Drainage Manager** - No objection subject to comments from the EA.

Representations

22. There have been 3 letters of objection received regarding this development. The following concerns are raised:

FRA not adequate. Surface water run off a huge problem - where will it go?

No ecology survey submitted. Habitat mitigation is required

No tree survey submitted - Loss of trees is unacceptable

Information missing from the file yet referenced to in the application makes submission very unclear

Noise from new residents, air con units, ventilation, television sets, doors and windows, shouting from residents who are hard of hearing

What is the link with Affordable housing here?

The properties in Woodland Drive are at the same ground level as the proposed building therefore making 3 storey very overbearing

The elevation facing woodland Drive is blank, unattractive and oppressive

Policy states that new sheltered housing should be permitted in built up areas of the village framework - this is on the edge of the framework

Out of character with the area as apart form Gretton Court all surrounding properties are single or two storey units. The development is entirely out of character with the area by virtue of its height, mass and location. The flat roofs will present a totally incongruous appearance. The scheme does not respect the purposes of the Green Belt, which is located to the west of the application site.

Windows in the north elevation will overlook my private rear garden

New development will dominate and overshadow the garden of No 24 Woodlands Park

The housing need is on a commercial basis and not a local need basis

The increase of users of the building has not been accounted for by either a Transport Assessment or travel plan. Additional vehicular movements not accounted for. Potential increase of 4 staff and twice as many people.

The extension would be better suited located to the south of the existing building or at least moved 15 to 20 metres further south away from the properties in Woodlands Park.

Yew Cottage shares a substantial boundary with the car park at Gretton Court and whilst there is no concern about the position of the existing car park it has been raised that officers should restrict vehicles over 1.8 metres parking along the shared boundary as it diminishes the seclusion and amenity of the garden

Planning Comments – Key Issues

23. The key issues to consider in the determination of this application are the principle of development, the impact that the proposed development would have upon the character and appearance of the area, highway safety and car parking provision, residential amenity and flood risk.

Principle of Development

24. In terms of planning policy the proposed development is located inside the designated village framework. Whilst it is close to the edge of the framework the proposal is not considered to be contrary to DP/7 'Development Frameworks' of the Development Control Policies adopted 2007. Additionally, the site is not in the Cambridge Green Belt, although its boundary runs along the same line as that of the village framework. The boundary of Gretton Court to the neighbouring green belt is one of mature tree screening, both inside and outside of the application site. The proposed development is considered to be well screened and mitigated well by the

existing boundary treatment from the surrounding Green Belt. There is no policy objection to the proposed development and therefore the principle of development acceptable.

25. The application benefitted from pre-application advice and considerable officer time prior to the submission of an application. Both the Tree officer and Ecology officer visited the site to assess the loss of trees and habitat that would be involved in the process of the application. Comment has been received based on the visits made to the property and have been included as part of this report.
26. The application under planning reference S/1763/09/F was withdrawn based on overlooking of the first floor onto the occupiers of Woodlands Park and the submission of an inadequate FRA. Discussion has taken place between officers and the applicants to rectify this and the scheme before us is a result of this.

Character and Appearance of the Area

27. The existing building is located within the village framework and in close proximity to other residential units in the surrounding High Street and Woodlands Park. The site comprises 0.2ha and the access is located off the High Street between two residential sites known as 1 and 7 High Street. The existing building benefits from being set within well maintained and mature gardens with its own off road parking provision for residents, visitors and employees located to the east of the main building. This building is read in context with a number of neighbouring properties, the garden area surrounds the west and south elevations that are adjacent the village framework boundaries and neighbouring green belt. The existing character is predominately residential although it benefits from having a softer edge to the neighbouring green belt and wider countryside due to its vast garden area. This garden area is to be retained and improved.
28. The existing unit is a building of little architectural merit with a mansard roof and tile hanging, though appropriate in its time it would not be of any merit to replicate the same style and design on a building that has very few similarities in terms of its size and scale. The proposed extension aims to retain as much garden area as possible whilst still benefitting from utilising existing space. This particular area within the plot is considered low enough to allow the bulk of the development to be at the same level as that of the ground floor of the existing building. This has proved difficult to achieve due to the flood risk complications, but still allows the overall bulk of the building to be significantly reduced. The design is subjective, however it is considered to be of its time and designed to address material planning considerations that were raised during the earlier submission.
29. Additionally the siting is located between an existing 3-storey unit to the east and a significant level of mature screening to the west. It has been designed to minimise the overbearing impact on the occupiers to the north and still allow a pleasant vista to the south with limited impact on the wider countryside and neighbouring Green Belt. It is considered that the impact on character and appearance of the surrounding area is minimal and in accordance with the requirements of the Local Development Framework policies adopted 2007.

Highway Safety and Parking Provision

30. Comments from the Local Highway Authority are noted. The provision for parking on site is considered adequate for the proposed scheme and the existing building. There are 22 garages on site together with 30 parking spaces, residents use 18 garages and 6 spaces maximum are used at any one time by staff. This leaves 28 spaces in total that can be used by visitors and trade delivery vehicles. The additional 12 units are unlikely to generate a significant amount of additional parking provision to be required. As a C2 use the Local Development policies request a maximum of 1 space per residential staff plus 1 space per 3 bed spaces. For the existing use a maximum of 19 spaces are required for residents. It is unknown how many staff reside here, however it is not considered likely that it will use the remaining spaces. Therefore it is not considered necessary to provide any further provision through this application given the way the existing parking provision is currently utilised.

Residential Amenity

31. The proposal's closest properties, not within the grounds are those at Woodlands Park. No. 24 Woodlands Park is considered to be the most vulnerable in this instance due to being a single storey bungalow due north of the proposed 3-storey extension. The earlier scheme had openings at first floor along the elevation that looked towards Woodlands Park. This scheme has aimed to rectify this in that the windows are now for the kitchen areas only with opening fanlights. These can be conditioned to be fixed and fitted with obscure glazing to overcome overlooking. At ground floor boundary treatment will overcome any overlooking concerns and can be secured by condition.
32. With regard to the proximity of the new build to the shared boundary, this equates to approximately 10.5 metres. There is an additional 5/6 metres from the boundary to the property itself. The second floor of the proposed building is predominately flat roof space and the bulk of volume for the activities room is located in the middle of the proposed building, away from No. 24 Woodlands, by as close as approximately 6.6 metres to 15 metres.
33. With the windows obscure glazed and the bulk of the volume removed from close proximity the architect has tried to design the additional units in such a way that the volume will have minimal impact on its neighboring residents, including those who already reside at Gretton Court. The ground floor is lowered quite significantly into the ground to help reduce the overall height of the building. The flat roof approach is not always welcomed, however it is a modern design that has aimed at considering all close residents. The quality of the finished design is subjective. With the roof being flat it may be possible to improve the north facing elevation with planting or the like.
34. It is considered that the impact on neighbour amenity is acceptable and in accordance with the policy requirements.

Flood Risk

35. The originally submitted flood risk assessment was not supported, however ongoing discussion with the EA and the Councils Drainage Manager has resulted in the EA withdrawing their objection based on the resubmitted scheme. The EA comments are noted and recommended conditions are included as part of the recommendation.

Planning Obligations

36. The early stages of this application considered that the requirement for housing for the elderly did not require a contribution towards affordable housing or public open space as the site provides its own public space for its residents and there is no policy requirement that suggest schemes such as these should contribute towards affordable housing. No S106 agreement has been requested.

Other Matters

37. The matter raised regarding the parking of vehicles over 1.8 metres is not something that can be controlled, but is not considered to be necessary in any event.

Recommendation

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: Drawing Numbers 10/105/10 –17 franked 19 October 2011.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected.

The boundary treatment shall be completed before the dwelling is first occupied in accordance with the approved details and shall thereafter be retained.

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

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. 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. Apart from any top hung vent, the proposed first floor windows in the north elevation of the building, hereby permitted, shall be fitted and permanently glazed with obscure glass.

(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

8. Unless otherwise approved in writing, Finished Floor Levels shall be set no lower than 10.65 metres above Ordnance Datum Newlyn.

(Reason. To protect the development and its occupants from flooding in extreme circumstances and in accordance with the requirements of Policy NE/11 of the Development Control Policies adopted 2007).

9. Development shall not begin until a scheme for the provision of flood risk mitigation measures and compensatory flood storage on, or in the vicinity of the site, has been submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority. The submitted information shall include a detailed topographical survey of existing and proposed ground levels and full calculations for any level for level, volume for volume compensatory ground works. The scheme shall also include details of how ground levels shall be maintained and managed after completion.

(Reason. To prevent the increased risk of flooding elsewhere and in

accordance with the requirements of Policy NE/11 of the Development Control Policies adopted 2007).

10. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority.

(Reason. To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the system and in accordance with the requirements of Policy NE/11 and NE/12 of the Development Control Policies adopted 2007).

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

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

Informatives

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

Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

All drainage systems must be adopted or demonstrate that their maintenance is established in perpetuity with the development.

On uncontaminated land, soakaways for clean surface water drainage would be permissible at this location to a maximum depth of 2m below ground level if proved adequate to the satisfaction of the Building Control Section of the Local Council and designed and constructed in accordance with BRE Digest 365 or CIRIA Report 156.

Under the terms of the Water Resources Act 1991 and our Land Drainage

Byelaws, the prior written Consent of the Environment Agency is required for any proposed works or structures in, under, over, or within 9 metres of the top of the bank of the designated main river, Washpit Brook.

The granting of planning approval must not be taken to imply that consent has been given in respect of the above.

An acceptable method of foul drainage disposal would be connection to the public foul sewer.

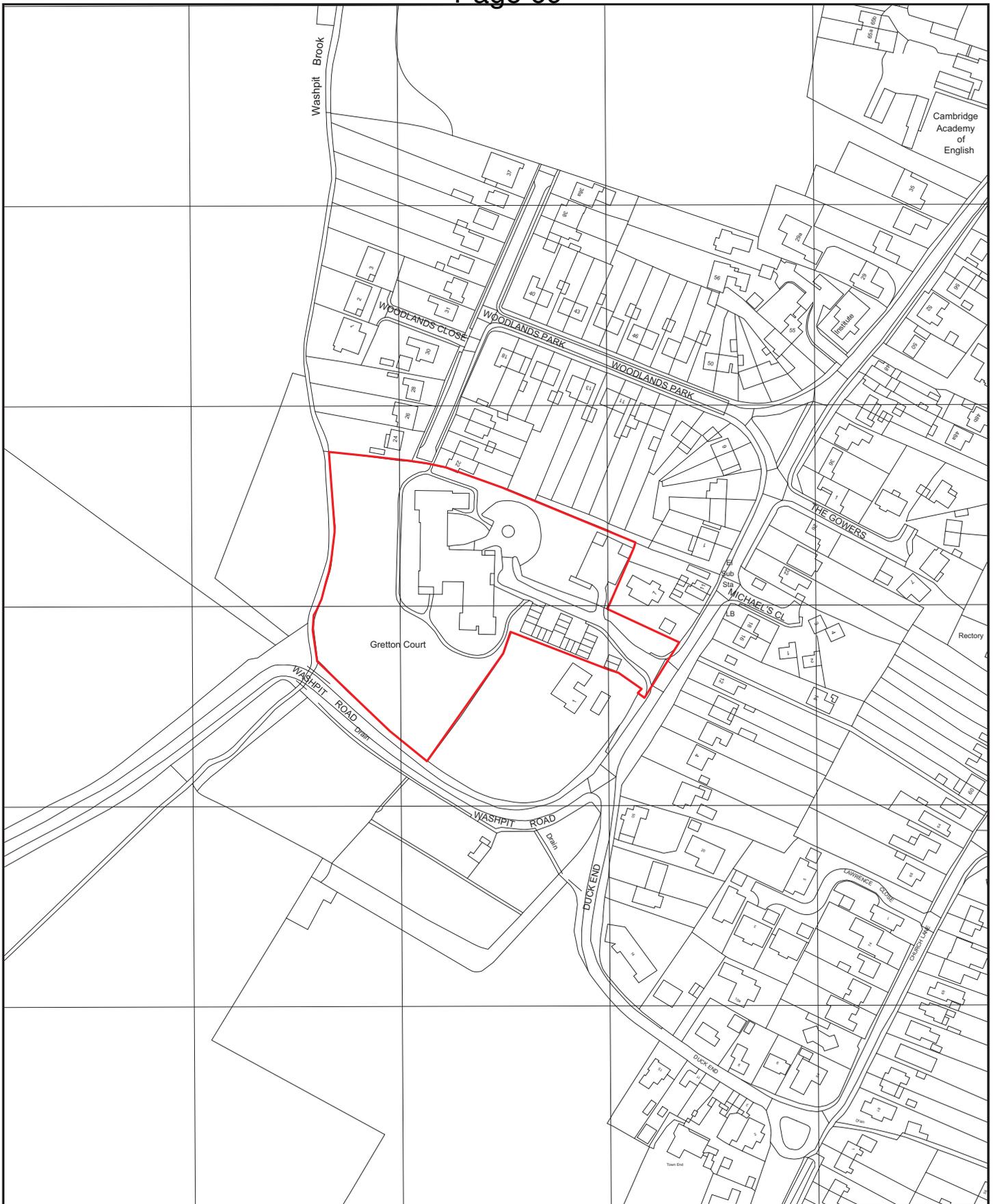
Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

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

- a. **South Cambridgeshire Local Development Framework Core Strategy.**
- b. **Local Development Framework Development Control Policies 2007.**
- c. **Trees and Development Sites SPD, District Design Guide SPD**
- d. **Circular 11/95 – The Use of Conditions in Planning Permissions.**
- e. **Circular 05/2005 - Planning Obligations.**
- f. **Planning File ref: S/1763/09/F and S/1778/10**

Contact Officer: **Saffron Garner** - Senior Planning Officer
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South
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Planning Dept - South Cambridgeshire DC



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Scale - 1:2500

Time of plot: 09:09

Date of plot: 20/04/2011

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

**S/2290/10 - LONGSTANTON
11 Dwellings - 53, Woodside, Longstanton
for Mr Mike Lee, Stepford Homes (Southern) Limited****Recommendation: Delegated Approval****Date for Determination: 18 March 2011**

This application has been reported to the Planning Committee as a recommendation of approval would conflict with written representations on material planning grounds received from the Parish Council

Members will visit the site on 11th May 2011

This is a Departure application

Site and Proposal

1. The existing dwelling of 53 Woodside sits on a large plot located inside the designated Longstanton village framework. The site is excluded from the Longstanton Conservation Area, although this runs along the northeast, southwest and partially across the southeast boundaries of the site. The other boundary to the Conservation Area is to the northwest boundary of the neighbouring property at 41 Woodside. The southwest boundary of the site is adjacent to a Protected Village Amenity Area that includes the frontage trees along Thatchers Wood.
2. The full application, received on 24th December, seeks the demolition of the existing bungalow and replacement with 11 dwellings on the site. This would include the provision of four affordable units. The development would create a cul-de-sac with a turning head. Amended plans have been received dated 16th March 2011 that show revisions to the layout, the redesign of plots 5 and 6, information regarding hedge removal, and water conservation measures. The application is accompanied by a Design and Access Statement, an Ecology Survey and Code for Sustainable Homes Assessment, a Tree Report, a Sustainability Statement, an Open Space Statement, a Heritage Statement, a RECAP Waste Management Design Toolkit, and a Flood Risk Assessment.

Planning History

3. Application **S/0303/78/F** granted consent for a bungalow following the demolition of the existing dwelling on the site.

Policies

4. **Local Development Framework Core Strategy Development Plan Document (LDF CS) 2007: ST/6 Group Villages**
5. **Local Development Framework Development Control Policies (LDF DCP) 2007: DP/1 Sustainable Development, DP/2 Design of New Development, DP/3 Development Criteria, DP/4 Infrastructure and New Developments, DP/7 Development Frameworks, HG/1 Housing Density, HG/2 Housing Mix, HG/3 Affordable Housing, 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/9 Water and Drainage Infrastructure, NE/12 Water Conservation, NE/15 Noise Pollution, CH/5 Conservation Areas, CH/6 Protected Village Amenity Areas & TR/2 Car and Cycle Parking Standards.**
6. **Open Space in New Developments SPD, Trees and Development Sites SPD, Development Affecting Conservation Areas, Biodiversity SPD, District Design Guide SPD, Affordable Housing SPD & Public Art SPD.**
7. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
8. **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultations

9. **Longstanton Parish Council** recommends refusal of the scheme. They note concerns that parking would cause difficulties for refuse vehicles, that the development would conflict with the character of the Conservation Area, that the development is too large and out of character, and that the scheme is “garden grabbing”. The amended plans were not considered to overcome the objection.
10. The **Council’s Section 106 Officer** notes the recreation ground is over a kilometre from the site. Provision should be made on site for a LAP but 259 square metres of informal space is proposed instead. Given constraints of the site, this is considered reasonable. There would be a financial payment, to be paid prior to occupation of the 5th dwelling. Contributions towards community facilities, public art, Section 106 monitoring and provision of waste receptacles are also required.
11. The **Council’s Housing Development and Enabling Manager** notes the scheme would provide four affordable units, to be socially rented. Given the district need for socially rented two and three bedroom units, this proposal is acceptable. The affordable dwellings shall remain so in perpetuity. There is no requirement for the units to be made available for people with a connection to Longstanton.

12. The **County New Communities Team** seeks contributions towards pre-school need and secondary school need given the shortfall of places at Hatton Park (£9,240) and Swavesey Village College (£15,000). It is noted Cottenham Village College also has no capacity. These figures are based on a net gain of ten dwellings.
13. The **Local Highways Authority** notes they would wish to adopt the access and the shared surface should therefore be constructed with blockwork. Conditions are recommended regarding the vehicle-to-vehicle visibility splays, pedestrian visibility splays, drainage of water away from the public highway and materials to be used for individual driveways. An informative regarding works to the public highway is also requested.
14. **Anglian Water** notes the foul drainage development is in the catchment of Over STW that at present has available capacity for these flows. The sewerage system also has available capacity. Surface water disposal is an issue for the Environment Agency although a condition is recommended.
15. The **Council's Trees Officer** notes the Tree report does not include tree protection details for those to be retained on site. A condition is recommended to ensure this information is provided prior to works commencing on site.
16. The **Council's Ecology Officer** notes there are a number of fruit trees to the rear of the site, the majority which would be lost as a result of the development. Orchards are a priority habitat species and the Ecology Survey makes no reference to this. These trees should be retained where possible. A scheme of ecological enhancement is proposed, with no removal of vegetation during the bird-breeding season. Further comments note the loss of the orchard is acceptable, provided the frontage land is used for further fruit tree planting. There should also be funding for the maintenance of the trees, based on a figure of £110 per trees and watering of £600 a year for 2-3 years.
17. The **Council's Landscape Officer** notes the need to retain planting across the front of the site to respect the Conservation Area. Some changes to the landscape plan are requested and can be achieved through a condition.
18. The **County Archaeology Team** notes the site has a high archaeological potential, and suggests an investigation is submitted prior to the granting of planning permission.
19. The **Council's Environmental Health Officer** requests conditions regarding the timing of use of power operated machinery, use of pile driven foundations and a lighting scheme. An informative regarding bonfires and burning of waste is also proposed.
20. Members will be updated on comments from the Conservation Officer.

Representations

21. Letters of objection have been received from the occupiers of 8 neighbouring properties and the Thatchers Wood Residents Company Ltd. The objections are based upon:
 - The principle of development in a Group Village

- Overdevelopment of the site and housing mix
- Impact upon the adjacent Conservation Area
- Impact upon the adjacent Listed Building of The Manor
- Impact upon the designated Protected Village Amenity Area
- Impact upon the street scene
- Loss of the frontage hedge, trees and an orchard
- Ecological implications and loss of habitat
- Redevelopment of brownfield land
- Archaeological implications
- Overlooking and loss of privacy to a number of neighbouring properties
- Highway safety
- Pressure on the sewage system

Planning Comments

22. The key considerations for the determination of this application are the principle of development, impact upon the adjacent Conservation Area and Listed Building, impact upon the Protected Village Amenity Area, ecological considerations, impact upon the amenity of the occupiers of neighbouring dwellings, and the Section 106 package.

The Principle of Development

23. Longstanton is classified as a Group Village in the LDF CS 2007, where residential development and redevelopment up to an indicative maximum scheme of 8 dwellings will be permitted within village frameworks. The site would previously have been described as brownfield land, which would permit development of up to 15 dwellings in exceptional cases. However, following the recent changes to Planning Policy Statement 3, this is no longer the case. As the scheme seeks 11 dwellings (a net gain of 10), it is considered a Departure from Policy ST/6 of the LDF CS 2007. The application has been publically advertised as such.
24. Policy HG/1 of the LDF DCP 2007 seeks residential developments to achieve average net densities of 30 dwellings per hectare. The site has an area of approximately 0.43 hectares. The existing single dwelling on the site represents development at a density of 2 dwellings per hectare, whilst a scheme of 8 in line with Policy ST/6 represents 19 dwellings per hectare. The proposed scheme of 11 units would represent development of 26 dwellings per hectare. This is still below the target densities required within Policy HG/1. There is conflict between policy ST/6 and Policy HG/1 for sites of this nature, as both seek a different number of dwellings from the site. Given the services and facilities within the village, it is considered that the site has the capacity for 11 dwellings, and would not materially prejudice the settlement strategy for the district.
25. Policy HG/2 of the LDF DCP 2007 seeks residential developments to contain a mix of units providing accommodation in a range of types, sizes and affordability. In developments of 10 market dwellings, the mix should provide at least 40% one or two-bed units, with 25% of three-bed units and 25% four-bed units. The proposal provides 3 two-bed units and 4 three-bed units, and no larger units form part of the scheme. This is considered to meet the aims of Policy HG/2.

26. Policy HG/3 seeks 40% or more of dwellings to be affordable in order to meet housing need. The proposal represents a net gain of 10 dwellings, of which 4 (plots 8-11) would be affordable. These numbers are in line with the policy aims. The units comprise of 2 two-bed units and 2 three-bed units and would be rented. The Housing Development and Enabling Manager has confirmed there is the demand for such dwellings and the application is supported. Members should note the site is not an "exceptions site", and therefore the dwellings would not be specifically for those with a local connection to Longstanton. The affordable housing would need to be tied up through a Section 106 Agreement to ensure they remain as such in perpetuity.
27. To summarise the principle of development, the proposal would represent a Departure from Policy ST/6 of the LDF CS 2007, and this is considered appropriate in this instance. The density of development is below the usually required level, the mix provides smaller housing, and the application would provide four affordable units. Members should also be aware that if only 8 dwellings (a net gain of 7) were proposed in line with ST/6, only three affordable units would be required. The Departure therefore does allow the opportunity to secure another unit.

Impact upon the Adjacent Conservation Area and Listed Building

28. As noted, the Longstanton Conservation Area runs along the front and rear boundaries of the plot, as well as a portion of the southeast boundary. The land and the neighbouring property at 41 Woodside have therefore specifically been omitted from this designation. No comments have been received from the Conservation Officer and members will be updated at the meeting. At the pre-application stage, the Conservation Officer advised that there is potential for residential development on the site providing any scheme is sympathetic to the setting of the Conservation Area.
29. The area has a green character, with a lot of hedgerows across front boundaries. This gives Woodside a rural setting, although members should note there are a number of road junctions with Woodside in the vicinity. Opposite the application site is an area of trees that front the Thatchers Wood estate. These also contribute to the verdant character. The application site does have a hedge running the majority of the frontage of the plot. By needing a vehicle access into the site and appropriate vehicle-to-vehicle visibility splays, some of this hedge will need to be removed. However, the proposal includes plans to retain a firm green frontage, supplemented by planting of fruit trees by the open space area. The design also keeps dwellings away from the frontage, and plots 1 and 11 are double fronted allowing a focal point into the site. It is noted the neighbouring properties of 41 and 57 Woodside are bungalows. However, there is sufficient gap between the proposed units and these dwellings to ensure the increase in height is not prominent in the street scene. 55 Woodside to the rear is a large two-storey dwelling. Subject to comments from the Conservation Officer, the scheme is considered to be acceptable in the street scene and should not harm the character or appearance of the Conservation Area.
30. The Manor is a grade II listed property located next to 41 Woodside. The access to the dwelling would be approximately 110m from the boundary of the application, and would not be viewed alongside the application site. Subject to comments from the Conservation Officer, it is not considered the proposal would harm the setting of this Listed Building.

Impact upon the Protected Village Amenity Area

31. The footpath to the front of the site, the road and the tree area opposite are all located within a Protected Village Amenity Area. Policy CH/6 of the LDF DCP 2007 states development would not be permitted within or adjacent to Protected Village Amenity Area if it would have an adverse impact on the character, amenity, tranquillity or function of the village. The area is again characterised by the green areas along the roads. The development would remove a section of the existing hedge, particularly southeast of the access. However, the planting proposed would retain the green front, although it is appreciated that the planting would take time to mature. Subject to a landscaping scheme, it is considered the proposals would not harm the adjacent Protected Village Amenity Area or the principles behind this designation.

Ecological Considerations

32. The application site has been cleared of vegetation prior to the submission of the application. This vegetation was not considered of any great merit in itself, and was not protected in its own right. Key to the setting of the site is the frontage hedge and the planting along the southeast boundary. The former is to be replaced while the latter is retained. Some of the habitat of the site will therefore remain.
33. In walking around the site, the Ecology Officer notes that a number of fruit trees located close to the northeast boundary would be removed to enable the location of the access and the dwellings. Orchards are a priority habitat species, and concerns regarding their loss have been noted. The applicant has therefore revised the proposed landscaping scheme to show new fruit trees to be planted on the site, including to the front and along the rear boundary. Such planting is to be welcomed, as it would mitigate the loss of the orchard on site. The Ecology Officer has requested a financial contribution to the upkeep of the fruit trees, and members will be updated on the applicants response on this matter.
34. The Ecology Officer also requests a scheme of ecological enhancement such as provision of nesting boxes. A condition can be added to any approval, and the applicant is encouraged to liaise with the Ecology Officer to create a scheme suitable for the site. The applicant has stated they would be happy to provide a scheme of nesting and bat boxes on site

Impact Upon the Amenity of the Occupiers of Neighbouring Dwellings

35. The neighbouring property to the northwest is 41 Woodside. This is a bungalow set quite close to the boundary of the site. This shared boundary is an unkept leylandii hedge that is currently significantly taller than the bungalow itself. The plan does show that works would take place to this hedge, and this would be confirmed in the landscape plan. The development proposes six dwellings on the northwest side of the cul-de-sac. This are all located more than 15m from the shared boundary. Whilst the dwellings will be visible from the rear openings of the bungalow and the rear garden, the proposal would not appear unduly overbearing. The distance also allows first floor windows serving habitable rooms in the rear elevations of the units and no overlooking or loss of privacy would result.

36. To the southeast of the site is the bungalow of 57 Woodside. This dwelling is located on the opposite side of a vehicle access that serves 55 Woodside to the rear. The southeast boundary of the application site has a large area of planting, and this would be retained. Plots 8-11 would be located 17m from the boundary of 57 Woodside at the closest. At this distance, the proposal would not be viewed as overbearing from 57 Woodside, and would not cause any overlooking to the occupiers of this property.
37. The backland plot of 55 Woodside is a large detached two-storey property. Plot 7 would be located approximately 6.5m from the shared boundary at its closest point, although the dwelling has been located so it is not parallel with the boundary. The rear elevation at first floor level would have three windows, serving a bathroom window, the landing and a bedroom. The bathroom window is the closest to the shared boundary and could cause some slight overlooking. A condition can ensure this is obscure glazed. The landing window and bedroom window again may cause some overlooking. However, given the distance and orientation of the dwelling, I do not consider any serious overlooking would result. The side elevation (north) has a bedroom window located close to the front of the dwelling. Again, given the distance, orientation and the location of the window in the room, I do not consider any serious overlooking would occur. A condition could ensure no further windows are added to the side and rear of this property.
38. Plot 6 would be located approximately 6m from the boundary with 55 Woodside and would be parallel with the boundary. This property has a blank facing elevation, and therefore no overlooking would result. A condition would be needed to ensure no first floor windows are added to this elevation. 55 Woodside has a large garden, and the proposal would be quite close. However, it is not considered that the proposal would be overbearing or cause a significant loss of light to the occupiers of 55 Woodside.

The Section 106 Package

39. The applicant is aware of the need to submit a Section 106 Agreement that would cover the retention of the affordable units in perpetuity, educational contributions, open space provision and public art provision. Negotiations have taken place between solicitors and a draft Section 106 has been produced. An area of open space is proposed to the front of the plot, which would allow the dwellings to be set back, and the green frontage retained. Members will be updated on progress on this matter. Ideally the Section 106 would be signed prior to the issue of an approved decision notice.

Other Matters

40. Policy NE/3 of the LDF DCP 2007 seeks development greater than 10 dwellings will to include technology for renewable energy to provide at least 10% of predicted energy requirements. The Sustainability Statement submitted with the application provides details as to energy and water saving methods to be used, but does not mention energy generation. A later e-mail states renewable technologies will be encouraged. A condition can ensure they take place as part of the development. Details of water conservation are shown in the Sustainability Statement and the e-mail dated 16th March 2011. Whilst this approach is encouraging, a full Water Conservation Strategy will be needed and can be conditioned in line with Policy NE/12 of the LDF DCP 2007.

41. The comments from the Local Highways Authority are noted, and the proposed conditions and informative can be added to any consent. Local concern regarding the proximity of the proposed access to that serving 55 Woodside is noted. However, it is considered there would be good separation between the two.
42. The comments from the Environmental Health Officer are noted. The conditions and informatives can be added, although detailing of pile foundations would be added as an informative rather than a condition as it is governed by Environmental Health legislation.
43. The comments from Anglian Water are noted. The site has the capacity for the increased flows, and a surface water drainage condition can be added to ensure flood risk is minimal.

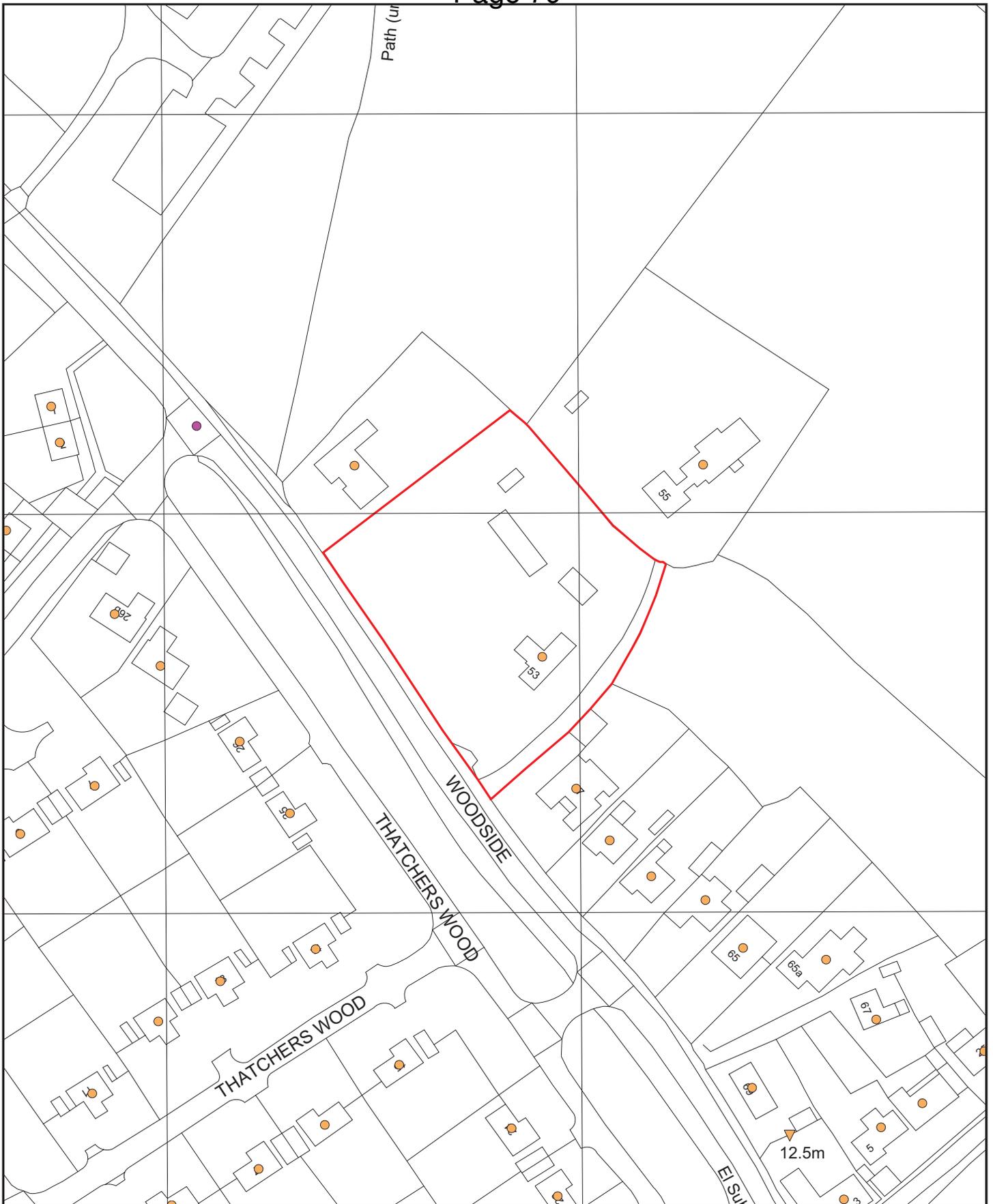
Decision/Recommendation

44. Delegated Approval, subject to comments from the Conservation Officer and completion of an archaeological investigation of the site. If the scheme is approved, conditions would be required regarding the time for implementation, the approved plans, a scheme for the provision of affordable housing, public open space, public art and education contributions, vehicle-to-vehicle visibility splays, pedestrian visibility splays, drainage of water from the public highway, materials to be used for the access and individual driveways, tree protection measures, surface water drainage, a scheme of ecological enhancement, a landscaping plan and implementation plan, boundary details, timing of use of power operated machinery, lighting from the proposal, removal of permitted development rights for windows to plots 6 and 7, obscuring glazing of the bathroom window to plot 7, a scheme of ecological enhancement, a scheme for renewable energy generation and a Water Conservation Strategy.
45. Informatives regarding works to the public highway, bonfires and burning of waste, and pile driven foundations can also be added.

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

- **South Cambridgeshire Local Development Framework Core Strategy.**
- **Local Development Framework Development Control Policies 2007.**
- **Open Space in New Developments SPD, Trees and Development Sites SPD, Development Affecting Conservation Areas, Biodiversity SPD, District Design Guide SPD, Affordable Housing SPD & Public Art SPD.**
- **Circular 11/95 – The Use of Conditions in Planning Permissions.**
- **Circular 05/2005 - Planning Obligations.**
- **Planning File ref: S/2290/10 and S/0303/78/F.**

Contact Officer: Paul Derry – Senior Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/0538/11 - LONGSTANTON
Bungalow following part demolition of barn - Pole Barn, Woodside
for Mr & Mrs C Hicks**Recommendation: Refusal****Date for Determination: 11 May 2011****This application has been reported to the Planning Committee for
determination on the request by the Local Member****Members will visit the site on 11th May 2011****Site and Proposal**

1. The application site is located outside the designated Longstanton village framework, which runs along the rear boundaries of the properties on Thatchers Wood adjacent to the site. The site is not included within the Longstanton Conservation Area, the boundary of which runs along the front of the site. There are trees in the vicinity protected by Tree Preservation Orders. These include two in the frontage hedge and a number along the boundary with Thatchers Wood. The western side of Woodside is no longer a designated Important Countryside Frontage, although the eastern side remains as such. Opposite the site is the entrance to Manor Farmhouse, a grade II listed property.
2. The full application, received on 16th March 2011, seeks the erection of a bungalow following the part demolition of the barn. 60% of the barn would be removed along with the attached stable block. The bungalow would be located with a 5.5m separation from the barn. It would measure 2.7m and 5.3m to the eaves and roof ridge respectively, and have a length of 18m. Access would be gained from the existing access into the barn. The application is accompanied by a Design and Access Statement and a Protected Species Survey.

Planning History

3. A previous outline application for a bungalow and garage at the site was refused and dismissed at appeal (S/2481/04/O). The application was refused on grounds of its location outside the designated Longstanton village framework, impact on the frontage hedge and setting of the Important Countryside Frontage, and the lack of detail to ensure no harm to the Conservation Area or nearby trees. The Inspector concluded the scheme would be harmful to the character of the area.

Policies

4. **Local Development Framework Core Strategy Development Plan Document 2007: ST/6** Group Villages
5. **Local Development Framework Development Control Policies (LDF DCP) 2007: DP/1** Sustainable Development, **DP/2** Design of New Development, **DP/3** Development Criteria, **DP/7** Development Frameworks, **SF/10** Outdoor Playspace, Informal Open Space, and New Developments, **SF/11** Open Space Standards, **NE/1** Energy Efficiency, **NE/6** Biodiversity, **NE/15** Noise Pollution, **CH/4** Development Within the Curtilage or Setting of a Listed Building, **CH/5** Conservation Areas, **CH/7** Important Countryside Frontages & **TR/2** Car and Cycle Parking Standards.
6. **Development Affecting Conservation Areas SPD, Open Space in New Developments SPD, Trees and Development Sites SPD, Listed Buildings SPD, District Design Guide SPD and the Longstanton Conservation Area Appraisal 2005.**
7. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
8. **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultations

9. **Longstanton Parish Council** recommends approval of the scheme and notes the development would enhance the area given the removal of the dilapidated barn, and no harm would be caused to neighbours. Protection measures for the trees and hedges should be put in place prior to construction.
10. The **Local Highways Authority** requests conditions regarding the location of the gates on site, pedestrian visibility splays, drainage from the site, and materials to be used for the driveway. An informative regarding works to the public highway is also recommended.
11. The **Council's Conservation Officer** recommends refusal of the scheme on grounds that the proposal would be detrimental to the setting of a Listed Building and would detract from the character and appearance of the Conservation Area. This is because of the encroachment of a residential aspect into a rural area.
12. The **Council's Tree Officer** notes the individual ash and walnut trees to the front are protected with a Tree Preservation Order. These are within the hedge and would not be compromised by the development. However, tree protection details would be required to ensure construction activities do not compromise the trees and front hedge.

13. The **Council's Ecology Officer** notes no objection to the scheme. The Ecological Assessment proposes a barn owl box and swallow nest sites, and a condition to ensure they are brought forward is recommended.
14. **Cllr Riley** has requested the scheme be heard by Planning Committee. A number of changes have occurred since the previous refusal. The site is no longer a designated Important Countryside Frontage, and other consents have been granted nearby.

Representations

15. The **Thatchers Wood Residents Company Ltd** support the scheme, and note that the dwelling would be hidden by the front screening. The barn is considered an eyesore and its removal would enhance the area.
16. 29 letters of support have been received from occupiers of nearby dwellings in the village. These note the improvements to the area, the sympathetic design, the reduction in farm-related trips to the site, the potential for reduced crime, the benefit to the setting of the Conservation Area and the grade II listed Manor, and the contribution of the applicant to the local community.

Planning Comments

17. The key considerations for the determination of this application are the principle of development, impact upon the setting of the adjacent Conservation Area and Listed Building, and open space provision

The Principle of Development

18. The site lies outside the designated Longstanton village framework, and is therefore located in the countryside in policy terms. Policy ST/6 of the LDF CS 2007 allows residential development in Longstanton, but only within the designated frameworks shown in the Proposals Map. Policy DP/7 of the LDF DCP 2007 states that outside village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. A private dwelling does not therefore meet these criteria. As a result, there is an in-principle objection to the proposal. In determining the previous application (S/2481/04/O), the Inspector stated, "there is a clear conflict with well established planning policy which aims to protect the character and appearance of the countryside". He adds "to continue the residential development between the two parts of the village without a break would be harmful to the character of the area in my view".
19. It is noted that since the appeal, the site has been removed from an area of Important Countryside Frontage through the Report of the Examination into the South Cambridgeshire Site Specifics Policies Development Plan Document dated 28th September 2009. The Inspector, in removing this designation, stated the barn and the adjacent dwellings along Thatchers Wood do not constitute a strong countryside character. This disagrees with the previous Inspector determining application S/2481/04/O. Despite the deletion of the Important Countryside Frontage designation, the barn itself still has a countryside character (although not a strong character). It is considered that the previous appeal decision retains significant weight for the determination of this application.

Impact upon the Setting of the Adjacent Conservation Area and Listed Building

20. As previously noted, the site is located adjacent to the Longstanton Conservation Area. The Longstanton Conservation Area Appraisal notes “the west side of Woodside is outside the Conservation Area and includes some hay barns and storage with an ugly gate at the entrance. Any development on this site could have a significant impact on the character of the Conservation Area”. The previous application was in outline form only, and therefore there was insufficient detail at that time to judge the impact that may be caused.
21. The comments from the Conservation Officer are noted. The existing structure provides a very uncongenial setting for the Listed Building and the Conservation Area, and its part demolition is welcomed. However, the replacement with a residential dwelling would significantly alter the rural character of the street scene in the vicinity to become more urban. This would therefore have a negative effect on the setting of the Conservation Area and the Listed Building (Manor Farmhouse, a grade II listed dwelling located on the opposite side of Woodside), whose setting is the rural nature of the area. A new barn or agricultural building in this location is more appropriate if the existing barn is to be removed. The use of planning conditions is not considered to overcome the harm to the setting of these heritage assets.

Open Space Provision

22. The applicant has stated in their letter dated 4th April that they are willing to contribute towards open space provision, community facilities, the Section 106 monitoring fee and the provision of waste receptacles. A condition would ensure this provision. An informative is recommended with the reason for refusal to note these requirements.

Other Matters

23. The comments from the Trees Officer are noted. A condition regarding tree protection would be required with any approval. This does overcome a previous reason for refusal. The condition regarding nest boxes requested by the Ecology Officer would also be added to any approval to allow a biodiversity gain on site. A condition restricting hours of demolition and construction would also be required given the proximity to other dwellings.
24. The comments within the letters of support for the application are noted. With regard to trips to the site, these are likely to reduce given the reduction in agricultural storage on site. However, there appears to be no concern regarding noise disturbance or highway safety issues from the existing use of the site. A number of correspondences mention reduction in crime. The bungalow may prevent a number of incidents in the area. However, there are other mechanisms that could achieve this such as use of security cameras or alarm systems. A bungalow in itself is not considered to be necessary to prevent crime. The contribution of the applicant to the local community is noted. However, these matters do not provide a significant justification for the development, and they would have little weight in the decision making process. They are not considered to outweigh the harm caused by the proposal.

Decision/Recommendation

Refusal, for the following reasons

1. The application site is located outside the designated Longstanton village framework, and in an area that provides a valuable break between the two built-up areas of the village. The existing barn, whilst not of any architectural merit, has a distinctly rural character that reinforces the fact this is a village rather than a housing area. No sufficient justification for a dwelling in this location has been provided. The development is therefore contrary to Policy DP/7, which states outside village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted.
2. The site of the proposed bungalow is outside the Longstanton Conservation Area, which runs to the front of the site. On the opposite side of Woodside is the grade II dwelling of Manor Farmhouse. The removal of the agricultural building is considered to enhance the setting of the heritage assets of the Conservation Area and Listed Building. However, the location of a new residential unit in this location is contrary to the rural character of the area, and would provide a more urban setting in this location. The application therefore would be detrimental to the setting of the Listed Building and would seriously detract from the character and appearance of the Conservation Area. The application is therefore contrary to Policy CH/4 of the LDF DCP 2007 which states planning permission will not be granted for development which would adversely affect the curtilage or wider setting of a Listed Building, and Guidance within Policy HE10 of PPS5 (Planning for the Historic Environment), which states in determining development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset; and to Policy CH/5 of the LDF DCP 2007, which states development proposals affecting Conservation Areas will be determined in line with national guidance, and Policy HE9 of PPS5 which states where the application will lead to substantial harm to or total loss of significance local planning authorities should refuse consent.

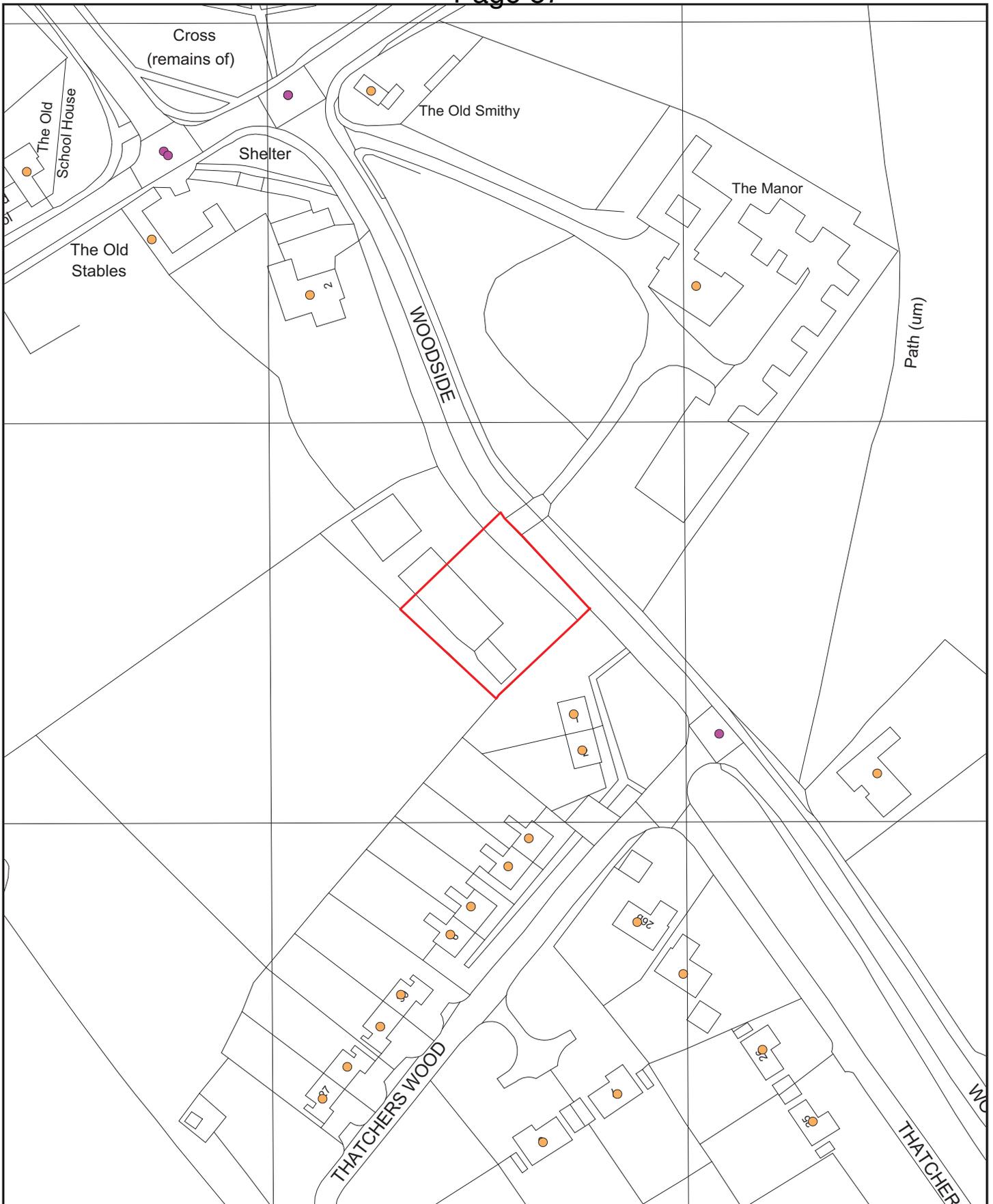
Informative

The development results in a number of infrastructure requirements to meet the needs of the development in accordance with Policies DP/4 and SF/10 of the adopted South Cambridgeshire Local Development Framework 2007. Should financial contributions be proposed, this would total contributions of £2,244.90 towards the off-site provision and maintenance of open space, £378.88 towards the provision of indoor community facilities and £69.50 towards the provision of household waste receptacles. These figures are as calculated on the date of the decision and are index linked so may be subject to change when any payment is made. These contributions would be secured through a scheme (Section 106 Agreement). There would also be additional charges of £50 towards a S106 monitoring fee. The applicant's agent has confirmed, in writing, the client's acceptance to these requirements and this does not therefore form part of the reason for refusing the application.

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

- **South Cambridgeshire Local Development Framework Core Strategy.**
- **Local Development Framework Development Control Policies 2007.**
- **Development Affecting Conservation Areas SPD, Open Space in New Developments SPD, Trees and Development Sites SPD, Listed Buildings SPD, District Design Guide SPD and the Longstanton Conservation Area Appraisal 2005.**
- **Circular 11/95 – The Use of Conditions in Planning Permissions.**
- **Circular 05/2005 - Planning Obligations.**
- **Planning File ref: S/0538/11 and S/2481/04/O.**

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)**S/2258/10/F & S/2259/10 – HISTON****Partial demolition of unlisted C19 and early C20 buildings. Refurbishment and extension of remaining to form new church halls, meeting rooms, church office and cafe at St Andrews Church Halls, School Hill.****(for Histon Parochial Church Council)****Recommendation: Approve Conditionally****Date for Determination: 17th February 2011****Notes:**

This Application has been reported to the Planning Committee for determination because the recommendations of the Parish Council conflicts with the recommendation of officers. District Councillor Mike Mason has also requested the application be determined at Planning Committee.

Members will visit the site on 11th May 2011.

Conservation Area**Site and Proposal**

1. The site comprises a former school building, which is now owned and run by St Andrew's Parochial Church Council for a variety of community uses. The building was built in the 19th century and overlooks a small informal green, which is all that remains of a large oval medieval green.
2. The original school building (1839-40) is a modest single storey 3-bay structure, which has lost its former school bell, front porch and chimney stack. Attached to the north of this building is a grander single storey element dating to around 1870 and finished in gault brick with decorative red brick detailing. The southern building dates to around 1900 and has been unsympathetically extended with a single storey lean-to to the front elevation. To the rear of the site are several outbuildings including a former First World War hospital.
3. The building is not listed but is prominent within the local area and falls within the village framework and Conservation Area of Histon. The site also falls within a flood zone area 3, which comprises land assessed as having a 1 in 100 or greater annual probability of river flooding.
4. The proposal is as follows:

(a) Demolish and replace the original (1839-40) school building with a slightly higher single storey building to provide a new community café area.

(b) Extend the gable of the c1900 southern hall forwards towards the edge of the public footpath to provide church offices, meeting rooms and toilets. This would include the demolition of the existing front lean-to extension.

(c) The front elevation of the 1870 schoolroom would remain relatively unchanged in this proposal except for a proposed front roof dormer and the existing rear lean-to element of this building would be rebuilt and extended across the width of the building.

(d) A flat-roofed extension would then be added to the rear of the site, in the inner-courtyard, linking the existing southern hall and proposed community café to a 154-seater hall.

(e) A single storey store would be erected and attached to the proposed new hall at the rear of the site and the former First World War hospital, turned store room, would be demolished.

Planning History

5. Planning approval was given for a change of use of the building to a day nursery in 1973 (C/0836/73/F)
6. Both planning and conservation area consent applications were submitted in 1998 for the erection of a new hall and demolition of the existing church hall but were subsequently withdrawn (refs. **S/1443/98/F & S/1406/98/CAC**).

Planning Policy

National

7. Planning Policy Statement 5 (PPS5): Planning for the Historic Environment
Planning Policy Statement 5: Planning for the Historic Environment: Historic Environment Planning Practice Guide

South Cambridgeshire LDF Development Control Policies DPD, 2007:

8. DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
CH/5 Conservation Areas
NE/9 Water and Drainage Infrastructure
NE/10 Foul Drainage –Alternative Drainage Systems
NE/11 Flood Risk
NE/14 Lighting Proposals
NE/15 Noise Pollution
NE/16 Emissions
SF/1 Protection of Village Services and Facilities
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

9. District Design Guide SPD – adopted March 2010
Development Affecting Conservation Areas SPD - Adopted January 2009

Consultations

10. **Histon Parish Council** - (i) Recommend refusal due to: lack of parking and nuisance parking, narrow footpath next to the site and the adjoining busy road, potentially lengthy construction period and lack of access for trade vehicles, disposal of waste, increased use of site, noise disturbance to neighbours, terrace café out of keeping with the Conservation Area, overspill from café onto public footpath and the limited right of way to the rear of the site due to the weight-limited bridge.
11. (ii) Response on 4th Feb 2011 - No recommendation. The Parish Council maintain concern in relation to lengthy construction period and lack of access for trade vehicles, disposal of waste. Concern with noise, traffic and parking, the construction and efficiency of the removable barriers to the terrace café. If the Local Planning Authority are minded to approve the proposal, then the Parish Council recommends conditions in relation to: exterior light restriction, a construction scheme, waste management, conservation and design issues, a removable barrier to the terrace café, a sustainable transport strategy and a restriction on deliveries.
12. **Impington Parish Council** – (i) Recommend refusal due to: lack of detail from the existing building carried over into the new scheme e.g. red brick string course. There is concern regarding overspill from the café onto the public footpath increasing danger to an already unsafe junction and the lack of consultation between the applicant and the Local Highway Authority. However the committee were encouraged to see plans for the refurbishment of an important village site.
13. (ii) Response on 4th Feb 2011 - Recommend refusal. There are two main concerns with the scheme: highway safety and access for construction vehicles. The proposal includes 150 seats in one hall and this indicates much more extensive visitor numbers than existing. Parking, drop-off access for these numbers needs proper consideration given the poorly laid out highway bend and island which confuses many drivers. In addition, the lack of a strong bridge to the rear of the site prevents most construction vehicles using the rear access. The iconic string of bricks is a design feature of this village and should be sought with the Conservation Area.
14. **Acting Environmental Health Manager** – There is concern that noise problems could arise from the demolition and construction process and to minimise the effects on nearby residents or occupiers conditions are recommended in respect of the following:
 - a) details of any power driven plant or equipment, including any equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the building. Said plant or equipment shall then be installed in accordance with approved details and any agreed noise restrictions.
 - b) restriction on hours during which power operated machinery shall operate during the construction process.
 - c) a method of construction should driven pile foundations be proposed.
 - d) details of a lighting scheme, including any external lighting on the site.
 - e) restriction on the timing of deliveries or collections.

15. **Council's Drainage Manage** – A structural engineers report should be subject to a condition in order to outline the impact of the new development on the existing brick arch culvert. The applicant is required to provide this detail to show that the development would comply with the Council's land drainage Byelaws.
16. **Environment Agency** – No objections
17. **Conservation Officer** – Recommend refusal due to the loss of the original school building and the form and design of the proposals, which would be harmful to the character and appearance of the conservation area, contrary to CH/5 and PPS5 Policies HE7 and HE9.
18. **Local Highway Authority** – Whereas the proposed café is unlikely to be a traffic generator in and of itself given the other commercial units in the area it is most likely that this will serve a secondary function as a place to visit. However, the same cannot be said for the childcare facility or the extended hall, which the applicant states may on occasion serve 150 people. The Highway Authority therefore, requests that the applicant provide a Transport Statement demonstrating how the impact on the adopted public highway will be mitigated, before the Planning Authority issues any permissions.
19. Please add a condition to any permission that the Planning Authority is minded to issue in regard to this proposal requiring that no demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. Schools Lane is subject to a Traffic Regulation Order in parts and other lengths serve as on-street car parking for the surrounding commercial premises. No contractors' vehicles should be parked on the highway and a carefully designed delivery strategy will have to be provided, as the site is constrained.
20. Please add a condition to any permission that the Planning Authority is minded to issue in regard to this proposal requiring the site shall not be occupied until a traffic management plan for the serving of the proposed facilities has been agreed with the Planning Authority in consultation with the Highway Authority.
21. The doors to the escape exit onto School Hill will need to be inward opening to ensure they do not oversail onto the public highway.

Representations

22. 16 Letters of support have been received, which raise the following comments:
 - a) Community use of the building bringing benefits to a wide range of people and groups.
 - b) Improved frontage design to the building
 - c) More modern and appropriate design
 - d) New focal point for the village
 - e) Improved amenity and aesthetics of the site given existing poor state of buildings.
 - f) Sensitive renewal of existing church halls
 - g) Existing buildings not fit for use in the 21st Century

5 letters of objection have been received, which raise the following comments:

- a) The development should adopt a phased approach, otherwise the project will be abandoned and in a semi-complete state to the detriment of the local environment.
- b) Contamination of ground water from ground source heat pump
- c) Potential damage and security issues to immediate neighbours during construction process.
- d) Adequate foul and surface water drainage
- e) Inadequate consultation between applicant and neighbours
- f) Maintenance and visual appearance of proposed west and south facing walls of Hall 1.
- g) Inappropriate scale of development
- h) Overspill of café terrace area onto the public highway
- i) Inappropriate development within the Conservation Area
- j) Noise, vibration, odour, dust and lighting concern
- k) Inadequate storage and disposal of refuse
- l) Inadequate parking provision, increase in traffic and highway safety issues
- m) Lack of justification for the proposed community café.
- n) Hours of business operation
- o) Space for deliveries of goods
- p) Detrimental impact on rights of way across 1 Park Lane due to potential construction traffic.
- q) Increased use of public right of way next to the stream on the south side
- r) Overlooking from proposed front dormer window
- s) Access to the rear of the site via the bridge is unsuitable for construction or delivery vehicles.

Planning Comments – Key Issues

23. The main issues in this instance are: impact on the Conservation Area, highway safety, parking and access, refuse collection, noise, vibration, odour, dust and lighting concern, loss of privacy, drainage, flood risk, boundary treatment and public rights of way.

Impact on the Conservation Area

24. The development is assessed in relation to Policy CH/5, which requires planning decisions to pay special attention to the desirability to preserve or enhance the character and appearance of Conservation Areas. The development is also assessed in relation to national policy PPS5 (in particular policies HE/7 and HE/9), which requires local planning authorities to take into account the significance of any heritage assets affected by the development and the value that they hold for this and future generations. Local planning authorities are also required to take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases local planning authorities should: (i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and (ii) recognise that the greater the harm to the

significance of the heritage asset the greater the justification will be needed for any loss.

25. The existing former school buildings are prominent with the Conservation Area and, overall, make a positive contribution to the area. The building has however suffered unfortunate alterations and extensions over the years that have eroded its character: for instance the addition of the front lean-to extension, creating an unwelcoming, blank front wall elevation, and the loss of the school bell, front porch and chimney stack to the original school building. The buildings are also in a state of disrepair and this is particularly evident from public views along School Hill.
26. The conservation officer has expressed main concern at the demolition of the earliest of the school buildings, which relates to the middle, single storey building along the front elevation. Whilst this building traces back to the early origins of the school, its architectural value is considered to be less significant given its plain appearance and the aforementioned alterations that have occurred over time. In contrast, the taller Victorian school building to the north of the front elevation is significantly grander in terms of scale and detailing and instantly recognisable. Consequently, the loss of the original school building and its replacement, where that replacement would enhance the existing character of the site, is considered to bring positive benefits to the Conservation Area.
27. The replacement extension would be 1.2m higher than the existing (1839-40) building and would extend further forwards with a canopy adjacent to the public footpath. The proposal would be subsidiary in height to the Victorian building to the north and therefore would retain a subservient relationship with this building. The design of the building is notably different to the existing building, including more openings and glazing resulting in a more open, active frontage but the overall form of the building is not considered to be significantly different to the existing building. The projecting canopy would potentially be adversely prominent in the streetscene and amended drawings (stamped 8th April 2011) have drawn the front canopy away from the 1870 building to mitigate any adverse visual obstruction. High quality materials to this canopy would also make a significant difference to its successful integration with the building and a condition is recommended to agree materials.
28. The front gable projection to the southern building (c1900) would continue the existing eaves and ridge height of this building and extend the building to the edge of the footpath. No objection is raised to this proposal given the existing prominence of the building in the streetscene but also the simple front elevation design, which would preserve the character of this building. The building would also enclose some of the external café seating area, which would otherwise be more exposed in the street.
29. No objection is raised to the proposed front roof dormer of the Victorian building, which was previously evident in this location in historic photographs. The main hall to the rear of the site would be flat-roofed and set below the front range of buildings to be mostly screened from public views. Whilst the flat-roofed structure would be modern in appearance it would not be in a prominent location on the site and would allow for the installation of solar panels and air conditioning units in a location that would not detract from the Conservation Area.

Highway Safety, Parking and Access

30. Several concerns have been raised in relation to the proposal, as follows:
 - (a) construction vehicles and storage
 - (b) lack of parking
 - (c) unsafe parking next to the road junction
 - (d) unsuitable access to the rear of site
 - (e) increase in traffic
 - (f) overspill of the café onto the public footpath
31. A traffic management plan, as suggested by the Local Planning Authority, is considered to be an appropriate means of addressing highway and access issues during the construction period and is recommended to be agreed by condition.
32. No parking exists on the site and therefore on-street parking already arises from the various uses in the church halls. The proposal, in particular the main hall, would provide for a larger capacity within the buildings as well as a wide range of uses, increasing the intensity of the use of the site overall. Maximum parking provision (Policy TR/2) for the proposed floor space of the building would amount to approximately 52 spaces compared to the 30 spaces calculated for the current floor space and use of the building. However, these calculations reflect the total parking spaces required for all uses within the total building occurring concurrently, which in reality is unlikely to be the case; moreover, the uses within the building could be managed to mitigate any travel and parking increase to the site. Consequently, parking demand is expected to be lower than calculated under Policy TR/2 and the applicant is preparing a transport statement to be submitted prior to planning committee.
33. Furthermore, positive factors also need to be considered such as the sustainable, central location of the site in the village and the convenient access by foot, bicycle and public transport with the nearby bus stop. The proposal also involves cycle parking provision for up to 12 spaces, which are currently not provided on the site. Vehicular parking is available directly outside the site on School Hill (approx. 5 spaces), opposite along the parade of shops (approx. 8 spaces) and in the nearby village car park to the north of the High Street (approx. 30 spaces)
34. Concern has been raised with regard to parked vehicles at the road junction of School Hill and Park Lane but it is noted that parking restrictions are already in place at this highway bend to make such parking a highway offence. Improving the safety of this junction, through its design, is also considered to be a separate highways matter to this application.
35. Vehicular access to the rear of the site would be limited by a weak bridge, as raised by local residents. Consequently, this issue would need to be addressed by the applicant in the traffic management plan recommended as a condition above.
36. Overspill from users of the outside café dining area onto the public footpath would be a highway offence in the first place and the applicant has submitted a revised plan to show the inclusion of a 750mm high barrier to enclose the outside café area. The front emergency exit doors would need to open

inwards to avoid oversailing the public highway and this advice can be passed on to the applicant by an informative.

Noise, Vibration, Odour, Dust and Lighting

37. The site is located within a residential area and the recommended conditions of the acting environmental health manager are considered to address several of the issues raised by neighbours and with particular regard to deliveries or collections, external lighting, power driven plant or equipment, including any equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the building and methods of construction should driven pile foundations be proposed.
38. The church halls currently benefit from unrestricted hours of use and can accommodate a large gathering of people. The proposed halls would have a similar use as existing and therefore it is considered unreasonable to now subject the halls to a restrictive condition governing hours of use. However, the café area would introduce a new commercial use, which could introduce an adverse level of noise and disturbance to local residents during unsocial hours. Consequently, a condition is recommended to limit the hours of opening in the café.

Loss of Privacy

39. Concern has been raised in relation to overlooking from the proposed front dormer on the 1870 building, which would serve a meeting room. The submitted plans show that the nearest neighbouring windows near to this dormer would be in excess of 25 metres and subsequently the development would be in accordance with the District Design Guide SPD (paragraph 6.68) and would not result in undue loss of privacy.

Surface and Foul Water Drainage and Flood Risk

40. Concern has been raised in relation to current inadequate foul and surface water drainage systems to cope with the increased flow from the development. The application forms state that the proposal would connect to the existing mains sewer and details of the existing drainage capacity were submitted by the applicant on 25th March 2011, which will be commented upon by the Council's drainage manager at planning committee.
41. The Council's drainage manager has made comment with regard to the existing culvert running east to west under the site and a condition is recommended to secure a structural engineers report to outline any impact of the new development on the existing brick arch culvert and remedial works.
42. Potential groundwater pollution has been raised as a concern by a local resident with regard to a new ground source heat pump; however, it is arguable whether such works constitute development and require planning permission in this application. The applicant has however explained that if a ground source heat pump is chosen it will need to be installed via collection pipes within piles that are self contained.

West Boundary Treatment

43. The proposed demolition of the former Red Cross building towards the rear of the site comprises the boundary wall of the neighbouring garden at 1b Park Road and concern has been raised by this neighbour with regard to damage to this wall and resulting security issues. Works to the wall would be dealt with separately under the Party Wall Act 1996 but the permanent resolution of the boundary treatment can also be required by condition to address the neighbour's concern.

Refuse Collection

44. The applicant has confirmed in the application forms that refuse will be stored in the proposed external store to the rear of the site.

Other Issues

45. Concern has been raised with regard to the increased use of the public footpath right of way next to the stream on the south side. Increased use of the public footpath is not considered to be a concern in this application and would not appear to present a problem for existing users of this public highway.

Conclusion

46. The development has gone through several revised schemes and is considered to be appropriate in design, massing and scale in relation to the Conservation Area. The development is not considered to cause an unacceptable adverse impact with regard to issues of highway safety, parking and access, refuse collection, noise, vibration, odour, dust and lighting concern, loss of privacy, drainage, flood risk, boundary treatment and rights of way, subject to the conditions set out below. The development is considered to enhance the site and bring about benefits to the village through the existing and proposed community uses.

Recommendation

47. Approve, as amended, 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: 0208-009, 0208-110h, 0208-111i, 0208-112d, 0208-120h, 0208-121h and 0208-130g (stamped 8th April 2011).**
(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. 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.)
- 5. No development shall take place until a structural engineers report outlining the impact of the new development on the existing brick arch culvert running through the site, has been submitted to and approved by the Local Planning Authority.**
(Reason - The applicant is required to provide this detail to show that the development would comply with the Council's land drainage Byelaws and in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)
- 6. Should driven pile foundations be proposed, then before works commence, a statement of the method of construction of these foundations shall be submitted to and approved by the Local Planning Authority.**
(Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- 7. During the demolition of the former Red Cross and the construction of the new external store building to the rear of the site, as shown on drawing 0208-110f, a temporary security fence of at least 1.8m height shall be installed along the shared western boundary with 1b Park Lane.**
Reason – To maintain the security of the adjoining neighbouring site during the demolition and construction process in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 8. 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 and timescale for its implementation. 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.)
- 9. No development shall take place until details of any power driven plant or equipment, including any equipment for heating, ventilation and for**

the control or extraction of any odour, dust or fumes from the building have been submitted to and approved in writing by the Local Planning Authority. Said plant or equipment shall then be installed in accordance with approved details and any agreed noise restrictions.

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

- 10. No demolition or construction works shall commence on site until a traffic management plan for these works has been submitted to and approved by the Local Planning Authority.**
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 11. Deliveries or collections for the construction of the development, hereby permitted, shall not take place outside the hours of 08 00 – 18 00 on weekdays and 08 00 – 13 00 hours on Saturdays (nor at anytime on Sundays and Bank or Public Holidays) unless otherwise previously agreed in writing with the Local Planning Authority.**
(Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- 12. The café premises, hereby permitted, shall not be open to the general public before 08 00 hours on weekdays and 09 00 hours on Saturdays nor after 18 00 hours on weekdays and 15 00 hours on Saturdays (nor at any time on Sundays or Bank or Public Holidays), unless otherwise previously agreed in writing by the Local Planning Authority.**
(Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- 13. No commercial deliveries shall be taken at or despatched from the cafe premises outside the hours of 08 00 – 18 00 on Mondays to Fridays and 08 00 – 13 00 hours on Saturdays nor at any time on Sundays, Bank or Public holidays unless otherwise previously agreed in writing with the Local Planning Authority.**
(Reason - To limit the impact of vehicle movements on residential amenities in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 14. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.**
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire LDF Development Control Policies DPD, adopted July 2007.
- South Cambridgeshire LDF Supplementary Planning Documents (SPD): District Design Guide SPD and Development Affecting Conservation Areas SPD.

- Planning Applications: S/0741/07/F, S/2237/07/F, S/1216/07/F, S/0087/08/F and S/1157/08/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/2256/10/F - LINTON**External Lighting on and around the existing building/ site consisting of lighting columns, bollards and wall-mounted fittings; Nichols Court, Flaxfields for Sanctuary Housing****Recommendation: Approval****Date for Determination: 1 April 2011**

This Application has been reported to the Planning Committee for determination because the recommendation of Linton Parish Council does not accord with the officer recommendation.

Site and Proposal

1. The application relates to a recently constructed and occupied complex of sheltered flats known as Nichols Court. The scheme has a total of 40 flats together with landscaped gardens and paths, and an open parking court to the front. The building is of three-storey height. Building has been laid out in an 'H' plan, providing two inner courtyards that have balconies on the upper floors that face onto them.
2. The development is surrounded by existing residential development in Flaxfields, Back Road, and Symonds Lane. There is a steep gradient from north to south, where the dwellings on Back Road are on higher ground and the dwellings on Symonds Lane are lower ground relative to the Nichols Court development. The dwellings in Flaxfields are on a broadly similar level to the scheme.
3. The application for full planning permission, dated 22 December 2010, relates to the external lighting of the development which has been installed on external walls, adjacent to footways and in the car park. The application is supported by a Design and Access Statement, and an Environmental Appraisal prepared by WSP Civils.
4. Installed lighting is proposed to be changed in the following ways:
 - a) The column lighting to the car park area will have replacement light bulbs with wattage reduced from 100w to 42w;
 - b) The existing bollard light units Thorn 'Basalt' 80w to be replaced by Thorn 'Chater' 18w units. The two existing bollards at the entrance to the car park to be removed.
 - c) The existing wall-mounted bulkhead units Thorn 'Eye' 24w to be replaced by Thorn 'Oyster' 26w units.The soffit-mounted Ansell AQUIX 11/sc 11w units to be retained as existing.
5. The applicant has stated that the luminaries have been selected for their contemporary design as well as their low energy performance. The proposed Thorn

'Oyster' unit projects a greater proportion of light downwards compared to the units installed. The light levels need to be of a suitable level for the use of the residents and visitors of the building. The user group is likely to have poor eyesight and have walking aids to assist then so a relatively high level of illumination is required. It is proposed that the proposed lighting, when installed and operational, will comply with the lighting levels of Environmental Zone E2 of the Institute of Lighting Engineers 'Guidance Notes for the Reduction of Obtrusive Light'.

Planning History

6. **S/1327/07/F** Full planning permission was granted on 10 October 2007 for the erection of a Very Sheltered Housing Scheme including 40 flats with communal facilities, car parking and landscaping, to replace the bungalows that previously stood on the site.

Planning Policy

7. **South Cambridgeshire Development Control Policies Development Plan Document (2007)**

DP/3 (Development Criteria)

NE/14 (Lighting Proposals)

Supplementary Planning Documents

District Design Guide SPD 2010 (Chapter 10- Environmental Health)

8. **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.
9. **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

10. **Linton Parish Council** has recommended refusal, commenting:
 - a) 'We oppose the application as it would continue to provide excessive lighting. In particular the wall mounted Oyster luminaires on north, east and west sides, are not essential and major cause of problems to neighbours.
 - b) The bollard lighting in the car park is currently far too bright and removal of these is welcomed. However the column lighting has also proved to be excessive. We suggest motion sensitive lighting at low level would be less intrusive.
 - c) We object to lighting on communal balconies and outside of communal areas, particularly on first floor. These should be removed.
 - d) There is lighting on outside pathways/courtyards at night – when they are not used.

- e) We object to the current bollard lights and suggest that low level lights inset on edges of paths would be better. This will help residents locate paths and not be obtrusive to neighbours or wildlife.
- f) Gardens need not be lit at night, and this is causing problems for residents too, who have to install heavy curtains in order to sleep. In your own home you would neither expect nor need the garden to be lit, and this area is already very secure (high fencing, CCTV, permanently staffed, secure doors, gates and windows, fire prevention measures, etc).
- g) Conditioning - a curfew on all external lighting (22:00 to 06:00 minimum), not on all night as at present. This is also to apply to corridor and communal area lighting. Timescale – amendments and enforcement should be within 28days

Further measures to be conditioned within an overall lighting scheme:-

- h) Corridor lighting to be minimised – obscured glass preferred – and to confirm that motion sensitive lighting is installed and working. It would alert staff to resident's movements, an additional safety measure for older people. Currently, the lighting to the first floor corridor is being overridden, and is on all night – confirmed by the nearest neighbours.
- i) Entrance lobby lighting to be minimised – this is excessively bright and unnecessary, lighting the whole area and including roof windows that light up the sky.
- j) The bat boxes (of which much has been made, as part of biodiversity measures) can never be used due to the excessive lighting.
- k) We would ask that residents (particularly on the first floor nearest Back Road) be reminded that when their lights are on, they can be very visible to neighbours, due to the close proximity of the development, resulting in loss of their privacy and embarrassment to the neighbours.
- l) Additional benefit would be reduction in illumination would be a reduction in lighting bills, which must be huge.
- m) We would also ask for the SCDC lighting columns to be reduced in height, and the lighting levels reduced or made more downwardly directional, as these have long been a cause of problems to neighbours.'

11. **Corporate Manager (Health and Environmental Services)** The CMHES has commented as follows:

12. 'You will recall that in June 2010 I attended a meeting with Allan Howard (Fellow of the Institute of Lighting Engineers), who had been employed by Sanctuary Housing to provide an external lighting report on lighting nuisance at the new development. His report dated July 2010 appears to have formed the basis for the current Planning Application for External Lighting. In that report (in which we agreed that this development should fall within Environmental Zone E2, under guidance given in the Institution of Lighting Engineers Document 'Guidance notes for the reduction of obtrusive light') he commented on the external lighting with the exception of the balcony bulkhead lights, which could not be switched on at that time, although he states would have been visible to local residents. He also only commented on pre-

curfew levels as the lighting was generally being switched off at 22.00hrs at that time. Lighting after curfew would have been advised at a lower level.

13. 'His comments were that the lighting was generally inappropriate for this area and a nuisance to 11 Flaxfields. He then made his recommendations to remove this nuisance and also remove what he felt was excessive lighting in the area. He also commented that one County Council Footpath lamp was causing a nuisance to 11, Flaxfields. I advise on action that can be taken with regards to this and another CCC footpath lamp later as it is not part of this Planning Application.
14. 'My general observations on this Planning Application are favourable in that it mitigates any Public Health Nuisance and addresses most of the concerns of the Planning Condition that would normally be placed on such a development. (see below)

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, security lighting, shall be submitted to and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation, full isolux contour maps and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles, angle of glare and shall assess artificial light impact in accordance with the Institute of Lighting Engineers (2005) 'Guidance Notes for the Reduction of Obtrusive Light'. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details measures unless the Local Planning Authority gives its written consent to any variation.'

15. 'However, it is clear from the Application that our request that this application should be accompanied by a report from a member of the Institute of Lighting Engineers detailing it's compliance with their guidance on the reduction of obtrusive light has not been met. I am therefore concerned that whilst this scheme is a major improvement on the existing system that has been installed it may not satisfy compliance with the guidance notes that have been sought. In particular, the latest Design and Access Statement provided by the Applicant states;
Paragraph 3. This application is based on the 2010 lighting survey to determine if light nuisance had been caused and it's recommendations.
Paragraph 6. Consideration is given to 'secure by design' as well as the reduction of obtrusive light.
Paragraph 7. Consideration has been given to the poor eyesight of residents which require a greater level of illumination.
Paragraph 9. Purports an intention rather than confirmation to comply with the Lighting Guidance.
16. 'I would therefore infer from the above that the proposed lighting does not completely comply with the Guidance. However, you may feel that the lighting required must take Paragraphs 6 & 7 fully into account in this particular application.
17. 'If concern is still expressed that complete compliance with the Guidance is a requirement, then I would advise you to seek further clarification either from the Developer and their Lighting Engineer or employ the services of a Member of the Institute of Lighting Engineers to report on the Application.
18. 'Particular attention would need to be given as to whether a curfew is proposed and if not it's effect on the guidance lighting levels, the effect of the various bulkhead balcony lights not currently assessed and the effect of the aluminised plastic louvres in the proposed bollard lamps.

County Council Footpath Lights between Flaxfields and Symonds Lane.

19. 'As I understand the situation, Sanctuary have provided the 2 extra footpath lights on the rerouted footpath. If the footpath is up to adoptable standards then the CCC will adopt it and the lamps.
20. 'Unfortunately, with the 4 Car Park lamps, the existing and the 2 new footpath lamps and the new CCC street lamp in this area, there are now 8 equivalent street lamps within a 20 metre radius of a central point on the new Nichols Court Car Park. In my view this is completely unacceptable in a rural village setting, particularly as several lights are duplicated by another close behind it.
21. 'The Lighting Report advised that one of the new Footpath lamps is causing a nuisance to No 11 Flaxfields. This could be dealt with by requesting CCC to alter the lantern on this particular unit, but we would still be left with 8 units in total.
22. 'I have suggested to CCC that the 2 new footpath lamps should be removed and a modern downward lantern be provided to replace the original 35W Sox orange lamp on the footpath corner down to Symonds lane. I feel that even if the 4 Car Park lamps are switched off at curfew it would still leave 2 units, one on the footpath and one on the road to light the area and footpath. I would suggest that Linton Parish Council are involved in this decision as they are also most concerned about the excessive light from this development. If this proposal is accepted then an agreement will need to be signed by the Council that the CCC will not be required to provide further lighting to this footpath in the future.'
23. **County Council Rights of Way and Access Team** – No comment. Public footway No 32 runs along the western boundary of Nichols Court but is not affected by these proposals.

Representations

24. Letters notifying of the application were sent to 71 adjoining residential properties. In response one resident in Flaxfields has written to support the proposal. One resident in Symonds Lane has written for clarification that his property will be shielded from any light spillage. Objections have been received from the occupiers of 8, 20 and 32 Symonds Lane on the following grounds:
 - a) Need for a curfew- lights do not go off at 2200 hours at present.
 - b) There is no need for so many external lights.
 - c) Corridors should be put on motion sensors and should be fitted with curtains.
 - d) Communal balcony lights are totally unacceptable.
 - e) Bollard lights illuminate upwards onto the building and cause significant light glow. Bollards should be replaced with low-level lighting.
 - f) Bat boxes will be of no use in this amount of illumination.
 - g) Planning permission should have been sought in the first place; this is a waste of taxpayers' money.
 - h) Security measures such as high fencing and CCTV around the building would be adequate.
 - i) The number of lights needs to be reduced significantly.
 - j) Compared to the generally dark lighting conditions before the development, the current situation seems like floodlighting in an inner city area or a Las Vegas attraction.

- k) Consultants did not come into the gardens of the dwellings in Symonds Lane to make an assessment. The assessment was made last July, when trees and plants were in full leaf.
- l) The changes are very slight, for example changing the wattage of light bulbs, which would hardly make any difference at all.
- m) The 'Oyster' type lighting will still cast light all over the walls and out into the environment. They should be removed altogether.
- n) Interior lighting is excessive. Blinds should be fitted to all windows.
- o) The scheme needs to be redesigned with reduced lighting, and more landscaping and trees.

25. A photograph of the building illuminated at night has been included by one objector.

Planning Comments

26. The main issue to be considered is the range and level of external lighting to be provided at the development.

27. The existing level of lighting is in excess of the recommendation of the applicants' lighting consultant. The proposal is for a reduced level of lighting.

28. The proposal has been broadly accepted by the Council's Environmental Health Officer as a mitigation for any public health nuisance and a major improvement on the existing system that has been installed. The submitted Environmental Appraisal does not state unambiguously that compliance with a low district brightness area environmental zone E2 will be achieved by the proposal. Clarification of this is being sought with the applicant.

29. Linton Parish Council and local residents have raised the issue of a curfew period for lower levels of illumination. If approved, it is recommended that a condition be attached to require details of the management of external lighting to give effect to a curfew period to be submitted to and agreed by the Local Planning Authority. Such a scheme could provide details of luminaries that should be controlled by motion-sensor equipment.

30. Internal lighting does not amount to development and so cannot be controlled by planning conditions.

31. Lighting columns operated by Cambridgeshire County Council adjacent to the site have added to the general level of illumination being experienced by adjacent residents. Whilst being outside the scope of this planning application, separate discussions should continue to seek to remove unnecessary lighting equipment, or to provide suitable modifications, for the adjacent public footpath.

32. Subject to clarification of which elements, if any, do not comply with the Institute of Lighting Engineers' requirements for Environmental Zone E2, and the reasons for non-compliance, it is considered that the proposals represent a major improvement to the existing arrangement which should be supported.

Recommendation

33. Approval

Conditions

1. Within four weeks of the date of issue of this planning permission a scheme for the installation and management of external lighting columns and luminaires, hereby approved, so as to provide a significantly reduced level of illumination between the hours of 2200 and 0700 on the following day shall be submitted to for the approval in writing by the Local Planning Authority. The approved lighting scheme shall be installed within eight weeks of the date of approval, and thereafter maintained and operated in accordance with the approved details and measures unless the Local Planning Authority gives its written consent to any variation.
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)

2. Schedule of approved plans

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

- Circulars 05/2005 and 11/1995
- South Cambridgeshire Development Control Policies Development Plan Document 2007
- SPD District Design Guide
- Planning File ref S/2256/20, S/1327/07/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee11th May 2011**AUTHOR/S:** Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/0198/11 – GT & LT CHISHILL
Creation of Vehicular Crossover and Hardstanding - 16, Hall Lane, Great And Little Chishill, Royston, Cambridgeshire, SG8 8SG for South Cambridgeshire District Council

Recommendation: Approve Conditionally

Date for Determination: 3rd May 2011

Notes:

This Application has been reported to the Planning Committee as the applicant is South Cambridgeshire District Council.

Site and Proposal

1. The application site comprises an area of grass verge sited forward of an existing semi detached dwellinghouse on Hall Lane. There is no curb to delineate the verge from the metalled surface of the highway and the area of the verge in question has been used for vehicular parking, thus it has been worn down to a mud surface.
2. Hall Lane is a typical residential street comprising a mix of dwelling form and design. Hall Lane is a classified road (B1039) and serves as part of the through road through Gt and Lt Chishill, subsequently small estate roads feed off from Hall Lane. Plaistow Way is one such example within the vicinity of the application site.
3. To the south of the application site Hall Lane has been widened to create a parking area.
4. The full planning application, submitted on 2nd January 2011, proposes the formation of a vehicular access and hardstanding to serve as a parking area for no.16. Despite this, the hardstanding falls outside of the application site area and is therefore not the subject of the application as it can be installed without the need for planning permission in accordance with Part 1, Class F of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008.

Planning History

5. None.

Planning Policy

6. **South Cambridgeshire Local Development Framework Development Control**

Policies DPD 2007:

DP/2 - Design of New Development

DP/3 - Development Criteria

Consultations

7. **Gt and Lt Chishill Parish Council** – Recommends approval.

8. **Local Highways Authority** - The Highway Authority is concerned that the proposed hard standing for the car parking space may not be practical or easy to access, leading to a vehicle being parked on the proposed vehicular access. The reason for providing a vehicular access is to enable a vehicle to access private land, not to provide parking within the adopted public highway.

If the Local Planning Authority is minded to approve the application then the Local Highways Authority recommends that standard conditions for pedestrian visibility splays, surface material, parking space dimensions and access drainage.

Planning Comments – Key Issues

9. The key issues to consider in the determination of this application are:

- The impact of proposals upon the character and appearance of the area
- Highway Safety

Character and Appearance

10. The site currently comprises a grassed verge. The verge gives a sense of width to the street scene and creates a pleasant frontage to dwellings on the south side of the street.
11. To the south east of the site a large area of the verge is reduced in depth in order to provide parking for residents of Hall Lane. This parking area strongly informs the character of this part of Hall Lane and in views from the southeast dominates views of the street.
12. The proposed vehicular crossover is sited at the far end of the existing verge at a point where the verge terminates and gives way to a different pattern of development characterised by individual driveways serving detached dwelling houses. These driveways are typically hard paved.
13. In the context of the existing vehicular parking and the fact that the application site is adjacent to a point in transition in the street scene the loss of a small part of the existing grass verge is not considered to unduly impact upon the character and appearance of the area.

Highway Safety

14. The proposal is for a vehicular crossover to serve a single dwelling. As such there is no requirement for inter-vehicle visibility splays to be provided. Notwithstanding this, it is evident that there would be good inter-vehicle visibility afforded for the crossover.
15. The Local Highways Authority raise concerns relating to the area of hardstanding shown on plan to be within the curtilage of the dwelling. As this is not part of the application site, the request for conditional requirements pertaining to pedestrian visibility splays and drainage cannot therefore be lawfully applied to any consent. Notwithstanding this a conditional requirement of Part 1, Class F of the GPDO requires adequate drainage to serve any hardstanding created under this legislation.
16. The Local Highways Authority request that the proposed construction of the crossing be removed from the drawing as the crossing point will have to be constructed to the Highway Authority requirements. The Highway Authority wishes to remove any details that may engender confusion on site in the future. This is reasonable and justified, as such this element of the proposals will not form part of the approval and an informative will refer the applicant to the requirement for the crossover to be constructed to Highway Authority requirements.

Conclusion

17. There is not considered to be a significant adverse impact upon the character and appearance of the area of highway safety as a result of proposals.

Recommendation

18. 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: 38/CP/2**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

Informatives

1. Notwithstanding the approval of plan no. 38/CP/2, the construction of the crossover of the verge and footway still requires the prior approval of the Highway Authority. The details shown on drawing 38/CP/2 do not supersede this requirement and should not be taken to constitute the prior approval of the highway Authority

2. The granting of a 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 Highway, and that a separate permission must be sought from the Highway Authority for such works.

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

- South Cambridgeshire Local Development Framework 2007

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/0152/11 - ELSWORTH**Erection of 2 dwellings and garage following demolition of the existing bungalow and garage. - 7, The Drift for Mr & Mrs A Hutchinson****Recommendation: Approve Conditionally****Date for Determination: 28 March 2011****This application has been reported to the Planning Committee for determination on the request by the Local Member****Members will visit the site on 11th May 2011****Site and Proposal**

1. The site is located within the Elsworth village framework, and is surrounded on three sides by the Elsworth Conservation Area, although the site is not directly in this designation. The Drift slopes up significantly from Boxworth Road. Opposite the site is the Rectory, with the Church located further south. Nos. 1 and 3 The Drift are a pair of semi-detached properties set on lower land. To the south is no. 11 The Drift, a bungalow with first floor living accommodation, set on higher land. A public footpath runs along the side and rear of the site, linking Cowdell End with Boxworth Road. The adjacent properties of nos. 38 and 40 Boxworth Road are grade II listed buildings.
2. The full application, validated on the 31st January 2011, seeks the removal of the existing bungalow and garage on the site, and the replacement with a pair of detached two-storey dwellings. This would create a three bed and a four bed dwelling on the site. Plot 2 would also have a detached garage located to the southeastern side of the dwelling. The application is accompanied by a Planning Statement, which includes the Design and Access Statement. The application was amended by a plan received on 21st March 2011. This showed plot 2 moved forward on the plot by 1.5m.

Planning History

3. A planning application for the removal of the existing bungalow and garage and replacement with a two dwellings and garage with studio above was refused through application S/0697/10/F. The reasons for refusal were the impact upon the setting of the adjacent Elsworth Conservation Area, impact upon the setting of the adjacent listed buildings, and provision of a three bed and a five bed property providing an inappropriate mix of dwellings.

4. A planning application for an extension and garage at 7 The Drift, and a new dwelling on adjacent land was refused through application S/1605/09/F. The reasons for refusal were the impact upon the street scene of The Drift, impact upon the adjacent Elsworth Conservation Area, impact upon the occupiers of 3 The Drift by being overbearing, impact upon the occupiers of 40 Boxworth Road by virtue of overlooking of private areas, impact upon the occupiers of 11 The Drift due to overlooking, highway safety at the junction between The Drift and Boxworth Road, and potential overlooking from a loft window.

Policies

5. Local Development Framework Core Strategy Development Plan Document 2007: ST/6 Group Villages
6. Local Development Framework Development Control Policies (LDF DCP) 2007: DP/1 Sustainable Development, DP/2 Design of New Development, DP/3 Development Criteria, DP/7 Development Frameworks, HG/1 Housing Density, HG/2 Housing Mix, SF/10 Outdoor Playspace, Informal Open Space, and New Developments, SF/11 Open Space Standards, NE/1 Energy Efficiency, NE/6 Biodiversity, NE/11 Flood Risk, 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.
7. Open Space in New Developments SPD, Trees and Development Sites SPD, Development Affecting Conservation Areas, Biodiversity SPD, Listed Buildings SPD & District Design Guide SPD.
8. Circular 11/95 – The Use of Conditions in Planning Permissions: Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
9. 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

10. Elsworth Parish Council recommends refusal of the original plans, due to the buildings' overbearing mass, height and bulk, the adverse impact upon the adjacent Listed Buildings, and the adverse impact on the adjacent Conservation Area. In reply to the amended plans, the Parish Council make no recommendation. The amendments are considered to overcome the original objection, although there remains some concern about the impact of plot 1 of the adjacent Listed Buildings.
11. The Conservation Officer notes the two-storey rear section of plot 2 extends beyond the rear line of the existing bungalow, causing harm to the setting of the adjacent Listed Buildings. There is also concern regarding the lack of space between plot 2 and 11 The Drift. With regard to the amendment, the concern regarding impact upon the Listed Buildings has been resolved.

12. The Local Highways Authority recommends conditions regarding drainage of water away from the public highway, the material for the accesses, and the provision of pedestrian visibility splays. An informative regarding works to the public highway is also requested.
13. The Council's Ecology Officer repeats his previous comments relating to S/0697/10/F. Elsworth has a Great Crested Newt population, but the nearest pond is 150m away. As the land constitutes garden land, no further survey work or mitigation work is required at this stage, unless further evidence is provided that demonstrates the property provides a Great Crested Newt habitat.
14. The Council's Trees Officer has no objections subject to a condition regarding tree protection to be installed prior to demolition works.
15. The Council's Environmental Health Officer recommends a condition regarding the time that power operated machinery be used during demolition and construction, informatives regarding bonfires and burning of waste, and the requirement of a demolition notice are also requested.
16. The County Definitive Maps Officer notes there is no objection to the proposal despite the proximity of Public Footpath No. 12 Elsworth. Informatives are requested ensuring it is kept clear.
17. The Council's Landscape Officer requests conditions regarding landscaping and boundary conditions.
18. Cllr Wright requested the application be heard at Planning Committee given concerns on material planning grounds from local residents and the Parish Council.

Representations

19. The occupiers of 1 The Drift object on grounds of impact upon the character of the area, loss of light and outlook from the rear garden at 1 The Drift, highway safety, loss of habitat and the setting of a precedent for further development. The amended plan is not considered to overcome this view.
20. The occupiers of 3 The Drift object on grounds of loss of light, overbearing impact from the garden and landing window, impact upon the adjacent Conservation Area, and the cramped form of development. The amended plan is not considered to overcome this view.
21. The occupiers of 11 The Drift object on grounds of the plans not showing the conservatory and summer house at 11 The Drift, overbearing impact of the garage when viewed from the conservatory, and the impact of the two storey element to the rear of plot 2.
22. The occupiers of 1 Cowdell End object on grounds of the overbearing impact of both dwellings, impact upon highway safety and the impact upon the adjacent Conservation Area. The amended plan is not considered to overcome this view.

23. The occupiers of 4 Cowdell End object to the scheme on grounds of the two-storey height of plot 2 eroding the character of the village, and loss of countryside views from the two-storey rear element. They also highlight some discrepancies in the plans submitted.
24. The occupiers of 5 Cowdell End object to the scheme on grounds of overbearing impact by virtue of the scale and massing of development, loss of privacy to 11 the Drift and properties on Cowdell End, impact upon the adjacent Conservation Area, and impact on highway safety. Some inaccuracies regarding the scheme have also been highlighted.
25. The occupiers of The Old Chapel, Boxworth Road object on grounds of the impact upon the adjacent Conservation Area.
26. The occupiers of 38 Boxworth Road object on grounds of impact upon the adjacent Conservation Area and Listed Buildings, the overbearing impact and resulting loss of amenity, overlooking from plot 1, removal of trees prior to submission, and surface water drainage. The amended plan is not considered to overcome this view.
27. The occupiers of 42 Boxworth Road object on grounds of the size and bulk of the dwellings, density of development, overlooking from rear windows, the character of the dwellings, the state of the highway along The Drift, safety of the junction between The Drift and Boxworth Road, and impact upon the adjacent Conservation Area. The amended plan is not considered to overcome this view.
28. The Elsworth Drift Conservation Residents Association objects on grounds of impact upon the amenity of occupiers of neighbouring properties, and the impact upon the adjacent Conservation Area. Some inaccuracies regarding the scheme have also been highlighted.

Planning Comments

29. The key issues to consider in this instance are the principle of development, the setting of the Conservation Area and Listed Buildings, impact upon the amenity of the occupiers of adjacent properties, highway safety, infrastructure contributions, and drainage of the site.

The Principle of Development

30. The site lies within the designated Elsworth village framework. Elsworth is classified as a Group Village, where residential development and redevelopment of up to a maximum size of 8 dwellings will be permitted within village frameworks. The size of the development is considered appropriate to the village.
31. The site has an area of approximately 0.224 hectares. Policy HG/1 seeks residential development to make the best use of the site by achieving average net densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment. A scheme of two dwellings would represent development of 9 dwellings per hectare. This is below that sought by the policy. However, given concerns regarding the

impact upon the adjacent Conservation Area, the character of the area in general, and highway safety, in this instance, such a low density is again considered acceptable (low density was not a reason for refusal of the previous proposal). The recent alteration to Planning Policy Statement 3 also supports a lower density. Subject to site-specific issues and other policy criteria, there is no in-principle objection to the removal of the existing dwelling and replacing it with two dwellings on the plot.

32. Policy HG/2 of the LDF DCP 2007 seeks residential developments to contain a mix of units providing accommodation in a range of sizes to meet local needs. In developments of up to 10 dwellings, at least 40% should be one or two bed units to meet the demand for smaller dwellings. The application seeks the replacement of a two-bed unit with three and four bed dwellings. The previous application sought three and five bed units, and one of the reasons for refusal was the proposal being contrary to Policy HG/2. This scheme has differed in the five-bed plot is now a four-bed plot. Whilst the aims of the policy are not met, officers consider it would be very difficult to refuse the scheme on this policy alone, particularly as the policy basis for the mix is taken from the results of South Cambridgeshire Housing Needs Survey 2002. The applicant has also provided information from a local estate agent that there is a greater local demand for 3 plus bed units in the village. In this instance, the mix is an improvement on the previous scheme, and officers do not consider a reason for refusal could be sustained on this policy alone given the lack of available evidence.

Impact upon the Setting of the Conservation Area and the Listed Buildings

33. The Elsworth Conservation Area runs along the southwest, northeast and northwest boundaries of the site. The properties of 38 and 40 Boxworth Road to the north are both grade II listed buildings. The Drift slopes upwards away from Boxworth Road, giving the existing bungalow a higher location than the Listed Buildings and the Conservation Area. By increasing the bulk and the height of development on the land, the key issue in negotiating the scheme is the potential dominance that the development would have on these heritage assets.
34. The scheme has been changed since the refusal of application S/0697/10/F. With regard to plot 1, it has been relocated a further 0.5m from the boundary with 3 The Drift, and a further 0.5m from the front of the site. The projecting front gable has also been switched to the opposite side of the dwelling, moving this bulk away from the boundary with the Conservation Area. The rear garden room has been moved away from the boundary with 3 The Drift, and its design has been changed to a more simple gable end. The dwelling itself has slightly increased in width by 0.4m. The front door has been moved from the front elevation to the inward elevation of the forward gable, and there are other changes to the fenestration.
35. As per the amended plan, plot 2 has been moved significantly forward on the plot, from 16.6m to 12m from The Drift. The gap between plot 1 and 2 remains the same, although the front gable of plot 2 now sits an additional 2m from plot 1. Plot 2 is now located approximately 0.5m closer to 11 The Drift. There are a number of changes to the design. The front gable span has been reduced and is now symmetrical, with simpler fenestration. The rear element, whilst retaining first floor accommodation, has been reduced from 7m in

height to 5.8m. The height of the dwelling remains the same, although it would be set lower due to a lower ground level.

36. The double garage to plot 2 previously had a studio above. This has been altered to a single garage, 1m lower in height, set much further back on the plot. It would be located within 3.4m of the boundary of 11 The Drift at its closest.
37. The proposed changes reduce the bulk of development, and allow the scheme to sit well within the street scene. The relocating of plot 1 does shift the bulk from the boundary, but more importantly, it opens up the gap between it and 3 The Drift, retaining views from The Drift into the Conservation Area. It should be noted that whilst within the Conservation Area, the semi-detached dwellings of 1 and 3 The Drift are not of special architectural merit in themselves. I note the comments from the Conservation Officer on the impact with the adjacent Listed Buildings. Moving plot 2 forward reduces its impact on views between the Listed Buildings from Boxworth Road. Whilst they would still be visible, the setting of these buildings would not be harmed.
38. The Conservation Officer has concerns regarding the submitted street scene elevation. This does not show a "2-d" effect of the garage or dwelling at 11 The Drift, which are not perfectly parallel with the road. This is noted, and the location on this neighbouring property was noted during the officers site visit. It is not considered that the development would be too cramped in this area, and it is located at a suitable distance from the Conservation Area so as to not cause any harm to either its character or appearance. As a result of the changes, it is considered the proposal would not have a harmful impact upon the setting of the Listed Buildings and Conservation Area, and would be a significant improvement in the street scene of The Drift.

Impact upon the Amenities of the Occupiers of Adjacent Properties

39. The previous application was not considered to harm the amenity of the occupiers of 3 The Drift, and the relationship between the two has been further improved. Officers note the comments from the occupiers of this property. The dwelling would be visible from the rear garden and facing first floor landing window, but no harm would result. The main side elevation is blank, and a condition can ensure no openings are added in the future that may cause overlooking. The two rooflights serving the landing are 10m from the shared boundary and would only overlook the driveway area of 3 The Drift.
40. Concerns regarding overlooking towards the rear gardens of 38 and 40 Boxworth Road are noted. There is a rear facing dormer window located approximately 13.5m from the boundary with 38 Boxworth Road (which has a very narrow garden at this point). This dormer window serves a bathroom, and a condition can ensure it is obscure glazed. The dormer window serving bedroom 3 is further from the boundary, at a satisfactory distance of 14.6m. Officers consider plot 1 would not cause any serious harm to the amenity of the occupiers of the adjacent properties.
41. Concerns regarding the impact of plot 2 on 11 The Drift are noted. This neighbouring property is a chalet bungalow, with a rear conservatory not shown on the site plan. This was however noted on the site visit. Plot 2 would

be located 8m from 11 the Drift, although this increases to 11m behind the existing garage. Plot 2 is also set on lower ground. There is a first floor window facing 11 The Drift that serves a bathroom, and this will need to be obscure glazed. There are also two rooflights serving bedroom 4 that would face 11 The Drift at a distance of 12.8m. A condition should ensure these are also obscure glazed or located with their cills above 1.7m from the finished floor level. A further condition preventing other openings at first floor level in this elevation would be required. Subject to these conditions, no harm would be caused to the occupiers of 11 The Drift.

42. The garage would be set slightly closer to 11 The Drift, but is set back in the street scene. Its eaves height is low at 2.5m. Whilst it would be visible from the bathroom and conservatory openings and the rear garden of 11 The Drift, no serious harm would result. The garage would also be set on lower ground reducing the impact.
43. The numerous amenity concerns from the occupiers of the properties along Cowdell End to the southeast are noted. Plot 2 would be located approximately 22m from the road at its closest, with the dwellings set back a further 10m. Given this distance, plot 2 would not appear overbearing from these properties, and it would not cause any significant loss of privacy to occupiers of these properties. It is appreciated that given the change in levels, the development will be visible from the Cowdell End dwellings and some views of the countryside to the west may be lost, however, no serious harm would result. The loss of a private view is not a material planning consideration.
44. Occupiers of the neighbouring dwellings have highlighted some inaccuracies in the plans submitted. There does appear to be a discrepancy of 0.2m between the ridge height of plot 2 when comparing the datum level and the proposed ridge height. The application is being determined on the information submitted as part of this application. The proposed datum levels heights are considered acceptable in their own right. A condition ensuring site levels and heights of the proposed dwelling can ensure they are built as shown on the amended street scene plan. It is noted the spot height figure of the rear two-storey element has been omitted. However, the plan is drawn to scale and therefore accurate measurements can still be taken.

Highway Safety

45. In determining application S/1193/05/F for an extension to the mobile home park, a previous Planning Inspector had dismissed an appeal on grounds of highway safety given the site lines of the junction between The Drift and Boxworth Road. He concluded that the additional vehicle movements would be detrimental to highway safety. Previous application S/1605/09/F sought an additional dwelling, and was refused on the safety of this junction. For application S/0697/10/F, the applicant provided speed data and the available visibility splays at this junction. The Local Highways Authority has confirmed that Manual for Streets would apply and the revised visibility splays at the junction would be acceptable. It is considered the previous reason for refusal has been overcome, and remains so for this application. It should be noted that the previous Inspector comments were based on Places, Streets and Movement, and was pre-adoption of Manual for Streets.

46. The Local Highways Authority also request conditions regarding drainage of water away from the public highway, the material for the accesses, and the provision of pedestrian visibility splays, as well as an informative regarding works to the public highway. These can be added to any consent. Comments were also received questioning whether The Drift is capable of supporting further dwellings. Given the number of dwellings is currently supports, I do not consider a further dwelling would seriously deteriorate the surface of the road sufficiently to warrant objection.

Infrastructure Contributions

47. As noted within the Audit and Needs Assessment of Open Space June 2005, there is a shortfall of play space within the village. In line with Policies SF/10 and SF/11 of the LDF DCP 2007 and the Open Space in New Developments SPD, the proposal would require a contribution of £5,118.37 towards open space, £845.88 towards community facilities, £69.50 towards provision of waste receptacles and £250 towards the Section 106 monitoring fee. The applicant is aware of the policy, and confirmation of their willingness to contribute is awaited.

Drainage of the Site

48. The applicant has stated that the site would be provided with rainwater harvesting and overflow soakaways to drain surface water. There is a concern that given the change in levels on the site, there could be potential for water to drain down to 3 The Drift. A condition ensuring appropriate drainage will be provided in this instance given the change in levels.

Decision/Recommendation

49. Approval, (as amended by Proposed Block Plan and Site Plan Rev F date stamped 21st March 2011) subject to confirmation of the willingness to contribute to of site open space and 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: Proposed Block Plan and Street Scene rev F date stamped 21st March 2011, Location Plan date stamped 26th January 2011, 10-022 rev E and 10-023 rev G date stamped 31st January 2011.
(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 Policies DP/2, CH/4 and CH/5 of the adopted Local Development Framework 2007.)

4. No development shall commence until precise site levels are provided showing the exact floor levels and ridge heights of the proposed development in relation to the adjacent properties along The Drift 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 the street scene in accordance with Policies DP/2, DP/3, CH/4 and CH/5 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 details of the materials to be used for the construction of the driveways, 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 (this may require foundation detailing). 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. The boundary treatment for each dwelling shall be completed before that dwelling is occupied in accordance with the approved details and shall thereafter be retained.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
8. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

9. 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. It should also provide details ensuring water does not drain onto the adjacent public highway. 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.)

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. Apart from any top hung vent, the following windows hereby permitted, shall be fitted and permanently glazed with obscure glass.
Plot 1 – The rear facing (northeast elevation) dormer window serving the en-suite
Plot 2 – The side window (southeast elevation) serving the bathroom, and the rooflights in the side (southeast) elevation serving bedroom 4, unless the cill height of these rooflights are 1.7m or above from the finished first floor level. (Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

12. 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 at first floor level or above in the following elevations unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
Plot 1 – the side (northwest) and rear (northeast) elevations.
Plot 2 – the side (southeast) elevation. (Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

13. No development shall begin until details of a scheme for the provision of open space and community infrastructure, Section 106 monitoring and provision of waste receptacles to meet the needs of the development in accordance with adopted Local Development Framework Policies DP/4 and SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details. (Reason - To ensure that the development contributes towards open space, community facilities, Section 106 monitoring and the supply of waste receptacles in accordance with the above-mentioned Policy DP/4 and Policy SF/10 of the adopted Local Development Framework 2007.)

Informatives

The development results in a number of infrastructure requirements to meet the needs of the development in accordance with Policies DP/4 and SF/10 of the adopted South Cambridgeshire Local Development Framework 2007. Should financial contributions be provided, this amount to £5,118.37 towards the off-site provision and maintenance of open space, £845.88 towards the provision of indoor community facilities and £69.50 towards the provision of household waste receptacles. These figures are as calculated on the date of the decision and are index linked so may be subject to change when any payment is made. These contributions would be secured through a scheme (Section 106 Agreement). There would also be additional charges of £250 towards a S106 monitoring fee.

During construction, there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

Before the existing property is demolished, a Demolition Notice will be required from the Council's Building Control section establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This is required to ensure protection of the residential environment of the area.

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

The Highway Authority (Cambridgeshire County Council) maintains the surface of Public Footpath No. 12 Elsworth, to a standard sufficient for members of the public on foot; damage to the surface caused by non-public footpath use is repairable by those private users.

No alteration to the surface of Public Footpath No. 12 Elsworth is permitted without our consent (it is an offence to damage the surface of a footpath under s 1 of the Criminal Damage Act 1971).

Public Footpath No. 12 Elsworth must remain open and unobstructed at all times. Building materials must not be stored on the footpath and contractor's vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public byway).

Landowners are reminded that it is their responsibility to maintain hedges and fences adjacent to public rights of way, and that any transfer of land should account for any such boundaries (s 154 Highways Act 1980).

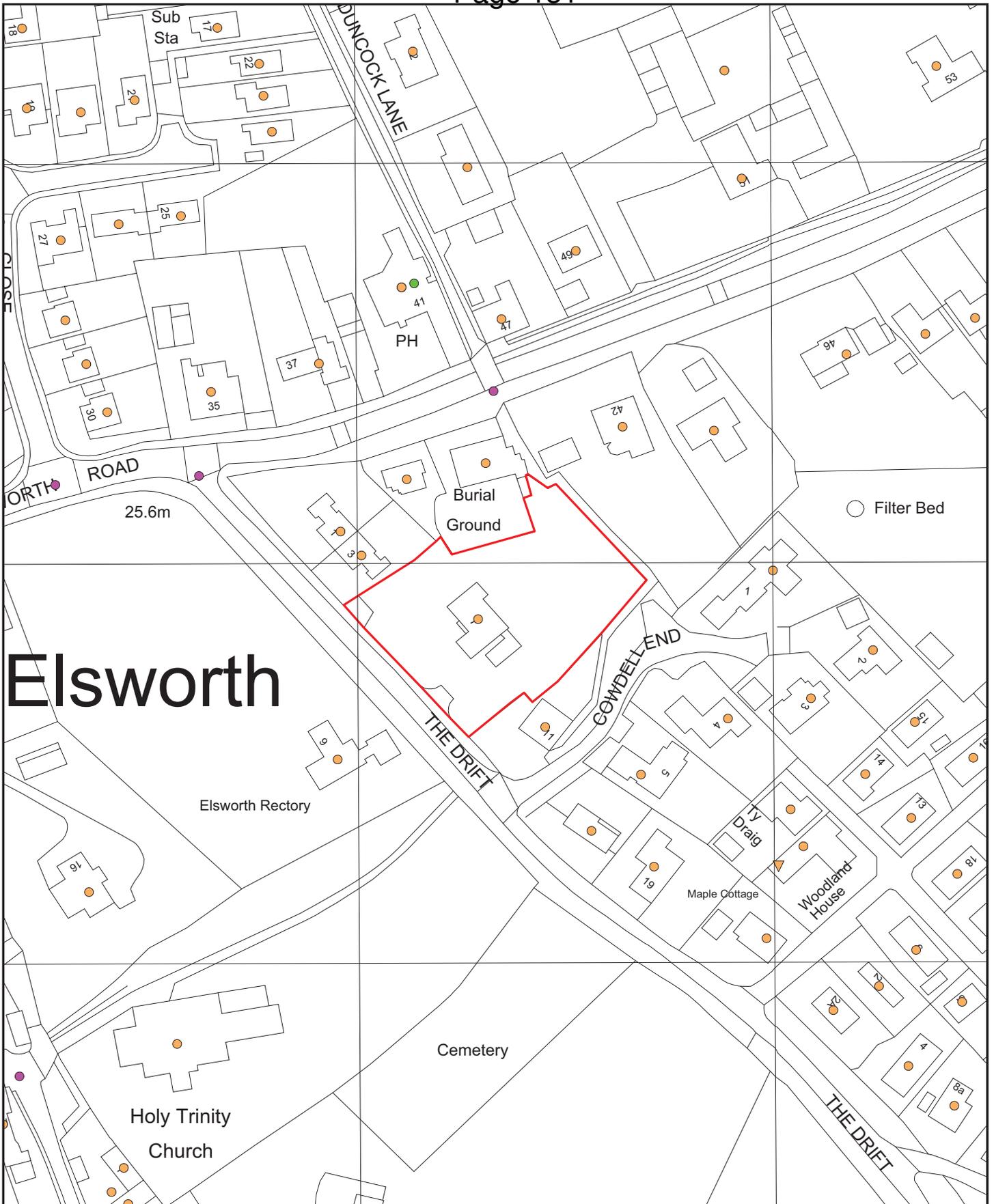
Background Papers: the following background papers were used in the preparation of this report:

- **South Cambridgeshire Local Development Framework (LDF) Core Strategy.**
- **Local Development Framework Development Control Policies 2007.**
- **Open Space in New Developments SPD, Trees and Development Sites SPD, Development Affecting Conservation Areas,**

**Biodiversity SPD, Listed Buildings SPD & District Design Guide
SPD.**

- **Circular 11/95 – The Use of Conditions in Planning Permissions.**
- **Circular 05/2005 - Planning Obligations.**
- **Planning File ref: S/0152/11, S/0697/10, and S/1605/09/F.**

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Date of plot: 20/04/2011

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/1631/10 - SWAVESEY**Continued and permanent use of land as gypsy caravan site (8 pitches) at
Scotland Drove Park, Rose And Crown Road
for W Fuller and Others****Recommendation: Approve conditionally****Date for Determination: 18 November 2010****Notes: This Application has been reported to the Planning Committee for
determination because the recommendation of approval is contrary to that of
the Parish Council.****Site and Proposal**

1. Scotland Dove Park lies between Fen Drayton and Swavesey on a bend in Rose and Crown Road. The surrounding area is generally flat agricultural land, although the site is prominent in views from Fen Drayton and from the approach from the village to the north. The site is approximately 700m from the edge of Swavesey village and is accessed off Scotland Drove, a bridleway that lies to the east of the site. The site has been laid out as eight, large pitches in two rows of four either side of a central access road. Planting has been undertaken both inside and outside the site to supplement an existing roadside hedge. The site lies in area of low flood risk.
2. The site is currently occupied by eight gypsy families, each having between two and six mobile homes/caravans along with a variety of demountable sheds and small utility buildings. With the exception of the occupants of plot 1, the other families have resided here for some time, most recently with the benefit of a temporary planning permission.
3. The full planning application, received 23 September 2010 seeks planning permission for the continued and permanent use of the site as eight gypsy pitches (plots) with a maximum of five caravans on each pitch. In the event that permanent planning permission isn't granted, the applicant requests that consideration be given to a further temporary permission.
4. The application includes a layout plan, a statement outlining the families' personal circumstances and a letter of support from the Drama Group at Swavesey Village College.

Relevant Planning History

5. The site was originally developed without planning permission in 2002. An enforcement notice (which still remains extant) was issued on 17 September 2002 requiring the use of the site to cease. Separate planning applications for each plot were refused on 22 November 2002 and were dismissed at appeal on 2 July 2004 (following a successful legal challenge against an earlier inspector's decision in 2003). The inspector accepted there was a need for such a site, but concluded this was outweighed by the harm to highway safety and to the character and appearance of the area. He considered there was no case for a temporary consent given the identified harm
6. Despite this decision, the site remained occupied and a further planning application for the eight pitches was submitted in March 2007 (ref: **S/0601/07**). The Planning Committee considered the application at its meeting in July 2007 when it was resolved that temporary planning permission should be granted. This was subject to various conditions designed to overcome the problems highlighted in the earlier appeal. These included limiting the number of caravans on each plot to no more than five; implementation of an agreed landscaping scheme; suitable provision for foul water drainage; works designed to improve highway safety; and a restriction on external lighting.
7. Occupation was restricted to persons defined as gypsies and was for a temporary period only, expiring 1 September 2010. The reason for granting temporary planning permission was to reflect the advice in government guidance pending the preparation of a Gypsy and Traveller Development Plan Document.
8. Landscaping and highway works were subsequently carried out. As the permission has now expired, the current use of the site is once again unauthorised.

Planning Policy

9. Paragraph 71 of **PPS3 Housing** states that where local planning authorities cannot demonstrate an up-to-date five year supply of deliverable sites they should consider favourably applications for housing having regard to policies in the PPS.
10. **ODPM Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites** aims to increase the number of gypsy and traveller sites in appropriate locations. This will be achieved by a thorough assessment of needs and the identification of sites by local authorities in Development Plan Documents. Each local authority should have a realistic criteria-based policy to assess other sites that come forward as planning applications. Paragraph 44 of the Circular advises that local planning authorities should take account of a number of factors before refusing a planning application for a Gypsy and Traveller site. This includes an assessment of need, the number of unauthorised encampments, the numbers and outcomes of planning applications and appeals, occupancy of public sites, the status of authorised sites and the bi-annual Caravan Count.
11. Paragraphs 45 and 46 provide advice on the desirability of temporary planning permissions. Where there is unmet need but no available,

alternative gypsy and traveller site provision in an area but there is a reasonable expectation that new sites are likely to become available at the end of that period in the area, which will meet that need, local planning authorities should give consideration to granting a temporary permission. Such circumstances may arise in a case where a local planning authority is preparing its site allocations DPD. In such circumstances, local planning authorities are expected to give substantial weight to the unmet need in considering whether a temporary planning permission is justified. The fact that temporary permission has been granted on this basis should not be regarded as setting a precedent for the determination of any future applications for full permission for the use of the land as a caravan site.

12. **Accommodation for Gypsies and Travellers and Travelling Showpeople in the East of England-A Revision to the Regional Spatial Strategy for the East of England. July 2009 (RSS)**
H3 Provision for Gypsies and Travellers
13. **South Cambridgeshire Local Development Framework Core Strategy 2007**
ST/6 Group Villages
14. **South Cambridgeshire 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
NE/4 Landscape Character Areas
NE/10 Foul Drainage
15. **District Design Guide SPD - Adopted March 2010**
16. **South Cambridgeshire Local Plan 2004 (Saved Policies)**
CNF6 Chesterton Fen
17. **Gypsy and Traveller DPD (GTDPD)**
Since the date of the previous temporary planning permission, the "GTDPD Issues and Options 2 Consultation July 2009" has identified the site as an appropriate site option for consultation. In view of the pending revocation of the RSS, the Council is now awaiting the outcome of an updated Gypsy and Traveller Accommodation Needs Assessment (GTAA) that is currently in preparation by the County Council and revised government guidance on planning for the needs of Gypsies and Travellers. This assessment will assist in identifying what level of local provision should be planned for in South Cambridgeshire, This will then form the basis for further consultation.
18. The Council's **Race Equality Scheme 2008-2011** recognises Gypsies and Travellers as the largest ethnic minority in the district (around 1% of the population). The Scheme gives priority to actions relating to travellers.
19. **Circular 11/95 (The use of Conditions in Planning Permissions)**
Advises that planning conditions should be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects.

20. **Circular 05/2005**
Advises that planning obligations must relevant to planning, necessary, directly related to the proposed development to be permitted, fairly and reasonably related in scale and kind and reasonable in all other respects.
Consultations
21. **Swavesey Parish Council** raises objections to the application on the following grounds:
22. The Parish Council is not aware that planning laws have changed since the original application in 2002. Since then application for permanent use of the land has been refused and appeals have been dismissed. The site is considered harmful to the character and appearance of the area and to highway safety.
23. The Parish Council also raises strong concerns over the arrangements for foul sewage disposal from the site. Currently each site has its own cess pit/treatment plant and foul sewage is leaking into the land drains around the site. We have informed the Council's Environmental Health Dept and Land Drainage Manager and we understand the Environment Agency is aware. Despite visits to the site by both authorities the problem persists. The Parish Council also raised objections to the use of individual treatment plants when they were first installed. If either further temporary or permanent planning permission is granted, serious consideration must be given to connecting the site to the mains sewage system, which already runs down Rose and Crown Road almost up to the site. The Parish Council also asks that immediate action is taken to find out which treatment plants(s) is causing the current leak and for action to be taken to ensure the problem is rectified and does not occur again.
24. Further comments received from the Parish Council require immediate attention be given to providing a footpath to the village to ensure highway safety. There is no footpath at along Rose and Crown Road and it does not have streetlights.
25. Although it has not been formally consulted on the application, **Fen Drayton Parish Council** responded to the recent GTDPD consultation exercise by stating that it disapproves of the way the site has been handled. No planning permission was sought nor given and if the situation is allowed to continue, the Parish Council feels it gives the Gypsy and Traveller community the green light to do this again whenever they wish to do so. The site should be made a legal site with the proviso that no further planning permission is given for expansion and any such attempt will be dealt with immediately via regular enforcement procedures.
26. **Local Highway Authority.** As part of the application under reference S/0601/07 the Highway Authority required works to the access and surrounding area to provide suitable inter-vehicle visibility to Rose and Crown road. At the time of the original application I inspected the site and these works had been completed to the satisfaction of the Highway Authority. In the intervening period the hedges may have grown and may require cutting back, but this would not be a sustainable reason for refusal.
27. The **Environment Agency** states that as the site lies within an area of environmental concern conditions are recommended for a scheme and

implementation of foul water drainage. Where a connection to the public foul water sewer is not available, the suitability of any non-mains sewerage system must be effectively demonstrated to the local planning authority.

28. The **Drainage Manager** has commented that serious drainage problems exist with regard to the foul water system for this site. Partially treated sewage is flowing towards the Council's award drain and threatening pollution of the watercourse. The cesspool system used for the collection of sewage is not suitable for this site. Is it possible to insist on a mini treatment works (Klargester) or other similar for the future?
29. The **Landscape Officer** has visited the site (February 2011) and comments that the landscape scheme implemented as part of planning application S/0607/01 has been largely removed. The main elements missing are approximately 120m of bund and new hedgerow planted to replace the former hedge that was removed to improve sight lines. The bund has been flattened and the hedge removed; the (proposed) post and rail fence has been replaced by a close board fence; and the boundary trees and those marking plots. New sheds (which house the electricity supply for the site) appear to have been erected outside the boundary fence.
30. The site is highly visible over wide areas and now has a very stark appearance. The landscape scheme should be replaced as per the agreed scheme.
31. **Traveller's Liaison Officer.** No comments received.

Representations

32. The **adjoining landowner** comments that due to the site's elevated position, the caravans and mobile homes are clearly visible from a large surrounding area. This severely detracts from its previous agricultural use with a pleasant rural open outlook. He is also extremely concerned that the foul drainage system is unsatisfactory with effluent being discharged into the adjoining watercourse. All units should discharge to the mains system.

Planning Comments

33. Having regard to the Council's determination of the previous planning application and the definition of Gypsies and Travellers as set out in paragraph 15 of ODPM Circular 01/2006, the applicant and the other site occupants are considered to be Gypsies for the purposes of planning policy. The application therefore falls to be considered against planning policies regarding Gypsy and Traveller sites.
34. I consider that the main issues in this case are:
 - The extent to which the application accords with the provisions of the development plan,
 - The general need for, and availability of, additional gypsy sites;
 - The site occupants' personal needs and circumstances;
 - The case for a temporary permission; and
 - Human Rights Issues

The Development Plan

35. The requirement of RSS Policy H3 to significantly meet demand and provide at least 69 additional (permanent) pitches in the district by 2011 will not be met. However, while RSS Policy H3 remains part of the development plan, the Secretary of State's intention to revoke this and Circular 01/2006, which underpins it, is clearly a material consideration to be taken into account.
36. Since the loss of Policy HG23 from the 2004 Local Plan, the development plan does not contain any specific criteria-based policies against which to assess the impact of proposals for gypsy sites. While saved policy CNF6 allocates land for use as gypsy sites at Chesterton Fen, a number of previous appeal decisions have ruled out the possibility that there is still land that is suitable, available and affordable. That certainly appears to be the case for the number of families involved in this application.
37. The Council therefore primarily relies upon the general principles policies DP/1 - DP/3, although these need to be utilised in accordance with the advice in Circular 01/2006 and numerous appeal decisions that gypsy sites are often located in the countryside and that issues of sustainability should be seen in the round with a more relaxed approach be taken given gypsies' normal lifestyle.
38. The principle concerns in this case are the impact on the character and appearance of the area, highway safety and the ability to provide an adequate means of foul water drainage.
39. The site lies in the Bedfordshire and Cambridgeshire Claylands Landscape Character Area as defined in Policy NE/4, although the District Design Guide SPD classifies the area as 'Fen Edge'. The area is characterised by a generally low-lying, open landscape with large agricultural fields and long-distant views. The land is not otherwise designated or protected. While parts of the site are clearly visible from the public bridleway that passes the site, it is generally well screened from the east and south and does not detract significantly from the enjoyment of those who may use the bridleway. Nonetheless, the relatively isolated nature of the site means that many of the mobile homes on it are highly visible in the landscape, especially when seen from the approaches from the west and north. Its prominence has been exacerbated by the removal of the previous frontage hedge. The overall effect is that in the main, the site appears as an 'island' in an otherwise open landscape.
40. As the Landscape Officer has pointed out, the original landscape scheme along the frontage has failed. This is for a variety of reasons, though it appears mainly due to a lack of proper maintenance. In response, the site occupants have since employed a local landscape contractor. He has replanted the hedge along the front boundary and planted other trees (ash, maple and oak) in accordance with the previously approved landscaping scheme. There are still two main differences to that scheme in that a group of trees have been planted at the front entrance in front of the boundary to plot 1, rather than behind the fence and the roadside hedge now sits in front of the roadside boundary fence rather than behind it. The fence is also of a close boarded type (to assist security and privacy), rather than post and rail. These changes are not seen as being so prejudicial to warrant them unacceptable. While the bund has not been replaced, the planting of the new hedge in front

of the fence will help to soften the appearance of the fence. The site occupants have stated that the hedge was removed when the grass verge was cut. This will now be prevented by clearly marking the hedge as being retained and employing the landscape contractor to undertake the necessary maintenance.

41. The new and replacement planting is to be welcomed and shows a commitment from the site occupants to improving the appearance of the site. Its retention can be appropriately conditioned. Nonetheless, the site still remains prominent in the landscape and contrary to the prevailing landscape character. While the advice in Circular 01/2006 is that gypsy and traveller sites can be located in the countryside, officers are not persuaded, particularly in the absence of meaningful existing planting, that the use of the site with its inherent domestic paraphernalia would not be contrary to Policies DP/2, DP/3 and NE/4 that seek to preserve or enhance the character and appearance of the local area and countryside and to protect landscape character.
42. It is also the case that plot 4 has been used to store a considerable amount of building materials. The plot is situated on the bend in the road and is thus perhaps the most visible. The openness of the plot has been further reduced by the siting of a lorry body and makeshift storage buildings. Following a site visit in early March, much, but not all, of the open storage and structures had been cleared at the officer's request. The boundary fencing to this plot is also in need of improvement, which it is understood will now be done.
43. Highway safety issues have been addressed to the satisfaction of the local highway authority. There is now reasonably good visibility for drivers using the main road. While the Parish Council has requested a footpath link along Rose and Crown Road, the road is relatively lightly trafficked and there is no evidence to suggest that this would be necessary (as opposed to desirable) in order that the site continues to be used for residential purposes. The site provides appropriate access from the highway network in accordance with Policy DP/3.
44. Foul drainage from the site has undoubtedly caused problems as highlighted in the consultation responses. In response to these concerns, the Acting Environmental Health Officer has been in discussions with those on the site to try and resolve the issue. Letters have been sent to the residents seeking their co-operation and it seems that the problems have arisen from one or two of the plots rather than from the use of the site as a whole. These concerns arose from the use of septic tanks/cess pits rather than from individual treatment plants.
45. The various occupiers have since got together and as a result, all of them have now (early March) installed individual treatment plants on each plot. If these are properly maintained, it should ensure that the problem of sewage leaking into the adjoining land drains will cease. The Council's Drainage Manager has verbally confirmed that drainage to the mains sewer (approximately 680 m away) is not practical and that the current arrangement is an acceptable solution.
46. In the circumstances, I am satisfied that the problems with foul drainage can be overcome and need not pose an unacceptable risk to the quality of ground

or surface water or the pollution of ditches around the site. The development complies with the requirements of Policy NE/10.

47. The other sustainability issues surrounding the use of the site have already been assessed as part of the background work for the emerging DPD. That has concluded the site is relatively close to the edge of Swavesey and is sufficiently close to enable pedestrian access to the services and facilities in the village, including health and education and access to public transport. I am therefore satisfied that the location of site is therefore suitable on wider sustainability grounds and meets the requirements of the development plan.

The general need for, and availability of, additional gypsy sites

48. In South Cambridgeshire, the number of caravans with either permanent or temporary planning permission has remained relatively static between January 2009 and January 2011. The number of caravans (11 in total) without any form of planning permission has also remained unchanged. For some considerable time now, the two public sites at Milton and Whaddon have remained full with waiting lists of at least a year for Milton and considerably longer at Whaddon. The results of the latest January 2011 bi-annual count identified 126 caravans on sites with temporary planning permission and the count continues to show there remains a shortage of permanent gypsy sites in the district. The results of the current GTAA are awaited before an accurate up-to-date assessment of current needs can be made. Nonetheless, should this application be refused and the Council decides to enforce against the existing use, the eight families (approximately 25 caravans) on the site would have nowhere to go as there are no other vacant sites in the district.
49. In the most recent appeal decision involving a Traveller family at Cottenham, the inspector found there remains a “substantial unmet general need for additional pitches in the district” and that this “attracts significant weight” in the decision-making process. While there may be some dispute as to whether the demand is “substantial”, it is the fact that unmet need is a material consideration that weighs in favour of this proposal. In coming to a decision the Inspector gave considerable weight to the personal circumstances of the applicants and weighed them against the harm from the proposal before coming to the conclusion to permit the proposal. The key issues were the applicants' poor health and the lack of any alternative accommodation.

The site occupants' personal needs and circumstances

50. Plots 2-7 continue to be occupied as before. Plot 1 is the one exception and most of the sites are occupied by extended families. In total, the application states there are 10 people of pensionable age and 16 children of school age living on the site. Some of the occupants have serious health problems and Mrs Sally Ann Moss on plot 3 is paralysed from the chest down and dependant on carers. Others state they receive treatment at the surgery in Willingham. The details submitted with the application state that some of the children are in school locally, as has always been the case.
51. The letter of support from students at the Village College praises the site occupants for their commitment to being part of the local community and for observing a peaceful family orientated lifestyle.

52. The families on plots 2-7 all have local connections. In accordance with the advice in Circular 01/2006, this is a consideration that carries some weight, particularly the educational and health needs. They have mostly occupied the site since 2002 (albeit unlawfully in part) and have pointed out that they have already invested a good deal of money in trying to make the site acceptable. There is little motivation in continually doing this if planning permission is ultimately going to be refused. The continued uncertainty about the site is also stressful and frustrating for them.

Conclusions on the desirability of granting permanent planning permission

53. I consider that the continued use of the site continues to be harmful to the existing distinctive landscape character. This could be ameliorated by suitable planting, although previous attempts have failed and this will still not disguise the prominence of the site in certain views. To this end the proposal is contrary to Policies DP/2, DP/3 and NE/4. The site is in a generally sustainable location and would continue to assist the family with its educational and health needs. Highways and drainage issues can be overcome, albeit it has not yet been demonstrated that the problems with foul drainage have now been completely resolved. Given the severity of the problem that has been caused, this is a matter that justifies some caution, especially as the treatment plants have not been approved as such. In the circumstances, I believe that a permanent permission would be inappropriate. While the lingering requirements of Policy H3; the lack of suitable alternative sites; and the families' general needs carries some weight in favour of the proposal, the occupants' circumstances are not so pressing as to outweigh the perceived harm.
54. Further, if the site is not found to be acceptable through the GTDPD, it will make the families' ability to develop an alternative site (whether individually or collectively) that much harder. I am therefore satisfied that the harm to the character and appearance of the surrounding countryside and the uncertainty regarding an adequate means of foul water drainage are sufficient to clearly outweigh any presumption in favour of permanent planning permission at this time.

The case for a temporary permission

55. Circular 11/95 advises against a temporary condition unless the applicant proposes temporary development, or where a trial run is needed to assess the effect of the development on the area (paragraph 109). The imposition of conditions, including a temporary use, would not make the use any more acceptable. The degree of harm would be the same as if permanent permission had been granted. The advice in Circular 11/95 is not only to be read alongside that in paragraphs 45 and 46 of Circular 01/2006, but also it is clearly embraced within it.
56. At the same time, regard must be paid to paragraphs 45 and 46 of Circular 01/2006. As there is unmet need but no available, alternative gypsy and traveller site provision in the area, where there is a reasonable expectation that new sites are likely to become available which will meet that need, local planning authorities should give consideration to granting a temporary

permission. The GTAA and the consequent consultation process will aim to provide the additional sites that are found to be required.

57. In such circumstances, local planning authorities are expected to give "substantial weight" to the unmet need in considering whether a temporary planning permission is justified. There is also some additional weight to be attached to the personal accommodation needs of the applicants. In addition, a temporary permission has already been granted for this site in recognition of the advice in Circular 01/2006.
58. Officers therefore conclude that a further temporary planning permission is an appropriate course of action. In considering the recent Cottenham appeal, the inspector noted that the new GTAA is expected this spring. After that the Council will go on to develop its site allocations DPD that will involve public consultation. Following public consultation and the adoption of the DPD there will also have to be planning applications in relation to the allocated sites and they will take a little time to develop. In these circumstances the inspector considered that 5 years is a realistic timeframe to enable sufficient sites to come forward.
59. In reality, this need not be the case. The sites that have previously been considered as possible sites are, for the main, already in use as such and many benefit from temporary consents. The steps to make these sites suitable as permanent sites would be largely insubstantial. As this site has already been selected as an option for consultation, there is no evidence based on the existing number of unauthorised caravans in the district to suggest that it won't come forward. The consultation process will build on what has already been achieved and Members are committed to producing an effective site allocations policy as quickly as possible. There is every possibility that an effective consultation and site selection process could be achieved in a much shorter time and the latest work on taking forward the DPD suggests that it could be adopted by the end of 2013. Following on from this, there may be a requirement for certain sites to obtain planning permission.
60. In this context, I consider that a further three-year consent in this case would be appropriate. This should be subject to conditions that restrict occupation to Gypsies and Travellers, limit the number of caravans and business use on the site, control external lighting and reinforce the landscaping scheme that has been implemented. Should there be renewed problems with foul water drainage, there are separate controls and remedies under other legislation and this is sufficient to offset the need for a further planning condition.

Human Rights Issues

61. Refusal of permanent planning permission would lead to interference with the applicant's rights under Article 8 of the European Convention on Human Rights. This must, however, be balanced against the protection of the public interest in seeking to ensure needs arising from a development can be properly met, or that they do not prejudice the needs of others. These are part of the rights and freedoms of others within Article 8 (2). There is no lesser or alternative action that could be taken to secure the public interest, especially as the harm is considered to be significant. Refusal of permanent planning permission would therefore be proportionate and justified within Article 8 (2).

Recommendation:

62. Approve subject to the following conditions:

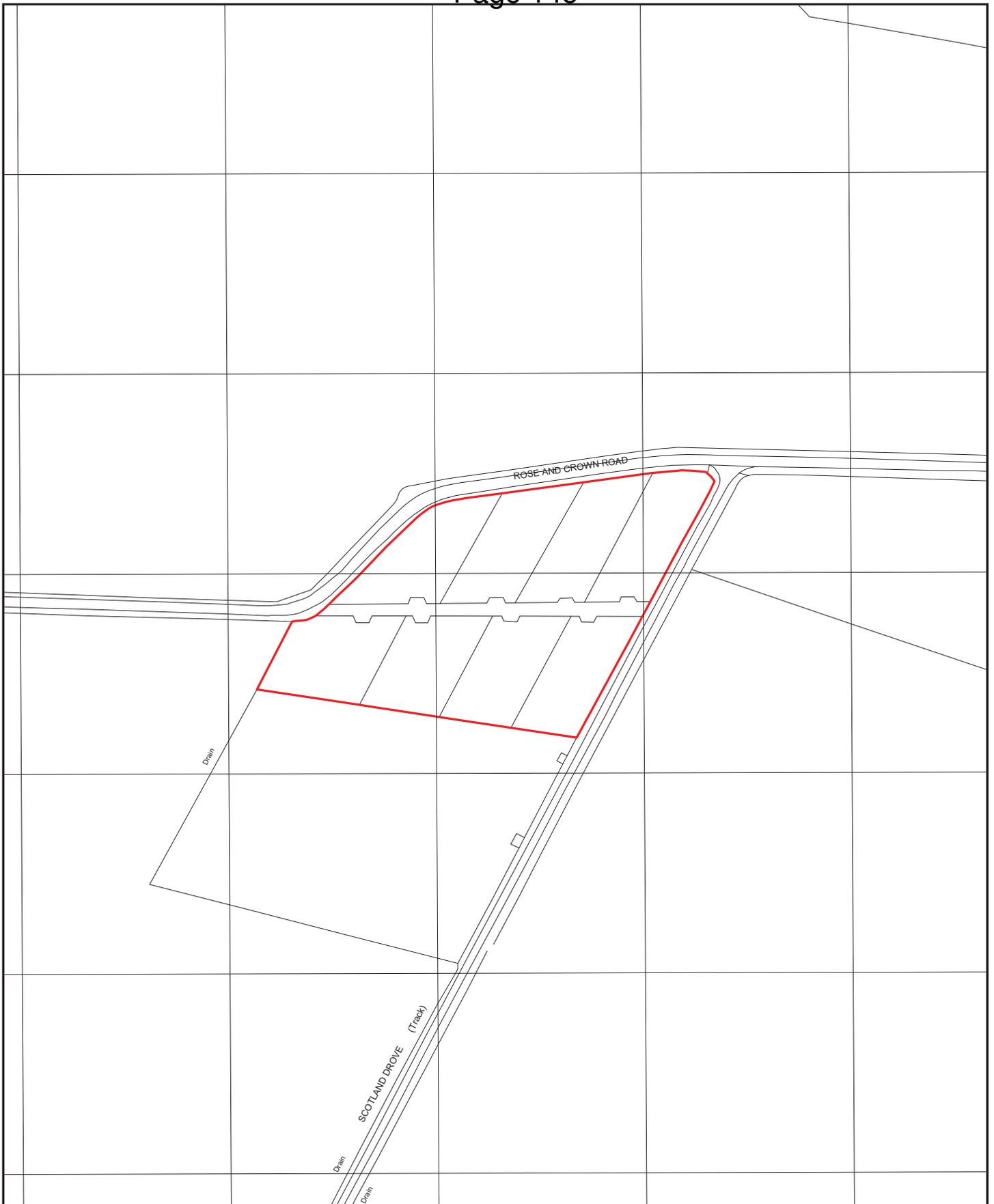
1. The site shall not be occupied by any persons other than gypsies and travellers as defined in paragraph 15 of ODPM Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites. (Reason: The site lies in the countryside where residential development will normally be resisted by Policy DP/7 of the adopted Local Development Framework 2007).
2. The use hereby permitted shall be for a limited period being the period of 3 years from the date of this decision. At the end of this period the use hereby permitted shall cease, all materials and equipment brought on to the land in connection with the use shall be removed, and the land restored in accordance with a scheme previously submitted to and approved in writing by the local planning authority. (Reason: In accordance with the advice in Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites, the Council is preparing a Gypsy and Traveller Development Plan document, and on a without prejudice basis to a permanent consent on this site, a time limited consent will enable the Local Planning Authority to properly assess the needs of gypsies and travellers within the district)
3. No more than five residential caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on each pitch at any one time and the number of pitches shall not exceed 8. (Reason: To minimise the impact of the development on the surrounding area in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)
4. No commercial activities shall take place on the land, including the external storage of materials. (Reason: To protect the visual amenity of the area in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)
5. No vehicle over 3.5 tonnes shall be stationed, parked or stored on any part of the site. (Reason: To protect the visual amenity of the area in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)
6. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. (Reason - To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
7. The planting comprised in the approved details of landscaping as shown on drawing no. MM7 05/1 approved under planning application reference S/601/07 shall be retained, and any trees or shrubs that within a period of two years, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season

with others of similar size or species, unless otherwise agreed in writing by the local planning authority. (Reason: To help minimise the impact of the continued use of the site on the character and appearance of the surrounding area in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)

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

- Accommodation for Gypsies and Travellers and Travelling Showpeople in the East of England – A Revision to the Spatial Strategy for the East of England. July 2009
- South Cambridgeshire Local Development Framework 2007
- South Cambridgeshire Local Plan 2004
- Planning application S/0601/07
- CLG Count of Gypsy and Traveller Caravans

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**South
Cambridgeshire
District Council**

Planning Dept - South Cambridgeshire DC



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Time of plot: 13:28

Date of plot: 16/03/2011

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/1362/10 - PAMPISFORD**Erection of Two Business Units (Class B1), Access, Revised Parking and Associated Infrastructure: Phase 2 (Extension of Time of Planning Permission S/1060/07/F) - Iconix, Pampisford Park, London Road for Turnstone (Cambridge) Limited****Recommendation: Approve Conditionally****Date for Determination: 10 November 2010**

This Application has been reported to the Planning Committee for determination because the recommendation of Pampisford Parish Council does not accord with the officer recommendation. The application was withdrawn from Planning Committee 1 December 2010 to enable further traffic information to be obtained.

Site and Proposal

1. The site, which extends to 1.67 hectares, rises gently to the southwest towards the A1301 Sawston By-Pass. There is a 2m high hawthorn hedge on a low bank along the London Road/east frontage, a B1 (Business) building to the south, and commercial premises on "Sawston Park" to the north. The bypass to the west is set down below the level of the site. The site includes one single storey and several two-storey business units, comprising 2,861 sq.m. floorspace, an open storage depot, frontage to a disused petrol filling station and a high telecommunication mast.
2. This full application, received on 11 August 2010, proposes the extension of the time limit for the commencement of development for a further five years. Planning permission reference S/1060/07/F was granted 6 September 2007 for the erection of two B1 (Business) units, comprising B1(a) office and B1(b) research and development. The buildings have dimensions 49m x 19m approximately x 8.75m high to top of roof, and 11.05m high to top of plant room roof (combined 3,744 square metres of gross external floor area). The proposal included new and reconfigured car parking (200 spaces in total, 107 spaces for the proposed buildings and 93 spaces for the adjacent existing buildings), a new access to London Road and landscaping. Cycle parking is also proposed. The buildings would be faced with metallic silver horizontal metal panelling system, vertical gault brick panels and would have a flat roofing membrane system behind a brick parapet wall. Two existing accesses onto London Road would be closed off.
3. The application is supported by a Transport Statement:
 1. a traffic survey of the site, and junction capacity surveys of the junction of London Road and A1301, and the A505 roundabout, and at a

- comparable office premises Morgan Sindall/ Bluestone offices in Sawston;
2. detailed all modes assessment of the proposed development;
 3. improvement to the section of existing footway to the east of the site to provide a footway/cycleway joining up with the existing provision adjacent to the A505 roundabout;
 4. the provision of a nearside passing bay in the Sawston Bypass at its junction with London Road;
 5. 10% reduction in parking provision;
 6. Amendment to the Travel Plan to reduce single-occupancy car journeys, improvements to local cycleways, consideration of a shuttle bus service, priority parking for car sharing, shower facility for cycle users, and a Travel coordinator and a Managing Agent.
 7. As part of the Travel Plan, surveys are proposed of the impact of the development on traffic conditions through Pampisford.
 8. inclusion of a stage 1 safety audit of the proposed access in the Transport Assessment.
4. An updated Transport Statement dated 19 April 2011 has been provided which incorporates traffic survey results for Wednesday 19 January 2011. This has concluded that the A505/A1302 roundabout is operating at much the same capacity as in 2007. In fact there has been a drop of around 6% in both the weekday AM and PM peak periods. There are similar queue lengths on all the approach arms to the roundabout.
 5. The application is accompanied by a Design and Access Statement, Ecological Appraisal, Arboricultural Report and Tree Survey, an Archaeological desk-based Assessment, Ground Investigation Report, Contamination and Remediation Statements, Flood Risk Assessment and a Foundation Works Risk Assessment.

Planning History

1. Application reference S/2134/06/F for similar development was refused at Planning Committee on 7.2. 2007 following a site visit by Members. The reasons for refusal followed on from the advice of the Local Highway Authority on the grounds of an inadequate Transport Assessment and inadequate capacity assessment of the A1301/A505 junction.
2. S/1060/07/F: Two B1 (Business) Units, New Access, Reconfigured Car Park and Ancillary Infrastructure (Phase 2) Approved 6.9.2007
3. S/1061/07/O: B1 (Business) development (Phase 3) Approved 6.9.2007

Planning Policy

4. **LDF Adopted Core Strategy Development Plan Document (2007)**

ST/8 (Employment Provision)

South Cambridgeshire Development Control Policies Development Plan Document (2007)

DP/1 (Sustainable Development)

DP/2 (Design of New Development)

DP/3 (Development Criteria)

ET/1 (Limitations on the Occupancy of New Premises in South Cambridgeshire)

ET/4 (New Employment Development in Villages)

SF/6 (Public Art and New Development)

TR/1 (Planning for More Sustainable Travel)

TR/2 (Car and Cycle Parking Standards)

TR/3 (Mitigating Travel Impact)

NE/1 (Energy Efficiency)

NE/3 (Renewable Energy Technologies in New Development)

NE/6 (Biodiversity)

NE/8 (Groundwater)

NE/11 (Flood Risk)

NE/12 (Water Conservation)

NE/14 (Lighting Proposals)

NE/15 (Noise Pollution)

NE/16 (Emissions)

Local Development Framework Site Specific Policies DPD (2010)

SP/12 (Allocations for Class B1 Employment Uses) part b: Pampisford, west of Eastern Counties Leather, London Road.

South Cambridgeshire Local Development Framework Supplementary Planning Documents

Public Art SPD (2009)

Trees & Development Sites SPD (2009)

Biodiversity SPD (2009)

District Design Guide SPD (2010)

Consultations

5. **Pampisford Parish Council:** Objection to the proposal, on grounds also put forward in response to the applications in 2006 and 2007:

“Pampisford Parish Council objected to the original planning application on the grounds that it failed to address a number of fundamental problems.

OVERCROWDED SITE

The proposed development of a further 4 buildings on the site is excessive. Development on this scale in a village of only 300 people is inappropriate. Unit 1 (part of Phase 1) is believed to be only partly occupied.

NON-COMPLIANCE WITH POLICY EM6

South Cambridgeshire District Council Planning Policy EM6 states that planning permission will only be granted for development where “there would be no adverse impact on residential amenity, traffic conditions, village character and other environmental factors”. The proposed development fails on these counts greatly. The Parish Council cannot understand why planning permission was granted in the first place.

TRAFFIC CONGESTION

The parking provision for these buildings totals more than 300 places, and with visitor traffic including delivery vehicles added on, this will generate additional traffic flows on a huge scale. This will have an impact on the local road network, especially the roundabout on the nearby A505. Traffic

congestion has increased since 2007. At peak times, both morning and evening, long queues are generated on all roads. On the A505 these often extend back to the M11 junction to the west and to the dual carriageway to the east. Iconix transport statement confirms that the roundabout is reaching the limit of its capacity. As a result, rat-running through Pampisford has reoccurred. If the proposed development is allowed, the additional traffic generated will impact seriously on all local traffic movement. Highway improvements on a major scale would be required, for which funds are unlikely to be available. The highway improvements put forward by the developer would not address this problem.

Access to and from the site will cause major difficulties to traffic movements on London Road, which is already heavy during rush hours. The proposals to improve the site access will not do much to alleviate this situation, as the proposed central waiting zone on London Road by the entrance will impact on the grass verges and the footpath as a result of the road being too narrow at this point.

TRANSPORT PLAN

The proposals put forward by the developers are naïve and simplistic. The Iconix buildings will be let to a large number of small firms. It would not be feasible for them to operate the kind of detailed scheme envisaged. Whilst the developer could include some such obligation in the terms of the lease, compliance could not be easily monitored or enforced.

CONCLUSION

For the reasons stated above, Pampisford Parish Council are solidly opposed to the scale of the development and recommend rejection of this application. There is enough industrial and commercial development within the parish of Pampisford. To allow more would have an adverse effect on the quality of life for the residents and would result in major disruption to traffic movements in the area.

If, notwithstanding our deep concerns over this development, SCDC is minded to approve this application; there are a number of important conditions we would wish to see imposed. The Parish Council does not feel that these were considered seriously enough when planning permission was granted.

- a) Scale back: The development should be scaled back to be more in keeping with the character of the village and the spirit of Policy EM6.
- a) Transport and additional traffic: There must be provision for traffic calming and other measures to control rat-running through the village.
- b) Widening of London Road The intended widening of London Road for a turning lane to the site must not impact on the footpath and grass verge.
- c) Cycleways: Local cycleways need joining up, between Pampisford and the west side of Whittlesford station, Sawston, along the bypass, A1301 and A505 eastwards.
- d) Number of employees: Controls on number of employees in the tenant businesses (following policy EM6)

e) Light pollution: There should be strict controls on light pollution from the site. The unoccupied building in Phase 1 is already illuminating the surroundings to an unnecessary degree.

f) Hazardous substances: There should be strict controls of/ restrictions on hazardous substances, which might be used in some small light industry/ lab research operations, particularly in relation to disposal. There is already polluted ground water in the area.

g) Entry to the village: There should be a defined acknowledgement that people are entering the village as you come to 30mph sign on London Road – such as a fence, village name, village sign or traffic calming measures.

6. **Sawston Parish Council** – recommendation of approval (no further comments).
7. **Local Highway Authority** – no objection to the extension of the time limit. Any comments on the updated Transport Statement will be reported to Members.
8. **Highways Agency** – no objection.
9. **Council's Drainage Manager** – No objection, subject to compliance with Environment Agency restrictions on surface water discharge rates (brought forward from S/1060/07/F).
10. **Ecology Officer** – No objection. In the previous application, the proposals were considered to be satisfactory, subject to clarification of boundary planting and to a condition to require provision of bird and bat boxes, and pollarding of willows on the site.
11. **Landscape Design Officer** – No objection to the scheme, subject to a condition requiring detailed landscaping to be agreed (brought forward from S/1060/07/F).
12. **Trees and Landscape Officer**- No objection, subject to a condition for further landscaping of the enlarged car park should planning permission be approved (brought forward from S/1060/07/F).
13. **Corporate Manager (Health and Environmental Services)** – No objection, subject to a revised condition to require details of the lighting scheme to be submitted for approval.
14. **Scientific Officer (Contaminated Land)** - Notes that there is substantial contamination to soils and groundwater, which should be the subject of remediation and regulated by a condition on the planning permission.
15. **Cambridgeshire Fire and Rescue Service** has requested a condition to require provision of fire hydrants on the site (comment brought forward from S/1060/07/F).
16. **Police Architectural Liaison Officer** – Comments that the external walls should be robust enough to withstand criminal attack such as the cutting or removal of metal panels. He would prefer secure fencing to be placed on the embankment backing onto the A1301 Sawston bypass.

17. **County Archaeological Unit** – the applicant has submitted a desk-top archaeological assessment, and further investigations are unnecessary.
18. **Environment Agency** – The EA considers the flood risk assessment to be acceptable in principle, but has requested clarification of details relating to the flood compensation area. The EA has recommended several conditions, and a S106 Agreement to safeguard the flood compensation area in perpetuity, and to safeguard it from inappropriate development (comment brought forward from S/1060/07/F).
19. **Anglian Water** – Recommends a condition to require the submission of foul and surface water drainage proposals for the scheme (comment brought forward from S/1060/07/F).
20. **Cambridge Water Company** – Any planning consent should include conditions to prevent ground water contamination in the chalk aquifer from the development (comment brought forward from S/1060/07/F).

Representations

21. **District and County Councillor Tony Orgee** has written to object to the application, stating:
 22. 'I wish to make the following comments about planning applications S/1362/10 and S/1363/10 by Iconix. These planning applications are for the extension of time of applications S/1060/07/F and S/1061/07/F.
 23. Pampisford Parish Council has already written to you about these planning applications and I fully endorse all the comments they have made.
 24. The fundamental question for me is: have there been any significant changes since the original applications were made. To this, I answer a definite Yes.
 25. It is now very common, particularly when travelling on the A505 in the morning and evening 'rush hour' periods, to see traffic tailing back from the Sawston roundabout as far as the M11 motorway. This is a daily occurrence. I have even seen the tailback as far as down the slip road and onto the motorway itself. This is significant and highly dangerous.
 26. Traffic also extends back to the east of the Sawston roundabout, and on particularly bad mornings, traffic rat-runs through Pampisford Village
 27. The addition of another 300 jobs in the area, as proposed by Iconix, can only have serious consequences for traffic congestion on the A505. As such, I do not believe that the road infrastructure in the immediate area can sustain the extra traffic that would result from the Iconix proposals. I do not believe that the road improvements suggested by Iconix would address the traffic problems in any meaningful way.
 28. I therefore completely agree with the well-argued views of Pampisford Parish Council that the applications S/1362/10 and S/1353/10 should be rejected.
1. If, however, officers are minded to approve these applications, then the applications should only be approved with far more stringent

requirements than is the case with the original applications, regarding encouraging future employees to travel to the site by means other than the car. Any conditions / section 106 requirements should include making a significant contribution to improving cycling facilities in the immediate area. This must include upgrading the footway south of the Iconix site to a dual footway/cyclepath as far as the Sawston roundabout, where it would meet up with the cycleway provided as part of the Genome campus approval some years ago. There is also an extremely strong case for providing a cycleway alongside the Sawston bypass (A1301) to its northern end, and also a safe crossing over the A1301. Any travel to work plan must be realistic and achievable.

29. In summary, I oppose these applications because I believe that the traffic consequences of approving them would make an already overloaded road even more congested. In my view the measures suggested by Iconix to address this significant traffic problem would not be successful and local residents would have to live with the consequences. The almost certain increase in rat-running through the village, if these applications were approved and implemented, would, in my view, have an adverse effect on residential amenity, village character and the local environment.
30. We do need jobs, but we also need appropriate infrastructure to support them. More and more, local businesses are telling us that lack of infrastructure is holding back jobs creation. In this case, the local infrastructure requirements are such that any section 106 funding from an individual development is unlikely to be sufficient to address local needs.'

Planning Comments

Employment Policies

31. The site is brownfield/previously-developed land within the Village Framework. Structure and Local Development Framework policies encourage business development on such sites, subject to limitations on occupancy for Class B1 premises being imposed by condition (Policy ET/1 of the South Cambridgeshire Development Control Policies Development Plan Document).
32. Although the site is within the Pampisford Village Framework, it is also very close to Sawston Village Framework, a Rural Centre. Policy ET/4 of the Development Control Policies DPD supports small-scale (firms who employ 25 people or less) B1 development in this circumstance.
33. Having regard to the size of each unit, approximately 1,870 sq.m, and the car parking available to each, 53/54 spaces, it is possible that each unit would, if occupied by a single user, employ more than 25 persons. However, it is not considered that this is harmful in the context of existing employment land, and that each unit is similar in size to that approved at Unit 1 in 2005 and that an occupancy condition is proposed in order to comply with Policy ET/1.

Character and Appearance

34. The proposed buildings will back on to existing unattractive commercial buildings to the north. They will be seen from both London Road and the A1301, Sawston By-pass, but in the context of commercial buildings on either

side. Street elevations illustrate that, although the roof of the buildings will be some 2m higher than the commercial buildings to the north (plant room a further 2.3m higher), the roof of the buildings will be 1.22m lower than the recently constructed Unit 1 and 0.15m higher than the adjoining building at Unit 3 to the south. The top of the plant room will be the same as that on Unit 1 and 0.85m below that of the plant room on Unit 3. These proposed plant rooms are, however, recessed approximately 7.5m and 5.5m from the end and principal elevations respectively of each building. In terms of scale, design and appearance I conclude that the proposal is acceptable.

Transportation

35. The proposed new access achieves 4.5m x 90m visibility splays, appropriate to the scale of the development and the 30 mph speed limit on London Road. It provides a protected right-turning lane which does not exist for either of the two existing accesses, which would be closed. In principle highway safety on London Road will be improved.
36. Car parking has been provided at a ratio over the entire site of 1 space per 35.7 sq.m. gross floor area to accord with the Local Plan maximum standard of 1 space per 30sq.m. for development over 2,500 sq.m. Disabled car parking provision has been provided at 5% of capacity (6 spaces). Covered and secure cycle parking is provided at 1 space per 50 sq.m. gross floor area. Although this is commensurate with the level of provision approved as part of the 2005 permission for Unit 1, it does not accord with the Development Control Policies DPD standard of 1 space per 30 sq.m. gross floorspace. In conjunction with a Travel Plan, it is considered that this provision will be adequate, and is supported by the Local Highway Authority.
37. The site is located 1.6km from Whittlesford railway station and close to bus stops on London Road, along which a frequent service operates. Each business unit will be subject to a Travel Plan by condition of the planning permission.
38. To the south of the site, London Road merges into the A1301 Sawston By-Pass at a very acute angle. The 2007 Transport Statement assessed traffic flows for the full development opening year of 2010. The Statement concluded that in 2010, the site access and junction of London Road/ A1301 Sawston Bypass would operate 'with substantial reserve capacity in weekday peaks', whereas the A505 roundabout was already approaching capacity in weekday peak periods. The report noted that 'with the introduction of traffic growth and development trips through to 2010 both the A1301 eastern approach and the A505 southern approach are predicted to be at the limit of capacity'. The Local Highway Authority did not require any further improvements to the roundabout, and, in the revised Transport Statement, the predicted rise in traffic on the roundabout has not materialised..
39. The Travel Assessment proposes monitoring the amount of rat-running through Pampisford. The agent comments that there would be a small likelihood of such rat-running, based on predicted development trips in weekday peak periods. The Local Highway Authority has described the proposed Travel Plan as 'highly aggressive', which will include traffic surveys of movements within Pampisford and to enable mitigation measures to be taken, if necessary.

Drainage and Flood Risk

40. The displacement of flood waters by buildings will be compensated for within the site on a level by level, volume by volume basis up to 1 in 100 year flood level. This is detailed in the Flood Risk Assessment, which is acceptable to both the Environment Agency and the Council's Drainage Manager, subject to the imposition of a number of conditions on any planning permission.

Ground Contamination

41. The Ground Investigation Report and Foundation Works Assessment recommends that localised remediation is necessary to mitigate the impact of concentrations of chromium and various hydrocarbons which were proven in soils. The appropriate and suitable foundations for each building are identified in these reports. A suitable condition is recommended.

Landscaping and Ecology

42. The proposed landscaping belt along the south west boundary will vary in width from 5m to 10m. Native tree and shrub species will reflect the previously approved scheme for Phase 1 (Unit 1). In the northern section of this belt an existing open watercourse will be retained but will require re-profiling. The existing access gaps on London Road will be closed by the planting of a native hedge, the species being selected from the existing hedge on this frontage.
43. At the rear of Units 2 and 3 the extended and reconfigured car park is shown to be planted with trees at intermittent distances, which is an improvement over the previous application.
44. The Ecological Appraisal found no habitats of ecological value although features on site offer opportunities for local wildlife. A survey found no evidence of bat roosts, and a low population of common lizards at the edge of the development area. The report recommends that a reptile mitigation strategy be prepared. Any removal of vegetation should be conducted outside of the bird nesting season (March-August).

Energy conservation, renewable energy and water conservation.

45. The previous grant of planning permission did not fully assess the potential for energy conservation, renewable energy provision or water conservation measures to be incorporated into the scheme. In issuing a renewal of planning permission, it is considered that suitable conditions should be attached in order to comply with LDF Policies NE/1, NE/3 and NE/12.

Extended time period

46. The application proposes a five year period for implementation of the development. Current Government advice set out in '*Guidance: Greater Flexibility for Planning Permissions*' (2009) acknowledges that Local Planning Authorities have discretion in legislation to grant longer permissions if this is justified on planning grounds. In the current economic downturn, it is considered that the extended period for commencement would provide greater certainty for the developer which would be in the interests of the

economic development of this brownfield site that is in a sustainable location and which falls in part within the employment designation ST/12.

Conclusion

47. The concerns of Pampisford Parish Council are acknowledged, but it is not considered that these amount to sufficient grounds for refusal of planning permission, taking into account the provisions of the development plan and the advice received from consultees, as indicated.

Recommendation

48. Approval, subject to conditions, to include:
1. **The development hereby permitted shall be begun before the expiration of 5 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: (to be completed)**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
 3. **No development shall commence until details of**
 - a. **Samples of materials to be used for the external walls and roofs.**
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
 - b. **Details of the covered secure cycle parking.**
(Reason - To encourage alternative means of travel to the site in accordance with Policies DP/1, TR/1 and TR/2 of the adopted Local Development Framework 2007.)
 - c. **Details of tree pits and accommodation of tree roots adjacent to retaining walls and ramps.**
(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.)
 - d. **A water conservation strategy to show practicable measures for water conservation and recycling in the development.**
(Reason- In the interests of water conservation in the development in accordance with Policies DP/1 and NE/12 of the adopted Local Development Framework 2007)
- have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in

accordance with the approved details.

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. **Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) - for a period of ten years from the date of first occupation of each of the hereby permitted buildings, they shall only be used and occupied as follows:**

(a) Offices

- (i) Normally to the provision of a local or sub-regional service or administrative facility principally for persons resident or organisations situated in the Cambridge area excluding national or regional headquarters offices; or**
- (ii) To a maximum floorspace of normally 300 square metres;**

and/or

(b) Research and Development

- (i) To the provision for high technology research and development firms, or organisations, which can show a special need to be closely related to the universities, or other established facilities or associated services in the Cambridge area;**

and/or

(c) Light industry to a maximum planning unit size of 1,850 square metres of floorspace.

(Reason - To comply with Policy ET/1 of the adopted Local Development Framework 2007, which limits employment development in the Cambridge area to uses that need to be located close to Cambridge.)

7. **No development shall take place until details of off-site highway works (safety improvements to A1301/London Road junctions, cycleway improvements and site access) have been submitted to and approved by the Local Planning Authority. The approved works shall be implemented before the buildings, hereby approved, are first occupied or in accordance with a scheme of implementation that shall have previously been submitted to and approved in writing by the Local Planning Authority in consultation with Cambridgeshire County Council as Local Highway Authority.**

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

8. **Neither building shall be occupied until a Travel Plan has been submitted to and approved by the Local Planning Authority; implementation of the Plan shall be carried out in accordance with the approved details of the Plan.**

(Reason - To encourage car sharing and the use of alternative means of travel to the site in accordance with Policies DP/1 and TR/1 of the adopted Local Development Framework 2007.)

9. **The development shall not be occupied until the area shown on amended site plan date stamped 25 July 2007 No. P037/105 revP5 has been drained and surfaced (or other steps as may be specified), and that area shall not thereafter be used for any purpose other than the parking loading and unloading turning of vehicles except as may be required in the approved Travel Plan.**

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

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

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

11. **No power operated machinery (or other specified machinery) shall be operated on the premises before 8.00 am on weekdays and 8.00 am on Saturdays nor after 6.00 pm on weekdays and 1.00 pm on Saturdays (nor at any time on Sundays or Bank**

Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions.

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

12. **No development shall commence until a scheme ecological enhancement, including measures for the erection of bird and bat boxes and the pollarding of willow trees, has been submitted to and approved in writing by the Local Planning Authority; the scheme shall be implemented in accordance with the approved details and an approved timetable.**

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

13. **No development shall take place until full details of a Scheme of Mitigation and Translocation for the Common Lizards has been submitted to and approved in writing by the Local Planning Authority. These measures shall include:**

(a) Appropriate surveys undertaken in order to determine the population size and distribution across the site.

(b) Clear definitions of the Scheme's aims and objectives.

(c) Evaluation of the ecological requirements of the Common Lizards.

(d) Selection of suitable receptor sites.

(e) Method statement for the species' protection and translocation.

(f) Location of works and/or measures required to successfully implement the translocation.

(g) Full details of long-term management and ownership of the receptor site(s).

(h) Persons responsible for the implementation of the Scheme.

(i) Timing of the Scheme's implementation.

(j) Measures for the monitoring of the Scheme for a minimum period of three years.

No site providing habitat for the Common Lizard shall be destroyed, modified or removed or altered in any way or form (including the removal of surrounding vegetation) until the Scheme of Mitigation and Translocation has been approved and fully implemented, unless otherwise agreed in writing with the Local Planning Authority.

(Reason - Planning Policy Statement 9: Biodiversity and Geological Conservation, seeks the maintenance, enhancement or restoration of biodiversity. The Common Lizard receives protection under the Wildlife and Countryside Act, 1981. The above Scheme seeks to minimise harm and disturbance to the species and ensures compliance with Policy NE/6 of the adopted Local Development Framework 2007.)

14. **No development shall commence until flood compensation works have been carried out in accordance with Flood Risk Assessment for Phases 2 and 3 dated May 2007 and drawings**

numbered 19374:90:001 Rev E and 002 Rev D. The works shall be implemented in accordance with the approved programme unless otherwise agreed with the Local Planning Authority.

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

15. **No development shall commence until details of a safe access/egress route, not adversely affecting the flood regime, to land outside the 1 in 100 year floodplain, are submitted to and agreed in writing by the Local Planning Authority. The approved route shall be in place before any occupancy of the buildings.**
(Reason - To provide safe access and egress during flood events and reduce reliance on emergency services. in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
16. **No spoil or materials shall be deposited or stored in the floodplain nor shall any ground be raised within the floodplain as shown on Drawing No. 19374:90:002 Rev D within the Flood Risk Assessment unless expressly authorised in writing by the Local Planning Authority.**
(Reason - To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
17. **Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited within the Flood Compensation Area in accordance with Drawing No. 19374:90:002 Rev D in respect of the property and each unit thereon unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:**
Part 8 (Industrial and Warehouse Development).
(Reason - To ensure that any development which would not otherwise require planning permission does not lead to an increased risk of flooding to other land/properties, due to impedance of flood flow and reduction in flood storage capacity in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
18. **The minimum ground floor level of any building involved in the development must be at least 23.96m AOD unless otherwise agreed in writing by the Local Planning Authority.**
(Reason - To provide a reasonable freeboard against flooding and an allowance for climate change in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
19. **No development shall commence until a flood contingency plan including car parks and warning signage has been submitted to and approved in writing by the Local Planning Authority; the**

approved plan shall be implemented in accordance with the Flood Risk Assessment before any building is occupied and shall thereafter be held on site for use at all times.

(Reason - To ensure the safe access and egress during times of flood in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

20. **No development shall commence until a scheme for the provision and implementation of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.**

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

21. **No development approved by this permission shall be commenced until:**
- a) **The works specified in the Remediation Method Statement (RSA Geotechnics Report No 10070C dated January 2008, or other document previously agreed in writing by the Local Planning Authority) have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.**

b) **A verification report for remediation at the site has been submitted to and agreed in writing by the Local Planning Authority. The verification report should confirm that remediation works have been undertaken in accordance with the above Remediation Method Statement, and should set out measures for maintenance, further monitoring and reporting. Any alterations to the agreed report shall be agreed in writing by the Local Planning Authority.**

c) **If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, , then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to and obtained approval in writing from the Local Planning Authority an amendment to the Method Statement detailing the method for dealing with the previously unidentified contamination.**

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

22. **No infiltration of surface water drainage into the ground shall take place other than with the express written consent of the**

Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

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

23. **Piling or any other foundation designs using penetrative methods will not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.**
(Reason - The site is contaminated and the proposed foundation solution could lead to the contamination of groundwater in the underlying aquifer.)
24. **The development, hereby permitted, shall be fully protected against the ingress of carbon-dioxide and volatile organic compounds using appropriate (aluminium cored) gas protection membranes: service entry points must be fully sealed.**
(Reason - The development is above the LS9 closed non-inert landfill site used for the disposal of tannery residues. RSA Geotechnics site investigation report 10070A demonstrates the presence of significant VOC and carbon dioxide levels in the ground beneath the development.)
25. **No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.**
(Reason - To ensure an adequate water supply is available for emergency use.)
26. **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, security lighting, shall be submitted to and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation, full isolux contour maps and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles, angle of glare and shall assess artificial light impact in accordance with the Institute of Lighting Engineers (2005) 'Guidance Notes for the Reduction of Obtrusive Light'. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details measures unless the Local Planning Authority gives its written consent to any variation.**
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
27. **No development shall take place until an energy audit has been submitted to and approved in writing by the Local Planning**

Authority. The energy audit shall include:

- (a) An assessment of the predicted carbon dioxide emissions of the development once occupied;**
- (b) A review of alternative methods for reducing the predicted carbon emissions of the development once occupied and their anticipated effectiveness;**
- (c) Proposals for measuring the effectiveness of the chosen methods for reducing the predicted carbon dioxide emissions of the development once occupied; and**
- (d) Consideration of how the layout, orientation, design and materials used in the construction of the development can affect the consumption and use of energy.**

No development shall be carried out other than in accordance with the approved energy audit.

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

28. Prior to the occupation of any buildings, an energy statement shall be submitted to and approved in writing by the Local Planning Authority. The energy statement shall include:

- (a) An assessment of the actual effect on carbon dioxide emissions of the measures previously agreed as part of the energy audit.
- (b) A statement of how the layout, orientation, design and materials used in the construction of the development have actually been influenced by the energy audit.

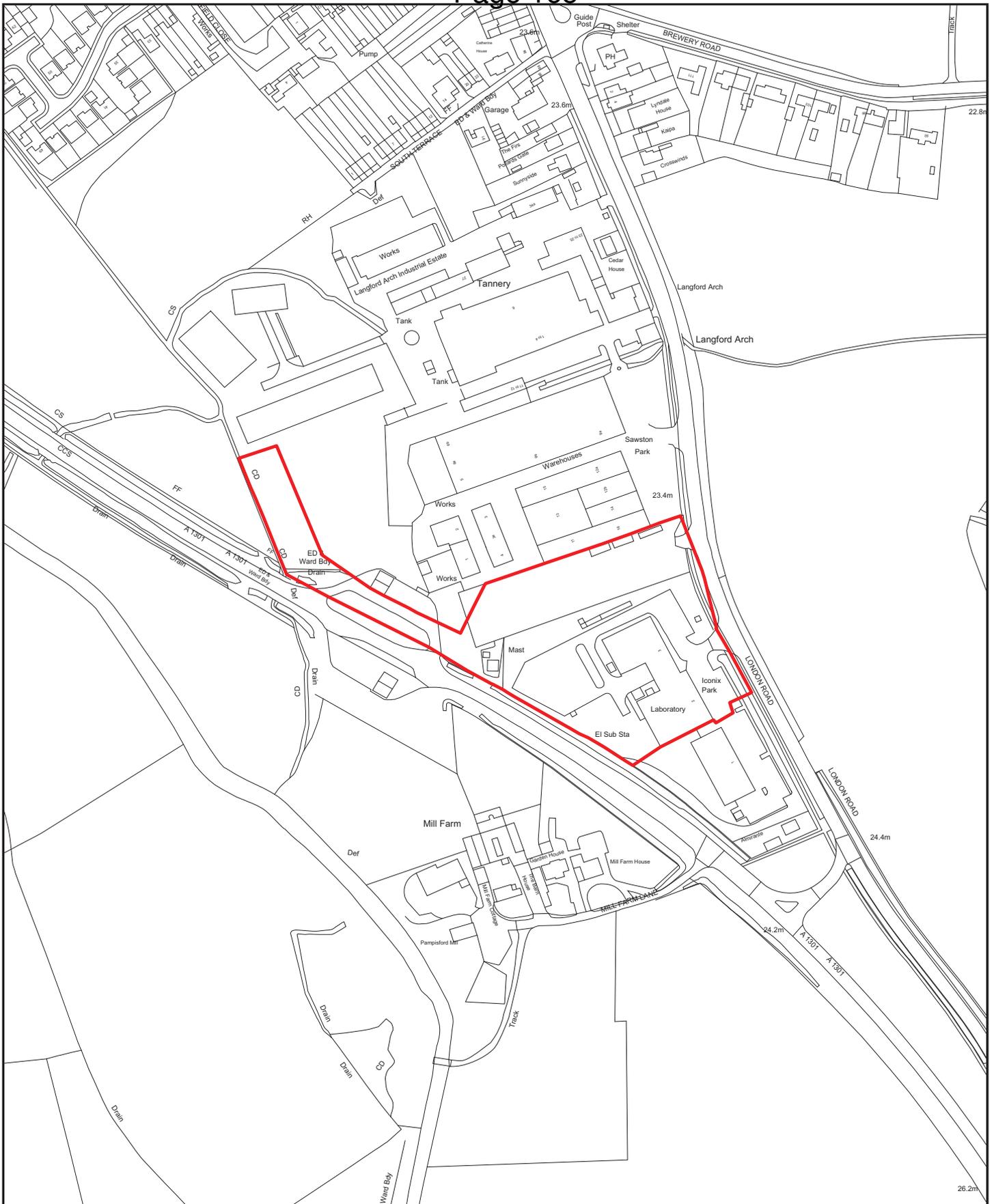
(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007 and government guidance in PPS1 Delivering Sustainable Development and PPS22 Renewable energy.)

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

- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- Local Development Framework Site Specific Policies DPD (2010)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- LDF Adopted Core Strategy Development Plan Document (2007)
- Planning applications S/1061/07/O; S/1060/07/F; S/2134/06/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/1363/10 - PAMPISFORD**B1 (Business) development- Phase 3 (Extension of time of planning permission S/1061/07/F) - Iconix, Pampisford Park, London Road, for Turnstone (Cambridge) Limited****Recommendation: Approve Conditionally****Date for Determination: 10 November 2010**

This application has been reported to the Planning Committee for determination because the recommendations of Pampisford and Sawston Parish Councils does not accord with the officer recommendation. The application was withdrawn from Planning Committee 1 December 2010 to enable further traffic information to be obtained.

Site and Proposal

1. The site, which extends to 1.17 hectares, is located to the north east of the A1301, Sawston By-Pass, south west of Sawston Park Trading Estate, North West of B1 (Business) Development on London Road. The land within the site comprises a disused former petrol filling station, hard standing used for vehicle parking, unkempt land and part of an existing road and landscaping fronting London Road. There is a high telecommunications mast close to the south boundary of the site and adjoining the A1301.
2. This outline application, received on 11th August 2010, proposes the extension of the time limit for the submission of reserved matters for a further five years. Planning permission reference S/1061/07/O was granted on 6th September 2007. The outline planning permission proposes B1 (Business) Development, (Phase 3). The means of access are to be determined at this stage, but other details of layout, scale, appearance and landscaping, are reserved for later approval. The application shares the same access arrangement as Phase 2 (see preceding item S/1362/10). The outline application seeks consent for a maximum floor area of 3465sq.m. gross external floorspace. Unit 6 has a floor area of 1593sqm and parking for 43 cars, and Unit 7 has a floorspace of 1870 sq.m. and parking for 52 vehicles. In support of this proposal there is an indicative site layout, and illustrations of typical section and massing details (appended to a Design and Access Statement) that show two buildings.
3. A Transport Statement dated 1 June 2007 has been provided that shows:
 1. traffic survey of the site, and junction capacity surveys of the junction of London Road and A1301, and the A505 roundabout, and at a comparable office premises Morgan Sindall/ Bluestone offices in Sawston;

2. detailed all modes assessment of the proposed development;
 3. improvement to the section of existing footway to the east of the site to provide a footway/cycleway joining up with the existing provision adjacent to the A505 roundabout;
 4. the provision of a nearside passing bay in the Sawston Bypass at its junction with London Road;
 5. Travel Plan that aims to reduce single-occupancy car journeys, improvements to local cycleways, consideration of a shuttle bus service, priority parking for car sharing, shower facility for cycle users, and a Travel coordinator and a Managing Agent.
 6. As part of the Travel Plan, surveys are proposed of the impact of the development on traffic conditions through Pampisford.
 7. inclusion of a stage 1 safety audit of the proposed access in the Transport Assessment;
 8. Deletion of a proposal to provide an emergency access onto the A1301 Sawston Bypass;
 9. increased provision of landscaping across the site.
4. An updated Transport Statement dated 19 April 2011 has been provided which incorporates traffic survey results for Wednesday 19 January 2011. This has concluded that the A505/A1302 roundabout is operating at much the same capacity as in 2007. In fact there has been a drop of around 6% in both the weekday AM and PM peak periods. There are similar queue lengths on all the approach arms to the roundabout.
5. The application is accompanied by a Design and Access Statement, Transport Statement, Ecological Appraisal, Arboricultural Report and Tree Survey, an Archaeological desk-based Assessment, Ground Investigation Report, Contamination and Remediation Statements, Flood Risk Assessment and a Foundation Works Risk Assessment.

Planning History

6. Application reference S/2135/06/O for similar development was refused at Planning Committee on 7 February 2007 following a site visit by Members. The reasons for refusal followed on from the advice of the Local Highway Authority on the grounds of an inadequate Transport Assessment, an unsafe junction with London Road and inadequate capacity assessment of the A1301/A505 junction.
7. S/1061/07/O: B1 (Business) development (Phase 3) Approved 6.9.2007 for three years.
8. S/1362/10/F: Two units Class B1 (Phase 2) are the subject of a current application reported elsewhere on this agenda.

Planning Policy

9. **LDF Adopted Core Strategy Development Plan Document (2007)**
ST/8 (Employment Provision)
10. **South Cambridgeshire Development Control Policies Development Plan Document (2007)**

DP/1 (Sustainable Development)
DP/2 (Design of New Development)
DP/3 (Development Criteria)
ET/1 (Limitations on the Occupancy of New Premises in South Cambridgeshire)
ET/4 (New Employment Development in Villages)
SF/6 (Public Art and New Development)
TR/1 (Planning for More Sustainable Travel)
TR/2 (Car and Cycle Parking Standards)
TR/3 (Mitigating Travel Impact)
NE/1 (Energy Efficiency)
NE/3 (Renewable Energy Technologies in New Development)
NE/6 (Biodiversity)
NE/8 (Groundwater)
NE/11 (Flood Risk)
NE/12 (Water Conservation)
NE/14 (Lighting Proposals)
NE/15 (Noise Pollution)
NE/16 (Emissions)

Local Development Framework Site Specific Policies DPD (2010)
SP/12 (Allocations for Class B1 Employment Uses) **part b:** Pampisford, west of Eastern Counties Leather, London Road.

South Cambridgeshire Local Development Framework Supplementary Planning Documents

Public Art SPD (2009)
Trees & Development Sites SPD (2009)
Biodiversity SPD (2009)
District Design Guide SPD (2010)

Consultations

11. **Pampisford Parish Council:** Objection to the proposal, on grounds also put forward in response to the applications in 2006 and 2007:

“Pampisford Parish Council objected to the original planning application on the grounds that it failed to address a number of fundamental problems.

OVERCROWDED SITE

The proposed development of a further 4 buildings on the site is excessive. Development on this scale in a village of only 300 people is inappropriate. Unit 1 (part of Phase 1) is believed to be only partly occupied.

NON-COMPLIANCE WITH POLICY EM6

South Cambridgeshire District Council Planning Policy EM6 states that planning permission will only be granted for development where “there would be no adverse impact on residential amenity, traffic conditions, village character and other environmental factors”. The proposed development fails on these counts greatly. The Parish Council cannot understand why planning permission was granted in the first place.

TRAFFIC CONGESTION

The parking provision for these buildings totals more than 300 places, and with visitor traffic including delivery vehicles added on, this will generate

additional traffic flows on a huge scale. This will have an impact on the local road network, especially the roundabout on the nearby A505. Traffic congestion has increased since 2007. At peak times, both morning and evening, long queues are generated on all roads. On the A505 these often extend back to the M11 junction to the west and to the dual carriageway to the east. Iconix transport statement confirms that the roundabout is reaching the limit of its capacity. As a result, rat-running through Pampisford has reoccurred. If the proposed development is allowed, the additional traffic generated will impact seriously on all local traffic movement. Highway improvements on a major scale would be required, for which funds are unlikely to be available. The highway improvements put forward by the developer would not address this problem.

Access to and from the site will cause major difficulties to traffic movements on London Road, which is already heavy during rush hours. The proposals to improve the site access will not do much to alleviate this situation, as the proposed central waiting zone on London Road by the entrance will impact on the grass verges and the footpath as a result of the road being too narrow at this point.

TRANSPORT PLAN

The proposals put forward by the developers are naïve and simplistic. The Iconix buildings will be let to a large number of small firms. It would not be feasible for them to operate the kind of detailed scheme envisaged. Whilst the developer could include some such obligation in the terms of the lease, compliance could not be easily monitored or enforced.

CONCLUSION

For the reasons stated above, Pampisford Parish Council are solidly opposed to the scale of the development and recommend rejection of this application. There is enough industrial and commercial development within the parish of Pampisford. To allow more would have an adverse effect on the quality of life for the residents and would result in major disruption to traffic movements in the area.

If, notwithstanding our deep concerns over this development, SCDC is minded to approve this application; there are a number of important conditions we would wish to see imposed. The Parish Council does not feel that these were considered seriously enough when planning permission was granted.

- a) **Scale back:** The development should be scaled back to be more in keeping with the character of the village and the spirit of Policy EM6.
- a) **Transport and additional traffic:** There must be provision for traffic calming and other measures to control rat-running through the village.
- b) **Widening of London Road** The intended widening of London Road for a turning lane to the site must not impact on the footpath and grass verge.
- c) **Cycleways:** Local cycleways need joining up, between Pampisford and the west side of Whittlesford station, Sawston, along the bypass, A1301 and A505 eastwards.
- d) **Number of employees:** Controls on number of employees in the tenant businesses (following policy EM6)

- e) **Light pollution:** There should be strict controls on light pollution from the site. The unoccupied building in Phase 1 is already illuminating the surroundings to an unnecessary degree.
- f) **Hazardous substances:** There should be strict controls of/ restrictions on hazardous substances, which might be used in some small light industry/ lab research operations, particularly in relation to disposal. There is already polluted ground water in the area.
- g) **Entry to the village:** There should be a defined acknowledgement that people are entering the village as you come to 30mph sign on London Road – such as a fence, village name, village sign or traffic calming measures.

- 12. **Sawston Parish Council** – recommendation of approval.
- 13. **Local Highway Authority** – no objection to the extension of the time limit. Any further comments on the updated Transport Statement will be reported to Members.
- 14. **Highways Agency** – No objection subject to a condition requiring the provision of a Travel Plan.
- 15. **Council's Drainage Manager** – No objection, subject to compliance with EA restrictions on surface water discharge rates (brought forward from S/1061/07/O).
- 16. **Ecology Officer** – The proposals are considered to be satisfactory, subject to clarification of boundary planting and to a condition to require provision of bird and bat boxes, and pollarding of willows on the site (brought forward from S/1061/07/O).
- 17. **Landscape Design Officer** – No objection, subject to a condition requiring detailed landscaping to be agreed (brought forward from S/1061/07/O).
- 18. **Trees and Landscape Officer**- No objection to the scheme, subject to a condition requiring detailed landscaping to be agreed (brought forward from S/1061/07/O).
- 19. **Corporate Manager (Health and Environmental Services)** – No objection, subject to a revised condition to require details of the lighting scheme to be submitted for approval and other conditions as for S/1061/07/O.
- 20. **Scientific Officer (Contaminated Land)** - Notes that there is substantial contamination to soils and groundwater, which should be the subject of remediation and regulated by a condition on the planning permission.
- 21. **Cambridgeshire Fire and Rescue Service** has requested a condition to require provision of fire hydrants on the site (brought forward from S/1061/07/O).
- 22. **Police Architectural Liaison Officer** – Comments that the area to the rear of the proposed units lacks natural surveillance which will expose them to criminal attack. He would prefer secure fencing to be placed on

the embankment backing onto the A1301 Sawston bypass. (brought forward from S/1061/07/O).

23. **County Archaeological Unit** – the applicant has submitted a desk-top archaeological assessment, and further investigations are unnecessary.
24. **Environment Agency** – The EA considers the flood risk assessment to be acceptable in principle, but has requested clarification of details relating to the flood compensation area. The EA has recommended several conditions, and a S106 Agreement to safeguard the flood compensation area in perpetuity, and to safeguard it from inappropriate development (brought forward from S/1061/07/O).
25. **Anglian Water** – Recommends a condition to require the submission of foul and surface water drainage proposals for the scheme (brought forward from S/1061/07/O).
26. **Cambridge Water Company** – comments awaited, but previously was concerned that any planning consent should include conditions to prevent ground water contamination in the chalk aquifer from the development. (brought forward from S/1061/07/O).

Representations

27. **District and County Councillor Tony Orgee** has written to object to the application, stating:
28. 'I wish to make the following comments about planning applications S/1362/10 and S/1363/10 by Iconix. These planning applications are for the extension of time of applications S/1060/07/F and S/1061/07/F.
29. Pampisford Parish Council has already written to you about these planning applications and I fully endorse all the comments they have made.
30. The fundamental question for me is: have there been any significant changes since the original applications were made. To this, I answer a definite Yes.
31. It is now very common, particularly when travelling on the A505 in the morning and evening 'rush hour' periods, to see traffic tailing back from the Sawston roundabout as far as the M11 motorway. This is a daily occurrence. I have even seen the tailback as far as down the slip road and onto the motorway itself. This is significant and highly dangerous.
32. Traffic also extends back to the east of the Sawston roundabout, and on particularly bad mornings, traffic rat-runs through Pampisford Village
33. The addition of another 300 jobs in the area, as proposed by Iconix, can only have serious consequences for traffic congestion on the A505. As such, I do not believe that the road infrastructure in the immediate area can sustain the extra traffic that would result from the Iconix proposals. I do not believe that the road improvements suggested by Iconix would address the traffic problems in any meaningful way.

34. I therefore completely agree with the well-argued views of Pampisford Parish Council that the applications S/1362/10 and S/1353/10 should be rejected.
35. If, however, officers are minded to approve these applications, then the applications should only be approved with far more stringent requirements than is the case with the original applications, regarding encouraging future employees to travel to the site by means other than the car. Any conditions / section 106 requirements should include making a significant contribution to improving cycling facilities in the immediate area. This must include upgrading the footway south of the Iconix site to a dual footway/cyclepath as far as the Sawston roundabout, where it would meet up with the cycleway provided as part of the Genome campus approval some years ago. There is also an extremely strong case for providing a cycleway alongside the Sawston bypass (A1301) to its northern end, and also a safe crossing over the A1301. Any travel to work plan must be realistic and achievable.
36. In summary, I oppose these applications because I believe that the traffic consequences of approving them would make an already overloaded road even more congested. In my view the measures suggested by Iconix to address this significant traffic problem would not be successful and local residents would have to live with the consequences. The almost certain increase in rat-running through the village, if these applications were approved and implemented, would, in my view, have an adverse effect on residential amenity, village character and the local environment.
37. We do need jobs, but we also need appropriate infrastructure to support them. More and more, local businesses are telling us that lack of infrastructure is holding back jobs creation. In this case, the local infrastructure requirements are such that any section 106 funding from an individual development is unlikely to be sufficient to address local needs.'

Planning Comments

Employment Policies

38. The site is brownfield/previously developed land within the Village Framework. Local Development Framework policies encourage Business development on such sites, subject to limitations on occupancy for Class B1 premises being imposed by condition (Policy ET/1 of the South Cambridgeshire Development Control Policies Development Plan Document).
39. The site is shown as an employment commitment and is allocated for employment development with Class B1 in Policy SP/12 part b of The Site Specific Policies DPD. There is a presumption in favour of the development in accordance with this allocation.
40. Although the site is within the Pampisford Village Framework, it is also very close to Sawston Village Framework, a Rural Centre. Policy ET/4 is the updated policy for local Plan Policy EM/6 referred to by Pampisford Parish Council. It supports small-scale (firms who employ 25 people or

less) B1 development in this circumstance. Having regard to the size of each unit and the car parking available to each, it is possible that these would, if occupied by a single user, employ more than 25 persons. However, it is not considered that this is harmful to the proposal given that the site is on allocated employment land, that each unit is similar in size to that approved at Unit 1 in 2005, and that an occupancy condition is required by virtue of Policy ET/1 of the Development Control Policies DPD.

Character and Appearance

41. The proposed buildings will back on to existing unattractive commercial buildings to the east. They will be seen from the A1301, Sawston Bypass, but in the context of commercial buildings on either side. A section drawing illustrates that a parapet wall to the roof of the buildings would 7.95m and the plant rooms 10.25m above ground level respectively. It is not considered that the height and scale of such buildings would be out of character with those in the near vicinity.

Transportation

42. The proposed new access achieves 4.5m x 90m visibility splays, appropriate to the scale of the development and the 30 mph speed limit on London Road. It provides a protected right-turning lane which doesn't exist for either of the two existing accesses. Both of these would be closed. In principle, therefore, highway safety on London Road should be improved.
43. The car park will comprise some 95 spaces. Car parking has been provided at a ratio over the entire site of 1 space per 35.7 sq.m. gross floor area to accord with the Local Plan maximum standard of 1 space per 30sq.m. for development over 2,500 sq.m. Disabled car parking provision has been provided at 5% of capacity (6 spaces). Covered and secure cycle parking is provided at 1 space per 50 sq.m. gross floor area. Although this accords with the level of provision approved as part of the 2005 permission for Unit 1, it does not accord with the Development Control Policies DPD standard of 1 space per 30 sq.m. gross floorspace. In conjunction with a Travel Plan, it is considered that this provision is adequate.
44. The site is located 1.6km from Whittlesford Bridge railway station and close to bus stops on London Road, along which a frequent service operates. Each business unit will be subject to a Travel Plan, which can be made the subject of a condition.
45. To the south of the site, London Road merges into the A1301 Sawston By-Pass at a very acute angle. The 2007 Transport Statement assessed traffic flows for the full development opening year of 2010. The Statement concluded that in 2010, the site access and junction of London Road/ A1301 Sawston Bypass will operate 'with substantial reserve capacity in weekday peaks', whereas the A505 roundabout was already approaching capacity in weekday peak periods. The report noted that 'with the introduction of traffic growth and development trips through to 2010 both the A1301 eastern approach and the A505 southern approach

are predicted to be at the limit of capacity'. In fact the revised Transport Statement has found a drop in traffic in the intervening period.

46. The Travel Assessment proposes monitoring the amount of rat running through Pampisford. The agent comments that there would be a small likelihood of such rat-running, based on predicted development trips in weekday peak periods. The Local Highway Authority has described the proposed Travel Plan as 'highly aggressive', which will include traffic surveys of movements within Pampisford and to enable mitigation measures to be taken, if necessary.

Drainage and Flood Risk

47. The displacement of flood waters by buildings will be compensated for within the site on a level by level, volume by volume basis up to 1 in 100 year flood level. This is detailed in the FRA, which is acceptable to both the Environment Agency and the Council's Drainage Manager, subject to the imposition of conditions.

Ground Contamination

48. The Ground Investigation Report and Foundation Works Assessment recommends that localised remediation is necessary to mitigate the impact of concentrations of chromium and various hydrocarbons which were proven in soils. The appropriate and suitable foundations for each building are identified in these reports.

Landscaping and Ecology

49. The proposed landscaping belt along the south west boundary will vary in width from 7m to 18m. Native tree and shrub species will reflect the previously approved scheme for Phase 1 (Unit 1). In the northern section of this belt an existing open watercourse will be retained but will require re-profiling. An existing open ditch approximately 72m in length and located to the north of the disused petrol filling station is to be diverted, but will remain open other than under the access road. The existing access gaps on London Road will be closed by the planting of a native hedge, the species being selected from the existing hedge on this frontage.
50. The appearance of the car park will be softened by a mix of ornamental trees and shrub planting.
51. The Ecological Appraisal found no habitats of ecological value although features on site offer opportunities for local wildlife. A survey found no evidence of bat roosts, and a low population of common lizards at the edge of the development area. The report recommends that a reptile mitigation strategy be prepared. Any removal of vegetation should be conducted outside of the bird nesting season (March-August).

Energy conservation, renewable energy and water conservation.

52. The previous grant of planning permission did not fully assess the potential for energy conservation, renewable energy provision or water conservation measures to be incorporated into the scheme. In issuing a renewal of planning permission, it is considered that suitable conditions should be attached in order to comply with LDF Policies NE/1, NE/3 and NE/12.

Extended time period

53. The application proposes a five year period for submission of reserved matters for approval. Current Government advice set out in '*Guidance: Greater Flexibility for Planning Permissions*' (2009) acknowledges that Local Planning Authorities have discretion in legislation to grant longer permissions if this is justified on planning grounds. In the current economic downturn, it is considered that the extended period for commencement would provide greater certainty for the developer which would be in the interests of the economic development of this brownfield site that is in a sustainable location and which falls within the employment designation ST/12.

Conclusion

54. The concerns of Pampisford Parish Council and Councillor Orgee are acknowledged, but it is not considered that these amount to sufficient grounds for refusal of planning permission, taking into account the provisions of the development plan and the advice received from consultees, as indicated.

Recommendation

55. Approval, subject to conditions, to include:
1. **Approval of the details of the layout of the site, the scale and appearance of buildings and landscaping (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.**
(Reason - The application is in outline only.)
 2. **Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.**
(Reason - The application is in outline only.)
 3. **The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.**
(Reason - The application is in outline only.)
 4. **The development hereby permitted shall be carried out in accordance with the following approved plans: (to be completed)**
(Reason - To facilitate any future application to the Local Planning Authority

under Section 73 of the Town and Country Planning Act 1990.)

5. **No development shall commence until details of**
 - a. **Samples of materials to be used for the external walls and roofs**
 - b. **Details of the covered secure cycle parking**
 - c. **Details of tree pits and accommodation of tree roots adjacent to retaining walls and ramps**
 - d. **A water conservation strategy to show practicable measures for water conservation and recycling in the development****have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.**

(Reason - To ensure the appearance of the development is satisfactory, to encourage alternative means of travel to the site, to ensure the development is satisfactorily assimilated into the area and enhances biodiversity, and in the interests of water conservation in the development, in accordance with Policies DP/1, DP/2, TR/1, TR/2, NE/6 and NE/12 of the adopted Local Development Framework 2007.)

6. **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**

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

7. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, 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. **Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) - for a period of ten years from the date of first occupation of each of the hereby permitted buildings, they shall only be used and occupied as follows:**

(a) Offices

(i) Normally to the provision of a local or sub-regional service or administrative facility principally for persons resident or organisations situated in the Cambridge area excluding national or regional headquarters offices; or

- (ii) To a maximum floorspace of normally 300 square metres;
and/or
- (b) Research and Development
 - (i) To the provision for high technology research and development firms, or organisations, which can show a special need to be closely related to the universities, or other established facilities or associated services in the Cambridge area;
and/or
 - (c) Light industry to a maximum planning unit size of 1,850 square metres of floorspace.

(Reason - To comply with Policy ET/1 of the adopted Local Development Framework 2007, which limits employment development in the Cambridge area to uses that need to be located close to Cambridge.)

9. **No development shall take place until details of off-site highway works (safety improvements to A1301/London Road junctions, cycleway improvements and site access) have been submitted to and approved by the Local Planning Authority. The approved works shall be implemented before the buildings, hereby approved, are first occupied or in accordance with a scheme of implementation that shall have previously been submitted to and approved in writing by the Local Planning Authority in consultation with Cambridgeshire County Council as Local Highway Authority.**

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

10. **No building, hereby approved, shall be occupied until a Travel Plan has been submitted to and approved by the Local Planning Authority; implementation of the Plan shall be carried out in accordance with the approved details of the Plan.**

(Reason - To encourage car sharing and the use of alternative means of travel to the site in accordance with Policies DP/1 and TR/1 of the adopted Local Development Framework 2007.)

11. **Before the development, hereby permitted, commences details of the siting and layout of the space to be provided on the site for the parking of cars (car parking in accordance with the Local Authority car parking standards) shall be submitted to and approved in writing by the Local Planning Authority; the parking space shall be provided in accordance with the agreed details before the buildings, hereby permitted, are first occupied, and that area shall not thereafter be used for any purpose other than the parking of cars except as may be required in the approved Travel Plan.**

(Reason - To ensure adequate space is provided and thereafter maintained on site for the parking, loading, unloading and turning of vehicles.)

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

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

13. **No power operated machinery (or other specified machinery) shall be operated on the premises before 8.00 am on weekdays and 8.00 am on Saturdays nor after 6.00 pm on weekdays and 1.00 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions.**

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

14. **No development shall commence until a scheme ecological enhancement, including measures for the erection of bird and bat boxes and the pollarding of willow trees, has been submitted to and approved in writing by the Local Planning Authority; the scheme shall be implemented in accordance with the approved details and an approved timetable.**

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

14. **No development shall take place until full details of a Scheme of Mitigation and Translocation for the Common Lizards has been submitted to and approved in writing by the Local Planning Authority. These measures shall include:**

- (a) **Appropriate surveys undertaken in order to determine the population size and distribution across the site.**
- (b) **Clear definitions of the Scheme's aims and objectives.**
- (c) **Evaluation of the ecological requirements of the Common Lizards.**
- (d) **Selection of suitable receptor sites.**
- (e) **Method statement for the species' protection and translocation.**
- (f) **Location of works and/or measures required to successfully implement the translocation.**
- (g) **Full details of long-term management and ownership of the receptor site(s).**
- (h) **Persons responsible for the implementation of the Scheme.**
- (i) **Timing of the Scheme's implementation.**
- (j) **Measures for the monitoring of the Scheme for a minimum period of three years.**

No site providing habitat for the Common Lizard shall be destroyed, modified or removed or altered in any way or form (including the removal of surrounding vegetation) until the Scheme of Mitigation and Translocation has been approved and fully implemented, unless otherwise agreed in writing with the Local Planning Authority.

(Reason - Planning Policy Statement 9: Biodiversity and Geological Conservation, seeks the maintenance, enhancement or restoration of biodiversity. The Common Lizard receives protection under the Wildlife and Countryside Act, 1981. The above Scheme seeks to minimise harm and disturbance to the species and ensures compliance with Policy NE/6 of the adopted Local Development Framework 2007.)

15. **No development shall commence until flood compensation works have been carried out in accordance with Flood Risk Assessment for Phases 2 and 3 dated May 2007 and drawings numbered 19374:90:001 Rev E and 002 Rev D. The works shall be implemented in accordance with the approved programme unless otherwise agreed with the Local Planning Authority.**
(Reason - To prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
16. **No development shall commence until details of a safe access/egress route, not adversely affecting the flood regime, to land outside the 1 in 100 year floodplain, are submitted to and agreed in writing by the Local Planning Authority. The approved route shall be in place before any occupancy of the buildings.**
(Reason - To provide safe access and egress during flood events and reduce reliance on emergency services. in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
17. **No spoil or materials shall be deposited or stored in the floodplain nor shall any ground be raised within the floodplain as shown on Drawing No. 19374:90:002 Rev D within the Flood Risk Assessment unless expressly authorised in writing by the Local Planning Authority.**
(Reason - To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
18. **Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited within the Flood Compensation Area in accordance with Drawing No. 19374:90:002 Rev D in respect of the property and each unit thereon unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:
Part 8 (Industrial and Warehouse Development).**
(Reason - To ensure that any development which would not otherwise require planning permission does not lead to an increased risk of flooding to other land/properties, due to impedance of flood flow and reduction in flood storage capacity in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
19. **The minimum ground floor level of any building involved in the development must be at least 23.96m AOD unless otherwise agreed in writing by the Local Planning Authority.**
(Reason - To provide a reasonable freeboard against flooding and an allowance for climate change in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
20. **No development shall commence until a flood contingency plan including car parks and warning signage has been submitted to and approved in writing by the Local Planning Authority; the approved plan shall be implemented in accordance with the Flood Risk Assessment before any building is occupied and shall thereafter be held on site for**

use at all times.

(Reason - To ensure the safe access and egress during times of flood in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

21. **No development shall commence until a scheme for the provision and implementation of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.**

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

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

a) **The works specified in the Remediation Method Statement (RSA Geotechnics Report No 10070C dated January 2008, or other document previously agreed in writing by the Local Planning Authority) have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.**

b) **A verification report for remediation at the site has been submitted to and agreed in writing by the Local Planning Authority. The verification report should confirm that remediation works have been undertaken in accordance with the above Remediation Method Statement, and should set out measures for maintenance, further monitoring and reporting. Any alterations to the agreed report shall be agreed in writing by the Local Planning Authority.**

c) **If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, , then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to and obtained approval in writing from the Local Planning Authority an amendment to the Method Statement detailing the method for dealing with the previously unidentified contamination.**

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

23. **No infiltration of surface water drainage into the ground shall take place other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.**

(Reason - To prevent pollution of controlled waters in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework

2007.)

24. **Piling or any other foundation designs using penetrative methods will not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.**
(Reason - The site is contaminated and the proposed foundation solution could lead to the contamination of groundwater in the underlying aquifer.)
25. **The development, hereby permitted, shall be fully protected against the ingress of carbon-dioxide and volatile organic compounds using appropriate (aluminium cored) gas protection membranes: service entry points must be fully sealed.**
(Reason - The development is above the LS9 closed non-inert landfill site used for the disposal of tannery residues. RSA Geotechnics site investigation report 10070A demonstrates the presence of significant VOC and carbon dioxide levels in the ground beneath the development.)
26. **No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.**
(Reason - To ensure an adequate water supply is available for emergency use.)
27. **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, security lighting, shall be submitted to and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation, full isolux contour maps and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles, angle of glare and shall assess artificial light impact in accordance with the Institute of Lighting Engineers (2005) 'Guidance Notes for the Reduction of Obtrusive Light'. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details measures unless the Local Planning Authority gives its written consent to any variation.**
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
28. **No development shall take place until an energy audit has been submitted to and approved in writing by the Local Planning Authority. The energy audit shall include:**
 - (a) **An assessment of the predicted carbon dioxide emissions of the development once occupied;**
 - (b) **A review of alternative methods for reducing the predicted carbon emissions of the development once occupied and their anticipated effectiveness;**

(c) Proposals for measuring the effectiveness of the chosen methods for reducing the predicted carbon dioxide emissions of the development once occupied; and

(d) Consideration of how the layout, orientation, design and materials used in the construction of the development can affect the consumption and use of energy.

No development shall be carried out other than in accordance with the approved energy audit.

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

29. **Prior to the occupation of any buildings, an energy statement shall be submitted to and approved in writing by the Local Planning Authority. The energy statement shall include:**

(a) An assessment of the actual effect on carbon dioxide emissions of the measures previously agreed as part of the energy audit.

(b) A statement of how the layout, orientation, design and materials used in the construction of the development have actually been influenced by the energy audit.

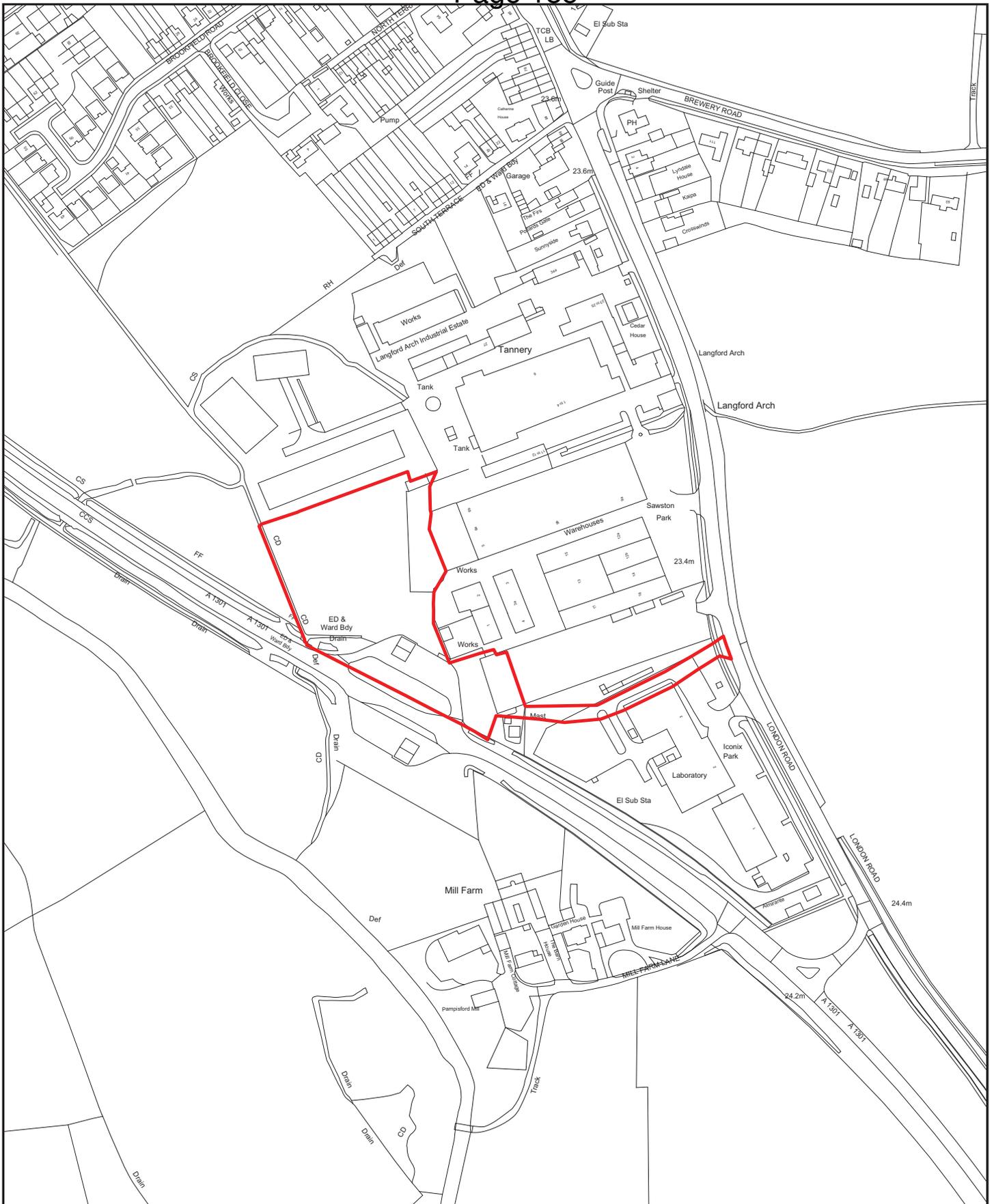
(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007 and government guidance in PPS1 Delivering Sustainable Development and PPS22 Renewable energy.)

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

- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- South Cambridgeshire Site Specific Policies DPD 2010
- LDF Adopted Core Strategy Development Plan Document (2007)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Planning File Refs: S/2135/06/O and S/1061/07/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/0165/11 - THRIFLOW**Sub division of existing dwelling and single storey rear extension to form two dwellings - 57, Kingsway, Duxford, Cambridgeshire, CB22 4QN for Miss Kate Brooker****Recommendation: Approve Conditionally****Date for Determination: 6 May 2011****Site and Proposal**

1. The application site is located within the village development framework within a former military housing estate known as the Heathfield Estate. The property is a two-storey semi-detached dwelling finished in cream render and a recently replaced slate roof. The property has been extended at two-storey level to its side, which contains an integral garage, front porch and has a single storey rear conservatory. The property benefits from a rear private garden and has a parking area clear of the highway for the provision of four vehicles including its garage.
2. The proposal would involve the subdivision of the existing two-storey semi-detached dwelling to form two two-bedroom dwellings. To facilitate this, the existing single storey rear conservatory would be demolished and replaced with a garden room whereas the existing integral garage would be converted with the erection of a front porch. The properties would be served by 3 car parking spaces and private rear garden areas.
3. The application is accompanied by a design and access statement.

Planning History

4. Planning Application S/0592/05/F for an extension was approved.

Consultation

5. Thriplow Parish Council – Recommend refusal on the grounds that the proposal would provide insufficient car parking for both dwellings due to the loss of the existing garage and would breach the residents' covenant to use the property as a single dwelling household, which seeks to preserve the amenity and character of the area.
6. Local Highway Authority – Raise no objections to the proposed development subject the construction of the driveway being bound with adequate drainage measures.

Representations

7. One letter of objection from the occupiers of no.56 Kingsway has been received, which states:
 - The proposal would result in the pair of semi-detached houses becoming a terrace;
 - The conversion would constitute overdevelopment of the small plot;
 - There is insufficient off road parking for two dwellings;
 - The proposed dwellings would be served by small inadequate private garden areas;
 - The conversion would result in the increase in noise and disturbance;
 - The proposal would result in an unbalanced appearance to the detriment of the public realm;
 - The granting of permission would set a precedent for similar proposals within the area, thus exacerbating parking problems.
1. Heathfield Residents Association objects to the proposal commenting on the following:
 - The parking provision would be inadequate based on the assumption that both dwellings would have at least two car owners and would result in on street car parking causing obstructions and dangers;
 - The proposal would not allow for the provision of refuse bin storage for two dwellings;
 - The site has a restrictive covenant whereby the property can only be used as a single dwelling, this is to preserve the character and amenity of the area;
 - The estate is already developed to full capacity and further development would add to the wear and tear of the road and increase the strain on the existing drainage system.

Planning Comments – Key Issues

8. The key issues to consider in the determination of this application are the impact that the proposed development would have upon highway safety, car parking provision, residential amenity and the public realm.

Residential Amenity

9. The proposal would involve the erection of a single storey modest porch, which would have no impact upon the amenities of the adjacent neighbouring properties due to its degree of separation and modest proportions. The replacement garden room to the rear of the existing property would not project past the existing single storey rear extension at no.56 Kingsway and would therefore not result in a detrimental impact upon the amenities of surrounding neighbouring properties. The proposal would result in an intensification of use of the site due to the creation of a second residential unit, however, given the degree of separation between neighbouring properties the proposal for two modest two-bedroom dwellings is not considered to result in any adverse noise and disturbance. Under Building Regulations the subdivision of the property would require sufficient insulation to ensure that the two properties have suitable attenuation between them following the subdivision.

Public Realm

10. The proposal would involve the conversion of the existing garage and the creation of a modest porch addition. As a consequence the proposal would involve material alterations to the existing dwelling that would change its appearance within the street scene and the existing pair of semi-detached dwellings becoming a terrace of three dwellings. However, this is not considered to be harmful to the character and appearance of the street scene, and the open car parking, which is characteristic within the street scene would be retained. In light of the above due to very little built form being created the proposal is not considered to result in a detrimental impact upon the character and appearance of the street scene.

Highway Safety (Car Parking)

11. The proposal would result in the loss of one car parking space (integral garage) and would provide three spaces in total. Two of these spaces would serve the larger of the two properties, whilst the remaining space would serve the smaller unit. This parking arrangement is within accordance with the Councils maximum parking standards, which stipulates 1.5 spaces per dwelling. Furthermore, it is apparent that the surrounding properties within Kingsway benefit from ample off road car parking in excess of two vehicles per dwelling in most cases. As a consequence there is no apparent on-road parking problem within the street. In light of the above it is considered that the proposal would provide adequate parking provision and would not result in an adverse impact upon highway safety. Cycle parking and refuse storage provision will be provided by a scheme to be secured by condition.

Planning Obligations

12. The subdivision of the property would require planning obligations toward public open space and community infrastructure for the village along with the provision of refuse storage and S106 monitoring contributions. These will be addressed by way of condition at the acceptance of the applicant.

Other Matters

13. Representations have raised concerns over a legal covenant upon the property, which stipulates that the dwelling must only be used as a single family home. This is not a material planning consideration and would be a legal matter separate to the granting of planning permission.

Recommendation

14. 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: 11-02-05, 11-02-03, 11-02-03 & 11-02-03.
(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 a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage for each dwelling shall be completed before that dwelling is occupied in accordance with the approved scheme and shall thereafter be retained.
(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. The dwelling, hereby permitted, shall not be occupied until covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
5. 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.)
6. During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, D, E, F and G of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - In the interests of maintaining the character of this setting in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
8. No development shall begin until details of a scheme for the provision of public open space and community infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy DP4 and Policy SF10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the

approved details.

(Reason - To ensure that the development contributes towards public open space in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

9. No unbound material shall be used in the surface finish of the driveway within 6 metres of the boundary of the site.

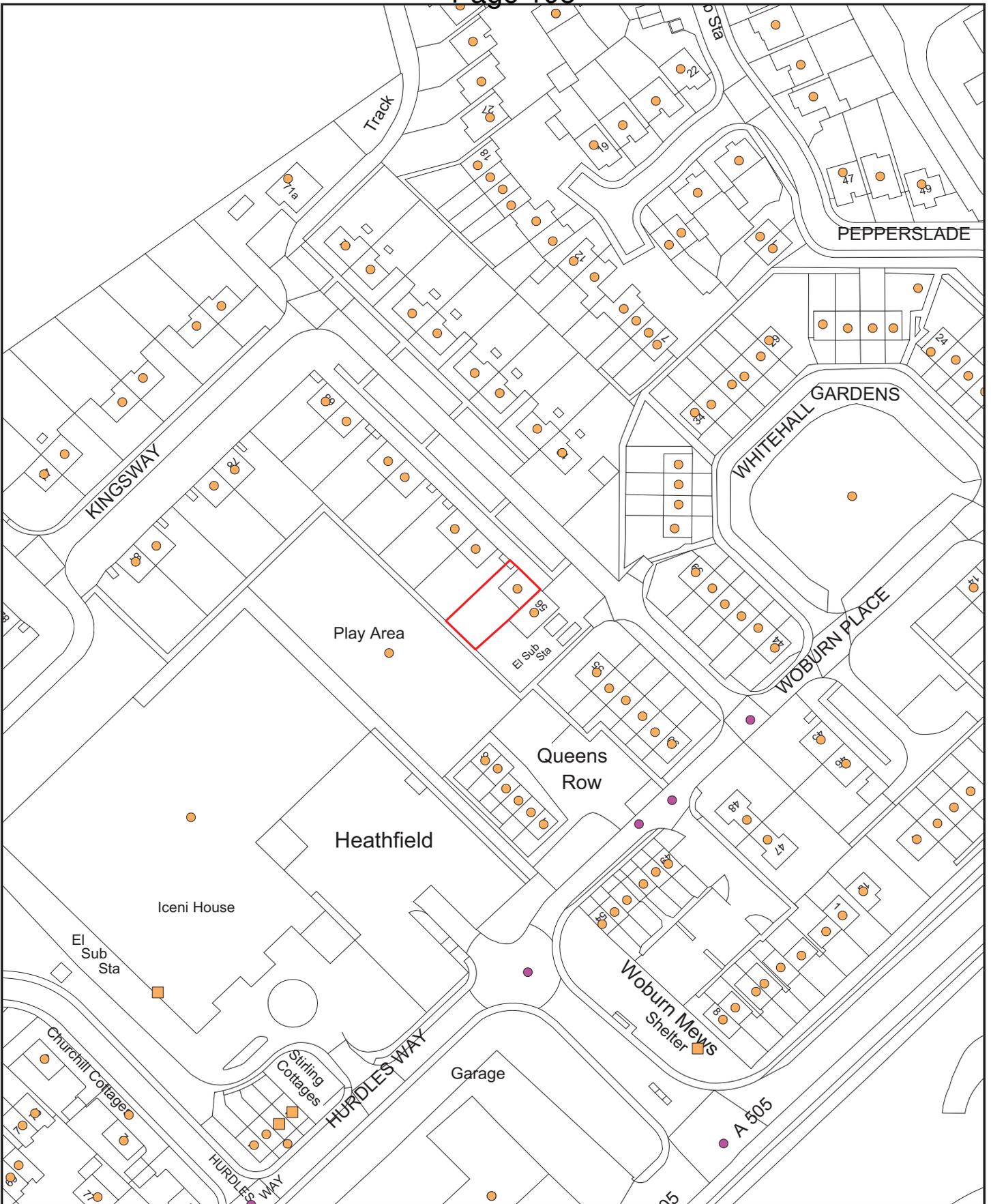
(Reason – To avoid displacement of loose material onto the highway, in the interests of highway safety.)

10. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

(Reason – To prevent surface water discharging onto the highway.)

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

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: 29th November 2010****Notes:**

This Application has been reported to the Planning Committee following its deferral from March's Committee Meeting. The application was deferred in order to allow officers to seek advice from third party external consultants on the potential impact in terms of noise and disturbance and highway safety.

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. Richard Collman (Acoustic Engineer) - This information will be available by way of an update.
23. **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.
24. Atkins Global (Transport Planning) - It is not recommended that further detailed study is carried out for the site on the grounds that there is not a

significant increase in deliveries which can solely be attributed to the installation of the plant.

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 the determination of this application are the impact that development 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.
- 25. For the avoidance of doubt the approved minutes from the March Planning Committee for the deferral of this application to today's committee meeting state "The committee deferred the application and instructed officers, as a

matter of urgency, to seek advice from independent consultants relating to highway safety by virtue of traffic intensification; and the impact on residential amenity of potential noise and disturbance, all resulting directly from the proposed plant and machinery ".

Highway Safety

26. 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;
27. 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.
28. 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.
29. 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.

30. 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.
31. 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.
32. 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.
33. 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.
34. 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.

35. 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.
36. 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).
37. Notwithstanding the above, officers sought the advice of Atkins Global Transport Planning consultants as instructed by members. Atkins were briefed to provide advice on the potential highway safety impact as a direct result of the proposed development in accordance with the following information:
 - Site visit;
 - Design & access statement September 2010;
 - CGMS letter 23rd December 2010;
 - Committee Report 12th January 2011;
 - 12th January Committee Minutes;
 - CGMS letter of 4th February 2011;
 - Committee Report 4th February 2011;
 - 2nd March Committee Minutes;
 - STAG Group Representations;
38. In assessing the above information Atkins Global arrived at the following conclusions:

- Previous application for an extension did not include conditions in terms of deliveries. Any concerns with regard to deliveries could have been conditioned at this stage;
 - Planning applications at other sites indicate that an increase in deliveries should not be solely attributed to the installation of plant (these applications also included extensions to floor space);
 - Deliveries to the site are a material planning consideration, however, based on the information available it appears that there is not a significant increase in deliveries, which can be solely attributed to the installation of plant;
 - The only potential reason for refusal on highway grounds would be that one extra delivery to the site would impact detrimentally upon safety of the highway;
39. In arriving at the above conclusions it is the view of the consultant that no further study should be undertaken to assess the impact upon highway safety as a result of the proposed plant and machinery. This is on the grounds that they are of the opinion that there is no reasoned link to attribute a significant increase in vehicle movements by way of delivery to the installation of plant and machinery.

Residential Amenity (Noise)

40. 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.
41. 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.
42. 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.
43. 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.

44. 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'.
45. 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.
46. 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.
47. Notwithstanding the above, officers appointed an external consultant to review the proposed plant and machinery with regard to the potential impact upon noise and disturbance as requested by members. The findings of this assessment will be provided by way of an update.

Visual Amenity

48. 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.

Other Matters

49. Following the March Planning Committee Meeting the applicant's agent requested officers to review a general enquiry for an alteration to the existing roof light windows within the northwestern roof slope. This would involve the removal of the patent glazing with the replacement of translucent slats, which will allow for air flow. The alterations in question would not involve any material change to the size of the roof light frame nor would it result in any increase in volume or floor space to the property. The applicant's agent considered this alteration to the building to be minor and to not constitute development, concluding it would not require planning permission. As a consequence of this the proposed plant and machinery proposed under this planning application could be installed internally without requiring planning consent. The proposed alteration would replace the existing glazing with translucent slats of the same colour and appearance within a frame of the same size and colour to that of the existing roof light windows. In addition only one of the roof light windows is visible from the car park to the rear of the building. The current windows are fixed shut and the slats would be ridged and not moveable.
50. The proposed works to the roof lights are considered to constitute an alteration/improvement to the building. In light of the above officers are of the opinion that the proposed works would not materially alter the character or appearance of the building and would therefore not constitute development under Section 55 of the Town and Country Planning Act 1990 (as amended). As a consequence, the applicant does have a fallback position in which to install the proposed plant and machinery internally without the need for the consent of the Local Planning Authority. Nevertheless, the applicant has requested that they wish to proceed with the original proposal for external plant as it would provide a more efficient and cost effective solution for the running of the building.
51. Following discussions with the City Council it is evident that the Mill Road Tesco store has undergone a similar internal installation of plant and machinery with alterations to roof light windows in which to vent the plant. The City Council has confirmed that they were of the opinion that the alterations to the roof did not constitute development.

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.**

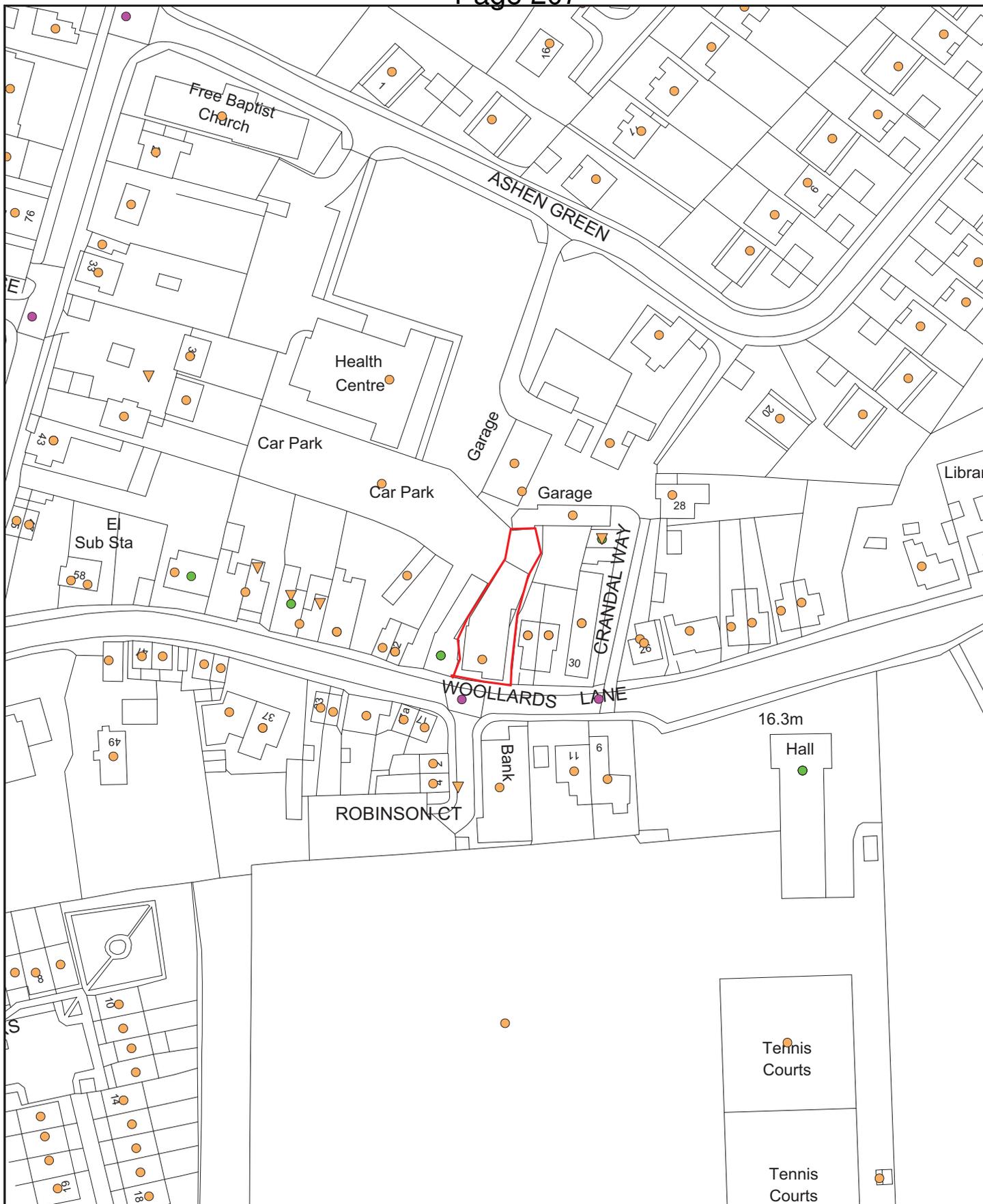
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

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.)

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/0534/11 - STAPLEFORD**Dwelling and vehicular access - Land to rear of 26, Church Street, Stapleford,
Cambridge, Cambridgeshire, CB22 5DS for Mr & Mrs Osment****Recommendation: Delegated Approval****Date for Determination: 11 May 2011****Notes:**

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

Site and Proposal

1. The site lies within the Stapleford village framework and forms the southern part of the rear garden of No.26 Church Street, a two-storey brick and tile dwelling. The site contains a number of significant trees adjacent to the eastern and southern boundaries of the garden. The eastern boundary of the curtilage of No.26 Church Street, which is defined by a close boarded fence, adjoins Cox's Close, a development of Council owned properties. Between the boundary of the property and the roadway is a grass verge and parking area owned by this Council. On the opposite side of the road to the site are a row of single-storey dwellings whilst, beyond the southern boundary, is a building providing warden's accommodation and community facilities. To the west, the site adjoins the rear garden of No.22 Church Street and, beyond this, the garden of No.18 Church Street.
2. The full application, received on 16th March 2011, proposes the erection of a three bedroom two-storey dwelling within the rear/southern part of the garden of No.26 Church Street. The dwelling would front towards, and be accessed from, Cox's Close. It would comprise timber weatherboard walls under a plain tile roof and would stand 7.5 metres high to the ridge and 3.7 metres high to the eaves. The front elevation would be punctuated by three dormer windows whilst rooms to the rear would be lit by high level rooflights. In order to accommodate the dwelling, it is proposed that the mature trees adjoining the side and rear boundaries be removed. Additionally, the proposal involves the formation of a vehicular access across the Council owned grass verge at the front of the site.

Planning History

3. Extensions to the existing property were approved under application references **C/0624/73/F**, **S/1135/86/F**, **S/1971/88/F** and **S/0894/93/F**.

Planning Policy

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

ST/4 – Rural Centres
5. South Cambridgeshire Local Development Framework Development Control Policies DPD, adopted July 2007:

DP/1 - Sustainable Development

DP/2 - Design of New Development

DP/3 - Development Criteria

DP/4 - Infrastructure and New Developments

HG/1 – Housing Density

NE/6 – Biodiversity

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

SF/11 – Open Space Standards

TR/1 – Planning for More Sustainable Travel

TR/2 – Car and Cycle Parking Standards

6. South Cambridgeshire LDF Supplementary Planning Documents:

Open Space in New Developments – Adopted January 2009.

Trees and Development Sites – Adopted January 2009.

District Design Guide – Adopted March 2010.

Landscape in New Developments – Adopted March 2010.

7. **Circular 11/95 (The Use of Conditions in Planning Permissions)** - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
8. **Circular 05/2005 (Planning Obligations)** - Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultations

9. **Stapleford Parish Council** recommends refusal, stating:

“Overdevelopment of site.

Present invasion of privacy of adjacent properties.

Lead to increase in traffic movements.

Relates to criteria DP/3 – adverse impact.”

10. **The Trees Officer** – Raises no objections. The beech trees to the rear provide screening but are close to the adjacent SCDC property and are therefore already compromised.
11. **The Landscape Design Officer** – No comments received.

12. **The Local Highways Authority** - Raises no objections subject to the provision of 2m x 2m visibility splay; construction of driveways to ensure no water drains onto the highway; and construction of the proposed driveway with a bound material.
13. **The Environmental Health Officer** raises no objections subject to conditions being added to any consent to protect neighbours from noise disturbance during the construction period.
14. **The Lands Officer** – States that the proposed access to the new dwelling is over land in SCDC ownership. No request for right of access or for purchase of the land has been received from the applicant. Should a request be received, grant of right of access or sale of land will be considered by the Council as landowner following consultation.
15. **EDF** – No comments received.

Representations

16. The owners of No.18 Church Street object to the application for the following reasons:
 - The proposed dwelling, which would be located to the south of No.18, would result in a loss of privacy to, overlooking of and a loss of outlook to No.18.
 - The loss of mature trees would affect the character of the local landscape.
 - The proposal would result in overdevelopment of the site.
 - The size of the proposed plot and the resultant garden for No.26 would be out of keeping with the size of gardens in the immediate area.
 - The designated parking space would be on public land.
17. The applicant has submitted a representation. This refers to objections received from the owner of No.22 Church Street, although it must be stressed that no formal comments on the planning application have been received from this neighbouring property. The applicant's letter indicates that the owner of No.22 has requested that consideration be given to increasing the size of the site to include the rear part of the garden of No.22, and erecting a bungalow rather than two-storey house, on the enlarged site area. It is asserted that the owner of No.22 has two reasons to object to the proposal, firstly to increase the value of his land and, secondly, that he has expressed interest in purchasing the bungalow for his own occupation.

Planning Comments – Key Issues

Impact on the character of the area

18. The Parish Council and the owners of No.18 Church Street have objected to the application on the grounds that it would overdevelop the site and result in a form of development that would be harmful to the character of the area. The site is located between a two-storey dwelling to the north and a single-storey building to the south. It would be a two-storey property incorporating dormers within the front facing roof slope and rooflights to the rear. The property would

be set further from the road than both the flank wall of No.26 Church Street and from the front elevation of the adjacent Council property and is not therefore considered to be an unduly intrusive feature within the street scene in terms of height or prominence. The proposal to use timber boarding for the walls of the proposed dwelling would however be alien to the character of the area, with the predominant material in the vicinity of the site being characterised by brick. The applicant's agent has agreed to amend the plans accordingly.

19. With regards to concerns regarding overdevelopment of the site, the proposed plot would measure 13.5 metres wide x 13 metres deep, with the rear garden having a depth of just 4 metres. The remaining curtilage of No.26 Church Street would be approximately 18 metres deep. The adopted District Design Guide SPD states, with reference to private gardens and amenity space, that each house comprising 3+ bedrooms should have private garden space of 50m² in urban settings. In this instance, the garden of the proposed dwelling would measure approximately 63m², whilst the space retained by the existing dwelling would be significantly larger than this. Given that the site lies within the centre of the settlement, it is therefore considered that the size of the proposed plot is, on balance, acceptable. Additionally, the plot size would be larger than those of the bungalows on the opposite side of the road, and would not therefore be out of keeping with the character of the area.

Density

20. The site measures approximately 0.0175 hectares in area. The erection of one dwelling on the site equates to a density of approximately 55 dwellings per hectare. The development therefore complies with Policy HG/1 of the Local Development Framework, which seeks to ensure new developments achieve a minimum density of 40 dwellings per hectare in the most sustainable locations, such as this one.

Residential amenity

21. The proposed dwelling would be located 21 metres to the south of the rear elevation of No.26 Church Street. Given the separation between the existing and proposed properties, the dwelling would not result in an unacceptable loss of sunlight to, or outlook from, the existing property at No.26. The rear elevation of the property would be sited just 4 metres from the rear boundary with No.22 Church Street and 24 metres from the rear elevation of No.18 Church Street. The original plans proposed a number of first floor openings in the rear elevation. This was considered to result in an unacceptable degree of overlooking of the adjoining garden area at No.22 Church Street. In order to overcome this issue, the plans have been amended to change the rooflights in the rear roof slope to high-level openings, with the sill heights being 1.7 metres above the finished floor level.
22. Given the siting of the proposed dwelling approximately 24 metres to the east of the dwelling at No.18 Church Street, it would not result in harm to the amenities of occupiers of No.18 by reason of a loss of light or outlook.

Highway safety and access Issues

23. The Local Highways Authority has advised that the proposed vehicular access is acceptable from a highway safety point of view. This access would

cross Council owned land and it is evident from the responses received that no consent has been granted by the Council as landowner for a right of access over the land. This does not affect the decision relating to the planning application, although the applicant's agent needs to be made aware that such consent will be required before any permission can be implemented.

Trees

24. The proposed development would result in the loss of a number of significant, mature trees. Whilst these trees are a prominent feature in the area, the Trees Officer has advised that they are already compromised by the adjacent building to the south, and has therefore raised no objections to their removal. The immediate area is otherwise suburban in character and the loss of the trees is not therefore considered to result in harm to the overall character of the area.

Infrastructure requirements

25. In accordance with the requirements of Policies DP/4 and SF/10, as well as the Supplementary Planning Document on Open Space, all residential developments are expected to contribute towards: the off-site provision and maintenance of open space, the provision of indoor community facilities, and the provision of household waste receptacles. For the three-bedroom dwelling proposed, this results in a requirement for contributions of £3,104.38 towards open space, £523.93 towards community facilities, and £69.50 towards household waste receptacles, as well as additional costs towards Section 106 monitoring (£50) and legal fees (minimum £350). The applicant's agent has confirmed, in writing, his client's agreement to the payment of these contributions.

Recommendation

26. Subject to the receipt of amended plans to alter the materials from timber to brick, delegated powers are sought to approve the application, as amended by drawing number P01 Rev A date stamped 31st March 2011, ownership certificate dated 29th March 2011, and drawing numbers P02 Rev A and P03 Rev A date stamped 18th April 2011, 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: P01 Rev A date stamped 31st March 2011, and P02 Rev A and P03 Rev A date stamped 18th April 2011.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
 3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the side or rear elevations of the dwelling at and above first floor level unless expressly authorised by

planning permission granted by the Local Planning Authority in that behalf.

(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

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

5. The proposed vehicular access shall be provided in accordance with drawing number P01 Rev A before the dwelling is occupied and thereafter retained as such.

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

6. 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.)

7. The access and driveway for the proposed dwelling shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

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

8. No development shall begin until details of a scheme for the provision of recreational infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

(Reason - To ensure that the development contributes towards recreational infrastructure in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009.)

9. No development shall begin until details of a scheme for the provision of community facilities infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

(Reason - To ensure that the development contributes towards community facilities infrastructure in accordance with the Policy DP/4 of the adopted Local Development Framework 2007.)

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

been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

(Reason - To ensure that the development contributes towards household waste receptacles in accordance with the Policy DP/4 of the adopted Local Development Framework 2007.)

Informatives

Please note that this permission does not include any consent from the District Council as landowner for the proposed means of access to the site. The Council's Lands Officer has advised that, to date, no request for right of access or for purchase of the land has been received from the applicant. Should a request be received, grant of right of access or sale of land (subject to valuation) will be considered by the Council as landowner following consultation.

The Local Highways Authority has advised that the proposed drive must be constructed using a bound material to prevent debris spreading onto the adopted public highway. The use of 'tar spray and shingle' is not acceptable to the Highway Authority.

Condition 8 requires the provision of recreational infrastructure to meet the needs of the development in accordance with Policies DP/4 and SF/10 of the adopted South Cambridgeshire Local Development Framework 2007. This amounts to a financial contribution of £3,104.38, as calculated on the date of the decision, to be secured through a scheme (Section 106 Agreement). This figure is index linked so may be subject to change when any payment is made.

Condition 9 requires the provision of community facilities infrastructure to meet the needs of the development in accordance with Policy DP/4 of the adopted South Cambridgeshire Local Development Framework 2007. This amounts to a financial contribution of £523.93, as calculated on the date of the decision, to be secured through a scheme (Section 106 Agreement). This figure is index linked so may be subject to change when any payment is made.

Condition 10 requires a payment of £69.50 towards the provision of household waste receptacles.

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 highway, and a separate permission must be sought from the Highway Authority for such works.

Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: Open Space in New Developments; Trees and Development Sites; District Design Guide; Landscape in New Development.
- Circular 11/95 and 05/2005
- Planning File References: S/0534/11, S/0894/93/F, S/1971/88/F, S/1135/86/F and C/0624/73/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/0588/11 – GREAT SHELFORD**Construction of detached 2 bedroom bungalow. - Land to the north-west of
No.3 Leeway Avenue, Great Shelford, Cambridgeshire, CB22 5AU for Mr & Mrs
Woods****Recommendation: Delegated Approval****Date for Determination: 18 May 2011****Notes:****Members of Committee will visit the site on Wednesday 11th May 2011.****This application has been reported to the Planning Committee as the Officer
recommendation is contrary to the response received from the Parish Council.****Site and Proposal**

1. The site is a grassed, landscaped strip of land that lies on the north-east side of Leeway Avenue, adjacent to the junction of Leeway Avenue and Hinton Way. This land was originally designed as an open amenity space at the entrance to Leeway Avenue, but was subsequently altered to private garden use in connection with No.3 Leeway Avenue. To the south-east are two-storey dwellings fronting Leeway Avenue whilst, opposite the site to the south/south-west are single-storey detached properties. Beyond the northern boundary is a two-storey semi-detached house fronting Hinton Way whilst, on the opposite side of Hinton Way to the north-west is the Zara Indian Restaurant. The site is bounded by a low post and rail fence and, along the boundary with No.2 Hinton Way, by a close-boarded fence.
2. The application proposes the erection of a single-storey detached two-bedroom bungalow on the site. The property would front Leeway Avenue and be sited approximately 15 metres from Hinton Way and 7 metres from the boundary with No.3 Leeway Avenue. The dwelling would comprise brick walls under a concrete pantile roof. The proposed means of access would be sited in the southern corner of the site, adjacent to the boundary with No.3.

Planning History

3. **C/0361/54** – Application for use of Leeway Avenue as a housing site approved.
4. **C/0102/57** – Application for use of land adjoining 3 Leeway Avenue as a private garden approved. This was subject to a number of conditions, including a condition stating that no buildings should be erected on the site in

order to safeguard the amenities of the approaches to the housing estate. Prior to this, the same application had been refused on the basis that the proposal was not in accordance with the layout plan approved for the development of the estate as a whole, in which the site was shown as an open space forming an amenity feature at the entrance of the estate.

Planning Policy

5. South Cambridgeshire LDF Core Strategy DPD, 2007:
ST/4: Rural Centres

6. 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
 - HG/1** – Housing Density
 - NE/6** – Biodiversity
 - NE/15** – Noise Pollution
 - SF/10** - Outdoor Playspace, Informal Open Space and New Developments
 - SF/11** - Open Space Standards
 - TR/1** – Planning for More Sustainable Travel
 - TR/2** – Car and Cycle Parking Standards

7. Supplementary Planning Documents:

 - Open Space in New Developments – Adopted January 2009
 - Trees and Development Sites – Adopted January 2009
 - Biodiversity – Adopted July 2009
 - District Design Guide – Adopted March 2010
 - Landscape in New Developments – Adopted March 2010

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

9. **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

10. **Great Shelford Parish Council** – Recommends refusal, stating:

“This is an attractive open but restricted site bordered by a significant hedge in a very prominent location. A design of very high quality is necessary for the principle of a dwelling on this site to be acceptable. The proposed bungalow is utilitarian in design and does not reflect the building line of other properties. We would like to see an amended design which is more sensitive to its location. The fence will be very intrusive in the street scene and the garden should preferably be enclosed by a ranch style fence and hedge.”

11. **The Trees Officer** – Comments that this is a small open green space providing a buffer within the built area. However, the shrubs and trees are not worthy of a TPO. The hedge adjacent to the site on the rear boundary and in the garden of No.2 Hinton Way will need to be considered as it overhangs the site and will potentially be compromised by the development. There is a TPO lime on the adjacent property and shading of the proposed dwelling could be a significant issue.
12. **The Landscape Design Officer** – No comments received.
13. **The Local Highways Authority** – Raises no objections subject to the provision of 2m x 2m visibility splays; construction of driveway to ensure no water drains onto the highway; and construction of the proposed driveway with a bound material.
14. **The Environmental Health Officer** - Raises no objections subject to conditions being added to any consent to protect neighbours from noise disturbance during the construction period.

Representations

15. The owner of No.2 Leeway Avenue initially objected for the following reasons:
 - The proposed development would result in a building out of line with existing properties.
 - The land is not large enough for a new dwelling.
 - It would result in the loss of open space and wildlife habitat.
 - It would result in additional parking and traffic movements in a road already heavily used by patrons of the Indian restaurant and rail commuters for car parking.

This objection was later withdrawn, with the only reservation relating to the visual impact of the solar heating panels if implemented.

16. The owner of No.30 Leeway Avenue objects for the following reasons:
 - The plot is at the junction of Leeway Avenue/Hinton Way and close to a busy level crossing. Building work/private vehicles could add to the problems of gaining access to and from Leeway Avenue during construction work.
 - The area is also used for parking by customers of the Indian restaurant at night.
 - Unless no extra parking on the road by the builders and new owners is ensured, the development would result in highway safety problems.
17. The owner of No.2 Hinton Way raises no objection in principle, but seeks assurance that the works would not adversely affect trees on the boundary of their property. It is also noted that the design of the development would be improved if clay tiles were used instead of concrete pantiles and if a mixed hedge, rather than close-boarded fence, were used to bound the site.

Planning Comments – Key Issues

Principle of the Use

18. The site was originally designed as an open amenity space at the entrance to Leeway Avenue but was subsequently altered to private garden use in connection with No.3 Leeway Avenue. Whilst the original intention was to keep this land as an open amenity space at the entrance to Leeway Avenue, any application to develop the site needs to be considered against current planning policies and, in particular, the need to make the best use of land available inside village frameworks. There are no Conservation Area or Protected Village Amenity Area designations affecting the site and no Listed Buildings in the vicinity of the plot. There is therefore no defining character affecting the site or surrounding area warranting special protection. The space on this side of Leeway Avenue is at odds with the character of the other side of the road, where there are two bungalows that are sited closer to Hinton Way than the dwelling at No.3 Leeway Avenue. There is a wide variety in the building styles, forms and spacing in the immediate vicinity of the site, comprising two-storey dwellings on the east side of Leeway Avenue, bungalows directly opposite and two-storey hipped roof dwellings to the north-east, fronting Hinton Way. The site is not considered to be one requiring protection for its own sake, and the principle of erecting a dwelling on the site is therefore considered to be acceptable.

Impact on the character of area

19. The proposed single-storey dwelling would be sited approximately 15 metres away from the Hinton Way boundary of the site. It would be positioned so that its side wall would be approximately 6 metres further away from Hinton Way than the front elevation of No.2 Hinton Way to the north and the side elevation of No.2 Leeway Avenue to the south. As a result, the proposed dwelling itself is not considered to be unduly intrusive when viewed from Hinton Way itself. With regards to the visual impact when viewed from Leeway Avenue, the proposed property would be sited 2 metres back from the road frontage, in a position some 3 metres closer to the road than the two-storey dwellings to the south-east and the single-storey properties opposite. However, the road starts to taper towards the south-east, and the result is that there is no strong, established building line at this point. In view of this, together with the low height and modest scale of the proposed dwelling, it is not considered to result in harm to the character and appearance of the area.
20. The Parish Council has objected to the application on the basis that the proposed dwelling is too utilitarian in design, and has stressed that it must be of the highest design quality. However, the properties in Leeway Avenue are brick and tile dwellings, of simple design, and the proposed development is particularly in keeping with the style and character of the bungalows on the opposite side of the road. Officers do have concerns, however, regarding the detailing of the proposal. The proposed use of concrete pantiles for the roof of the dwelling would, as pointed out by the owners of No.2 Hinton Way, be alien to the roofing materials used for adjoining properties, and a plain tile should be used instead. Given that the site is not located within a Conservation Area, it would be unreasonable to insist upon the use of clay tiles, and concrete tiles would suffice in this instance. In addition, the proposal seeks to erect a 2.1m high close-boarded fence around the Hinton Way and Leeway Avenue boundary of the site. The front boundary of No.2 Hinton Way

is defined by a hedgerow as is the Hinton Way boundary of No.2 Leeway Avenue opposite. The proposed close-boarded fence is therefore considered to be out of keeping with the generally soft character of the frontages of properties in the vicinity of the site and, to ensure the development would not be unduly dominant in the street scene, it would be essential that this fence be replaced with a hedgerow. Amended plans to address this issue have been requested.

21. The Trees Officer has advised that the trees and shrubs on the site are not worthy of a Tree Preservation Order. However, further to the comments made by the Trees Officer and the owners of No.2 Hinton Way, the agent has been asked to provide further information relating to the impact of the development upon the hedge along the boundary with No.2 Hinton Way.
22. Finally, the Design and Access Statement refers to the installation of solar panels on the roof slope of the proposed dwelling.
23. Amended drawings to change the roofing material from pantile to plain tile, to revise the boundary treatments, and to clearly show any proposed solar panels have been requested from the applicant's agent.

Highway Safety and Parking

24. Concerns have been raised regarding the highway safety implications of the development given the proximity of the site to the Leeway Avenue/Hinton Way frontage and the nearby railway crossing. The Local Highways Authority has been consulted on the proposal and has raised no objections subject to the provision of 2m x 2m visibility splays within the site (these are shown on the drawings). The scheme also includes adequate room for vehicles to turn and park within the curtilage of the property, thereby avoiding the need for cars to reverse out into the roadway. It falls outside the scope of planning control to prevent vehicles parking on the roadway itself but ensuring there is adequate room for parking and turning on the site itself would minimise the risk of this occurring.

Density

25. The site measures approximately 0.0279 hectares in area. The erection of one dwelling on the site equates to a density of approximately 36 dwellings per hectare. This does not strictly comply with the minimum 40 dwellings per hectare density required within sustainable locations by Policy HG/1. However, given the prominent location and restricted size of the site, it is considered that, in this instance, it would not be possible to erect more than one dwelling on the site without resulting in harm to the character and appearance of the area.

Residential Amenity

26. The proposed dwelling would be a single-storey property with a ridge height of 4.7 metres and eaves height of 2.3 metres. It would be sited with its ridge line running parallel to the boundary with No.2 Hinton Way to the north. Given the distance of the proposed property from the south side wall of No.2 Hinton Way, together with its modest scale and orientation relative to No.2, it is not considered to harm the amenities of occupiers of this adjacent property by reason of a loss of light or outlook.

27. With regards to the impact on No.3 Leeway Avenue, the nearest part of this dwelling to the site consists of a double garage, and windows in the front elevation of No.3 are sited approximately 10 metres away from the common boundary. As a result, neither the dwelling itself nor the proposal to site the parking and turning area adjacent to the boundary with No.3 Leeway Avenue are considered to result in an unacceptable loss of amenity to the occupants of this neighbouring dwelling.

Infrastructure requirements

28. The proposal would result in the need for a financial contribution towards the provision and maintenance of open space, in accordance with the requirements of Policies DP/4 and SF/10 of the Local Development Framework. For the 3-bedroom dwelling proposed, this amounts to £2,244.90, as calculated at the time of the application. It would also result in the need for a contribution towards the provision of indoor community facilities (£378.88), together with additional costs relating to the provision of household waste receptacles (£69.50), Section 106 monitoring (£50) and legal fees (minimum £350). The applicants' agent has confirmed, in the design and access statement, his clients agreement to these payments, albeit no reference has been made to the community facilities element. The agent has advised that this is an oversight and the relevant statement in the Design and Access statement will be revised accordingly.

Recommendation

29. Subject to the receipt of amended plans to show a hedge boundary and details of the solar panels, and amendment to the Design and Access Statement, delegated powers are sought to approve the application.
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: EP427/10/03B, 04, 01A and 02B.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
 3. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2

and NE/6 of the adopted Local Development Framework 2007.)

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

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

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

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

6. No development shall take place until details of the 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:

- a) Materials to be used for the external walls and roof of the dwelling.
- b) Materials to be used for hard surfaced areas within the site.

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

7. 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.)

8. The proposed vehicular access, and parking and turning areas for the dwelling, hereby permitted, shall be provided in accordance with drawing number EP427/10/03A before the dwelling is occupied and thereafter retained as such.

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

9. 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.)
10. The access and driveway for the proposed dwelling shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. No development shall begin until details of a scheme for the provision of recreational infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.
(Reason - To ensure that the development contributes towards recreational infrastructure in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009.)
12. No development shall begin until details of a scheme for the provision of community facilities infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.
(Reason - To ensure that the development contributes towards community facilities infrastructure in accordance with the Policy DP/4 of the adopted Local Development Framework 2007.)
13. No development shall begin until details of a scheme for the provision of household waste receptacles to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.
(Reason - To ensure that the development contributes towards household waste receptacles in accordance with the Policy DP/4 of the adopted Local Development Framework 2007.)

Informatives

1. The Local Highways Authority has advised that the proposed drive must be constructed using a bound material to prevent debris spreading onto the adopted public highway.
2. Condition 11 requires the provision of recreational infrastructure to meet

the needs of the development in accordance with Policies DP/4 and SF/10 of the adopted South Cambridgeshire Local Development Framework 2007. This amounts to a financial contribution of £2,244.90, as calculated on the date of the decision, to be secured through a scheme (Section 106 Agreement). This figure is index linked so may be subject to change when any payment is made.

3. Condition 12 requires the provision of community facilities infrastructure to meet the needs of the development in accordance with Policy DP/4 of the adopted South Cambridgeshire Local Development Framework 2007. This amounts to a financial contribution of £378.88, as calculated on the date of the decision, to be secured through a scheme (Section 106 Agreement). This figure is index linked so may be subject to change when any payment is made.
4. Condition 13 requires a payment of £69.50 towards the provision of household waste receptacles.
5. 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 highway, and a separate permission must be sought from the Highway Authority for such works.
6. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
7. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: Open Space in New Developments - Adopted January 2009; Trees and Development Sites – Adopted January 2009; Biodiversity – Adopted July 2009; District Design Guide – Adopted March 2010; Landscape in New Developments – Adopted March 2010
- Circular 11/95 and 05/2005
- Planning File References: S/0588/11, C/0361/54, C/0102/57

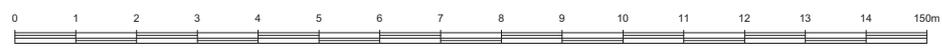
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**South
Cambridgeshire
District Council**

Planning Dept - South Cambridgeshire DC



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/0133/11 – GREAT SHELFORD
Erection of 13 Flats (Including 5 Affordable Units) Following Demolition of
Existing Public House with Flat Above
at The Railway Tavern Public House, Station Road for Manhattan Corporation
Ltd.

Recommendation: Delegated Approval/ Refusal

Date for Determination: 28th April 2011

Notes:

This application has been reported to the Planning Committee for determination at the request of the Local Member following deferral from the April Committee.

Members will visit the site on 11th May 2011

Site and Proposal

1. The site is located within the Great Shelford village framework. It is a triangular shaped site that measures 0.12 of a hectare in area. The land rises above road level to the east and drops to the south. The Railway Tavern Public House is a two-storey, render and slate traditional style building that is situated on the southern part of the site. A large hard surfaced parking area is situated on the northern section. Vehicular and pedestrian access is to the south. A hedge runs partly along the boundary with Station Road and there is landscaping along the eastern boundary. A mature tree is located in the south eastern corner of the site. A wall forms the southern boundary.
2. Station Road bounds the site to the north and comprises a development of two-storey dwellings set back from the road with open front gardens opposite the site. The Cambridge to London Liverpool Street railway line runs along the eastern boundary of the site at road level with a level crossing to the north east. Leeway Avenue is a residential development that lies in an elevated position beyond. An office development with a building immediately adjacent the footpath along the Station Road frontage is situated to the south.
3. This full planning application, received 26th January 2011 and amended 5th April 2011, proposes the erection of 13 flats. Seven of the units would be available on the open market and five units would be affordable. The housing mix would consist of 4 one bedroom units (3 affordable) and 9 two bedroom units (2 affordable). The tenure mix would be 100% shared ownership. The layout of the development would comprise an L shaped building that follows the western boundary and part of the southern boundary of the site. The

building along Station Road would be set back 4 metres from the road and have a central open section at ground level that would comprise the access point to the parking area at the rear. The building at first floor level would be in three sections but have a continuous frontage with two gable features as part of the design. It would be two-storey in height with measurements of 6 metres to the eaves and 8.85 metres to the lower ridge and 9.55 metres to the higher ridge. The building along the southern boundary would be part two-storey in height and part three storey in height with measurements of 7.5 metres to the eaves and 10.5 metres to the ridge. A public amenity area would be situated in the south eastern corner of the site. 15 parking spaces including one disabled and one visitor space would be provided to the rear of the building. 14 cycle spaces would be provided within two cycle stores situated adjacent Flats 1 and 4. The refuse storage area would be located adjacent the northern pedestrian access. Landscaping is proposed to all site boundaries. Materials include a mix of gault brick, off-white render, and timber boarding for the walls, and slate for the roofs.

Planning History

4. None relevant.

Planning Policy

5. **Local Development Plan Policies**

South Cambridgeshire LDF Core Strategy DPD, 2007:
ST/4 Rural Centres

South Cambridgeshire LDF Development Control Policies DPD, 2007:

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
ET/6 Loss of Rural Employment to Non-Employment Uses
NE/1 Energy Efficiency
NE/3 Renewable Energy Technologies in New Development
NE/6 Biodiversity
NE/11 Flood Risk
NE/12 Water Conservation
NE/15 Noise Pollution
SF/1 Protection of Village Services and Facilities
SF/6 Public Art
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Open Space in New Developments SPD - Adopted January 2009
Public Art SPD - Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009

Landscape in New Developments SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010
Affordable Housing SPD - Adopted March 2010
Great Shelford Village Design Statement- Adopted February 2004

6. **National Planning Guidance**

Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Statement 3 (Housing)
Planning Policy Guidance 13 (Transport)
Planning Policy Guidance 24 (Planning and Noise)

7. **Circulars**

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

Consultation

Original Plans

8. **Great Shelford Parish Council** – Recommends refusal and makes the following comments: -

“No objections to the loss of the tavern as public house. Corrie Newell inspected the building in Sept 2009 at the request of the Parish Council and said that because of the alterations that had been made it was not a candidate for listing. She did however say that should the building be demolished the door case should be salvaged and if the building is made of clay bat, the clay should be retained for repairs to clay bat buildings and walls in the village. We believe the flint wall at the rear of the site is an attractive feature and should be retained. The tavern is a building which reflects the history of this site and complements the railway station and forms a group with the former Corn and Coal company building. Any replacement should seek to reflect the scale and proportion of these buildings and follow the guidance in the VDS...’New development should embody good design of its kind and relate intelligently to the character and context of the village

The proposed building is inappropriate for the site for the following reasons: The site rises by an average of 1.5m from the footpath to the rear. It is proposed to build up the western end of the site by some 0.6m so achieving an overall ground floor level of 19.4m. The proposed building along the frontage will have a ridge height of 10.4m giving a datum height of 29.8; this is on average 3.4m higher than the ridge height of the properties on the NW side of Station Rd. The building would therefore be dominant in the street scene and would be oppressive to these properties and the windows on the NW elevation would overlook their sitting and bedroom windows (This is shown in drawing 107.)

The semi-detached properties on the NW side of Station Road were said in a planning decision in 2001 to have a simple and uncluttered design which contributed to the visual character of the street. As reflects their history as commercial buildings, the buildings to the SW of the site are also of simple design. The proposed new building with its multiplicity of materials, projecting windows and harsh angular archway does not relate to the character and

context of this part of the village and runs contrary to advice in the District Design Guide. The 3 storey section in the south of the site will dominate the outlook across the adjoining courtyard, an elevation drawing with the existing buildings would show this and should be provided.

A sustainability level greater than 3 should be achieved for new buildings in the interests of the occupants and sustainable features such as photovoltaics should be included on the site. The choice of these features seems to have been driven by costs not effectiveness.

The District Design Guide (DDG) states that amenity space in new apartment development should be convenient to use and not affect internal privacy. If the first and second floor flats use the area to the rear of flats 1,2 and 3 they will adversely affect their privacy therefore 9 flats will use the small area in the SE corner of the site. This site is too small to meet the requirements of the DDG of 25m sq per flat. We would like to see a reduction in the number of units, an amended design and layout and suitable amenity space for the occupiers.”

9. **Local Highways Authority** – Requires conditions in relation to the provision of vehicular visibility splays measuring 2.4 metres x 43 metres in both directions that are kept clear from obstruction over a height of 600mm, that works to the ramp should not be within the public highway, surface water drainage measures for the access and ramp, and retention of parking and turning on site. Also request an informative in relation to works to the public highway.
10. **Conservation Officer** – Has no comments.
11. **Urban Design Officer** – Has concerns over the scale of the development and its impact upon the character and appearance of the area. Considers that the height should be reduced to be more in keeping with surrounding developments, that the design of the roof of the front elevation be symmetrical, that the cycle parking should be secure and re-located away from Flat 2, that the access should be overlooked, and that window frames should match the colour of the slate for the roof. The scheme should also be assessed against the Building for Life criteria and be to Lifetime Homes standards.
12. **Trees and Landscape Officer** – Has no objections and comments that the trees on the site are poor specimens. The arboricultural report provides tree protection measures that should be followed.
13. **Landscape Design Officer** – Requests a landscape condition to cover the proposed new tree and hedge planting. Has some concerns regarding the planting of a fruit tree in the northern corner and suggest an alternative.
14. **Acting Environmental Health Manager** – Comments that the noise assessment submitted with the application correctly identifies that the noise from the railway would fall within category C of PPG24 'Planning and Noise' that states planning permission will not normally be granted. The traffic noise is also said to fall into this category. In light of the above, concerns are raised in respect of the potential for disturbance to occupants of the proposed dwellings. It would therefore be prudent that mechanical ventilation is considered. I note that the inclusion in the report of the potential for an acoustic barrier would further attenuate railway noise as well as the glass

specifications provided. These factors are also prudent. An acoustic assessment in relation to the air conditioning units on the adjacent site should be carried out before further comment can be made in relation to this aspect. The passing trains may cause a degree of vibration to the units and a vibration assessment would be prudent. If the wind turbine is agreed as part of a renewable energy scheme, noise from this should also be considered. Suggests that conditions are attached to any consent to agree a scheme for protecting the proposed dwellings from noise from the railway and to limit the hours of use of power operated machinery during the periods of demolition and construction. Also requests informatives in relation to the use of pile driven foundations, the burning of waste on site, a demolition notice, and guidance notes in relation to the noise mitigation strategy.

15. **Land Contamination Officer** - Has considered the report submitted with the application and given the low level of contaminants identified, requests a condition to be attached to any consent for a detailed investigation into contamination.
16. **Housing Manager** – Supports the application and comments that there is a need for affordable housing in the district and the Council would seek at least 40% affordable housing. The scheme meets the level required and there is a separate access to the affordable units. The tenure mix of the affordable housing is to be agreed although there is a greater need for social rented rather than intermediate housing. A mix of 3 one bedroom flats and 2 two bedroom flats is acceptable. The properties should meet the Homes and Communities Agency, Design and Quality standards and Code 3 for Sustainable Homes to ensure they are grant compliant. There is no requirement for the units to be made available for people with a local connection to Great Shelford and they would be open to all applicants on the housing register.
17. **County Archaeologist** – Comments that the site lies in an area of high archaeological potential, as it is located close to the historic core of the village and in an area of medieval pottery. The site should be subject to a programme of archaeological investigation as a condition attached to any consent.
18. **Network Rail** – Comments that the view of the level crossing should not be blocked at anytime as a result of the development and that parking should be enforced to ensure that no vehicles would block the level crossing causing vehicles to queue over it. Further states that the potential for any noise/vibration impacts caused by the proximity of the development to the existing railway should be assessed in the context of PPG24.
19. **Section 106 Officer** – Comments that the scheme includes a small area of communal space within the development that would be considered as informal public open space and would offset the capital contribution required to mitigate the impact of the development. Therefore, a contribution of £15,301.35 is payable (excluding the loss of existing accommodation) to the Council upon completion of the 6th unit for onward transmission to the Parish Council. The scheme is required to make an off-site contribution towards indoor community facilities. The 2009 audit identified a shortfall of community space within the parish with the village hall requiring improvements. Therefore, a contribution of £4,472.32 is payable to the Council upon completion of the 6th unit for onward transmission to the Parish Council. The

development does not reference the provision of public art on the site. Therefore, a contribution of £7500.00 towards off-site provision within the village is requested. In accordance with the RECAP Waste management Design Guide, the applicant would have to make provision towards waste receptacles is required at a cost of £150 per flat. Therefore, a contribution of £1950.00 is required.

20. **County Education Officer** – Comments that the proposed development would not be expected to accommodate any children of primary or secondary school age and there is sufficient pre-school accommodation in the area to cater for the expected demand. Therefore no education contributions are sought from the development.
21. **Valuation Consultant** - Comments are awaited.

Amended Plans

22. **Great Shelford Parish Council** - No comments received to date.
23. **Landscape Design Officer** - Comments that the revised landscape plan, The Huck Partnership drawing number 258-01 Revision D is acceptable.
24. **Trees and Landscapes Officer** - Has no objections.
25. **Local Highways Authority** - Considers that the amendments are acceptable notwithstanding that the current visibility splays do not meet the required standards.

Representations

26. The Local Member has concerns regarding the scale and overpowering nature of the development and its impact upon the street scene.

Original Plans

27. Eight letters have been received from occupiers of residential properties surrounding the site. The majority of respondents have no objection in principle to development of the site but consider that the current proposal is not acceptable. Comments include that the development would: - be too large in scale with a substantial height, dominate the street scene, be out of keeping with building heights in the area, have too high a density, be sited too close to the road, result in overlooking, a loss of light and an imposing outlook to neighbours, lead to significant vehicle movements and parking problems, result in the loss of a village facility, and have an impact upon air quality. One resident generally supports the application but has concerns regarding the accuracy of the traffic information submitted and the impact of the development. The owner of an adjacent commercial property raises non-planning consideration in relation to the blocking of an adjacent access, the state of the site, and safety implications for the tree. A resident of Stapleford supports the principle of housing in this location but considers that a footbridge should be incorporated into the proposal to allow easier access to the station.

Amended Plans

28. Five letters have been received from occupiers of residential properties surrounding the site. They do not consider that the amended plans have addressed their concerns regarding overlooking, loss of light, density, proximity, and parking. A representative for the owner of the adjacent commercial property believes that highway safety from a right of access is an issue that should be considered.

Planning Comments – Key Issues

29. The main issues to consider in the determination of this application relate to the principle of residential development on this site, the loss of a village service, housing density, housing mix, and affordable housing, and the impacts upon the character and appearance of the area including scale, height, mass, form, and materials, trees and landscaping, highway safety, and neighbour amenity.

Principle of Development

30. The site is located within the village framework of a 'Rural Centre' where there is a good access to services and facilities and residential developments with no limit on size are considered acceptable in principle subject to all other planning considerations. The existing building is not considered of significant historical or architectural merit to warrant its retention.

Loss of a Village Service

31. The proposal would result in the loss of the existing public house on the site. This is currently vacant. The property has been advertised for sale at a cost of £465,000 and for lease at a cost of £35,000 per annum for a period of approximately 14 months. The method of advertisement has been through an agent's board on the site, marketing particulars forwarded to all commercial agents in the area, internet advertising via the Cheffins website and EG property link, and regular advertisements in the local newspaper. During the marketing period, approximately 50 parties showed an interest in the property for uses such as offices, restaurant, public house, residential, or redevelopment of the site. Three offers were received but all rejected as they did not meet the agent's valuation. A number of parties had concerns about the amount of work required to the building and considered that it would not be financially viable to operate as a business.
32. Although it is noted that the existing poor state of the building would not make it an attractive place to visit, it is considered to have potential, as it could easily be improved. The location of the pub within the centre of the village is considered to be easily accessible to number of residents and nearby businesses and it's location immediately adjacent Great Shelford railway station may attract visitors from further afield.
33. However, there are five public houses within a 0.6 mile radius of the site that provide a similar alternative to the existing public house. There are also a number of restaurants and other community facilities within close proximity. Access to the majority of these premises would be easy by walking or cycling.
34. The public house has been closed for 15 months. Information has been submitted with the application that the Year to Date Net income figures for the previous three years the premises were open to business. Over that period of

time, the income of the business decreased from £32,506 in 2005 to £22,454 in 2007. This shows that trading was unlikely to make a profit.

35. The Council has instructed an independent consultant to assess the impact of the loss of the public house to the village. The result of this evaluation will be reported to the committee.

Density

36. The site measures 0.12 of a hectare in area. The erection of 13 flats on the site would equate to a density of 108 dwellings per hectare. This would make the most efficient use of previously developed land and comply with the requirement of at least 40 dwellings per hectare as set out under Policy HG/1 of the LDF for sustainable settlements.

Affordable Housing

37. There is an identified local need for affordable housing across the whole district. Five of the flats would be allocated for affordable housing. This would comply with the minimum 40% requirement outlined in Policy HG/3 of the LDF and contribute towards meeting the local need. A mix of 3 x one bed units and 2 x two bedroom units is acceptable. The tenure mix of the scheme is all shared ownership units, as there were no viable offers from any housing associations. This has been agreed with the Affordable Housing Manager. The affordable units would be open to all residents across the district and not limited to local people with a connection to Great Shelford. The units would remain affordable in perpetuity by condition of any consent.

Housing Mix

38. The remaining eight flats available for sale on the open market would comprise a mix of 7 x two bedroom units and 1 x one bedroom units. Whilst it is noted that there would not be any larger properties within the scheme as recommended under Policy HG/2 of the LDF, this mix is considered acceptable, as there is a greater need for smaller market units across the district. The proposal is therefore considered to provide a range of types, sizes and affordability of flats to meet local needs.

Character and Appearance of the Area

39. The L-shaped building on the site would result in a layout that would follow the character of the existing commercial developments to the south of the site that are located close to the road, and the position of the existing building on the site to the south.
40. The scale of the development as amended is considered to be in keeping with the character and appearance of the area that comprises mainly two-storey buildings. Whilst it is noted that the building would be higher than the residential dwellings on the opposite side of Station Road, it would not be significantly out of scale, form and density of surrounding commercial developments on the same side of Station Road to the extent that it would result in harm. The building would also create a landmark feature due to the prominent location of the site at the entrance to the village from the railway station.

41. The mass of the front elevation would be visually reduced at first floor level by three separate elements that would have different roof heights and the fenestration surrounds that would have different materials, and at ground floor level by the open archway and planting.
42. The design of the building would be contemporary in nature. Although it would not reflect the character of the nearby dwellings or adjacent commercial development, it is considered acceptable given the varied character and appearance of the area. It would incorporate both hipped and gable roofs and gable features on the front elevation that are local to the context of the site. This would create an innovative development in itself with a sense of place.
43. The use of materials such as gault bricks and light render for the walls and blue/grey slate for the roofs are not considered to be inappropriate and would respect both with traditional style dwellings, and modern developments in the village such as Halatte Gardens.

Trees and Landscaping

44. The proposal would not result in the loss of any important trees that contribute to the visual amenity of the area. The mature tree in the south eastern corner of the site would be retained and its visual contribution to the environment enhanced as a result of the siting of the adjacent amenity area. The tree would be protected during construction.
45. The proposed landscaping scheme is considered acceptable. The hedge along the frontage of the site would soften the impact of the development and enhance the appearance of the street scene.

Highway Safety

46. Station Road is a straight road with a 30 mph speed limit. It has traffic lights at the crossroads with Tunwells Lane/ London Road to the south and a level crossing leading to Hinton way to the north.
47. Although the existing traffic generated from the public house is not known, it is believed that the use and amount of parking would have resulted in a significant number of vehicle movements on to Station Road. The traffic generation for the proposed development has been calculated using the TRICS 20101(b) trip generation database and whilst there may be a greater flow of traffic at peak times, it is considered to result in a similar level of traffic per day to the existing use.
48. The shared access to the site would measure 6 metres in width. Vehicular visibility splays measuring 2.4 metres x 43 metres on both sides of the access need to be provided to ensure the proposal would not be detrimental to highway safety. The current visibility splay of 2.4 metres x 33 metres to the south is not acceptable. Pedestrian visibility splays measuring 2.0 metres x 2.0 metres would be provided on both sides of the access. The access and pedestrian splays would meet Local Highway Authority standards and their provision and retention would be a condition of any consent.
49. Whilst it is acknowledged that the level of vehicle parking provision on the development would fall short of the Council's average parking standards under Policy TR/2 of the LDF, it is considered appropriate, as it would still

provide one space for each flat plus a disabled parking space and visitor space. This would be unlikely to result in on-street parking that would cause a hazard to the free flow of traffic along Station Road, due to the busy nature of the road. The site is also situated in a very sustainable location with good accessibility to public transport (trains and buses) and within walking and cycling distance of the main services and facilities within the village. One cycle space would be provided for each flat that would accord with the recommended standards, and amended plans have been sought to provide these spaces in secure buildings.

Neighbour Amenity

50. The building would be located a distance of 20 metres from the front elevation of the dwellings in Station Road, 20 metres from the side elevation and 13 metres from the boundary of No. 2A Shelford Park Avenue, and 30 metres from the boundary of No. 2 Leeway Avenue. The development is considered acceptable in terms of the impact upon the amenities of neighbours through massing and privacy, given that the relationships between the dwellings are front to front, front to side or more than 30 metres back to back. The buildings would be orientated to the east of the dwellings in Station Road and south east of No. 2A Shelford Park Avenue and would not lead to a significant loss of light through overshadowing.
51. The existing railway line adjacent to the development is likely to result in noise, disturbance and vibration to future occupiers of the flats from trains using the railway line, the level crossing alarm, vehicles along Station Road, and the adjacent air conditioning unit. However, the proposal is only considered acceptable subject to acoustic and vibration assessments being carried out and an appropriate noise mitigation strategy as a condition of any consent that includes mechanical ventilation and particular glass specifications to the windows of the dwellings in addition to an acoustic fence.

Developer Contributions

52. The South Cambridgeshire Recreation Study 2005 identified a shortfall of sport and play space within Great Shelford. Approximately 100 square metres of informal open space would be provided on site. However, this would not offset the increase in demand for sport and playspace as a result of the development and therefore a financial contribution of £18, 827.94 (index linked) is also required towards the provision and management of open space off-site and within the village to comply with Policy SF/10 of the LDF. This would be secured via a legal agreement that would be a condition of any consent. The agent has confirmed that the applicant would be willing to contribute towards this requirement.
53. The South Cambridgeshire Community Facilities Assessment 2009 states that Great Shelford has indoor community space that is of a good standard, although there is a shortfall of such space and some investment in the near future may be required. Due to the increase in the demand for the use of this space from the development, a financial contribution of £4,104.32 (index-linked) is sought towards the provision of new facilities or the improvement of existing facilities in order to comply with Policy DP/4 of the LDF. This would be secured via a legal agreement that would be a condition of any planning consent. The agent has confirmed that the applicant would be willing to contribute towards this request.

54. Policy SF/6 of the LDF encourages the provision of publicly accessible art, craft and design works. No public art has been provided on site as part of the development. Therefore, a financial contribution of £7500.00 towards the cost of the provision of public art within the village and its maintenance is sought to make the development acceptable. The agent has confirmed that the applicant would be willing to contribute towards this request.
54. South Cambridgeshire District Council has adopted the RECAP Waste Management Design Guide which outlines the basis for planning conditions and obligations. In accordance with the guide developers are required to provide for household waste receptacles as part of a scheme. The current fee for the provision of appropriate waste containers is £150.00 per flat. The costs will be secured via a section 106 agreement and would be required to be paid upon completion of the agreement. The agent has confirmed that the applicant would be willing to contribute towards this request.

Other Matters

56. The District Design Guide recommends 25 square metres of communal amenity space per one or two bedroom dwelling. This would result in a total requirement for 325 square metres being provided on the site. The scheme provides approximately 230 square metres. This is considered appropriate, given the nature of the units, the proximity to the recreation ground, and that the amount of space is guideline and not a requirement to make the scheme acceptable in planning terms.
57. The RECAP Waste Management Design Guide recommends that 320 litres storage capacity of waste to be provided per one bedroom unit and 420 litres per two bedroom unit. This results in a total requirement of 5060 litres for the development. The bin storage area would be of an adequate size to accommodate 5 x 1280 litre bins. It would be located adjacent the pedestrian access at a maximum distance of 25 metres from the entrances to the flats. This level of provision would therefore be a condition of any consent.
58. A Renewable Energy Statement has been submitted with the application that sets out the alternative options for such provision. These include solar powered systems, solar heating systems, wind turbines, biomass heating systems, and ground or air source heat pumps. The scheme indicates that photovoltaic panels would be installed on the south east facing roof slope of the building plus solar heating to achieve the 10% predicted energy requirements as set out under Policy NE/3 of the LDF. No measures have been confirmed and therefore the provision would be subject to a condition of any consent.
59. A Water Conservation Strategy has been submitted with the application that sets out the options being considered for the project. These include permeable road/parking areas, soakaways, underground tanks for surface water run-off, and water butts. No measures have been confirmed and therefore the provision would be subject to a condition of any consent.
60. The issue raised by the neighbour in relation to the right of access to the adjacent property is a legal matter that cannot be taken into consideration as part of the planning application decision making process. The health and safety of the tree on site is a civil matter between the parties involved. The

provision of a footbridge to access the station is not considered necessary to make the development acceptable in planning terms.

Conclusion

61. 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 subject to the receipt of a satisfactory report from the Council's Valuation consultant, Local Highways Authority, and Acting Environmental Health Manager.

Recommendation

62. Delegated approval subject to conditions including provision and retention of visibility splays, parking, tree protection, approval of materials, landscaping, archaeology, contamination, noise assessment, contributions towards public open space, community facilities, public art and waste provision, details of waste storage, provision of renewable energy, and implementation of a water conservation strategy;

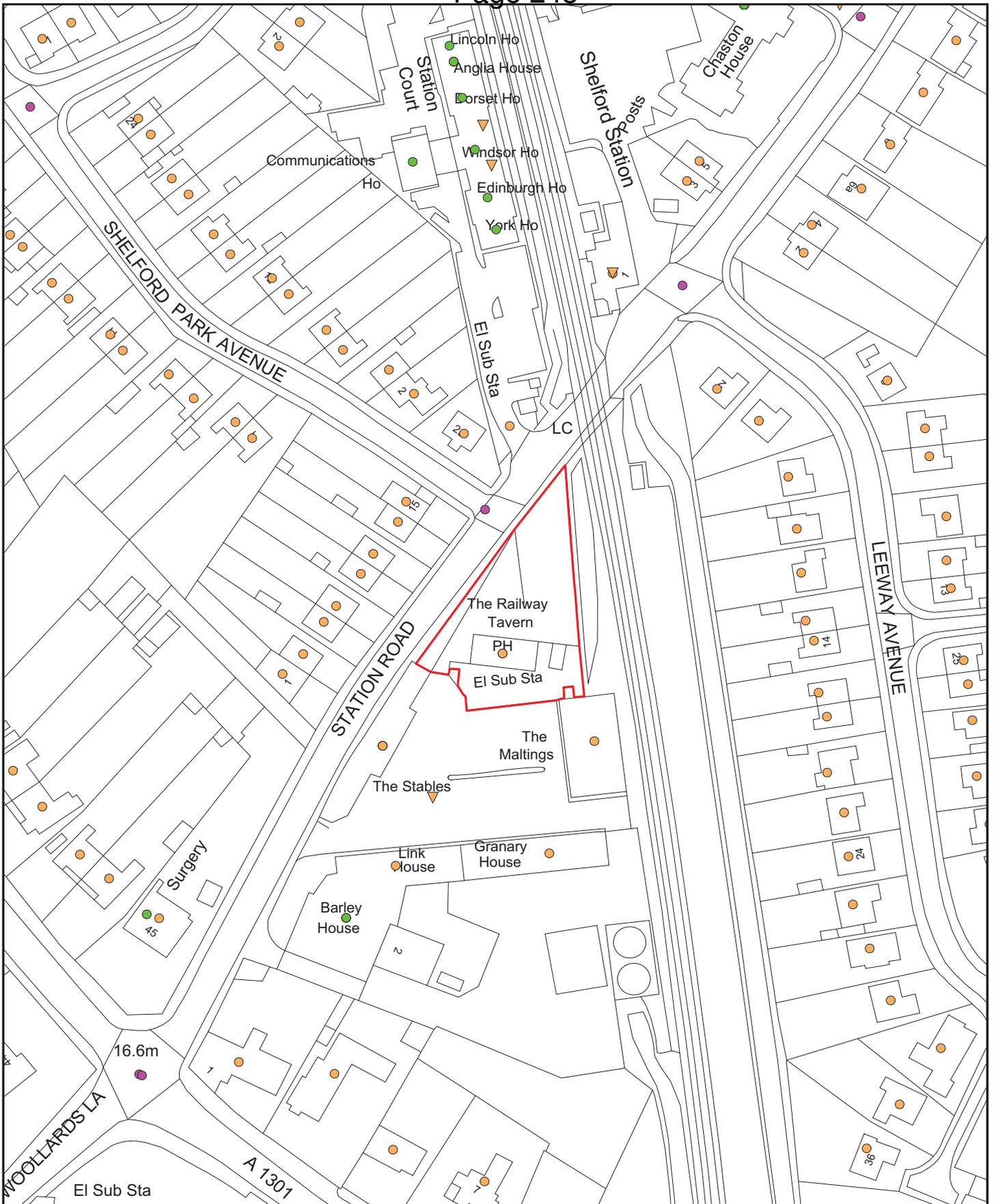
OR

Delegated refusal.

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents: Open Space in New Developments, Biodiversity, Landscape in New Developments, and District Design Guide
- Planning Policy Statements 1, 3, 13, and 24.
- Planning File Reference: S/0133/11

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/1392/10/F – WILLINGHAM**Removal of Agricultural Occupancy Condition (Condition 1) on Planning Permission S/0077/74 at 37A Rampton Road, for Dr S Sangray****Recommendation: Refusal****Date for Determination: 19 October 2010****Notes:**

This Application has been reported to the Planning Committee for determination after the application was withdrawn from the April agenda.

Site and Proposal

1. This full application, submitted on 13 August 2010, seeks the removal of condition 1 of planning consent S/0077/74 which imposes an agricultural occupancy restriction on the property (see Planning History below).
2. 37a Rampton Road is a detached bungalow set back 90m from Rampton Road and served by a driveway which runs between residential properties at Nos 37 and 39 Rampton Road. Immediately to the rear of the bungalow is the former shop building, beyond which is an area of land comprising the former nursery area itself. The total site area is 3.88ha.
3. The application is accompanied, amongst other documents, by a report of the recent marketing of the property from May 2009 to June 2010. This included national advertising comprising seven advertisements in the Farmers Weekly and four advertisements in the Farmers Trader during that period, along with local advertising in the Cambridge News in July and December 2009. In addition the applicant's agent states that the property would have been placed on its website throughout the marketing period. Prior to advertising an independent valuation of the property was obtained and an asking price in the region of £465,000 for the house and its curtilage, and the remaining land was adopted.

Planning History

4. **S/0077/74** – Erection of bungalow and garage – Approved
5. Condition 1 stated 'The occupation of the dwelling shall be limited to persons employed locally in agriculture as defined in Section 290 of the Town and Country Planning Act 1971 or in forestry and the dependants of such persons.'
6. The reason for the condition stated that the consent would not have been granted for the erection of houses on this site unconnected with the use of the adjoining land for

agriculture or similar purposes. The occupation of the dwelling was not however restricted specifically to someone working at the nursery

Planning Policy

7. South Cambridgeshire Local Development Framework Development Control Policies adopted July 2007:

DP/7 – Development Frameworks

HG/9 – Dwelling to Support a Rural-Based Enterprise

Consultation

8. **Willingham Parish Council** recommends refusal on the grounds of lack of information about intended use of the whole site (current drawings do not show this). The site was purchased by the owner with the full knowledge of the agricultural restriction and the Parish Council would need to see a good complete case as to why this would/should be changed.
9. **Valuation advice** commissioned by the Council comments that ‘the majority of properties sold subject to an agricultural occupancy condition tend to fetch approximately 60-65% of their totally unrestricted open market value. It is also reasonable to assume, for the purposes of calculation, that the land on which the property is built has an “agricultural value” rather than the value of an open market building plot. I think the fairest approach is to try to assess what the property might be worth in a totally unrestricted market and, from the documents provided, it appears that this exercise was carried out by another firm on behalf of the seller before Acorus commenced their marketing campaign. I am afraid that I have to disagree with the conclusions of that valuation. In my opinion, if the property were offered for sale on an unrestricted basis in the current market in a relatively small garden, I am of the opinion that it would fetch not more than £350,000. However, if it had adjacent grounds extending to, say, two acres the level of demand would increase substantially and the value would, in my view, be a little in excess of £400,000. Two acres is probably the minimum amount of land that would be required for ordinary residential occupation and the additional eight acres or so would add no more than their agricultural value which I believe to be in the region of £50,000. If we consider the value with two acres to be, say, £410,00, then it would be reasonable to suggest that the value with the agricultural restriction is around £250,000 (around 60%). Adding the rest of the land at its agricultural value would probably take the figure to, say, £300,000 which is very substantially less than the price at which it has been offered by Acorus. Values now are probably very slightly above the levels that were appropriate during the marketing period.’

Representations

9. The occupiers of **35 Rampton Road** object. It is noted that it is stated in the application that none of the land is an agricultural holding, which is surprising. There are a number of unsupported assertions in the applicants report which are not supported by relevant documentation for example ‘Dr and Mrs Sangray looked at restructuring the nursery but it was totally uneconomic to do so’; ‘There is no car parking’; ‘Nurseries have been struggling in recent years’, ‘Cadwin Nurseries would never compete’; ‘There is no prospect of the nursery being restructured on any commercial scale’; ‘There is no horticultural business... and no prospect of anything significant re-establishing itself on the site’.

10. The applicants should have been aware of the restrictive condition when purchasing the property and its effect. If not they would have redress against their legal advisers at the time of the purchase.
11. The investment has been allowed to deteriorate in its potential attractiveness to another buyer. Horticultural activity was taking place at the time of purchase although the scale was being run down. The applicant could have rebuilt the business as the Nursery had a long and reliable local reputation, the village population has increased and there is a growing preference for local produce. No effort seems to have been made to grow any crops, greenhouses have been allowed to fall down, fruit trees have remained unpruned and quality fruit unpicked.
12. It is feared that the applicant may have had little or no intention of following a horticulture way of life and realised that there might be an increase in value if the condition could be removed, along with the possibility of opening up the development of the site. Although it is understood the plot is currently outside the village framework the removal of the occupancy condition would be the first step.
13. No advice appears to have been taken from the District Council prior to submitting the application – was this in case it prompted the Council to take enforcement action?
14. Considering the economic climate it is queried whether the property has been marketed appropriately, or with sufficient focus and the Council might wish to consult local estate agents to establish the length of time properties were on the market at that time. Further marketing options were not explored. There was no change of agency, roadside signs, and advertisements were not placed in national magazines more appropriate to the small scale of the use i.e. Horticulture Week or The Smallholder. Other local/regional papers were not used. The price was not reduced and the property appears to have been withdrawn from the market at an early time. This suggests only a token effort has been made.
15. Although the agents report purports to be impartial it stresses the arguments in favour of the applicants' aims and an alternative report, in the objectors opinion, would reach a conclusion based on; preferences for organic and luxury foodstuffs traditionally grown at Cadwin Nurseries, such as asparagus and raspberries; preference for local markets is growing, hence popularity of local farmer' markets; the recent success of other small entrepreneurial ventures in the village is visible and local well-established smaller and larger agricultural/horticultural enterprises continue to flourish and the diversity of enterprises shows what the land is capable of; the deterioration/unproductiveness of the applicants' land now; the limited marketing undertaken and the non-reduction of the asking price; the way the recession has affected new build locally; the length of time taken to sell all domestic and industrial premises and the need to reduce prices to attract buyers; the use of a truly local agent rather than the current one which is based in Bury St Edmunds; whilst the plot has access near to No 35 there is alternative access potentially available and with signage it is well placed to draw in local and passing trade.
16. The Parish Council appears to be aware that the land is no longer being used for agriculture but this information does not seem to have been passed to the District Council. Were they aware that the occupancy condition was in force?
17. The planners have a responsibility to ensure that small patches of economically viable and fertile land like this remain available in the increasingly suburban environment and should therefore protect this holding from any possible development

which would permanently take this land out of potential use for food production or other agricultural-type activity.

18. In conclusion however, if the District Council could give an assurance that the removal of the condition could not turn out to be the thin end of a wedge which would in time result in further building on the site and its loss as a potential food producing holding, the above concerns would not have been submitted.
19. The occupier of **39 Rampton Road** expresses concern about the possible future use of the old nursery and that it might be sold away separately from the house if this application is successful. There is also concern that if the land is left in limbo there is a possibility of the adjacent travellers site bleeding onto this land. Whilst it is understood that this would not be the intention there have been several cases locally which would indicate the difficulty of prevention after the event.
20. The occupier of **51 Rampton Road** has no objection, although would wish to be notified of any future applications for development of the site.
21. The occupiers of **41 Rampton Road** request that a decision is reached which will most likely lead to the restoration of the nursery to a clean healthy condition as at present the scene is one produced by a long period of neglect.

Applicant's Representations

22. In addition to the documentation submitted with the planning application the applicant's agent has responded to the points raised during the consultation process.
23. A copy of this letter is attached as Appendix 1.
24. Following receipt of an independent valuation by the Council an email has been received from the applicant's agent, and this is attached as Appendix 2.

Planning Comments – Key Issues

25. The key issue to be considered in the determination of this application is whether the applicant has satisfactorily complied with the requirements of Policy HG/9 (6), which states that the relaxation of an occupancy condition will only be permitted where it can be demonstrated that the dwelling is no longer required by the unit or those working, or last working, in the locality in agriculture, forestry or rural-based enterprise that requires a dwelling in the countryside, or a surviving partner of such a person, and to any resident dependants. When considering applications to relax such a condition the District Council will require evidence of the steps taken to market the dwelling with the occupancy condition.
26. It is clear from the application that the property is currently being occupied in breach of the planning condition, and that the condition may not have been fully complied with for a number of years. Notwithstanding this the current application still falls to be determined under the above policy. If the District Council were to refuse the request to remove the occupancy condition it would then have to consider whether it would be expedient to instigate enforcement action.
27. In my view the scope of the marketing undertaken is acceptable. It includes a trawl of local farms as well as advertising in both the local press and national agricultural journals. Officers have not sought a full independent review of the submitted details but have commissioned an independent valuation of the property in order to check

that the property was marketed at a price that adequately reflected the encumbrance of the occupation condition.

28. The advice that has been received puts forward a significantly lower valuation than that obtained by the applicants agent, and at which the property was marketed. The applicants' agent has questioned the valuation advice received by the Council, as set out in the email attached at Appendix 2, however the Councils' valuer has reviewed these comments and has confirmed his advice, stating that he viewed all areas he was permitted to visit, but was not allowed access to certain areas but was able to ascertain from the outside and from details previously supplied, what these areas provided. Officers understand that the applicant's agent may seek a further valuation of the property, and if that is the case I will report any further information in an update report or at the meeting.
29. Officers note the agents comment that there was a slight rise in property prices during the period the property was advertised and this was the reason why the guide price was not lowered at any point.
30. Whilst it may be unfortunate that the former nursery use has not been maintained this is not something that should prejudice the decision on the application to remove the agricultural occupancy condition from the dwelling. The price at which the property was marketed should have reflected the condition of the dwelling and any associated buildings at that time.
31. The concerns expressed by the Willingham Parish Council and local residents that the relaxation of the condition might be the first step in opening up the land for future development is noted. Regardless of whether the dwelling retains its restrictive occupancy condition the site will remain outside the village framework and any planning application would therefore still fall to be judged against the appropriate countryside policies.
32. From the information currently available officers are of the view that the value at which the property was marketed will have materially prejudiced the ability to find an occupier for the property in compliance with the agricultural occupancy condition and the application should therefore be refused.

Recommendation

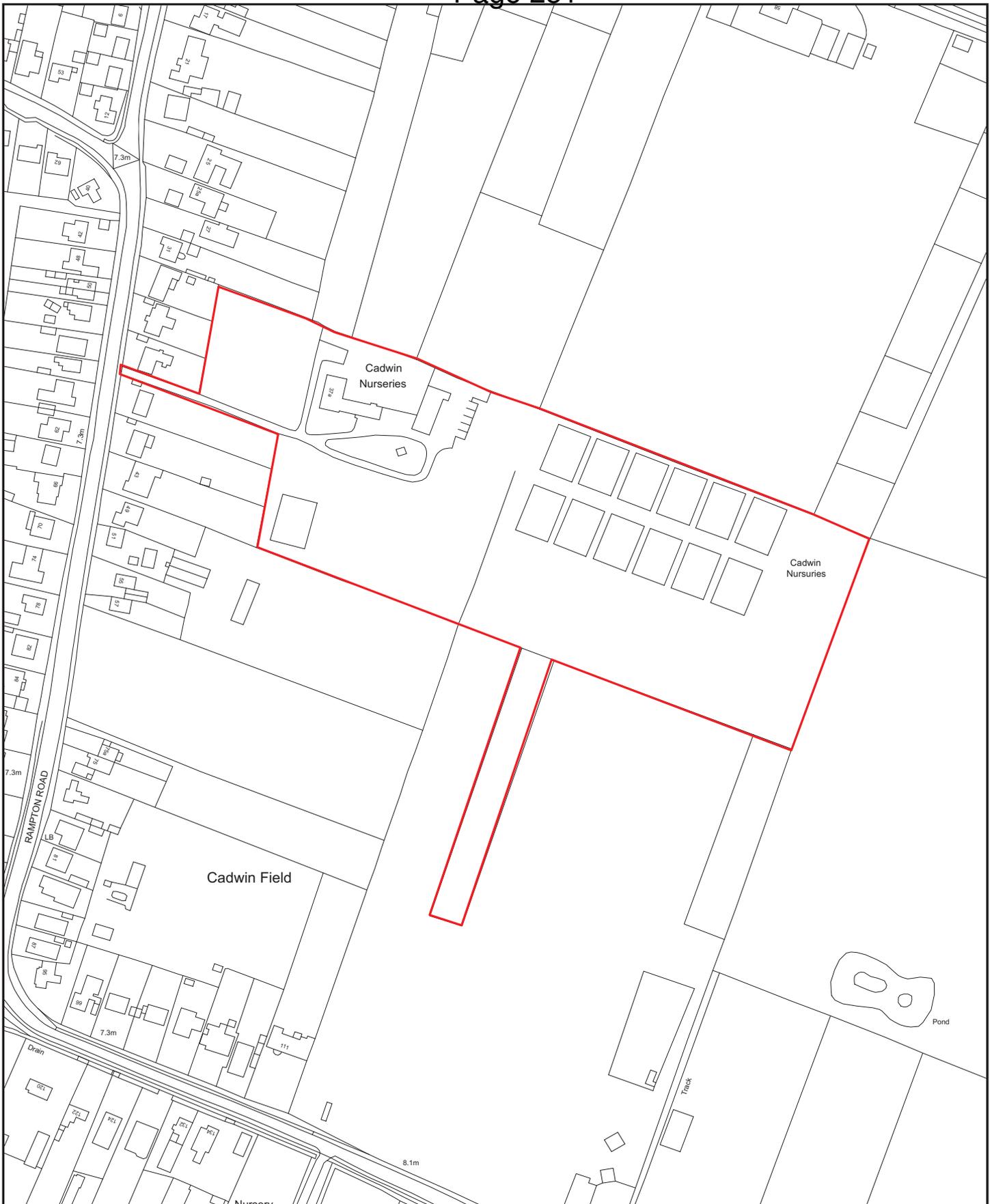
Refusal

The removal of Condition 1 of planning consent S/0077/74 would be inappropriate as the application has failed to demonstrate that the steps taken to market the property with the agricultural occupancy condition, as required by Policy HG/9 (6) of the South Cambridgeshire Local Development Framework Development Control Policies 2007, are adequate, as the value at which the property was advertised is considered by the Council to be significantly above a reasonable market valuation of the property with the encumbrance of the occupancy condition. As a consequence the potential to find a potential occupier of the property in compliance with the agricultural occupancy condition will have been materially compromised.

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/1392/10

Case Officer: Paul Sexton – Principal Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/0816/10/F & S/0817/10/LB – KINGSTON**Rear extension and alterations to create new kitchen and bathroom and the removal of partition walls to the dining room and formation of new corridor to first floor and creation of new first floor bathroom and ensuite facilities at The Old Rectory, Rectory Lane for Mr S Gardner****Recommendation: Delegated approval/refusal, subject to the submission and approval of a bat survey****Date for Determination: 15th July 2010****Notes:**

This Application has been deferred by Planning Committee in November 2010 to give officers and the applicant more time to consider the response from English Heritage.

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

1. The Old Rectory is a Grade II* Listed Building and falls within the village framework and Conservation Area of Kingston. The Old Rectory has developed in several principle phases from the 12th to 17th centuries. At its heart are the remains of an aisled hall dating from the earliest period and this was flanked by cross wings in the characteristic manner of English medieval houses. The dwelling is timber framed, with clunch rubble and dressed clunch.
2. The site comprises the main dwelling, an existing thatched barn and a flat-roofed double garage to its south-east boundary. To the east of the site is All Saints and St Andrews Church, which is a Grade I Listed Building, to the south are neighbouring dwellings along Rectory Lane and to the north and east is countryside.
3. The application proposes a two storey rear gable extension set under the ridge height of the existing building and extending at a depth of 7.7m at from the existing ground floor corridor. The proposal also involves the removal of partition walls to the dining room, formation of new corridor to first floor and creation of new first floor bathroom and ensuite facilities.

Amendments

4. For clarity the application has been subject to three sets of amended drawings. The first amendments (30th July 2010) submitted a revised design that lowered the height of the extension, redesigned the side and rear elevations and revised the fenestration. The second amendments (26th August 2010) changed the rear lean-to

on the extension to a flat roof, replaced the stable door on the rear elevation with a part glazed door and revised the fenestration on the rear flat roofed section.

5. The third amendments, submitted on 28th February 2011, substantially altered the original design and re-sited the extension from the side of the building to the rear. The extension incorporates a two storey gable set under the ridge height of the existing building extending at a depth of 7.7m at from the existing ground floor corridor. In addition, the proposed replacement garage has now been omitted from this application and approved under planning application **S/0084/11**.

Planning History

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

Planning Policy

8. **National Policy**
 - (i) **Planning Policy Statement 5 (PPS5): *Planning for the Historic Environment***
 - (ii) **Planning Policy Statement 5: Planning for the Historic Environment: *Historic Environment Planning Practice Guide***
9. **Local Development Framework Development Control Policies (Adopted July 2007):**

DP/1 (Sustainable Development), **DP/2** (Design of New Development), **DP/3** (Development Criteria), **DP/7** (Development Frameworks), **CH/3** (Listed Buildings), **CH/4** (Development Within the Curtilage or Setting of a Listed Building), **CH/5** (Conservation Areas) and **NE/6** (Biodiversity).
10. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

District Design Guide SPD – adopted March 2010
Development Affecting Conservation Areas SPD - Adopted January 2009
Listed Buildings SPD – adopted July 2009
Biodiversity SPD – adopted July 2009

Consultation

11. **Kingston Parish Council** (11th March 2011) – Recommend approval.
12. **Tree Officer** – No Objection.
13. **Ecology Officer** – Recommends refusal. The report highlights a number of important observations, namely: 1) the assessment was undertaken in Feb 2010. This is outside of the main bat activity period and given the rain and snow of the winter any external field signs would have been lost. Thus the assessment was conducted in a sub-optimal period to gain info on how bats might use external features of the buildings. 2) In the Old Rectory it is reported that thousands of various aged droppings were found, and is thought to be a possible maternity roost. This is important. 3) In the Thatched Barn much less bat activity (15 droppings) was recorded, and the building is thought to be a relatively minor bat roost. 4) The report describes "Implications for development" part 2.3.4 (regarding the Old Rectory) states, "In order to be more certain of the proposed impacts of the work on bats, a more complete understanding of the nature of the bat roost including species and number of bats involved, how they are accessing and leaving the building, and the nature of the roost is required". This information has not been supplied yet the applicant has had the spring and summer months in which to collect the information.
14. The applicant's ecologist suggests that further survey work could be made a condition of any permission granted. I do not feel that this is the right approach given that very little is yet known about the species of bat(s) present, how bats access the buildings and whether or not bats are present at the site during the winter. If compensatory habitat needs to be provided the principle of its provision needs to be considered before any planning permission is granted otherwise issues may arise later that cannot be successfully resolved.
15. I recommend that the application is refused on inadequate ecological information to fully assess the implications of the development upon a protected species (bats). Policy NE/6 part 3, biodiversity is relevant. I do not wish to suggest a condition, as I do not feel that I yet understand how the development can be adequately mitigated with respect of any impact upon the species of bat(s).
16. It was noted that the ecologist was keeping a watching brief for barn owls and found no signs. However, given the age of the building and its number of holes and crevices the building may also be used by house sparrows, starlings and swifts. Has any consideration been given to this point? Summer surveys could have investigated this.
17. **Listed Building Officer** – Recommends approval. The third amended design has been subject to extensive discussion with English Heritage and is considered acceptable in terms of scale, form, massing and design. The extension will read as a modern addition that is subservient to the rear elevation and does not compete with the existing crosswing and historic extensions. The original plan form of the building will be retained and the loss of historic fabric will not be significant. Materials will match the existing building and the style of fenestration is simple and will not detract from the character of the rear elevation. Adding a chimney for the Aga flue visually breaks up the bulk of the extension and as chimneys are a feature of the building, does not look out of place.
18. **English Heritage** – Recommends approval. The third amended design shows a significant change to the previous proposal because the "cross-wing" form is no longer seen in the front elevation. I was previously concerned about this aspect

because of the way it affected a reading of the historical development of the building. The proposed extension is still quite a significant addition to the rear elevation. It is relatively modest when seen on the rear elevation but does project some distance from the main building. This undermines the way in which the linear form - derived from and perpetuating the presence of the aisled hall - can be determined. I retain some reservations about this and feel there is a degree of harm to the significance of the building. However, given the other improvements to the design I would not on balance object to the application.

Representations

19. None

Planning Comments – Key Issues

20. The key issues to be judged in the determination of the application are the impact of the development on the Grade II* Listed Old Rectory, the impact on the Conservation Area, the impact on the adjacent Grade I Listed Church and the impact on protected or priority species.

Impact on the Grade II* Listed Old Rectory

21. The comments of the listed building officer and English Heritage are noted above and in summary these conclude that the revised extension is considered to be acceptable in terms of scale, form, massing and design. Evidence suggests that there was a former opening in the rear elevation adjacent to the pantry that was probably blocked in the early 20th century and therefore the loss of historic fabric for the opening between the main range and the extension would be minimal. The first floor opening would result in the loss of some 19th century fabric but is considered necessary in this design.
22. Opening up in the area of the proposed French doors to the rear suggests that this area of brickwork was rebuilt in the 20th century and therefore the loss of historic fabric will not be significant. However, the existing door and window are of historic interest and the window should be reused in the pantry and the door in the boot room and agreed by condition. This would ensure the retention of historic joinery and in the case of the boot room would result in a more appropriate style.
22. Two new windows are proposed on the front elevation to replace modern windows and in principle there is no objection to the style subject to further details. Internally the plan form and layout would remain largely unaltered and there is no objection to the alterations. There would be some impact on the character of the interior and some loss of historic fabric but this would not be significant and is considered acceptable in order that the building meets the needs of a modern family. The proposal is therefore considered to accord with Policy CH/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 (DPD).

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

23. The listed building makes a strong visual statement within the Conservation Area. Due to the revised scale, form, bulk and design the proposed extension is considered to preserve the character and appearance of the Conservation Area and respect the setting of the adjacent listed church. Consequently, the proposal is considered to accord with Policies CH/4 and CH/5 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 (DPD).

Impact on Protected or Priority Species

24. The comments of the Council's ecology officer in paragraphs 13-16 are noted and the applicant is currently undertaking a bat survey. Both applications are recommended for delegated approval/refusal subject to the prior submission of the results of the survey to the satisfaction of the Council's Ecology Officer. In the event that the survey is considered unacceptable, officers are of the opinion that there are no extenuating circumstances why the applications need to be approved in the interests of the listed building.

Conclusion

- 25.. The revised proposal has been subject to extensive discussion with English Heritage and is considered to be acceptable in terms of scale, form, massing and design. The extension will read as a modern addition that is subservient to the rear elevation and does not compete with the existing crosswing and historic extensions. Conditions are recommended below to ensure details appropriate to the listed building and both applications are recommended to be delegated for approval subject to the undertaking and submission of a bat survey to the satisfaction of the Council's ecology officer.

Recommendation

26. Delegated approval/refusal of both applications, subject to the submission of a bat survey to the satisfaction of the Council's ecology officer and subject to the following conditions:-

S/0816/10/F

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: 470/A3/350B, 470/A3/351B, 470/A3/352B, 470/A3/353A, 470/A3/360B, 470/A3/361B, 470/A3/370B, 470/A3/390A, 470/A3/391A and 470/A3/392A (stamped 28th February 2011).**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **The development shall be carried out in accordance with the additional conditions attached to the concurrent listed building consent approved under reference S/0817/10/LB**
(Reason: - For the avoidance of doubt)

S/0817/10/LB

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

2. **No development shall commence until a scheme comprising a full specification and schedule of works including any structural works required for new openings and working drawings has been submitted to and approved in writing by the Local Planning Authority. The scheme shall comply with the other conditions of this consent. Any amendment to the scheme, including works required by Building Regulations or from a structural survey, shall be approved beforehand in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.**
(Reason - To ensure the proper control of works and compliance with the approved plans and the conditions of this consent and details appropriate to the listed building in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

3. **No development shall commence until arrangements have been made to enable the Local Planning Authority (normally the Council's Conservation Officer) to meet the owner or agent and the contractor on site to discuss the conditions of this Consent and the manner of works.**
(Reason - For the avoidance of doubt and to ensure the proper control of works.)

4. **No development shall commence until precise details of the proposed windows and doors to a scale of at least 1:20 have been submitted to and approved in writing by the Local Planning Authority. The details shall show sections, opening arrangements and glazing bar patterns. All windows shall be of timber construction and painted and the windows in the main range shall be single glazed. The development shall be carried out in accordance with the approved details.**
(Reason – To ensure joinery appropriate to this listed building in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

5. **No development shall commence until:**

- (i) **A sample panel of brickwork has been constructed on site to enable the Local Planning Authority to agree the type of brick, the bond, the joint detail and the mortar mix.**
- (ii) **A sample of the proposed roof tiles has been provided on site**

The development shall be constructed in accordance with the approved details.
(Reason - To ensure detailing and materials appropriate to this listed building in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

6. **No development shall commence until precise details of the following items have been submitted to and approved in writing by the Local Planning Authority:**

- (i) **The position and details of soil vent pipes, extract vents and flues**
- (ii) **The size and manufacturer of rooflights to be inserted with flush detail**

The development shall be constructed in accordance with the approved details.
(Reason - To ensure detailing and materials appropriate to this listed building in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

7. **All mortars, plasters and render shall be lime rich to specifications submitted to and agreed in writing by the Local Planning Authority.**

(Reason - To ensure the use of the appropriate mix of traditional lime plasters and mortars in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

8. Existing internal plaster on walls and ceilings shall be retained and protected during works and no internal plaster shall be removed without the written consent of the Local Planning Authority.

(Reason - To protect the historic fabric of this listed building in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

9. The approved roof tiles shall be laid without the use of tile and a half at the verges.

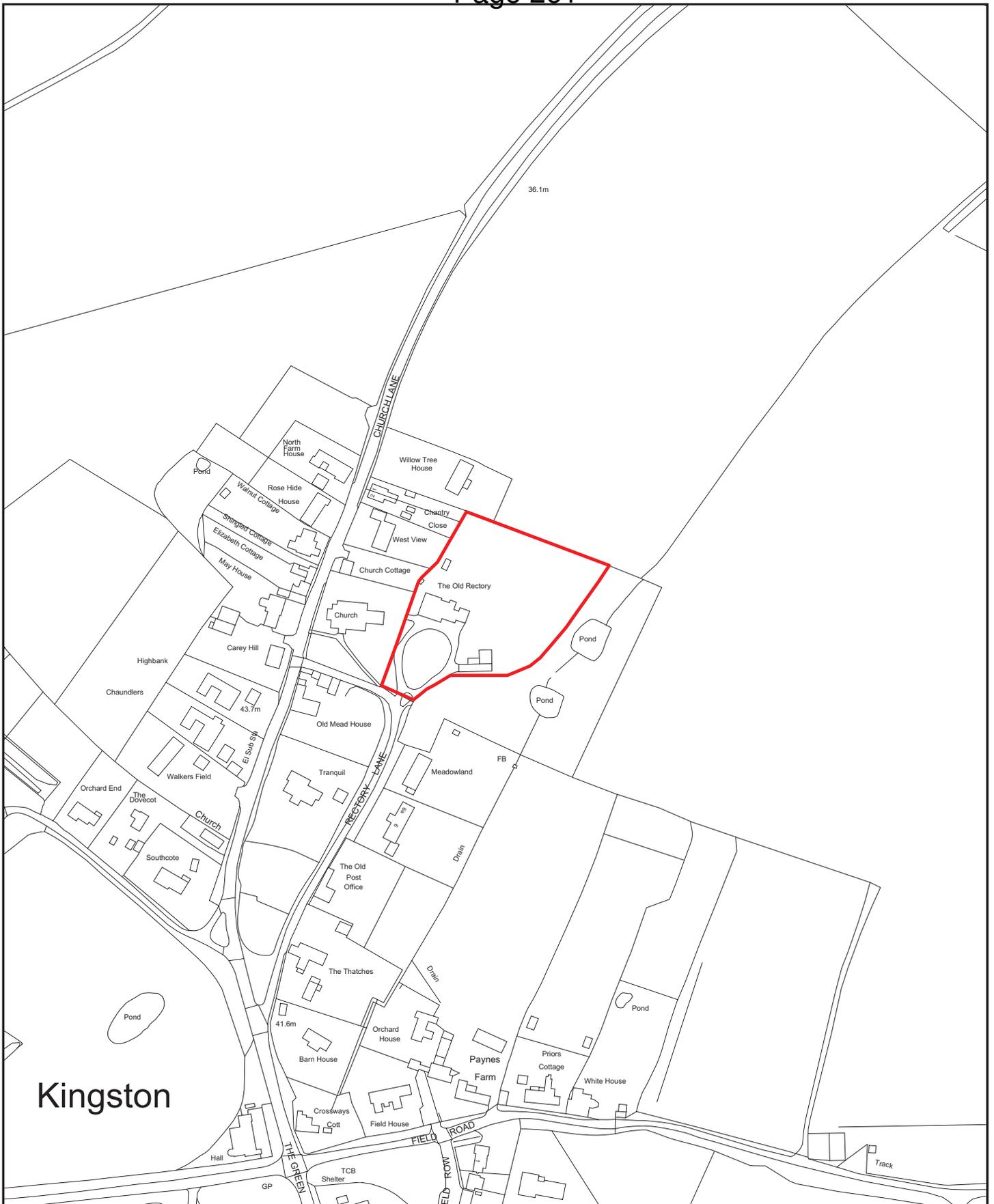
(Reason - To protect the appearance of the listed building and to ensure traditional detailing in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

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

- Circular 11/95 – Use of Conditions in Planning Permissions
- Planning Policy Statement 5 (PPS5): Planning for the Historic Environment
Planning Policy Statement 5: Planning for the Historic Environment: Historic Environment Planning Practice Guide
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire LDF Supplementary Planning Documents (SPD): District Design Guide SPD, Development Affecting Conservation Areas SPD, Listed Buildings SPD and Biodiversity SPD
- Planning Applications: SC/0459/73/F, S/2020/93/LB, S/0848/10/F and S/0849/10/LB, S/0084/11.

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**South
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Planning Dept - South Cambridgeshire DC



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 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 27 April 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/0609/10/F	Mr & Mrs A Curtis 345 St Neots Road Hardwick Replacement Dwelling	Allowed	06/04/11
S/1935/10/F	Dr P M Jackson 21 The Sycamores Milton Conservatory	Dismissed	19/04/11

- Appeals received**

Ref. no.	Details	Decision	Decision Date
S/0561/10/LB	Mr P Harris 20 The Green Eltisley Extension and Alterations to dwelling	Refused	07/04/11
S/2053/10/F	Mr P Harris 20 The Green Eltisley Extension and Alterations to dwelling	Refused	07/04/11
S/0008/11/F	Mr & Mrs J Smith Oxcroft Farm Honey Hill West Wrattling	Refused	11/04/11
S/1825/10/F	Mr S Taylor 80 High Street Sawston Change of use from Shop (A1) to Offices (B1a) or Shop (A1) in the Alternative	Appealing Condition	13/04/11

S/1513/10/F	Mr A Banks Land west of Manor Farm Washpit Lane Harlton New Hay/Straw & Cattle Store	Non- determination	19/04/11
S/1139/10/F	Mr & Mrs J West 5 The Pudgell Great & Little Chishill Replace existing garage with outbuildings to provide carports, storage ,gym & workshop	Refused	26/04/11

- **Summaries of important decisions**

4. None

- **Local Inquiry and Informal Hearing dates scheduled before the next meeting on 11 May 2011.**

5. None

- **Appeals withdrawn or postponed:**

6.

Ref. no.	Name	Address	Hearing
S/0784/10/LB	Mr L Duke	Abbey Farm Barns, Duxford Road, Ickleton	11/04/11
S/1154/10/F	Amber Homes Ltd	7 Mortimers Lane, Foxton	12/04/11

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

7. None

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

- None

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