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23 May 2011

To: The Chairman, Vice-Chairman and Members of the Planning Committee, to be appointed on 26 May 2011,
and to Councillor Peter Topping (Sustainability, Planning and Climate Change Portfolio Holder)

Quorum: 4

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 1 JUNE 2011 at 2.00 p.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
JEAN HUNTER
Chief Executive

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

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 11 May 2011 as a correct record. The minutes are attached to the electronic version of the agenda and can be accessed by following the links from www.scambs.gov.uk/meetings

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

- | | | |
|-----|---|----------------|
| 4. | S/0700/11 - Chittering (Parish of Waterbeach) (land to the rear of the Travellers Rest Public House) | 3 - 10 |
| 5. | S/0589/11 - Waterbeach (Rushill Farm, Long Drove) | 11 - 18 |
| 6. | S/0545/11 - Impington (Land between 51 and 67 Impington Lane) | 19 - 26 |
| 7. | S/0428/11 & S/0429/11(LBC) - Great & Little Chishill (17 Hall Lane) | 27 - 34 |
| 8. | S/1981/10 - Melbourn (Land adjacent to 25 Station Road) | 35 - 48 |
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| 10. | S/0587/11 - Sawston (Spring Close, Church Lane) | 59 - 68 |
| 11. | S/0733/11 - Willingham (57 Brickhills) | 69 - 78 |
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INFORMATION ITEMS

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| 13. | Cambourne Drainage update
A report from Taylor Wimpey is attached as an Appendix to the electronic version of this agenda and can be accessed by following the links from www.scambs.gov.uk/meetings | 87 - 88 |
| 14. | Appeals against Planning Decisions and Enforcement Action | 89 - 90 |

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

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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).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

South Cambridgeshire District Council

Planning Committee – 1 June 2011 – Declaration of Interests

Councillor

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Village:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Village:

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Reason:

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Personal / Personal and Prejudicial [delete as appropriate]

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 June 2011

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

S/0700/11 - Waterbeach**Retention of office porta cabin building in conjunction with the existing caravan and camping site at The Travellers Rest, Ely Road, Chittering for Mr Colin Crickmore****Recommendation: Approve Conditionally****Date for Determination: 31 May 2011**

This application has been referred to the Planning Committee for determination because the recommendation of the Waterbeach Parish Council does not accord with the officer recommendation.

Members will visit the site on 1 June 2011.

Site and Proposal

1. The application site is located outside of the village development framework of Waterbeach in the hamlet of Chittering within the open countryside. The site comprises of an open piece of land to the rear of the Travellers Rest Public House, which is currently unoccupied. The site is accessed via an entrance onto School Lane and is adjacent to the Ely Road (A10).
2. The site comprises approximately 1ha of land and has an established use as a caravan and campsite. A former ablutions block has since been removed. The site is currently undergoing ground works in accordance with the lawful consent for the use of the land as a campsite. This includes the provision of a toilet block, disabled toilet and septic tank located within the south east corner of the site. In addition the site has been laid out with a central road spine comprising of hard standing to facilitate ten caravan pitches with a turning head.
3. The proposal comprises the retention of a portacabin building to serve as a manager's site office. The cabin building has a flat roof and is finished in an off white cladding with blue plinth and has UPVC fenestration. The building sits off the ground with timber stairs leading to entrance doors. The building is required to provide essential onsite facilities to ensure that the site is maintained and managed for both visitors and surrounding residents.

Planning History

4. Planning Application **S/0671/08/F** for the siting of a permanent year round warden office was refused on the grounds of flood risk and harm to the character and appearance of the surrounding area and residential amenity.

5. Planning Application **S/0447/06/F** for the use of existing touring caravan and camping site for the siting of 18 cabin style static holiday units was refused on the grounds of adverse impacts upon the residential amenities of surrounding properties.
6. Planning Application **S/1217/04/F** for redevelopment of existing caravan park to comprise 39 touring pitches, new toilet/shower/laundry block, reception building and internal road and the extension of season to 11 Months from 6th February to 5 January was approved but was never implemented.
7. Planning Application **S/0294/86/F** for all year round touring camp site and shop was refused on the grounds of the detriment to the character of the area.
8. Planning Application **S/1446/73/F** for use of existing touring caravan and camping site for the siting of 18 cabin style static holiday units was approved and was implemented.
9. Planning Application **S/1027/73/O** for a touring caravan site was approved.

Policies

10. South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
 - DP/1** Sustainable Development
 - DP/2** Design of New Development
 - DP/3** Development Criteria
 - DP/7** Development Frameworks
 - NE/1** Energy Efficiency
 - ET/10** Tourist Facilities and Visitor Accommodation

Consultations

11. **Waterbeach Parish Council** – Recommend refusal on the grounds that the proposal represents inappropriate development within this location. Furthermore concerns are raised over the correct implementation of the lawful consent for a campsite.
12. **Environmental Health** – No comments have been received.
13. **Environment Agency** – Raise no objections in principle subject to the use of an informative advising the applicant that the consent of the Environment Agency will be required for any private sewage treatment.

Representations

14. 6 letters of objections have been received from local residents raising the following comments:
 - (a) School lane and the junction with the A10 is not adequate to take any further traffic as it is often congested with large agricultural vehicles passing through from Ely;
 - (b) There has never been a site office on the land and the field has already been overdeveloped;

- (c) The site is visible from school lane and the A10;
- (d) Since the planning approval and caravan licence the application site boundaries have been made smaller;
- (e) The office building is sited within close proximity to the playground as the previous siting is no longer in the ownership of the land;
- (f) There is no mention of any landscaping as identified within 1974 license;
- (g) No vehicle parking or site parking spaces have been identified;
- (h) It is expected that the onsite manager will live on the site all year round even though the license is only for 6 months of the year;
- (i) The applicant has attempted to gain wider permission for the site and this is a small step to a larger development proposal;
- (j) The development suggests the potential for future dwellings;
- (k) It is not clear if the development accord with building regulations;
- (l) The validity of the lawful use of the site is in doubt due to the changes to the application site;
- (m) The hard standing will increase the risk of surface water run off;
- (n) Previous consent for a similar building have been refused;
- (o) The office is harmful upon the privacy and amenity of the School House;
- (p) A number of conditions requiring landscaping have not been implemented and are needed to mitigate the impact of the development;
- (q) The application was made after the building was put in situ.

Planning Comments

15. The key considerations in the determination of this application are the impact that the development would have upon character and appearance of the public realm and open countryside and residential amenity.

Public Realm & Open Countryside

16. The site manager's office is sited upon the southern boundary of the site within close proximity to the 1.8m high brick boundary wall serving the Old School house. This location is within close proximity to the toilet building and other utilities creating a tight building group with the backdrop of the linear residential pattern of development fronting School Lane. Whilst the building is visible from views from School Lane and the A10 its position is considered to be less intrusive than other potential locations within the application site. It is considered necessary to group buildings together so their overall group relationship is less prominent from within the countryside. The siting is also required to be close to the entrance to deal with incoming holidaymakers.
17. Notwithstanding the above, the building's form and finish is not considered to be appropriate within the countryside location. A more appropriate finish would allow the building to better assimilate into its surroundings. This could also be said of the existing toilet block building, which is permitted by virtue of the sites caravan license. Given that the application for the building is retrospective the only option to mitigate its current appearance is to clad or paint the structure to enable it to appear softer and more akin within its rural setting. This matter has been raised with the applicant's agent who has confirmed that the building can be painted a dark green or brown to mitigate its appearance. In addition the applicant has agreed to colour the toilet block a similar colour to help assimilate the building group as a whole.

18. It was the opinion of officers that the building would be better sited due west of its current location to further enclose the building group within a tighter relationship. The applicant has confirmed that he does not accept that the building should be moved. He has however confirmed that he will paint the building and plant around it if necessary. It is unclear to officers how sufficient planting can be achieved between the building and the boundary with the Old School House. Nevertheless, officers are of the opinion that subject to the finish of the building, within its current location no unduly adverse harm upon the character or appearance of the public realm and open countryside has occurred.
19. It is the view of officers that the proposals would be made acceptable by conditions requiring the agreement and implementation of the finish of the building and soft landscaping around it are to be submitted within 3 months of the issuing of the decision.

Residential Amenity

20. The office building is sited due north of the residential rear garden serving the Old School house. The building is sited approximately 2m from the existing 1.8m brick wall that denotes the edge of the curtilage of this property and sits approximately 3m in height, with 1.2m of the building being visible above the boundary wall from within the curtilage of the property. There are a number of mature trees sited along this boundary within the curtilage of the Old School House, which offer a degree of screening and visual softening of the building and the wider camp site.
21. It is acknowledged that in addition to the site managers building the existing permitted toilet building would also be sited within close proximity to the boundary of the rear garden serving the Old School House. As a consequence the northeast corner of this boundary would be enclosed by the portable buildings, both of which measure 10m in length. Whilst this is an unfortunate relationship for the outlook from the amenity of this property it is evident that the dwelling and its immediate amenity area within this garden is located approximately 24m away from this common boundary. As a comparison the District Design Guide specifies the minimum acceptable back-to-side relationship of buildings to be 14m and in this instance the building in question is only partially visible above the existing boundary treatment. Therefore in consideration of the existing boundary treatment, screening and height of the structure relative to its distance from the immediate amenity areas of the Old School House it is the view of officers that no adverse impact upon the amenity currently enjoyed by its occupiers has occurred.
22. The office building does contain a window overlooking the garden of the Old School House, which serves a toilet. A condition specifying this window to be obscure glazed and fixed shut apart from top vent opening only would address any potential overlooking and safeguard the privacy of the occupiers of this property. Furthermore, the site office will only be required during the months when the site is in operation. Therefore a condition shall also be imposed ensuring that the building is only occupied from April to September in accordance with the overall site restrictions imposed by the Site Licence.

Other Matters

23. Representations raised by local residents have raised concerns over the implementation of the wider consent for the site's use and permitted development for ancillary and essential buildings. These are not material to the determination of this application for the retention of a site managers office and have not been taken into consideration in the determination of this planning application.
24. Notwithstanding the above, officers have sought the council of senior legal officers and confirm that the use of the site as a seasonal camp site is lawful and has been implemented despite the application site being sub-divided over the years. Furthermore, certain facilities and utilities such as septic tank and toilet building are permitted development in accordance with the site's caravan licence.

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

Approve subject to the following conditions:

1. The building, hereby permitted, shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of any one of the following requirements not being met:
 - i) Within 3 months of the date of this decision there shall have been submitted to and approved in writing by the Local Planning Authority schemes for the external finish of the building and soft landscaping, the said schemes shall include a timetable for their implementation.
 - ii) Within 6 months of the date of this decision, the external finish of the building and soft landscaping schemes shall have been approved by the Local Planning Authority or, if the Local Planning Authority fail to approve such schemes, or fail to give a decision within the prescribed period, an appeal shall have been lodged and accepted by the Secretary of State;
 - iii) In the event of an appeal being made in pursuance of requirement (ii) above, that appeal shall have been finally determined and the submitted schemes shall have been approved by the Secretary of State.
 - iv) All works comprised in the schemes as approved shall be implemented and completed within the timetable set out in the approved schemes.

(Reason - To ensure that a scheme of soft landscaping and external finish of the building are implemented in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

2. Within 2 months of the date of this decision, apart from any top hung opening vent, the windows in the southern elevation of the building, hereby permitted, shall be fixed shut and permanently glazed with obscure glass, and no further windows shall be installed within this elevation without the prior written consent of the Local Planning Authority.
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

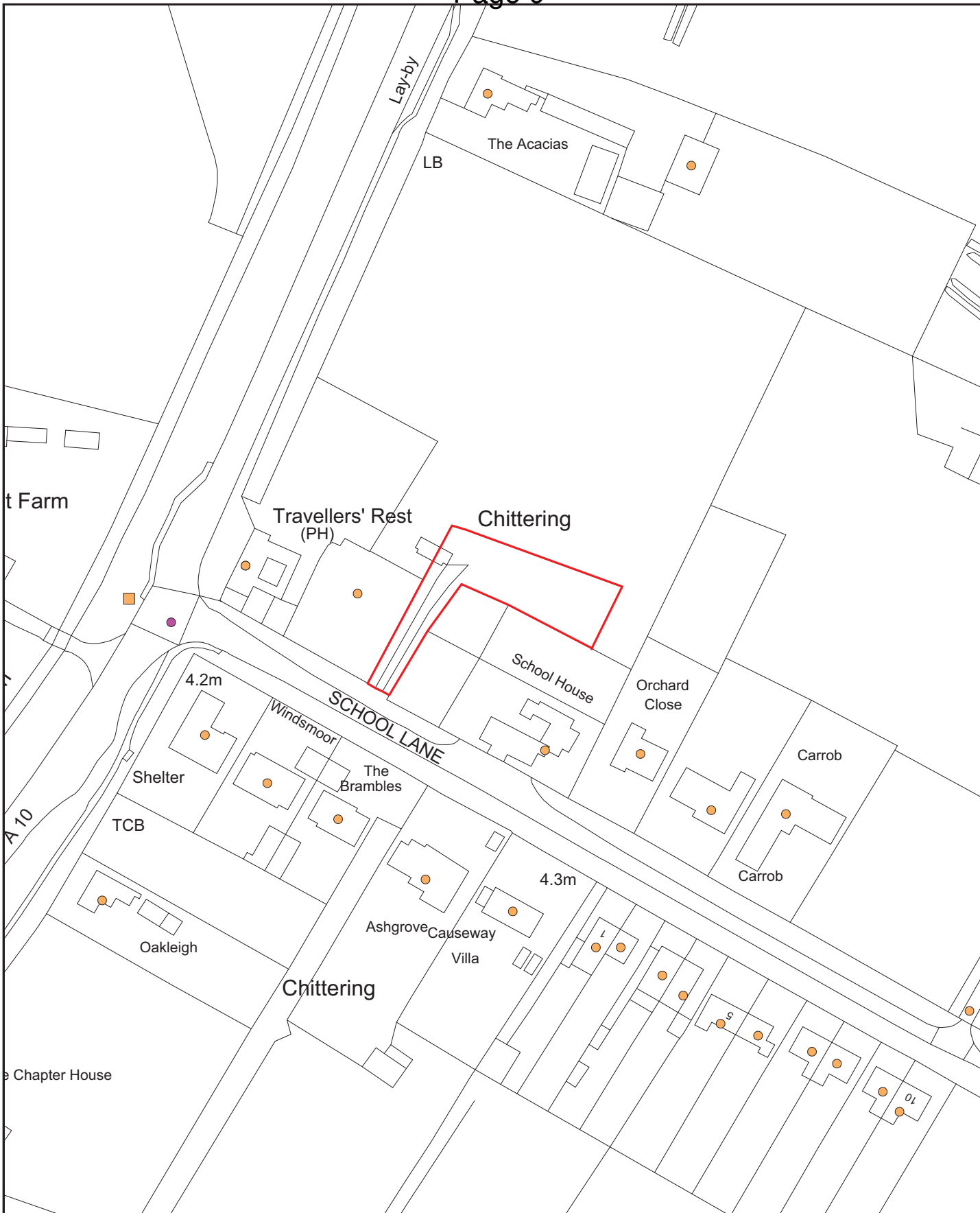
3. The building, hereby permitted, shall not be occupied
- other than by a site manager,
 - before the 1 April or after the 30 September, and
 - unless the site is open and available to the public as a caravan and camping site.

(Reason - To ensure that the site is retained for seasonal/tourist use only in accordance with Policy ET/10 of the adopted Local Development Framework 2007.)

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 Local Development Framework Supplementary Planning Documents: District Design Guide
- Planning file reference: S/0700/11.

Contact Officer: Mike Jones – Senior Planning Officer
01954 713253



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 June 2011

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

S/0589/11 – WATERBEACH**Erection of Stables and Creation of Menage with Associated Access, Parking and Turning Area at Rushill Farm, Long Drove for Mrs C. Lock****Recommendation: Approval****Date for Determination: 25 May 2011****Notes:**

This application has been reported to the Planning Committee for determination as the recommendation of officers conflicts with the recommendation of the Parish Council

Site and Proposal

1. The site is located 4km outside the Waterbeach village framework and within an isolated position in the countryside. It measures 0.35 hectares in area and currently forms part of a larger area of paddock land that is split into smaller paddocks and separated by post and wire fencing and drainage ditches. A sporadic hedge lies on the grass verge adjacent to Long Drove and forms the eastern boundary. The site is situated within flood zone 3 (high risk). Long Drove is a single carriageway, tarmac road. The railway line is situated 0.5km to the west and the River Cam lies 1km to the east. The nearest residential property is at Willowcroft, approximately 100 metres to the north west.
2. This full planning application, received 30th March 2011, proposes the erection of a stable block and the creation of a menage with an associated parking and turning area. The stable block would be situated on the northern part of the site and measure 14.5 metres in length, 10.3 metres in width, and have a height of 2.675 to the eaves and 4.665 to the ridge. It would comprise five stables and a tack room. Four parking spaces and a turning area would be provided to the east of the site. The menage would be situated on the southern part of the site and measure 45 metres in length and 25 metres in width. It would have grassed banks on its east and west sides and two, five metre high floodlights on each of the east and west sides. The access point is existing and would be positioned centrally.

Planning History

3. Planning permission was refused for the erection of a stable block and the creation of a menage with an associated access, parking and turning area in February 2011. The application was on a different site and the grounds of refusal related to the isolated siting of the development.

Planning Policy

4. **Local Development Plan Policies**

South Cambridgeshire LDF Development Control Policies DPD, 2007:

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/7 Development Frameworks

NE/1 Energy Efficiency

NE/6 Biodiversity

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Trees & Development Sites SPD - Adopted January 2009

Landscape in New Developments SPD - Adopted March 2010

District Design Guide SPD - Adopted March 2010

5. **National Planning Guidance**

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Statement 7 (Sustainable Development in Rural Areas)

6. **Circulars**

Circular 05/2005 Planning Obligations

Circular 11/95 The Use of Conditions in Planning Permissions

Consultation

7. **Waterbeach Parish Council** - Recommends refusal due to inadequate provision of information on the points of concern to the Council (raised in response to previous application). In particular need:

- a) Additional information on the number of traffic movements to assess impact on the access road (Long Drove).
- b) Assessment of adequacy of car and other (horsebox) parking for the long term use of menage, 4 horses to be stabled, is the menage to be made available for lessons with people bringing horses or using horses there only, is the number of horses likely to increase, needing additional provision?
- c) Specific control of operating hours of menage and time of lighting (this could be by condition).
- d) More information with respect to drainage, the scheme information provided does not seem to indicate flow direction.

8. **Local Highways Authority** - Requires a condition in relation to the use of the stables for non-commercial purposes in order to control traffic movements.

9. **Trees and Landscape Officer** - Has no objections and comments that landscaping may be of potential concern.

10. **Landscape Design Officer** - Comments are awaited.

11. **Acting Environmental Health Manager** - Comments are awaited.

12. **Environment Agency** - Comments that the site is within flood zone 3, high risk and that the flood risk assessment submitted is acceptable in principle. However, the applicant should be aware that whilst the site is currently defended by a flood embankment, it remains at flood risk and no guarantees can be given to the long term maintenance of any embankments. Requires a condition in relation to a scheme for the provision and implementation of pollution control to the water environment and various informatives in relation to drainage matters.
13. **Waterbeach Level Internal Drainage Board** - Has no objections in principle and comments that the Board's preference for drainage at this site would be the installation of trench soakaways that would meet BRE design standards and accommodate a 1 in 100 year storm event plus climate change. If the applicant wishes still to discharge directly to a watercourse, they would require a consent to discharge to the Board's district. The Board would also seek a commuted sum to deal with extra water coming into this system.

Representations

14. **Applicant's Agent** - Has the following response to the Parish Council's queries: -
- " a) The barn and menage is predominantly for personal use by the applicant, with livery for 2 further horses for owners who live on Long Drove and who currently graze their horses on Rushill Farm. The provision of the barn will enable the owners of the liveried horses to visit by bike rather than car as equipment will be able to be stored on site, which is not currently possible. Thus the number of traffic movements will be reduced or stay the same as a result of this development.
- b) The menage is for the personal use of the applicant and her 2 livery owners to school and exercise their own horses; the applicant's horsebox will be parked in a secure barn immediately adjacent to the Rushill Farm house; no horseboxes or lorries will be stored on the site. Although the plan indicates four 3.2 x 6.5m parking spaces, they are on a planned area of 16m by 10.5m of reinforced grass available to short term parking on the site which will more than accommodate any occasional visitors. No riding lessons are planned and there is no intention of increasing the number of horses stabled on the site.
- c) As it is for private use there are no 'opening hours' as such for the menage. However it had been previously agreed that the applicant would be happy to ensure that the lights are to be switched off by 8pm and this still stands.
- d) We have had a copy of the response of consultation from the drainage board who have stated they have no objection to the proposal. I am assuming that this comment from the Parish Council relates to the previous application where it was intended to drain the development directly to the ditch -which is no longer the case. The drainage direction will flow from the menage to the soakaway."

Planning Comments – Key Issues

15. The main issues to consider in the determination of this application relate to the principle of the development and the impacts of the development upon the character and appearance of the area, trees and landscaping, highway safety, and flood risk.

Principle of Development

16. The erection of buildings for recreational equestrian purposes in the countryside is acceptable in principle, as the use needs to be located in a rural area.

Character and Appearance of the Area

17. Whilst it is acknowledged that the development would be located a significant distance away from existing groups of buildings in Long Drove, it would be situated immediately adjacent the road whereas the previous application was in an isolated location away from the road. The complex could not be located adjacent Rushill Farmhouse as the land adjacent the existing building has been planted to form a wildlife meadow and provide open views from the dwelling. It could also not be located adjacent the building to the rear of Rushill Farm as the adjacent land is not owned by the applicants. The siting of the development is therefore considered appropriate. The footprint of the building is considered proportionate to the amount of grazing land and would comply with the British Horse Society's recommendation of 2 horses per hectare. The modest scale and design and external appearance of the stable building would be satisfactory. The materials would reflect traditional agricultural buildings in the locality. Although the menage, bunds, and floodlights would not be in keeping with the soft landscape character of the area, they are not considered to have an adverse visual impact upon the landscape. The development would not therefore adversely affect the character and appearance of the countryside.

Trees and Landscaping

18. The proposal would not result in the loss of any important trees and landscaping that contribute significantly to the visual amenity of the area. A landscaping scheme would be a condition of any consent in order to soften the impact of the development upon the countryside.

Highway Safety

19. Whilst it is noted that Long Drove is a single width carriageway, the proposal is not considered to result in traffic generation that would be detrimental to highway safety providing the site is not used for commercial purposes. This would be a condition of any consent.

Flood Risk

20. Whilst it is acknowledged that the development would be located within the high risk flood zone, it is not considered to significantly increase the risk of flooding to the site and surrounding area. The area has not flooded in 60 years, even during the severe flooding in 1947, the River Cam has flood defences in place in the form of high banks that have a standard of protection

of greater than 1 in 100 years including climate change, the nearby drainage ditches have a 1 in 100 years probability of flooding, and surface water drainage from the development would be disposed via water harvesters and nearby existing drainage ditches (controlled to ensure it would not exceed the natural current Greenfield run off rate of 0.14 litres/second).

Other Matters

21. The use of the floodlights during winter afternoons is not considered to result in light pollution that would harm the amenities of neighbours or the character and appearance of the countryside. The hours of use of the floodlights would be a condition of any consent.
22. A condition should be attached to any consent in relation to pollution control from the development.

Conclusion

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

Recommendation

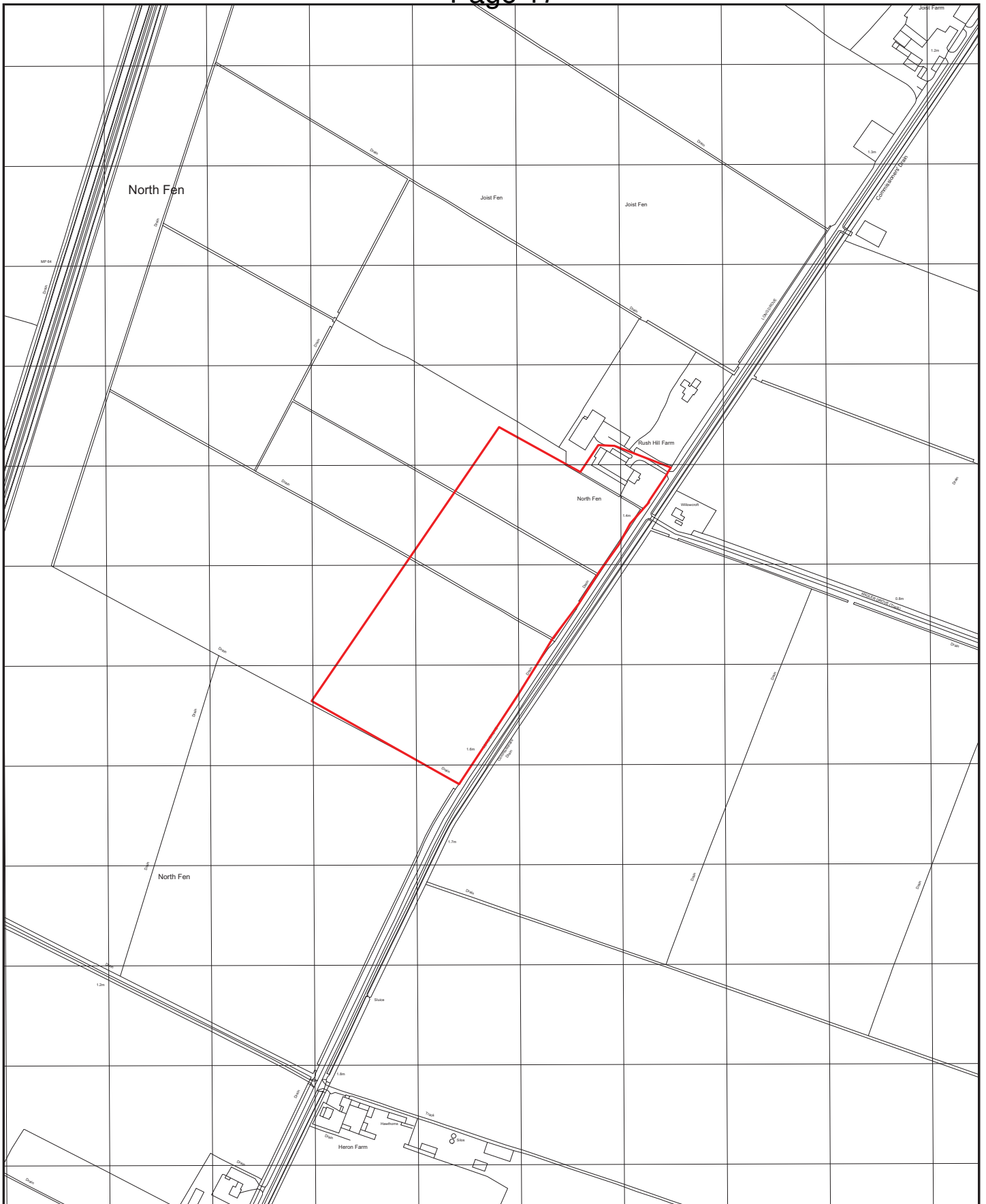
24. Approval subject to conditions
 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers: 2.1 03B, 02B, 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 samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. 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. The stable block, hereby permitted, shall only be used for private domestic purposes ancillary to the residential use of Rushill Farmhouse, Long Drove, Waterbeach, and no trade or business shall be carried on therefrom.
(Reason - In the interests of highway safety in accordance with Policy DP/3 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. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the Local Planning Authority.
(Reason - To reduce the risk of pollution to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)
8. The floodlights, hereby permitted, shall not operate between 22:00 hours and 08:00 hours.
(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:

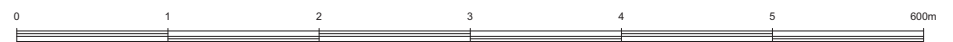
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents: Trees and Development Sites, Landscape in New Developments, and District Design Guide
- Planning Policy Statement 1
- Planning File Reference: S/0545/11

Contact Officer: Karen Pell-Coggins - Senior Planning Officer
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Planning Dept - South Cambridgeshire DC



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 June 2011

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

S/0545/11 – IMPINGTON**Vehicular Access to Agricultural Land at Land Between 51 and 67 Impington Lane for Unwins Horticultural Holdings Ltd.****Recommendation: Approval****Date for Determination: 12 May 2011****Notes:**

This application has been reported to the Planning Committee for determination as the recommendation of officers conflicts with the recommendation of the Parish Council

Site and Proposal

1. The site is located within the Impington village framework. It measures 0.013 hectares in area and currently comprises an open hard surfaced piece of land to the north of Impington Lane that lies between residential dwellings. The site previously formed part of the car park to the Unwins factory site that has now been redeveloped for residential purposes (Merrington Place). A one metre high hedge aligns the boundary with the footpath.
2. No. 67 is a residential dwelling that is situated to the east. It has a conservatory attached to its front elevation, ground floor dining area/hall and utility room windows and first floor stairs, bathroom and secondary bedroom windows in its side elevation. A 1.8 metre high close boarded fence aligns the boundary. No. 51 Impington Lane has a ground floor secondary living room window in its side elevation. The front section of the boundary has low estate railings and the rear boundary adjacent the garden has a 1.8 metre high close boarded fence.
3. This full planning application, received 17th March 2011, proposes the creation of a new vehicular access for agricultural purposes to serve the adjacent field. The access would be constructed from tarmac and measure 5 metres in width. It would have 3 to 3.5 metre wide grass verges either side. A 1.3 metre high field gate would be set back 21 metres from the footpath with sections of 1.8 metre high close boarded fences to either side. The access would be used for maintenance and hedge trimming to the field approximately twice a month, and other than in exceptional circumstances, during the week at normal working hours.

Planning History

4. None relevant.

Planning Policy

5. Local Development Plan Policies

South Cambridgeshire LDF Development Control Policies DPD, 2007:

- DP/1** Sustainable Development
- DP/2** Design of New Development
- DP/3** Development Criteria
- DP/7** Development Frameworks
- NE/1** Energy Efficiency
- NE/6** Biodiversity

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

- Trees & Development Sites SPD - Adopted January 2009
- Landscape in New Developments SPD - Adopted March 2010
- District Design Guide SPD - Adopted March 2010

6. National Planning Guidance

Planning Policy Statement 1 (Delivering Sustainable Development)

7. Circulars

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

Consultation

8. Impington Parish Council - Recommends refusal and makes the following comments: -

"The Parish Council feel some of the comments made in the Design and Access Statement are not accurate. Examples of this being in Items:

2.3 "Flanked on both sides by residential dwellings the application site is partially covered by an existing hard surface that once formed part of the Unwins factory car park and has direct access to the public highway namely Impington Lane" The Council feel the proposal is creating a new access to the site. The land for a considerable number of years was accessed through the land that is now the Merrington Place development. There was a strong view at the Full council meeting, that discussed this application, that this access, should it have been required, should have been included in the arrangements for that piece of land, rather than assuming an alternative access could be arranged. We would have wished not to create another vehicular access onto a narrow road (at the minimum size for a B Road) with narrow pavements and used by pupils going to the infants and junior schools (westwards in the morning) and IVC (going eastwards at the same time) and so at the time that the plans for Merrington Place were being discussed we would have expected the access through that land to be maintained if it were to be required in the future. That this was not done is not seen as sufficient reason to add another access onto the road.

3.1 " The use of hard core surfacing to this access will minimise debris being deposited along the public highway during use" The Council does not fully accept this comment. Diminish certainly, but reduce to a minimum is likely

3.2 "The proposed development layout would create an unobtrusive access that provides the required 70m visibility splays along Impington Lane". The Council feel this will not be unobtrusive as noise from vehicles waiting for the gates to open will be heard by neighbouring dwellings. There is no guarantee that the field will remain fallow in perpetuity. The consideration must be on the basis of any possible legitimate agricultural use. Elsewhere in the village we have seen the establishment of a soft fruit pack house serving many other farms and requiring considerable heavy goods traffic. As this was agricultural activity on agricultural land it required no planning permission. Hence our view that the access should be considered in light of potential future use.

Noting the Iron Age archaeological find in the neighbouring development, the Parish Council would request an archaeological report to be considered. The adjacent land had an archaeological survey before construction commenced and found, unexpectedly, evidence of iron age dwellings. They were expected to have been further up the hill (or slight incline if you were not close to the fens) and so it is a fair assumption that the dwellings would have continued up the slope through the land subject to the planning application. The Parish Council believes that at least a geo-physical survey should take place before the ground is disturbed.

Concerns were also raised about the excessive removal proposed for the existing hedge. The Parish Council were very exercised that the tree had been removed some time ago (well before the application) and despite many attempts no action had been taken by SCDC. The development of Merrington Place has lost for us many trees that bounded the road and this was one that had been saved: this was a crucial component of the attempt to maintain the street scene. We note that the developer has, with an obvious self interest, strongly cooperated in this matter.

The Council would ask for a condition to ensure the gate will be locked when not in use. Nearby residents fearful of unauthorised use have requested this condition. We feel that it would also be in the landowners' interest so would expect that even if the SCDC were mindful to grant consent that this condition should be added. Again we have experience of a farm access track in the village which is too often left unlocked at night, and the access used for a variety of nefarious purposes. We agree that locking would be expected to be in the interests of the landowner, but landowners come and go and we would consider having this as a condition on the permission would provide future protection.

District Council is aware of the Parish Council's concerns regarding a tree which was removed from this site without permission, and feel the total removal of the hedge is not required for the proposed access. Given that the proposed use is by agricultural vehicles with their high driving position the Council believes there is no need to remove any more hedge for sight line purposes. The hedge has already been punctured along Impington lane and its partial retention was part of the agreed landscaping of the site: any further unnecessary destruction is strongly opposed. The opening, should it be made, should be limited to the width of the vehicles requiring access."

9. **Local Highways Authority** - Requires conditions in relation to the provision of pedestrian visibility splays measuring 2.0 metres x 2.0 metres on either side of the access that are kept clear from obstruction over a height of 600mm and surface water drainage measures for the access. Also requests an informative in relation to works to the public highway.
10. **Trees and Landscape Officer** - Comments that a tree situated behind the hedge has already been removed clearly to make way for the removal of the hedge to gain access to this piece of land so unable to object.
11. **Landscape Design Officer** - No reply (out of time).
12. **Acting Environmental Health Manager** - Considers that the proposal would not have any significant noise or environmental pollution impacts.
13. **County Archaeology** - Requires a condition in relation to an archaeological investigation, due to the known presence of Iron Age and Romano-British remains on adjacent sites.

Representations

14. The occupier of No. 50 Impington Lane objects to the application on the grounds that there has been no historic access at this site; the appropriate access to the land should be via Merrington Place; the access is not necessary as the original plans for Merrington Place had a dwelling in the position of the new access; the field gate is set back from the road that would create an invitation for opportunistic abuse of the access for parking, fly tipping, and mobile residential vehicles; and that the access may set a precedent for future residential development at the site.

Planning Comments – Key Issues

15. The main issues to consider in the determination of this application relate to the impacts of the development upon the character and appearance of the area, trees and landscaping, highway safety, and neighbour amenity.

Character and Appearance of the Area

16. Whilst it is acknowledged that the creation of the new access and subsequent loss of the hedge along the road frontage would affect the character and appearance of the area, it is not considered to be harmful. The opening up of a 12 metre wide gap would not be out of keeping with the street scene along Impington Lane that consists of accesses to residential developments and individual dwellings, and a variety of boundary treatments along the road frontage that range from open gardens and low walls and fences to significant landscaping. The landscaping to the front boundaries of the dwellings either side of the access would be retained.

Trees and Landscaping

17. The proposal would not result in the loss of any important trees and landscaping that contribute significantly to the visual amenity of the area.

Highway Safety

18. The access to the site would measure 5 metres in width. 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. The non-permeable materials of the access would require surface water drainage measures to ensure that water would not drain on to the public highway. This would be a condition of any consent. The Local Highway Authority only requires the first 6 metres from the highway to be hardsurfaced to ensure that loose material is not displaced on to the public highway. This access would comprise 22 metres of hardsurfacing from the highway that is clearly above the standards.

Neighbour Amenity

19. Although the comments of the Parish Council in relation to noise and disturbance from agricultural vehicles waiting at the gates are noted, the frequency and nature of the use of the access and the period of time that the vehicles may be waiting to enter the site are not substantial. In addition, even if the use of the access were to increase in the future, it would be unlikely to seriously harm the amenities of neighbours, as the windows on the side elevations of the dwellings do not serve main habitable rooms, the conservatory to No. 67 is affected by existing traffic flows along Impington Lane, and the main garden areas are screened by high fencing.

Other Matters

20. A condition would be attached to any consent to ensure that an archaeological investigation is carried out on the site prior to the commencement of the development.
21. Whilst the new access may not be necessary or the most appropriate, this is the applicant's preference and the application has to be determined as submitted.
22. A gate that is closer to the road may result in a highway safety issue of vehicles waiting on the public highway to enter the site. It is not reasonable to condition the gate to be locked for security purposes as this is the applicant's choice.
23. The access would not set a precedent for future development as each application is determined upon its own merits and the impact of such a proposal would need to be carefully considered at the time of such an application.
24. Trespassing on private land for parking and flytipping are not planning considerations and would be covered by the police and environmental health legislation. The parking of mobile residential vehicles would similarly be a separate planning matter.

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 granted in this instance.

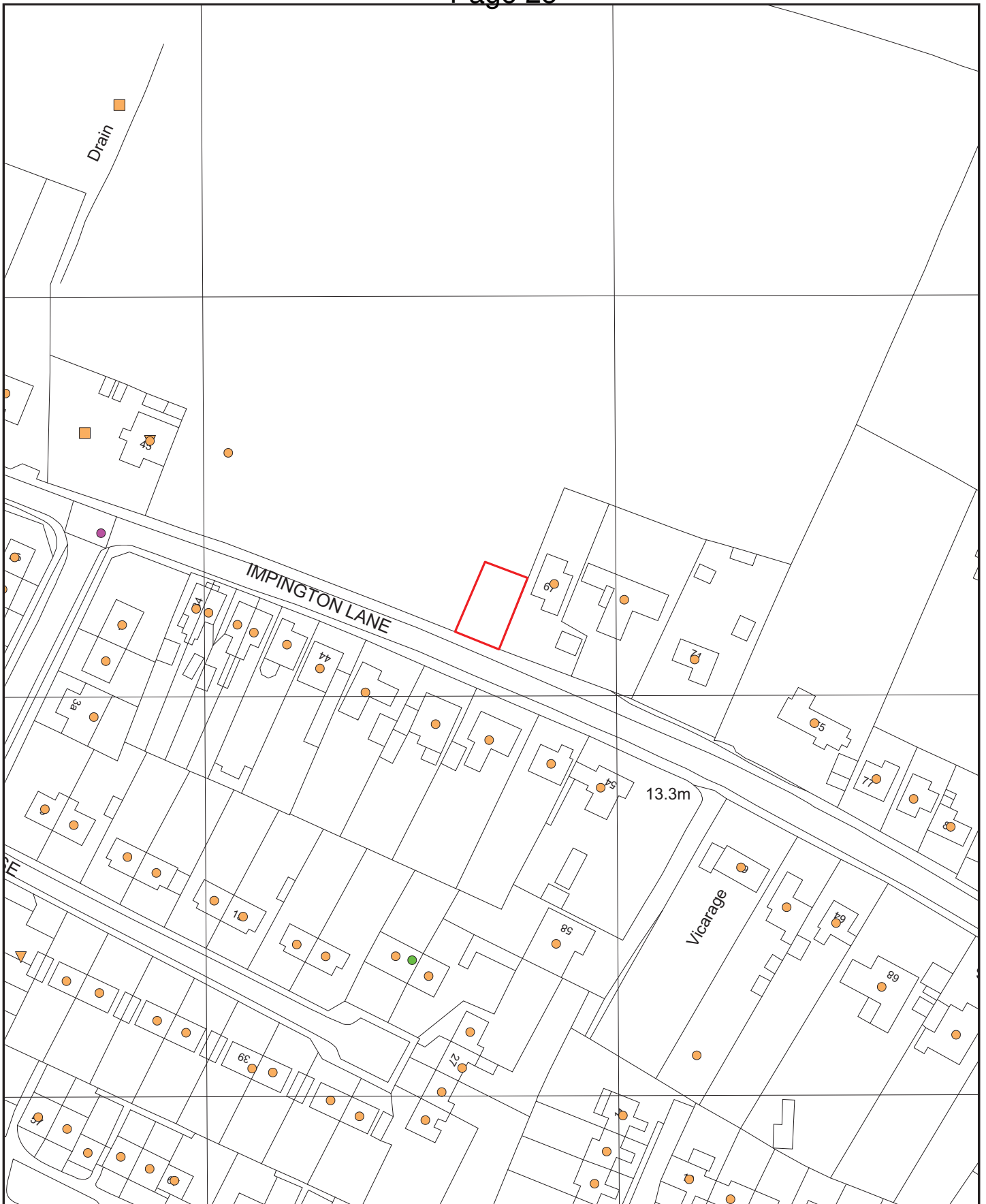
Recommendation

26. Approval subject to 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 number CBC303-100.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
 3. 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 2.0 metres x 2.0 metres measured from and along respectively the back of the footway.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
 4. No development shall commence until details of surface water drainage measures for the access 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 - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
 5. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents: Trees and Development Sites, Landscape in New Developments, and District Design Guide
- Planning Policy Statement 1
- Planning File Reference: S/0545/11

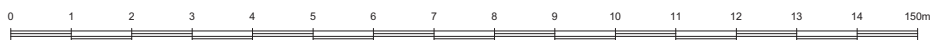
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 June 2011

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

**S/0428/11 & S/0429/11(LBC) – GT & LT CHISHILL
Extension and Alterations to Dwelling and Formation of Opening in Gable End -
17, Hall Lane for Mr & Mrs Scott****Recommendation: Refuse****Date for Determination: 12 May 2011****Notes:****This Application has been reported to the Planning Committee following a request from Cllr Barrett****The Site lies within the Chishill Conservation Area****Members will visit the site on the 1 June 2011****Site and Proposal**

1. 17 Hall Lane is a detached dwellinghouse dating back to the 16th and 17th century. The dwelling has a narrow linear plan form and thatched roofs and is Grade II Listed. The site falls within the Chishill Conservation Area, the dwelling is set within a modest plot and projects away from the adjacent highway (Hall Lane) running roughly south to north.
2. Thatched outbuildings also serve the dwelling and the site is bounded by a mixture of fencing and soft landscaping. Views of the dwelling are afforded through the vehicular access onto Hall Lane and also from the area of open space and public footpath to the east.
3. 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.
4. The full planning application, submitted on 28th February 2011, proposes the formation of a modest two storey extension to project from the northern gable of the dwellinghouse. To facilitate internal access to the extension (which forms a garden room and bedroom) a doorway is proposed at ground floor level within the existing dwelling in a location on the northern gable adjacent to a historic fireplace.

Background

5. The applicants sought pre-application advice with the Council's Conservation Team whose advice in response to phone calls and a letter was that if the wall identified for the insertion of the opening was historic, the principle of extension in this location would not be supported and if the range on which it was to be attached was modern, there would potentially be issues regarding the cumulative extent of extensions. The dates for this end of the building put forward by the applicant varied and subsequently an area of opening up to date the bricks took place after submission of the application. The bricks revealed accord with average dimensions given by the applicant's reference source for seventeenth century brickwork (i.e that the bricks average a height of 2"). Although the exact dates of the brickwork are not yet agreed, all parties have now agreed that both areas at least predate 1800, so are at least three hundred years old.
6. Parallel pre-application discussions also took place regarding the design of an extension if the principle of the opening could be agreed. The proposed roof was lowered and dormer and window positions were moved in accordance with agreement during those discussions.

Heritage assets which are affected by the proposal and the significance of the aspects affected

7. The heritage assets in relation to this case are the listed building and conservation area. Apart from the front porch and glazed lean-to, all bays of the house predate 1800 and are of high significance. The listing criteria notes that most buildings prior to 1840 are worthy of statutory protection, so both historic extensions would be afforded statutory protection in their own rights (DCMS Principles of Selection for Listing Buildings and specifically para 12). The westerly extension would be affected by the current proposed extension and dates from the seventeenth century. Its gable end comprises a substantial inglenook fireplace bay of circa 1700 with large central open hearth and two alcoves to the sides, following a typically subdivided arrangement for larger inglenooks, containing the oven (here on the right of the hearth) and the other originally containing seating and wood storage (on the left of the hearth).
8. The vernacular scale, form, design and thatched roof of the building are attractive and characteristic of historic rural cottages in the locality. The historic extensions to the house with their large and complex brick fireplace bay represent a later period of greater wealth circa 1700. Both the original building and the historic extensions are highly significant due to their architectural characteristics and evidence of social and architectural development of the house.

Planning History

9. None of relevance.

Planning Policy

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

DP/2 - Design of New Development

DP/3 - Development Criteria

CH/3 - Listed Buildings

CH/5 - Conservation Areas

11. **South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:**

Listed Buildings SPD - Adopted July 2009

Conservation Areas SPD - Adopted July 2009

12. **National Planning Policy**

PPS5: Planning for the Historic Environment

Consultations

13. **Gt and Lt Chishill Parish Council** – Recommends approval.
14. **Country Council Rights of Way and Access Team** - No objections but recommend standard informatives relating to the adjacent public footpath.
15. **Conservation Officer** - Comments form the substance of this report

Planning Comments – Key Issues

16. The key issues to consider in the determination of these applications are:
- The impact upon the special architectural and historic interest of the listed building.
 - The impact of proposals upon the character and appearance of the Conservation Area

Special Architectural and Historic Interest of the Listed Building

17. On the basis that the Conservation Officer now considers that the bricks within the northern gable elevation predate 1800, with a more precise date being sought from a brick specialist by the applicant, it has been possible to make a more informed conclusion about the extent of harm to that offered during the pre-application discussions outlined above.
18. The proposal would remove most of the rear wall of the fireplace seating alcove to form into a corridor to gain access to the extension. There would be substantial and permanent harm due to the loss of the space, a significant part of the inglenook fireplace and fabric of the historic gable wall.

19. The loss to public benefit caused by the harm to the heritage assets is not outweighed by the level of public benefit and under PPS5 HE9.2 the level of public benefit would need to be substantial if it were to outweigh the substantial harm. The benefits as a result of the proposals would be private rather than public, and no further special planning case has been presented for consideration.
20. Due to the removal of the historic walling, the impact would therefore be seriously harmful to the special interest and character of the listed building, contrary to policy CH/3 of the LDF and national planning policy PPS5 policies HE7 and HE9 (including HE7.2, HE7.5, HE9.1 and HE9.4).

Character and Appearance of the Conservation Area

21. The proposed extension is considered appropriately scaled and detailed so as not to have a significant adverse impact upon the special character of the listed building or the surrounding conservation area. In addition the Heritage Statement that accompanies the application provides evidence that a lean-to weatherboarded structure at one time projected from the northern gable of the dwelling in the location of the proposed extension.
22. The Council's Conservation Officer has raised some concerns for the proposed roofing material, however it would be reasonable and justified to agree the roof material via a conditional requirement in the event of approval of the application and therefore this does not form a significant material concern.
23. The Council's Conservation Officer considers the proposed dormer to be overlarge in proportion with the roof in which it sits and that the detailing adds to its complexity and therefore its apparent bulk. There is thus considered to be some harm in this instance, but it would be reasonable and justified to agree the precise details of the dormer window via a conditional requirement in the event of approval of the application and therefore this does not form a significant material concern.
24. Although 17 Hall Lane is an important building within the conservation area, the harm identified relates to an aspect of the dwelling that is not considered to contribute to the character and appearance of the conservation area, being an aspect of the internal fabric of the dwelling. While the Conservation Officer considers that some aspects of the extension would be harmful to the interests of the conservation area, these aspects could be dealt with through the use of an appropriate condition.

Conclusion

25. There is considered to be a significant adverse impact upon the special historic interest of the listed building as a result of the proposed loss of historic brickwork required to facilitate the proposals.
26. This is sufficient in its own right to warrant refusal of both the applications.

Recommendation

27. Refuse both applications

Reason for refusal:

In order to facilitate internal access into the proposed extension at ground floor level the scheme would remove most of the rear wall of the fireplace seating alcove to form the requisite doorway. This is considered to constitute a substantial and permanent harm to the listed building due to the loss of a significant part of the inglenook fireplace and fabric of the historic gable wall. To this end the proposal is considered to be contrary to policy CH/3 of the South Cambridgeshire Local Development Framework Development Control policies DPD 2007 which seeks to ensure that development proposals do not adversely harm the special architectural or historic interest of listed buildings.

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

- South Cambridgeshire Local Development Framework 2007
- PPS5

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 June 2011

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

S/1981/10 - MELBOURN**New Dwelling - Land Adjacent to, 25, Station Road, for Mr Timothy Poulson****Recommendation: Approve subject to conditions****Date for Determination: 12 January 2011****Notes: The application has been reported to Planning Committee as the recommendation for approval is contrary to that of the Parish Council****The Site lies within the Melbourn Conservation Area.****Site and Proposal**

1. The application site comprises an overgrown area of land lying to the rear of No. 21 Station Road. To the north lies the Grade II listed building known as The Pink Geranium and its car park. To the northwest is No. 23 Station Road, a single storey dwelling lying behind the Pink Geranium and sharing the access. To the northeast is the rear garden of No. 21 Station Road, which fronts the highway. The southwest boundary backs onto the rear gardens of Rose Lane, mainly No. 8 Rose Lane and the southeast boundary is bordered by a long thin car parking area serving No. 1-5 The Campkins and No. 11 Station Road. The boundaries are predominately high slatted fencing with surrounding vegetation. The site is within the village framework boundaries and in the conservation area of Melbourn that was designated in 1973.
2. The application proposes the erection of a two storey detached dwelling with a detached garage/carport. The alterations to provide access are being dealt with under a separate application S/1983/10/F, reported elsewhere on the agenda.
3. The full application dated 10 November 2010 was accompanied with a Design and Access Statement, Heritage Statement, Tree Survey and Report and photomontage.

Relevant Planning History

4. An application for a car park on the application site to serve Barclays Bank Plc was refused in October 1986 on highway safety grounds, as the access was not considered adequate for the flow of traffic that would be created. However, this was not the same access as the application site.
5. No 25 Station Road, the Grade II Listed Pink Geranium, has been extended in 1969, 1985, 1989 and 1991. These applications include alterations and extensions following fire damage and the erection of a conservatory.

6. A listed building application for the repair of the wall at the Pink Geranium was approved in November 1983
7. An application for a detached 1.5 storey dwelling was refused March 2009 (**S/0034/09/F**) for its impact on the historic character and appearance of the Conservation Area, wider setting of neighbouring listed buildings and the part removal of the listed wall that fronts Station Road for the purposes of visibility. This was later allowed at appeal. Paragraph 12 of the Inspectors report suggests that the large single storey family room and double garage design was at the limit of what, at the time, was considered compatible with preserving the diverse and loose knit character of the conservation area.

Policies

8. **National**
Planning Policy Statement 5 (PPS5): Planning for the Historic Environment
Planning Policy Statement 5: Planning for the Historic Environment: Historic Environment Planning Practice Guide
9. **Local Development Framework Core Strategy Development Plan Document (LDF CS) 2007: ST/5** Minor Rural Centres
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 Developments, **DP/7** Development Frameworks, **HG/1** Housing Density, **SF/10** Outdoor Playspace, Informal Open Space, and New Developments, **SF/11** Open Space Standards, **NE/1** 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/4** Development within the Setting or Curtilage of a Listed Building, **CH/5** Conservation Areas and **TR/2** Car and Cycle Parking Standards.
11. **Local Development Framework Supplementary Planning Documents**
Open Space in New Developments SPD, Trees and Development Sites SPD, Development Affecting Conservation Areas, Biodiversity SPD, District Design Guide SPD
12. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
13. **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultations

14. **Melbourn Parish Council** have commented on several amendments over the course of this application. The original submission was recommended for refusal for the following reasons:

“It is felt by the planning committee that the proposed development is too tall, too far forward, over development, the plans are confusing as it does not show No.23, all surrounding properties are of a low profile i.e. single storey”.

Following amendments dated 15 March where changes were made to the ridge height, roof type and eaves height the Parish Council still recommended refusal and made the following comments:

“Recommend refusal on the grounds that the proposal is not in keeping with the conservation area, the proposal is too tall, too close to existing properties and too far forward of adjacent properties”.

15. The **Council’s Conservation Officers** original comments recommended refusal for the scheme, however, ongoing meetings and discussions with the applicant have changed this view. Revised comments on the scheme were not available at the time of writing the report and Members will be updated accordingly.
16. The **Council’s Tree Officer** informs that the development should be carried out in accordance with the submitted arboricultural report but a method statement for the No-dig drive is required prior to development commencing. Overall no objections.
17. The **Local Highway Authority** comment that although the achievable visibility splay to the north-west is below that required in Manual for Streets the Highway Authority accepts that the proposal will in all probability reduce vehicle movements though the existing access and therefore reduce the risks to all highway users.

A condition to any approval that the Planning Authority is minded to give should be to the effect that the junction layout must conform to that shown on drawing number SRM 005.

The proposed shared access should be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.

18. The **Council’s Scientific Officer (Contaminated Land)** informs that there is evidence of another building having occupied this site in the past, which may have potential for unknown material. It is considered necessary in this case to ensure that future development does not commence until a detailed scheme for the investigation of contamination is carried out. This can be conditioned accordingly.
19. The **Council’s Environmental Health Officer** has no objections to the proposed scheme from a noise and pollution viewpoint. A condition regarding the times when power operated machinery may be operated during the period of construction should be used to protect neighbour amenity and informatives regarding pile driven foundations included.

20. The **Council's Urban Design Panel** advise that the scheme is fine in principle but have requested further detail on the wider views to inform of the impact on the Conservation Area and street scene through photomontage/modelling. It is also concerned that there is no real evidence of how the relationship between the surrounding area and the proposed scheme respond, or the comparison between the architectural style around the site and how the proposal will enhance and respond to this.

Representations

21. There have been 6 representations made for this application.

The occupants of **No. 23 High Street**, the closest property to the development site raises the following issues

- (a) The drawings do not show the true position of my dwelling
 - (b) The true position of the proposed dwelling is very close
 - (c) Will block out morning sun to the front windows of our property
 - (d) We would have no objection were the position of the house to be moved back so that the northwest corner would be beside the south west corner of our bungalow
 - (e) Inappropriate to build a house in this plot as all surrounding properties are modest bungalows or cottages
 - (f) The ultra modern design is not in keeping
 - (g) The original plans (under S0034/09) showed the dwelling set further back into the plot
 - (h) Would advise that a bungalow or dormer bungalow of traditional design be built
 - (i) As a Parish Councillor for 27 years and a co-author of the Melbourn History Book I have devoted much of my life to preserving the historic centre and the integrity of Melbourn.
22. The occupants of **No. 12 Rose Lane**, located to the rear of the development site raises the following concerns:
- (a) 2 storey property not in keeping with surroundings
 - (b) Would appreciate the removal of the elder trees and ivy at the boundary wall of my property be removed as they have gotten out of control and are cracking the wall
23. The occupants of **No. 14a Rose Lane** raise the following objections:
- (a) The allowed appeal decision was for a single storey property, this application is for a two-storey property, which is out of keeping with the area.
24. The occupants of **No 20 Rose Lane** raise the following objections:
- (a) This is a conservation area which should not have any additional buildings, if approved the design should be in keeping
 - (b) An additional dwelling would have an adverse impact on the already difficult traffic problems in Station Road
 - (c) Whilst the Pink Geranium was a restaurant the traffic flow problems were only at particular times

25. The architect and agent for the proposed scheme has submitted various representations to address the concerns raised by all those who have commented. The scheme has been amended, on several occasions to take on board the comments of the Conservation Officer, the Urban Design Panel and neighbours.

Planning Comments

26. The key issues to consider in this instance are the principle of development, the impact on neighbour amenity, impact on the conservation area, highway safety and parking provision and contributions

The Principle of Development

27. The site is located inside the development framework. It is also surrounded by residential development and the plot size similar, if not slightly larger to the neighbouring units. The site comprises 0.98ha and policy HG/1 sets 30 dph as a minimum density unless there are 'exceptional' circumstances requiring a different treatment. The changes to PPS3, means it is no longer reasonable to insist on 30 dph in all but 'exceptional' circumstances, and a lower density will be appropriate if other material considerations suggest otherwise. The density for this site equates to 6 dph. This is considerably lower than the adopted 2007 Local Development Framework policy requirements. However, given the surrounding context and the layout of the existing properties along Station Road and the sensitivity of the site in the Conservation Area it is considered that more than one unit on this site would create a cramped form of development not in character with the existing context, street scene or neighbouring properties.
28. Policy supports the erection of new dwellings in the village framework providing the dwelling is in scale and character with its surroundings. The principle of a dwelling is therefore considered appropriate in this instance. Melbourn is identified as a Minor Rural Centre under Policy ST/5 of the adopted South Cambridgeshire LDF Core Strategy DPD 2007. As such the provisions of Policy DP/7 applies, which permits the development of unallocated land within development frameworks, subject to the proposal not leading to a loss of character or local employment, being respectful to local features and providing the necessary infrastructure. In this instance, the proposal does relate to unallocated land, where it is felt that a new dwelling could be satisfactorily accommodated in this context.
29. The allowed appeal decision confirms that this site is suitable for development providing the scheme is of a good design that fits well within the Conservation area and its wider setting. The principle of development is therefore considered acceptable.

Impact on Neighbour Amenity

30. The allowed appeal scheme under S/0034/09/F was located 14 metres from the rear boundary of No. 21 Station Road, the 1.5 storey bulk was 8 metres in depth, and a further 7.2 metres in depth at single storey. It proposed a 2-metre distance from the shared boundary of No. 23 at its closest point. The highest ridgeline measured 7metres with an eaves height of 4 metres. The

single storey wing to the rear measured 4.5 to the ridge. The distance between the closest rear elevation and the rear boundary comprised 12.2 metres. Front and rear facing dormers were proposed in the roof. The scheme was not refused on neighbour amenity grounds and neither did the inspector raise any major concerns in this regard.

31. The proposed scheme is drawn up on a slightly larger plot than that approved at appeal. The 2010 application site is longer from front to back (54m compared to the allowed appeal size at 43m) and therefore whilst the new dwelling is a further distance from the rear boundary of No. 21 (approx 21m), the revised scheme, if plotted on the appeal site edged red would be 11 metres from the rear boundary of No. 21 and therefore 3 metres forward of the originally allowed scheme. It has a maximum height of 6.5 metres to the ridge, is 4.4 metres to the eaves and a maximum 10.8metres in depth. The distance between the closest rear elevation and the rear boundary comprises approximately 22 metres.
32. With regard to the distances between the front and rear boundaries and the proposed minimal openings to the northwest and southeast elevations, overlooking is not considered to be a reason for concern.
33. The scale of the proposal is technically similar to that of the allowed scheme, though it proposes a completely different design approach and removes the single storey element. The allowed scheme had a depth of 8 metres at two storeys, with an eaves height of 4 metres. The proposed scheme is 10.8 metres in depth at two storeys with a slightly increased eaves line of 40cm. It is considered that the overall bulk has changed marginally at 2 storeys, though the removal of the single storey element to the rear has reduced its overall bulk on the plot as a whole. In light of the aforementioned it is considered that the bulk of the proposed scheme is not overbearing to neighbour amenity.
34. The proposed scheme, as previously indicated has been moved forward in the plot when compared to the allowed scheme at appeal, by approximately 3 metres. These 3 metres at two storeys have been raised by the occupiers of No. 23 Station Road as being detrimental to amenity by undue loss of light and overbearing impact to the front of their property. The proposed scheme would be located immediately to the south east of the front elevation of No. 23. Whilst there is a relatively strong tree boundary along this shared boundary there is a gap that would be primarily filled by the new development if approved. The outlook from the openings of No.23 would change considerably, however, given the comparison of scale parameters of the two developments it is not considered that the proposed scheme would be unduly overbearing. However, it has been further discussed with the agent that the development, if moved back by three metres would help to address some of the issues raised by the occupiers of no.23 Station Road and reduce any potential loss of light to the front openings. Given the site size and the increased depth at the rear, an additional 3 metres backwards would improve neighbour-to-neighbour relation at No. 23 without compromising the relationship with the properties to the rear.
35. Officers consider that the proposed scheme as currently submitted does not result in a significant loss to neighbour amenity that would warrant reasons for refusal.

Design and Impact on the Conservation Area

36. The proposed scheme is vastly different to that allowed at appeal in terms of design, however, it is not always considered necessary or indeed appropriate to replicate traditional design to ensure buildings fit together in a wider context. The Urban Design Panel raised concern with regard to the design and material and the architect has provided evidence that brought together the materials of the proposed with that of the surrounding area. Development locally in Kays Close, also within the Conservation Area, is of a similar design and material palette and mentioned in the Councils District Design Guide under the Architecture paragraph 6.147 and the SPD Development Areas Affecting Conservation Areas under paragraph 2.15.
37. The design form is proposed to enable the development of a highly energy efficient building with low energy consumption. The glazing on the southwest elevation is designed to enable passive heat collection, solar hot water collectors will be combined with high volume hot water storage to minimise energy for hot water use and to supplement the low temperature for under floor heating coils. SUDS will be incorporated for surface water drainage
38. In allowing the previous appeal the inspector indicated quite clearly that the strongest and most visible feature in the vicinity is the flint wall that fronts Station Road. It was considered that the loss of a small part of this would have a slight adverse impact on the conservation area, however, to the major benefit of road safety along this stretch of road.
39. The Conservation Officer's concerns have seen a vast improvement in the design with regard to the overall scale of the proposal. While the revised comments of the Conservation officer were not available at the time of writing the report I am satisfied that the changes suitably meet the requirements of the Local Development Framework Development Control Policies 2007.

Highway Safety and Parking Provision

40. The comments from the Local Highway Authority are noted. The principle of the increase access width is considered acceptable through the outcome of the appeal. The provision on site for off road parking meets the adopted standards and turning space on site is considered adequate. There is no reason for refusal based on highway safety or parking provision in this instance.

Contributions

41. *No reference has been made in the submissions with regard to the provision for open space or community facilities. Policy DP/4 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 states that planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms.*
42. *Policy SF/10 of the LDF The South Cambridgeshire Recreation Study 2005 identified Melbourn as having a shortfall of play space. The proposed dwelling will result in an increase of occupants. 10sqm of informal open space on-site or a contribution towards off-site provision of such space of £3,104.38 is*

required. This is index-linked and would be secured through the signing of a Section 106 legal agreement. Confirmation that the applicant would be willing to make such a contribution has been received.

43. In accordance with Policy DP/4, a charge is justified in line with the Community Facilities Assessment 2009, seeks a financial contribution of £513.04 towards indoor community facilities. This is index-linked and would be secured through the signing of a Section 106 legal agreement. Confirmation that the applicant would be willing to make such a contribution has been received.
44. 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 £69.50 per dwelling. The costs will be secured via a Section 106 agreement and would be required to be paid upon completion of the agreement.
45. Confirmation that the applicant would be willing to make such a contribution has been received.

Conclusion

46. The scheme for the revised dwelling has undergone many changes and been the subject of ongoing discussion since its original submission in November 2010. It is considered to be an acceptable revision to that allowed at appeal and with a few very minor changes the scheme can be supported.

Decision/Recommendation

47. Approval subject to 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: DTM 005, DTM 015 franked 18th November 2010 and DTM 017B, DTM 021 franked 15th March 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, 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.)

4. 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 northeast elevation of the dwelling unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
5. 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.)
6. The development, hereby permitted, shall not be occupied until space has been provided within the site for vehicles to enter, turn and leave the site in forward gear, and to park clear of the public highway, in accordance with the details shown on Drawing DTM 005 franked 18th November 2010 and that space shall thereafter be retained for those purposes.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. The access and driveway shall be constructed with adequate drainage measures to prevent surface water run-off onto the public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
8. 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.)
9. 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.)

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

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

11. No development shall begin until details of a scheme for the provision of public open space infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy DP4 and 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 public open space in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

12. No development shall begin until details of a scheme for the provision of community facilities infrastructure, waste receptacles and Section 106 monitoring costs, to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

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

13. Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.

(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

14. Contamination

No development approved by this permission shall be commenced until:

- a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation

objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.

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

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

- 15. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary or in accordance with drawing number SRM 005 (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 16. The access and driveway shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Informative

Should driven pile foundations be proposed, then before works commence, a statement of the method of 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.

In the event that the Planning Authority is so minded as to grant permission to the proposal please add an informative to the effect that 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:

- Circulars 05/2005 and 11/1995
- South Cambridgeshire Development Control Policies Development Plan Document 2007
- SPD District Design Guide
- Planning File ref S/0034/09, S/1984/10, S/1983/10.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 June 2011

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

S/1983/10 and S/1984/10 - MELBOURN
Change of Use from Restaurant (A3) To Dwelling (C3) and Extension,
Outbuildings, and Garage/Outbuilding - The Pink Geranium, 25, Station Road,
for Mr Timothy Poulson

Recommendation: Approve subject to conditions

Date for Determination: 14 January 2011

Notes: The application has been reported to Planning Committee as the recommendation for approval is contrary to that of the Parish Council

The Site lies within the Melbourn Conservation Area.

Site and Proposal

1. The site is located centrally in the village of Melbourn within the Conservation Area. The building is a grade II listed building and currently has an A3 restaurant use. Two access points are located off Station Road, one of which is shared with a residential use located to the rear of the site. This access leads to the restaurant car park and the other access is predominately used by staff as a service courtyard. The northeast and southeast boundaries are currently predominately open from the road with low picket style fencing. Other shared boundaries are a mixture of high walls and fencing.
2. The planning application dated 10 November 2010 proposes the change of use to residential and the erection of extensions, outbuildings and garage/carport. The scheme was submitted with a Tree Survey, Design and Access Statement, Heritage Statement and confidential financial information. The accompanying Listed Building application proposes the demolition of the existing store, kitchen and food preparation area, the conservatory, the w.c and laundry room. It proposes alterations to the gateway, extensions and alterations including a link, infilling openings, alterations to doors, additional internal partitions and provision of kitchen, utility and bathroom.

Relevant Planning History

3. No 25 Station Road, the Grade II Listed Pink Geranium, has been extended in 1969, 1985, 1989 and 1991. These applications include alterations and extensions following fire damage and the erection of a conservatory.
4. A listed building application for the repair of the wall at the Pink Geranium was approved in November 1983

Policies

National

5. Planning Policy Statement 5 (PPS5): Planning for the Historic Environment
Planning Policy Statement 5: Planning for the Historic Environment: Historic Environment Planning Practice Guide
6. **Local Development Framework Core Strategy Development Plan Document (LDF CS) 2007:** ST/5 Minor Rural Centres
7. **Local Development Framework Development Control Policies (LDF DCP) 2007:**
DP/1 Sustainable Development, **DP/2** Design of New Development, **DP/3** Development Criteria, **NE/15** Noise Pollution, **CH/3** Listed Building, **CH/5** Conservation Areas and **TR/2** Car and Cycle Parking Standards, **SF/1** Protection of Village Services and Facilities
8. **Local Development Framework Supplementary Planning Documents**
Trees and Development Sites SPD, Development Affecting Conservation Areas, Biodiversity SPD, District Design Guide SPD
9. **Circular 11/95** – The Use of Conditions in Planning Permissions: Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
10. **Circular 05/2005** - Planning Obligations: Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultations

11. **Melbourn Parish Council** has commented on this proposal three times. The first response was to refuse the application based on the additional extensions and changes. The second response recommended approval with no additional comments. The third response following the amendments dated 15 March were recommended for refusal with the following comments:

“Approve the application, but subject to the provision of a turning area for the existing property and this application. Concern over vehicles reversing onto Station Road causing a danger to traffic are paramount”.
12. The **Council’s Conservation Officer** has had ongoing discussion with the agent with regard to the changes. Amended plans have been submitted as a result of these discussions. These involve changes to the extension, carport and outbuilding. The Conservation Officer’s revised comments were not available at the time of writing this report and Members will be updated accordingly, however the Conservation Officer is fully supportive of the proposed scheme as amended.

13. The **Council's Tree Officer** raises no objections but makes the following comments:

"The ownership and maintenance of the trees is not a material consideration for this planning application and if there is doubt over the ownership this must be clarified.

The trees themselves are typical for their age, species and the pollarding management, which has been historically undertaken. Due to access being limited I was unable to determine the full structural integrity of them however there is evidence of poor pruning practice which has left cavities however in themselves not necessarily compromising the trees as they are squat in stature and broad spreading, providing the management of pollarding is maintained the trees could stand for many years to come. They are atypical and can be considered veteran pollards.

With on-going maintenance the trees could be retained within the development with a new structure being built to accommodate the trees, not the trees removed to facilitate development. Foundations can be designed to accommodate the roots; the footprint of the building could be reduced in size and moved forward of the Horse chestnuts."

14. The **Council's Landscape Officer** should like to see the style of gates if there are any planned to go across the entrance. The ivy clad wall of the existing building that is to be demolished is a very important feature on the corner. Is the wall being retained or replaced? I should like to see a landscape plan covering the area immediately behind this wall if it is to be lower than the existing one. I should also like the plan to cover the area between the wall and the house on the Station Road side. I imagine something reasonably tall will be necessary to provide some privacy to the windows on the side- wall from the footway.
15. The **Local Highway Authority** raises no objection
16. The **Council's Environmental Health Officer** has no objections to the proposed scheme from a noise and pollution viewpoint. A condition regarding period of construction should be used to protect neighbour amenity and informatives regarding pile driven foundations included.

Representations

17. There have been 2 representations made for this application.
18. A letter received from the occupier of No. 27 Station Road raises concern about the content of the Tree Survey that has been submitted.
- (a) Tree 4 is on a shared boundary
 - (b) Tree 5 is wholly sited on 27 Station Road
 - (c) Historic value
 - (d) These trees have not been fully inspected given their location
 - (e) The survey contains misdescriptions
 - (f) Recent tree survey work indicated that these trees were in good condition

- (g) Considering their location permission from myself would be required and this has not been sought
 - (h) The proposed plans cannot commence without the removal of these trees and therefore the plans should be revised as this representation is not an indication that any consent will be forthcoming
19. The occupiers of No. 23 Station Road (The Carlings) have made the following representations:
- A turning 'banjo' should be required for turning immediately outside of my gate
 - At present any vehicle visiting me can use the Pink Geranium car park to turn and exit in forward gear, without this is it would force vehicles to exit backwards onto Station Road.

Planning Comments

20. The key issues to consider in this instance are the principle of development, impact on the Listed Building and conservation area, highway safety and parking provision and impact on neighbour amenity.

Principle of Development

21. The Pink Geranium has been a restaurant for many years and had different occupiers over recent years. Whilst in a prime location locally it has struggled as a business and discussion regarding a change of use to residential has been long considered. This is with high regard to its status as a listed building and its primary location in the Conservation Area with potential alternative uses considered detrimental to the building and wider area. The policy in support of protecting village services and facilities (SF/1) specifically refers to village pubs, shops, post offices, community meeting places or health centres but it is considered that this type of establishment would come under the village service category. Melbourn as a Minor Rural Village has a number of very good local services that would allow for the loss of this restaurant use to the benefit of retaining and refurbishing a listed building and its wider setting. The change of use will have a wider benefit to the surrounding conservation area and see the creation of a new family home. Whilst the conversion will require financial contributions towards the provision of public open space and community facilities the overall loss of the building to the community is not considered to be detrimental to the requirements of Policy SF/1 and the balance outweighed in favour of allowing a change of use such as this in this location based on the individual merits of the site.

Impact on the Listed Building and Conservation Area

22. The changes to the Listed Building have been discussed at length with the Conservation officer and the changes made are fully supported. The proposals turn the existing restaurant use into a useable family home with modern extensions and adaptations that are considered appropriate to the listed building. The changes are considered to be sympathetic to the Listed Building and the wider setting of the Conservation Area

Highway Safety and Parking Provision

23. The principle of the increased access width is considered acceptable through the outcome of the appeal. The provision on site for off road parking meets the adopted parking standards and turning space on site is considered adequate. There is no reason for refusal based on highway safety of parking provision in this instance.
24. The occupiers of No. 23 Station Road have concerns that there is inadequate turning area for large vehicles with the restaurant car park area being removed. It is considered that there is insufficient space for service vehicles or fuel carriers to enter and exit the site or neighbouring sites in forward gear and therefore having to reverse onto a busy road. The Parish Council has made similar comments.
25. The local highway authority accepts that this can cause some inconvenience. However, it is not considered a highway safety issue that would warrant a reason for refusal. It is understood that a recent incident meant that an ambulance driver who was unaware that he was able to enter into the access to reach No 23 walked the entrance distance by foot for fear of having to reverse out. Whilst it is not a material planning consideration the requirement for full access and turning is considered important to those who have to use this access regularly and for emergencies.

Impact on Neighbour Amenity

26. The proposed development sees the change of use of an existing building with existing openings. These will remain unchanged and the new built development set primarily at ground floor level. The removal of the cold room and wine store that shares the boundary with No 27 Station Road will open up this boundary, but the replacement building and proposed walled garden will go some way to ensure ongoing privacy between the two units. The proposed development is not considered to have an adverse impact on its neighbouring units by being unduly overbearing or cause adverse overlooking problems.
27. The concerns raised by the occupiers of No 23 Station Road have been considered above. It is considered that the concerns raised are not linked directly to neighbour impact, but more applicable to neighbour-to-neighbour relationships. The car park of the Pink Geranium has been used by those visiting No. 23 as part of an ongoing agreement between the owners of the land. The change of use sees this area of land being taken out of public use. Whilst the separate sites have adequate off road parking and turning the concerns raised are with respect to larger vehicles like oil tankers, fire engines and delivery vehicles. It is not ideal to have vehicles reversing up and down the entrance but there is some space near the proposed garage and carport that could enable a reasonable turning space for larger vehicles should they need it, however, this would have to be agreed between the owners. Land ownership and how it is shared is not a planning issue and therefore it is not considered as a reason for refusal of this scheme.

Other Matters

28. Policy DP/4 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 states that planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms.
29. Policy SF/10 of the LDF The South Cambridgeshire Recreation Study 2005 identified Melbourn as having a shortfall of play space. The proposed change of use will create a new dwelling resulting in an increase of occupants that reside in the village. 13 sqm of informal open space on-site or a contribution towards off-site provision of such space of £4,258.90 is required. This is index-linked and would be secured through the signing of a Section 106 legal agreement. Confirmation that the applicant would be willing to make such a contribution has been received.
30. In accordance with Policy DP/4, a charge has been introduced in relation to the Community Facilities Assessment 2009 that seeks a financial contribution of £703.84 towards indoor community facilities. This is index-linked and would be secured through the signing of a Section 106 legal agreement. Confirmation that the applicant would be willing to make such a contribution has been received.
31. 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 £69.50 per dwelling. The costs will be secured via a Section 106 agreement and would be required to be paid upon completion of the agreement. Confirmation that the applicant would be willing to make such a contribution has been received.
32. The concerns raised by the occupier of No. 27 Station Road with regard to the tree survey have been raised again with the Councils Tree Officer for further clarification. Comments will be made available once received via an update.

Conclusion

33. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning and listed building permission should be granted in this instance, subject to the following conditions.

Decision/Recommendation

Planning Approval subject to 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: SRM 005.1, 020.1, 021.1, 022.1, 023.1, 024.1 and 025.1 franked 15th March 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, 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.)
4. During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
6. The development, hereby permitted, shall not be occupied until space has been provided within the site for vehicles to enter, turn and leave the site in forward gear, and to park clear of the public highway, in accordance with the details shown on Drawing SRM 005.1 amended 15th March 2011 and that space shall thereafter be retained for those purposes.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. The access and driveway shall be constructed with adequate drainage measures to prevent surface water run-off onto the public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
8. 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.)
9. 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.)

10. Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.

(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

11. No development shall begin until details of a scheme for the provision of public open space infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy DP4 and 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 public open space in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

12. No development shall begin until details of a scheme for the provision of community facilities infrastructure, waste receptacles and Section 106 monitoring costs, to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

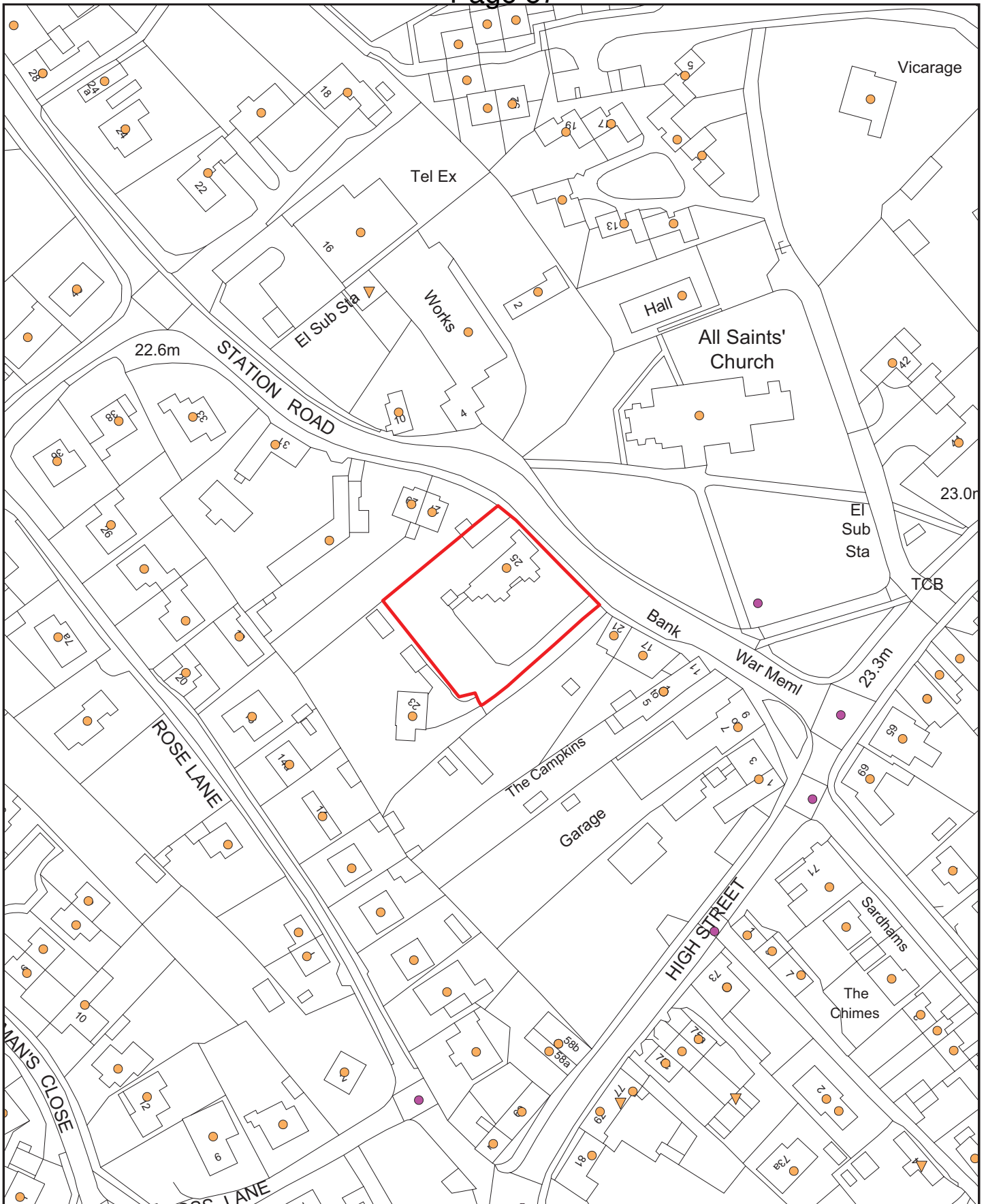
(Reason - To ensure that the development contributes towards infrastructure in accordance with the above-mentioned Policy DP/4 of the adopted Local Development Framework 2007.)

Listed Building Conditions will be provided as an Update to the report.

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 Files ref S/0034/09, S/1984/10, S/1983/10.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 June 2011

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

S/0587/11 - SAWSTON**Erection of Replacement Dwelling (Revised Scheme Following Refusal of Planning Application S/1637/10), Spring Close, Church Lane, for Mr & Mrs Kent.****Recommendation: Approve Conditionally****Date for Determination: 17 May 2011.****This application has been referred to the Planning Committee for determination because the recommendation of the Sawston Parish Council does not accord with the officer recommendation.****Site and Proposal**

1. Spring Close is located within the Sawston Conservation Area within a registered garden and setting of a Grade I Listed House (Sawston Hall). The site is outside of the village development framework within the open countryside and Green Belt. Spring Close is a subservient dwelling attached to the estate of Sawston Hall and is situated within an expansive grounds laid to lawn and trees. The site is accessed via a gated entrance onto Church Lane.
2. The existing dwelling has a rectangular footprint and is one and half storey tall (7.85m) with an approximate floor area of 87sqm. The building is of simple form with a gable span of approximately 6m with a single cat-slide dormer window upon its front roof slope. The building is clad in dark stained timber boarding. There are two outbuildings located approximately 25m to the east of the main dwelling.
3. The proposal comprises the replacement of the existing detached four-bedroom chalet bungalow (one and a half storey) with a four-bedroom chalet bungalow, set slightly further back on the site.
4. The proposed dwelling would exceed the floor space and volume of the existing dwelling, having with a wider gable span (by approximately 100mm) and a subservient one and half storey rear gable wing projection.
5. The application is supported by a Design and Access Statement, Heritage Statement, Planning Statement and Arboricultural Assessment.

Planning History

6. Planning Application **S/0591/11** for the retention of a fence is pending a decision.

7. Planning Application **S/1637/10/F** for a replacement dwelling was refused on the grounds that the development would fail to preserve or enhance the character and appearance of the Conservation would materially alter the character of the surrounding countryside and would be defined as inappropriate development within the Green Belt.
8. Planning Application **S/1579/08/CAC** was approved for the demolition of the existing dwelling and outbuildings.
9. Planning Application **S/1258/08/F** for a replacement dwelling was refused on the grounds that the proposal was inappropriate development within the Green Belt by virtue of the replacement dwelling being contrary to the criteria of Policy HG/7. Furthermore, the proposal was considered to result in additional harm by virtue of its detrimental impact upon the setting of a Listed Building failing to preserve or enhance the character and appearance of the Conservation Area. No special circumstances were provided to clearly outweigh the harm to the Green Belt.
10. Planning Application **SC/0105/56** for the erection of dwelling was approved.
11. Planning Application **SC/0001/1973** for the erection of four dwellings and access drive was refused on the grounds that the development would be harmful to the setting of listed building, TPO trees and highway safety.

Policies

12. South Cambridgeshire Local Development Framework Core Strategy 2007
ST/1 Green Belt
13. 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
GB/1 Development in the Green Belt
GB/2 Mitigating the Impact of Development in the Green Belt
HG/7 Replacement Dwellings in the Countryside
NE/1 Energy Efficiency
CH/1 Historic Landscapes
CH/4 Development within the Curtilage or Setting of a Listed Building
CH/5 Conservation Areas
14. National Planning Policy Documents
Planning Policy Guidance 2 (PPG2): Green Belts (DCLG 2006)
Planning Policy Statement 5 (PPS5): Planning for the Historic Environment (CLG 2010)

Consultations

15. **Sawston Parish Council** – Recommend refusal on the grounds that the building is within the Green Belt and the proposal is far bigger than the existing dwelling.
16. **Trees and Landscaping** – Raises no objections subject to tree protection measures being applied as laid out within the submitted arboricultural assessment.
17. **Landscape Design** - No comments have been received.
18. **Conservation Officer**- No comments have been received.
19. **English Heritage** – No comments have been received.
20. **Acting Environmental Health Manager** – Raises no objections subject to the inclusion of a condition limiting the use of power operated machinery during demolition and construction. In addition a demolition notice will be required along of details of any pile driven foundations.
21. **Local Highway Authority**- Raise no objections subject to the provision of a pre-development condition requiring a methodology statement being submitted and approved in writing outlining the onsite traffic management plan during demolition and construction.
22. **County Archaeology** – No comments have been received, however upon the previous planning application an archaeological condition was recommended to be included upon any planning permission requiring a programme of investigation prior to development taking place on site at the expense of the developer.

Representations

23. Letters have been received from the occupiers of nos.6, 12, 16, St Marys Road providing the following comments:
 - The main entrance gates should be set back to allow a vehicle to pull clear of the adopted highway;
 - The chimney breast looks too chunky and unsympathetic to the building;
 - Welcome improvements and the occupation of the site;
 - Condition 2 of the extant demolition notice excluded alterations to the boundary wall and access. This has been breached as alterations have taken place;
 - The proposal is supported as the replacement dwelling would be pleasant and sympathetic to its surroundings.

Planning Comments

24. The key considerations in the determination of this application are the impact that the development would have upon the Green Belt, Historic Environment, Public Realm and Landscape Character.

Green Belt

25. The construction of new buildings inside a Green Belt is inappropriate unless it is for the following purposes:
 - limited extension, alteration or replacement of existing dwellings (subject to paragraph 3.6 below);
26. Paragraph 3.6 of PPG2 states that provided that it does not result in disproportionate additions over and above the size of the original building, the extension or alteration of dwellings is not inappropriate in Green Belts. The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces. Development plans should make clear the approach local planning authorities will take, including the circumstances (if any) under which replacement dwellings are acceptable.”
27. Policy HG/7 states that the District Council will permit the one-for-one replacement of dwellings in the countryside subject to the requirements of the General Permitted Development Order (GPDO) (i.e. a maximum enlargement of 15% of volume) and the need to provide satisfactory internal layout and amenities, where:
 - (a) It can be shown that the use of a dwelling has not been abandoned;
 - (b) The proposed replacement dwelling is in scale with the dwelling it is intended to replace and is in character with its surroundings;
 - (c) The proposed replacement dwelling would not materially increase the impact of the site on the surrounding countryside.
28. The above policy is used by the Authority to judge whether or not a replacement dwelling within the Green Belt would represent a limited replacement and therefore be appropriate development within the Green Belt.
29. It is acknowledged that since the adoption of this policy (2007) the GPDO has been amended (2008) and can result in development that would exceed 15% of the volume of the original dwelling. However, the policy has yet to be revised and remains the criteria in which to assess such proposals. Notwithstanding this, the amendment to the GPDO is a material consideration and will be taken into consideration as a potential ‘very special circumstance’ (VSC) that may outweigh the harm to the Green Belt by way of inappropriateness and other harm.
30. In light of the above the existing property under the current GPDO could be extended to the rear at single storey level to a depth of 4m and a height of 4m. Furthermore, a 3sqm front porch could also be added without the need for planning permission. It is also acknowledged that within case law existing outbuildings can be taken into consideration when calculating the cumulative increase of volume for replacement dwellings. However, in this instance the existing outbuildings are not proposed for demolition and have therefore not been taking into consideration in the determination of this planning application.

31. The proposal would be larger than the existing dwelling that it aims to replace but would result in a marked decrease in scale to the previously refused application. The volume of the proposed dwelling (600m³) would result in an increase of approximately **73%** from that of the existing dwelling (443m³), which would exceed the 15% increase permitted by Policy HG/7. The proposed dwelling has also been designed to be 100mm narrower in width, 400mm lower in ridge height and 100mm greater in span than the existing dwelling it would replace. In addition the proposal would include a subservient rear projection, a subservient frontage porch, a chimney, brick arches over plain casement windows and dormer windows sympathetic to the roof and scale of the dwelling and its principle fenestration.
32. When taking into consideration the addition of a single storey rear extension as permitted by the current GPDO, an increase of approximately volume of approximately **48%** could be achieved (not including the marginal proportions of a porch). Therefore it is evident that extensions that could be undertaken under the current GPDO without the need for planning permission would have less of a material impact than the replacement dwelling proposed.
33. Notwithstanding the above, the design of the proposal is considered to be in scale with the dwelling it is intended to replace and would be in character with its surroundings and would not materially increase the impact of the site on the surrounding countryside. The proposal is therefore considered to accord with the principles of Policy HG/7. Furthermore, in light of the material considerations put forward for the enhancement to the design of the replacement dwelling and the permitted extensions that could be sought under the GPDO the replacement dwelling is considered to represent a limited replacement and is therefore, by definition appropriate development in the Green Belt, in accordance with PPG2 and Policy GB1 and would not represent harm to the Green Belt by way of inappropriateness. However, Permitted Development rights should be removed from the new dwelling by condition.

Historic Environment

34. The proposed replacement structure would larger than the existing dwelling, which at present comprises a subservient estate cottage within the setting of the Grade I Listed Building Sawston Hall. As the proposal is considered to be in scale and character with the estate cottage that it would replace, it would not compete with the Listed Building in accordance with the site's existing building hierarchy. The Heritage Statement submitted adequately addresses the setting of Sawston Hall and the potential impact that the development would have upon this setting.
35. The proposal would result in an acceptable form of traditional vernacular design. The scale of the proposed dwelling would be typical of local houses despite the marginally larger span by approximately 100mm. The rear projecting wing would be subservient to the main dwelling and the provision of a chimney conforms to the local vernacular character. The current proposal also follows the advice of the Conservation Officer in the reduced proportions of dormer windows and simple single casement windows with brick arches above and the subservient form of the front porch.
36. In light of the above the proposals are considered to preserve the character and appearance of the Conservation Area and would not result in a

detrimental impact upon the setting and special architectural interest of the Grade I Listed Building, Sawston Hall.

Historic Landscape

37. The site has become increasingly separated from the main grounds of Sawston Hall following the planting of a yew hedge, and the erection of a picket fence inside it is the subject of a separate application. Notwithstanding this the style of house that is proposed is of an acceptable design to that of the existing dwelling, which preserves the character of an estate staff cottage. Sawston Hall is currently also subject to planning applications for a change of use and the application site is in separate ownership to that estate. In light of the above it is not considered that the proposal would result in any degree of further separation to the wider grounds and would not result in a detrimental impact upon the setting of the Grade I Listed Building or the landscape character of the registered garden.

Conclusion

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

Decision

Approve

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: O/S, 10-101-F, 10/101/101/B and 1686. Sawston.Artek.AIA.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C, D and E 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 safeguarding the character and appearance of the Conservation Area, Setting of a Grade II Listed Building and the open countryside and Green Belt in accordance with Policies GB/1, CH/4, CH/5 and HG/7 of the adopted Local Development Framework 2007.)

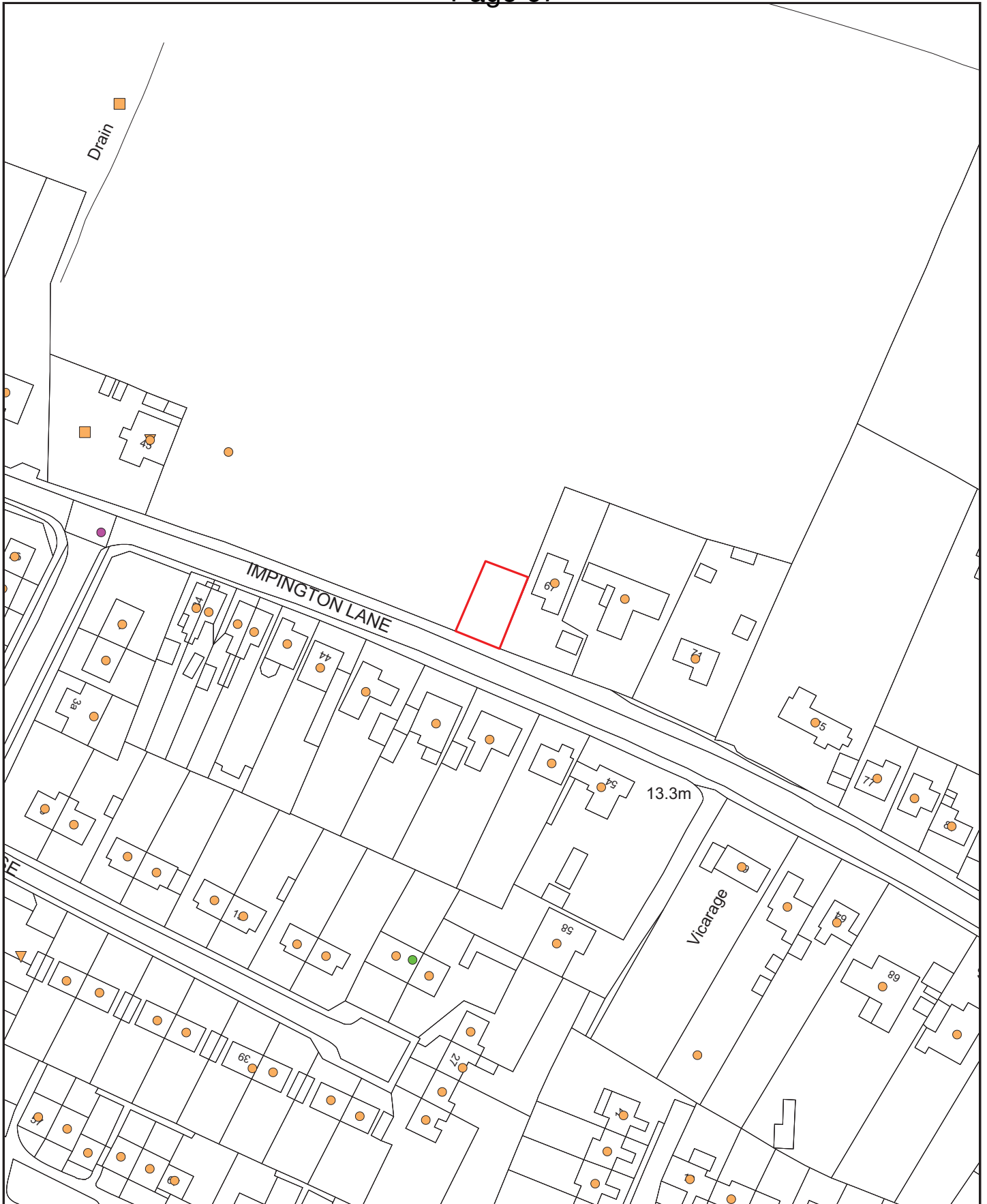
4. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
5. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
6. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policies CH/4, CH/5 and DP/2 of the adopted Local Development Framework 2007.)
7. All external joinery upon the development, hereby permitted, shall be of painted timber in perpetuity.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policies CH/4, CH/5 and DP/2 of the adopted Local Development Framework 2007.)
8. No development shall commence until a traffic management plan has been submitted to and approved in writing by the Local Planning Authority. This plan should detail the following:
 - i) Movements and control of muck away lorries (all loading and unloading should be undertaken clear of the adopted public highway);
 - ii) Contractor parking, for the phases of demolition and construction, all such parking should be within the curtilage of the site clear of the adopted public highway;
 - iii) Movements and control of all deliveries (all loading and unloading should be undertaken clear of the adopted public highway);
 - iv) Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

9. The development hereby approved shall be carried out in accordance with the approved details specified within the arboricultural assessment referenced 1686.Sawston.Artek.AIA dated 24 June 2010, unless otherwise agreed in writing by the Local Planning Authority.
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
10. 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.)
11. 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.)
12. No development shall commence until a scheme for the provision of off-site public open space infrastructure, community infrastructure, S106 monitoring and refuse bin provision to meet the needs of the development 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 the necessary infrastructure provision in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- LDF Adopted Core Strategy Development Plan Document (2007)

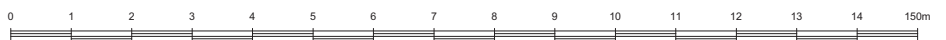
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 June 2011

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

**S/0733/11 - WILLINGHAM
19 Dwellings at 57 Brickhills
for Mr Andy Greed****Recommendation: Approve Conditionally****Date for Determination: 6 July 2011**

This Application has been reported to the Planning Committee for determination because the officer recommendation differs to that of the Parish Council, and the District Council owns part of the application site.

The site lies adjacent to the Willingham Conservation Area.

Site and Proposal

1. The site is located within the Willingham village framework, and is located close to the existing residential areas of Brickhills to the north, Rockmill End to the east and Church Street to the south. The eastern section of the site represents a small area of agricultural/grassland. The western section of the site is formed from the long rear gardens of the properties at Church Street. The southern boundary of the site is adjacent the Willingham Conservation Area, whilst 45-47 Church Street to the south are grade II listed buildings.
2. Access to the site would be from Brickhills to the north, which forms a cul-de-sac accessed from Wilford Furlong further northwards. The north end of the site along Brickhills is owned by South Cambridgeshire District Council. The northern boundary along the rear gardens to the dwellings of Brickhills is a 1.8m high fence, with some hedging alongside. This fence is panelled alongside the two-storey properties, but is a chain link fence by the bungalows to the eastern end of Brickhills. The eastern boundary is some low hedging and trees. The southern boundary alongside 15 and 17 Rockmill End is a 1.8m high panel fence. These two properties are a chalet bungalow and two-storey property respectively. The site consists of a number of garden boundaries in its western side, consisting of hedging and fencing of various heights. The land to the east of the site is the beer garden to the former Three Tuns public house, now a restaurant.
3. The full application, validated on 6 April 2011, seeks the erection of 19 dwellings on the land. This would include six affordable units. The application is accompanied by a Design and Access Statement, a Transport Statement, A Flood Risk Assessment and a Planning Statement.

Planning History

4. Planning application **S/0014/10/F** was refused by Planning Committee on 2nd June 2010 following a site visit and dismissed at appeal for 19 dwellings at the site. In dismissing the appeal, the Inspector commented upon the impact upon the dwellings along Brickhills, the lack of outlook from proposed bedroom windows, and the incomplete Section 106 package.
5. Planning application **S/2196/06/F** was approved for nine dwellings following demolition of the existing dwelling and outbuildings at 37 Rockmill End. This is located to the northeast of the proposed application site.
6. There have been various other planning applications made on various parts of the site, although none are considered relevant to the determination of this application.

Policies

7. **Local Development Framework Core Strategy Development Plan Document 2007:**
ST/5 Minor Rural Centres
8. **Local Development Framework Development Control Policies (LDF DCP) 2007:**
DP/1 Sustainable Development, **DP/2** Design of New Development, **DP/3** Development Criteria, **DP/4** Infrastructure and New Development, **DP/7** Development Frameworks, **HG/1** Housing Density, **HG/2** Housing Mix, **HG/3** Affordable Housing, **HG/4** Affordable Housing Subsidy, **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, **CH/4** Development Within the Curtilage or Setting of a Listed Building, **CH/5** Conservation Areas, **TR/1** Planning for More Sustainable Travel & **TR/2** Car and Cycle Parking Standards.
9. **Development Affecting Conservation Areas SPD, Open Space in New Developments SPD, Public Art SPD, Trees and Development Sites SPD, Affordable Housing SPD & District Design Guide SPD.**
10. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
11. **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultations

12. **Willingham Parish Council** recommends refusal of the proposal on the grounds that there is an inadequate access through a sheltered housing estate. The application is considered overly dense and not in character with the nearby Conservation Area.
13. The **Council's Housing Development and Enabling Manager** notes the demand for affordable housing in the District. 6 affordable units would not meet the 40% requirement, however previous viability assessments have proven that the development is not viable for any further units. The number is supported depending upon whether the tenure mix is acceptable to the housing association (the proposed mix is four socially rented properties and two intermediate). The affordable units should remain so in perpetuity. The site is not an exceptions site, and therefore open to applicants who are registered on the Council's Home Link system. The application has the full support of the Housing Strategy Team.
14. The **Council's Section 106 Officer** notes the applicant is willing to provide £51,198.16 towards required contributions, with a split of £32,976.87 for public open space and £16,721.29 towards primary education, and £1,500 towards Section 106 monitoring.
15. The **Council's Trees Officer** notes the limited tree cover on site and has no objections.
16. The **Old West Internal Drainage Board** notes the site is outside the OWID district but in an area that drains into it. The Board's surface water receiving system has no residual capacity to accept increased rates of surface water run-off. However, providing infiltration methods are used, there will be no effect on the system.
17. **Anglian Water** notes the foul drainage from the development is in the catchment of Over STW that at present has available capacity for these flows. The sewerage system also has available capacity for the increased flows. A condition is proposed regarding the surface water disposal method.
18. The **County Archaeology Team** previously recommended a condition regarding a programme of archaeological work, and confirms this advice remains appropriate.

Representations

19. Letters of objection have been received from the occupiers of 3 properties, based on the following points:
 - (a) Highway safety concerns and parking provision (including the loss of 3 spaces in Brickhills
 - (b) Risk to children from construction and resident traffic
 - (c) Overdevelopment of the site
 - (d) Proximity to the dwellings along Brickhills
 - (e) Loss of amenity to neighbouring properties
 - (f) The impact upon services within the village

- (g) The design of the dwellings
- (h) Impact upon the adjacent Listed Buildings
- (i) The standard of accommodation
- (j) Outbuildings, structures and vehicles missing from the site plan

Planning Comments

20. The key issues to consider in this instance are the principle of development, and whether the previous Inspector's concerns have been overcome.

The Principle of Development

21. Willingham is classified as a Minor Rural Centre in the LDF Core Strategy 2007, where residential development up to a maximum scheme size of 30 dwellings per hectare will be permitted within village frameworks. Such villages have a reasonable level of services and facilities to allow capacity for such developments. The scheme therefore falls within the development criteria. The policy also states that where a material burden is placed on the existing village services, the District Council can secure financial contributions at an appropriate level through a Section 106 agreement. This is considered in depth below.
22. The site has an area of approximately 0.458 hectares and the proposal seeks 19 dwellings. Policy HG/1 of the LDF Development Control Policies 2007 seeks residential developments to make best use of a site by achieving average net densities of at least 30 dwellings per hectare, and higher average densities of at least 40 dwellings per hectare should be achieved in more sustainable locations. This development achieves 41 dwellings per hectare, in line with the target and aims of the policy. Willingham has a number of services and facilities within the village, and has the capacity in this location for the density of dwellings proposed. The Planning Inspector in determining the appeal for application S/0014/10/F agreed with this principle.

Whether the Previous Inspector's Concerns Have Been Overcome

23. In dismissing the previous appeal (S/0014/10/F), the Inspector noted the distance of 17m between the front of plots 12-15 and the Brickhills houses, with tall frontages due to the design. He states "at this distance it is considered that the dwellings would be overwhelming due to their height and scale". He added the development would "unreasonably harm the living conditions of these neighbours and erode their enjoyment of their rear rooms and gardens".
24. The new application has changed the design of plots 12-15. Previously the dwellings had a monopitch, with a height of 6.4m facing towards Brickhills. The properties did have lower aspects measuring 4.7m in height. The location of the dwellings has not changed. However, the monopitch roof has been changed to a flat roof with a consistent height of 5.1m across the whole of the dwelling. The frontage gable remains and this would be taller at 5.6m. This gable is not considered to add any significant bulk above the roof line of the dwellings.

25. The proposed 2m high acoustic boundary fence would remain along the northern boundary of the site and the Inspector noted this would “screen the new houses to some degree”. The first floor of the dwellings would still be clearly visible over this fence. However, the reduction in the maximum height of the dwellings would significantly reduce the bulk of the proposal when viewed from the garden and rear windows of the Brickhills properties. The upper storey would still be visible over this fence. However, officers conclude the reduction in height has overcome the previous Inspector’s comments.
26. The design of the dwellings has changed as a result of the reduction in bulk. The flat roof aspects are not as visually appealing as the monopitch elements. However, they do retain an element of modern design, and plots 11 and 16 have flat roof elements creating a common theme in the street scene. The frontage gables break up the elevations, as does the change between brickwork and proposed render. The changes are not considered to seriously affect the design of the proposal.
27. The second reason for the dismissal of the appeal related to the frontage first floor bedrooms to plots 12 and 15. As shown on refused plans for application S/0014/10/F, these rooms had small “narrow slit” openings facing towards Brickhills. These would need to be obscure glazed given potential overlooking towards Brickhills. As a result, the Inspector noted this would “give rise to issues about the quality of accommodation created within the bedrooms”. The Inspector concluded the two bedrooms would provide an “unreasonably poor outlook for their occupiers” and “would not create the high quality of housing sought by PPG3”.
28. To overcome this concern, the applicant has added side windows to both of these rooms. This would allow more natural light into the rooms and an outlook for the occupiers. Given the oriel design of the windows, no serious overlooking should result to the adjacent proposed properties, subject to conditions controlling future openings and angles of relevant window opening. Plots 13 and 14 have similar openings, and the Inspector conditioned these acceptable. Again, the design of the proposal would not be seriously harmed by these changes.
29. The final aspect of the previous scheme that was dismissed by the previous Inspector was the Section 106 package. The section 106 Agreement was required to ensure provision of affordable housing in perpetuity and contributions towards open space and education. The unilateral undertaking provided to the Inspector at the appeal had not been signed by all landowners. The Inspector therefore judged the obligations had not been properly secured in line with paragraph B54 of Circular 05/2005 Planning Obligations, and limited weight was therefore afforded to the undertaking. With regard to its content, the Inspector notes there is no basis to disagree with the provision of 6 affordable units. He added that education and open space contributions would be needed, although the method for calculating the amounts was queried.
30. The applicant has been in discussions with the Council’s Section 106 Officer and Planning Lawyer regarding the proposed Section 106 Agreement. The current proposal again includes affordable housing, and open space and education contributions. Negotiations, involving Cambridgeshire County Council, are taking place as to the required contributions for the latter. The viability of the site allows for a pot of £51,198.16 to be split between the three

(including Section 106 monitoring), and this split is currently being negotiated. If the application were approved, officers would wish for the 106 Agreement to be signed prior to issuing the consent due to the complexity of the Agreement. If parties agree the detail and the Agreement is signed by all, this would overcome the previous Inspectors concerns.

Other Matters

31. All other aspects of the proposal remain as per the previous application, and have effectively been agreed by the Planning Inspector, subject to necessary conditions. These issues include the impact upon the Conservation Area and development within the garden of the Listed Buildings, design of the units, impacts upon the street scene, highway safety, parking provision, impact upon trees, flooding and drainage. The comments from the occupiers of neighbouring properties are noted. However, given the Planning Committee's previous reasons for refusal and the comments of the previous Inspector, all the outstanding issues have been overcome. Any approval would be subject to a number of conditions discussed below.

Decision/Recommendation

32. Delegated approval subject to the signing of the Section 106 Agreement to ensure the retention of affordable housing in perpetuity, and contributions towards open space and education.
33. Any consent would require conditions regarding the following: the time implementation, the listing of the approved plans, a landscape scheme, landscape implementation, details of site boundaries, obscure glazing to plots 1, 3, and 8-17, removal of permitted development rights for windows to plots 1, 3, and 8-17, side window opening details for plots 13 and 14, the detailing and retention of the Jakoustic Barrier, lighting details, surface and foul water drainage schemes, archaeological investigation, time of construction, materials, retention of parking spaces, pedestrian visibility splays, renewable energy production, and a water conservation strategy.

Informatives

34. Should pile driven foundations be proposed, then before works commence, a statement of the method of construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
35. 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.

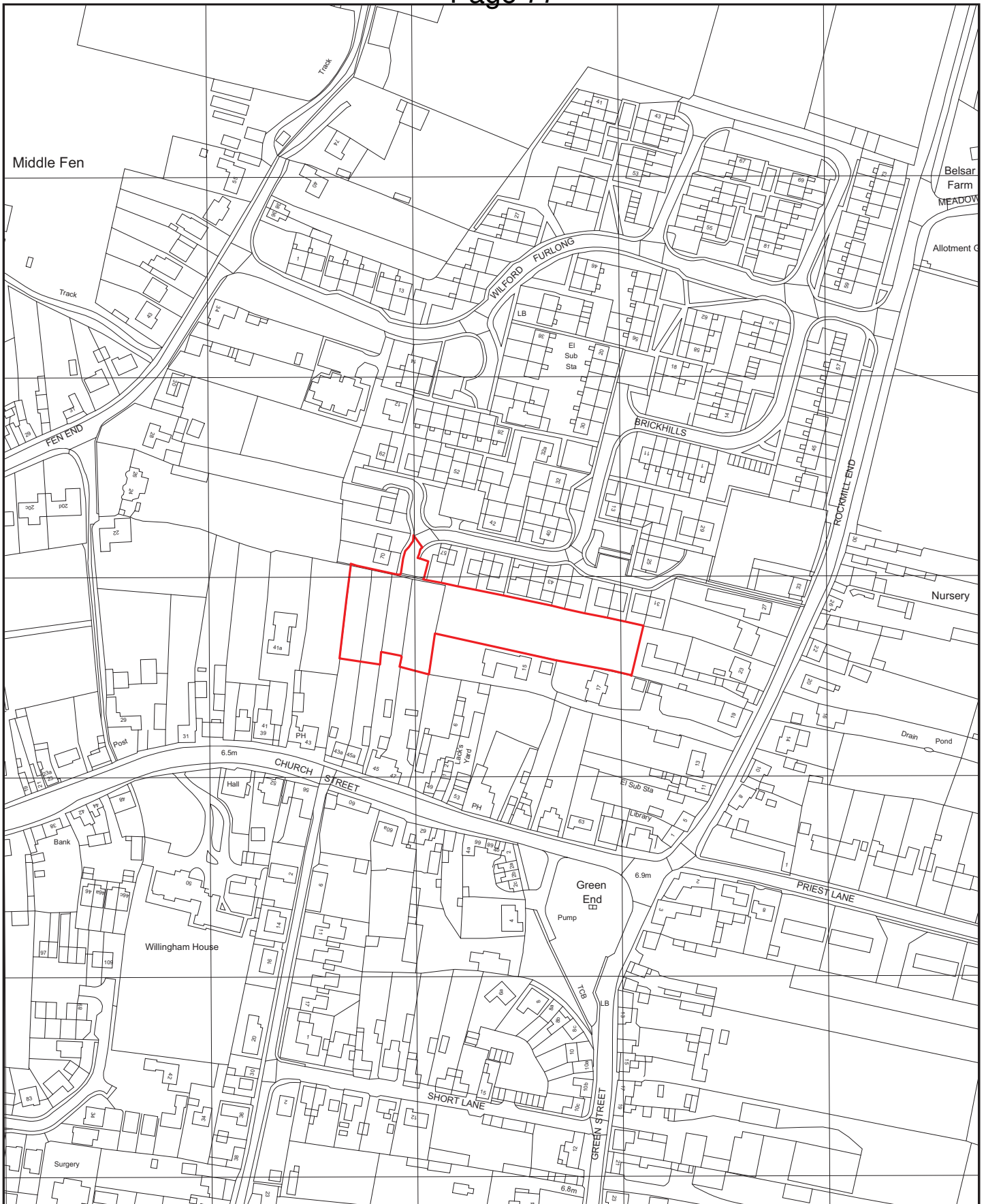
Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy 2007
- South Cambridgeshire Local Development Framework Development Control Policies 2007

- Development Affecting Conservation Areas SPD, 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 Refs: S/0733/11, S/0014/10/F and S/2196/06/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 1 June 2011
AUTHOR/S: Executive Director (Operational Services)/ Corporate Manager (Planning and New Communities)

S/0504/11/F – OVER
Erection of Dwelling and Associated Works, Land to the Rear of 14 Fen End for Mr and Mrs Maguire

Recommendation: Delegated Refusal

Date for Determination: 9 May 2011

Notes:

This Application has been reported to the Planning Committee for determination at the request of the local member Councillor Mrs Corney

Members will visit this site on 1 June 2011

Site and Proposal

1. This outline application, with all matters reserved, seeks consent for the erection of a house on a 0.11 hectare area of garden land to the rear, and north east of, No 14 Fen End, Over. The site extends across the rear boundary of No 16 Fen End.
2. No 14 Fen End is a modern detached house, set back from the road, with a detached garage building forming part of the front boundary with the highway. The area in front of the dwelling is blocked paved. To the rear is a fenced garden area with a large pond and landscaping beyond. A driveway to the north east of the house serves the land to the rear, which includes a workshop building and barn.
3. To the north east of the site is 16 Fen End, a Grade II listed building. The curtilage of this property extends to the rear and adjoins the north west boundary of the application site. The grounds include a line of three trees, a Cherry, Plum and Willow, immediately adjacent the rear boundary with the application site.
4. To the north east of the site is an area of glasshouses. To the south east and south west is garden land of 14 Fen End. No 12 Fen End, fronting the road to the south west, is another Grade II listed building, however although its curtilage adjoins 14 Fen End it does not adjoin the application site itself.
5. The application site currently comprises a low workshop and barn. The proposal involves the demolition of the existing workshop building and the erection of a new dwelling on the footprint of the existing building (within the village framework). Illustrative drawings accompanying the outline application, and the scale parameters set out on the Design and Access Statement, indicate a barn style dwelling with maximum ridge height of 7.6m. The Design and Access Statement indicates that the existing barn at the rear of the site would be retained as part of the proposals, although it would be significantly reduced in size. No details are provided at this stage.

6. The site will be accessed from Fen End across the existing paved area at the front of No 14, and will involve the demolition of part of the existing front boundary wall. The driveway will run to the north east of the existing dwelling and south west of the boundary with No 16. The existing access to No 14 Fen End will remain.
7. The site is part within and part outside the village framework, the boundary being identified as the south west edge of the existing workshop building.
8. The density of the scheme is approximately 10 dwellings per hectare.
9. The application is accompanied by a Design and Access Statement, Planning Statement (including Heritage Assessment) and Tree Survey including Arboricultural Implication Assessment and Method Statement.

Planning History

10. Application **S/1714/10** for the erection of one dwelling on the site was withdrawn. Illustrative drawings and scale parameters set out in the Design and Access Statement referred to a dwelling with a maximum ridge height of 8.9m.
11. Planning consent was refused in 2008 (Ref **S/0208/08**) for the addition of a first floor above the existing single storey projection on the north east side of the dwelling on the grounds that the scale, bulk and design would be detrimental to the setting of the adjacent listed building at 16 Fen End.

Planning Policy

12. **South Cambridgeshire Local Development Framework Core Strategy Development Plan Document: ST/6 – Group Villages**
13. **South Cambridgeshire 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, SF/10 Outdoor Playspace, Informal Open Space, and New Developments, SF/11 Open Space Standards, NE/1 Energy Efficiency, NE/6 Biodiversity, CH/4 Development Within the Curtilage or Setting of a Listed Building, TR/2 Car and Cycle Parking Standards.**
14. Open Space in New Developments SPD, Trees and Development Sites SPD, Listed Buildings SPD, District Design Guide SPD.

Consultation

15. **Over Parish Council** recommends refusal. 'The application consists of back building; proximity of proposed building to and impact on neighbouring listed building; proximity of access road to both the listed building and neighbouring buildings, even though now altered, is now closer to the bend making it even more dangerous and has detrimental effect on both dwellings; visibility splay is poor even though now altered; the reduction in roof height does not address previous concerns.'
16. The **Conservation Manager** comments that the application contains inadequate information. The main heritage asset affected is the Grade II listed building at 16 Fen End. Whilst it may be possible to design a scheme that would preserve the setting of No 16, and be relatively unobtrusive on the skyline, from the information available it is

not possible to tell whether the proposed height would achieve that. There is no section or elevation showing the development together with the listed building and trees. The elevation facing the listed building has a complex roof form which would add to the apparent bulk, and it would be preferable, in principle, to keep the roof facing the listed building simple, minimising openings, and if any complexity or glazing is needed, to locate that facing the opposite direction. This would also mean that openings were not obstructed by trees.

17. It is noted that the span of the proposed building is greater than any span of any house in this locality, including the listed building, or any other building on this site. There is therefore an element of domination that would be harmful and there should be an investigation by the applicant of less damaging alternatives.
18. It is suggested that the application is premature and should be refused on that basis. Alternatively it could be withdrawn and a full pre-application process followed, together with an assessment and drawings showing how the proposed house relates to the listed building and exploring any possible options to lessen the height and complexity if necessary.
19. The **Local Highway Authority** has raised no objection in principle. It requests that conditions are included in any consent requiring the provision of pedestrian visibility splays; levels of the driveway; and use of bound material for the first 10 metres from the highway.
20. The **Trees and Landscapes Officer** has no objection commenting that if the details in the report are adhered to the existing trees can be retained.
21. The **Acting Manager Environmental Health** comments that the site currently comprises a workshop and therefore recommends that a condition be included in any consent requiring the submission of a scheme for the investigation, recording of contamination and any remediation works required.

Representations

- 22.. None received

Planning Comments – Key Issues

23. The key issues to be considered in the determination of this application are the principle of development, the impact on the setting of adjacent listed buildings and character of the area, highway safety, residential amenity.

Principle of Development

24. Over is identified by Policy ST/6 as a group village where residential development and redevelopment up to an indicative maximum scheme size of 8 dwellings may be permitted within the village framework. Although the site is part within and part outside the village framework the proposed dwelling itself will be within the framework, albeit adjoining the framework boundary. The remainder of the site, and adjoining land owned by the applicant has a mixed residential and agricultural character but I am of the view that in principle use of this land, as curtilage to the new dwelling, need not have an adverse impact on the existing character of the area.
25. I note the comment of Over Parish Council that the proposal represents back building, however the issue to be judged is whether the erection of a dwelling on this

site would be out of character with the character and existing pattern of development of the area. Given the existence of buildings on the site, the extensive area of glasshouses to the north east, and other buildings further to the south west of the site, I am of the view that a low building, of simple design would not adversely affect the pattern of development.

26. Although the density of the proposed development is only 10 dwellings per hectare I am of the view that the limitations of the site presented by the line of the village framework and the relationship of the access to existing properties, means that it would not be appropriate to develop the site for more than a single dwelling.

Impact on the setting of 16 Fen End

27. The Conservation Manager has expressed concern that the application has been submitted in outline, and therefore does not contain sufficient information to allow the impact of the development of setting of 16 Fen End, a Grade II listed building, to be adequately assessed. Although illustrative elevations have been supplied further information on relative heights of existing and proposed buildings and sections are required. The agent has been requested to supply these details.
28. The existing setting of No 16 is enhanced by the garden area to the rear and relatively open nature of the land beyond, with the skyline being unobstructed by any intrusive building. The existing building on the site has a very low height and is not viewed from No 16, and whilst being of no architectural merit, has a neutral impact on its setting. Although the existing barn building, to be retained and modified on the south west boundary of the site can be viewed with the listed building it is set away from the boundary, and appears to be of a lower height than the proposed dwelling. As a simple agricultural barn again this building has a neutral impact on the setting of the listed building. As currently proposed the new building has a maximum ridge height of 7.6m with seven roof lights in the north west elevation. Although the building is designed with a low eaves, and in a barn-like style, the height, span and detailing of the proposed building will result in it having a significantly greater impact on the setting of the listed building, detracting from the current more open, rural setting at the rear. Officers are of the view however that it may be possible to overcome these concerns with a modified form and design of building.

Highway Safety

29. The proposal involves the formation of a new access immediately to the side of the existing access to No 14 Fen End, which is to remain. Whilst I note the concerns expressed by Over Parish Council the Local Highway Authority has considered the proposal and is content that, subject to conditions, it will not compromise highway safety. Whilst there is a bend in Fen End, given the proposed access will serve a single dwelling, I share that view the use of an additional access by a single dwelling will not have an adverse impact on highway safety.

Residential Amenity

30. The proposed dwelling has the potential to have an impact on the amenities currently enjoyed by both the occupiers of No 14 and 16 Fen End. The access to the proposed dwelling will be immediately to the north east of wall of the existing dwelling at 14 Fen End. There are three ground floor windows in the elevation of No 14 facing the access serving a bathroom, w.c. and a small secondary window to a lounge area. The north east boundary of the existing garden area is more open and could result in a degree of disturbance through use of the driveway to serve a dwelling at the rear,

however I am of the view that appropriate additional boundary treatment, which could be secure by condition, would satisfactorily address this matter. At the front of the site the proposed driveway access for the new dwelling will require division of the open paved area but with appropriate boundary treatment any impact on No 14 can be satisfactorily controlled.

31. The boundary to No 16 Fen End is currently formed by outbuildings, fencing and planting, which in my view will protect the occupiers of that property from any undue disturbance arising from the use of the driveway. The retention of the existing trees at the rear of the garden of No 16 will be important in helping to mitigate the visual impact of any new building when viewed from No 16. The report submitted with the application indicates that this can be achieved and a condition can be attached to any consent to ensure that the development is carried out in accordance with the recommendations of the report. Provided the height of any new dwelling is low, and designed without openings at first floor level in the north west facing elevation which could overlook the garden of No 16, I am of the view that the residential amenity currently enjoyed by the occupiers of that property need not be adversely affected.

Other Matters

32. The application is accompanied by a Unilateral Undertaking addressing the requirements of Policy SF/10 for the development to make a contribution for public open space, and for community infrastructure under Policy DP/4.
33. The requirement of the Acting Manager Environmental Health for an investigation into contamination can be covered by condition.
34. The application recognises the requirements of Policy NE/1 for the development to be energy efficient, referring to the use of under floor heating powered by a heat pump, the incorporation of rainwater harvesting and solar energy collection, which are all being investigated.

Conclusion

35. The current application follows the withdrawal of an earlier scheme and a meeting with officers to discuss the constraints of the site. It was suggested that revised designs for a proposed dwelling were submitted for further pre-application discussion prior to a revised planning application, however the application was submitted without these further discussions.
36. Officers are of the view that it may be possible to accommodate a dwelling, of a suitable scale and design, on this site, and I will report the receipt of any further information from the applicant. Officers are of the view that the proposal as currently submitted cannot be supported.

Recommendation

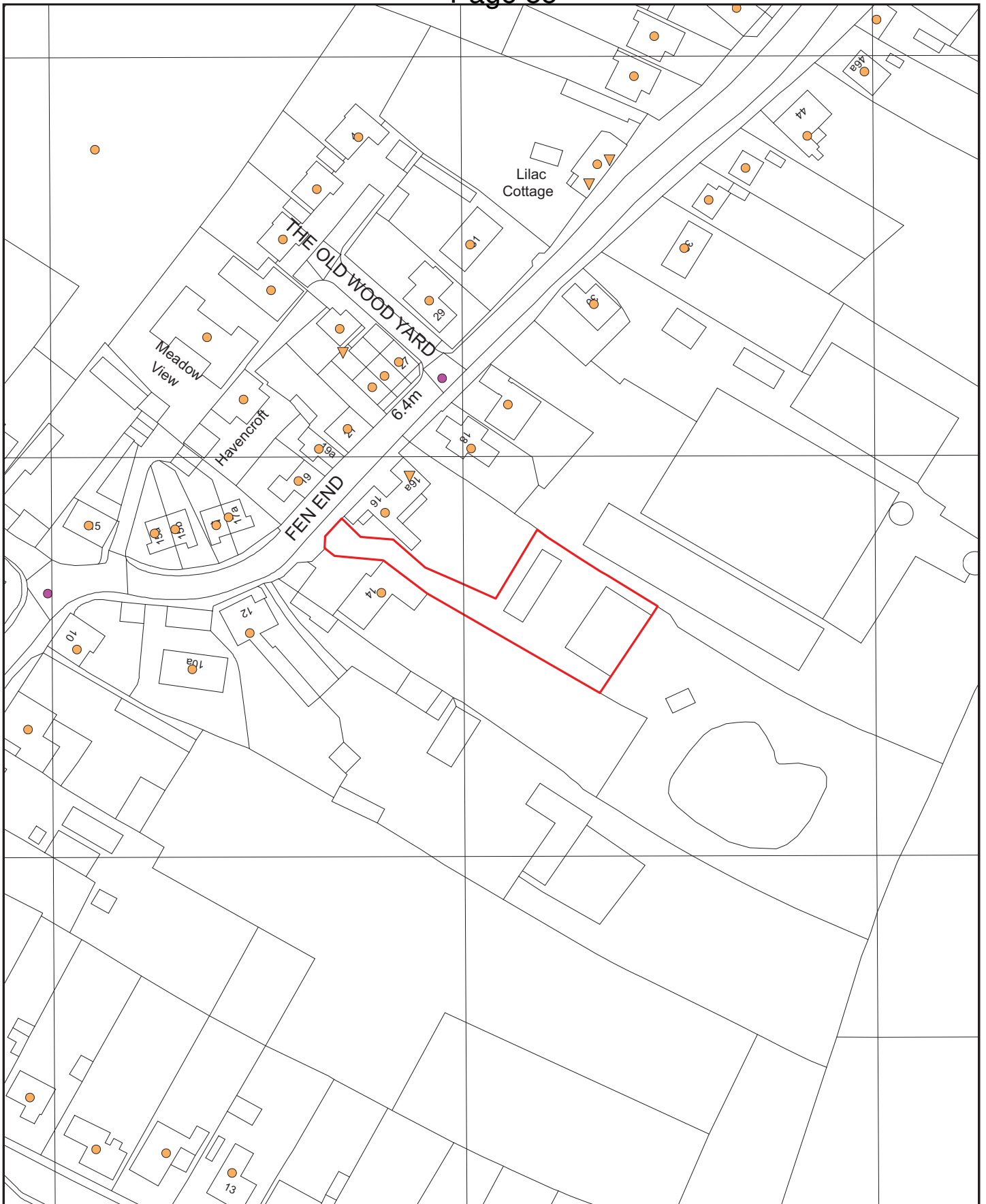
Delegated Refusal

No 16 Fen End, Over, the south east boundary of which abuts the application site, is a Grade II listed building, the setting of which is enhanced by the garden area to the rear and relatively open nature of the land beyond, with the skyline being unobstructed by any intrusive building. As submitted the application fails to demonstrate that the proposed erection of a dwelling of the span proposed, with a maximum ridge height of 7.6m, and including a number of openings in the north west elevation, will not preserve the existing setting of No 16 Fen End and is therefore contrary to the aims of Policy CH/4 of the Local Development Framework Development Control Policies 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 Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/0504/11 and S/1714/10

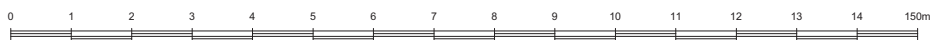
Case Officer: Paul Sexton – Principal Planning Officer
Telephone: (01954) 713255



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 June 2011

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

CAMBOURNE - DRAINAGE**Purpose and Background**

1. This matter is being reported to the Planning Committee at the request of the Planning Portfolio Holder, following assurances given to Full Council on 22 April 2010 that it would be kept under regular review by Members.
2. It was reported to the April Planning Committee that repair works had been progressing and Anglian Water (AW) had reported that they are satisfied that works have progressed sufficiently that they have been able to agree in principle to adopt the drainage system on a catchment by catchment basis. It was also reported that AW had acknowledged that critical to their analysis would be testing the system's reaction to rainfall over the coming months. Although AW have said the commissioning of a rain gauge at the Cambourne Terminal Pumping Station means they are better able to monitor the reaction of Cambourne's foul sewerage system to different levels of rainfall it is thought there has not been sufficient heavy rainfall since April for there to have been any robust testing of the system.
3. A representative from Taylor Wimpey will attend on 1 June to give a summary of the action taken and costs spent over recent months to investigate and deal with infiltration repairs etc. This follows a presentation by a representative of Bovis Homes to the April Planning Committee.

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 June 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 16 May 2011.

- 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
S/2098/10/F	Mr & Mrs P Carey Trinity Farmhouse 21 Orwell Road Barrington Extension to dwelling house(including demolition of existing extension)	Dismissed	27/04/11

- 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	Appealing Condition	13/04/11

	Sawston Change of use from Shop (A1) to Offices (B1a) or Shop (A1) in the Alternative		
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
S/0016/11/F	Ms K Williams 113 Cambridge Road Wimpole	Appealing Condition	06/05/11
S/1745/10/F	Mrs L Swift 17 Long Road Comberton Extension and Alteration to Garage to Form Annexe	Refused	12/05/11

- **Summaries of important decisions**

4. None

- **Local Inquiry and Informal Hearing dates scheduled before the next meeting on 1 June 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:

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