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30 August 2011

To: Chairman – Councillor Pippa Corney
Vice-Chairman – Councillor Robert Turner
All Members of the Planning Committee - Councillors Val Barrett, Brian Burling, Lynda Harford, Sally Hatton, Tumi Hawkins, Caroline Hunt, Sebastian Kindersley, Mervyn Loynes, David McCraith, Charles Nightingale, Deborah Roberts and Hazel Smith, 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, 7 SEPTEMBER 2011** at **1.30 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.

1.30PM - CAMBOURNE DRAINAGE

1. **Cambourne Drainage update** 1 - 4

2.00PM - PROCEDURAL ITEMS

2. **Apologies**
To receive apologies for absence from committee members.

3. **General Declarations of Interest** 5 - 6

4. Minutes of Previous Meetingss

To authorise the Chairman to sign the Minutes of the Special meeting held on 18 July 2011 and scheduled meeting held on 3 August 2011 as correct records. The minutes are available online by visiting www.scambs.gov.uk/meetings and following the relevant links.

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

- | | | |
|------------|--|------------------|
| 5. | S/6438/O - Upper Cambourne (Design Guidance document)
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23. Appeals against Planning Decisions and Enforcement Action **189 - 192**

24. Dates and times of future Planning Committee meetings and site visit tours

With effect from Wednesday 5 October 2011, Planning Committee meetings will begin at 10.00am. Site visits will take place the day before each meeting: the next site visits will take place on Tuesday 4 October 2011, the bus leaving South Cambs Hall at 10.00am. By way of advance notice, the site visits in June 2012 will take place on Friday 1 June, because 4 June is Bank Holiday Monday and 5 June is a Public Holiday in recognition of HM Queen's Diamond Jubilee.

OUR VISION

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

OUR VALUES

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

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

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

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

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The Council is committed to openness and transparency. Until such time as the Council's Constitution is updated to allow public recording of business, the Council and all its committees, sub-committees or any other sub-group of the Council or the Executive will have the ability to formally suspend Standing Order 21.4 (prohibition of recording of business) for the duration of that meeting to enable the recording of business, including any audio / visual or photographic recording in any format or use of social media to bring Council issues to a wider audience. To minimise disturbance to others attending the meeting, all attendees and visitors are asked to make sure that their phones and other mobile devices are set on silent / vibrate mode during meetings.

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

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

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

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. Visitors are not allowed to bring food or drink into the meeting room.

EXCLUSION OF PRESS AND PUBLIC

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

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

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

Notes

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

CAMBOURNE – DRAINAGE AND UTTONS DROVE**Purpose and Background**

1. This matter is being reported to the Planning Committee for the following reasons :
 - (a) Following assurances given to Full Council on 22 April 2010 the Planning Portfolio Holder said drainage matters would be kept under regular review by Members
 - (b) At the meeting of the Planning Committee in December 2010 , when the Committee resolved to give officers delegated authority to approve the outline application and grant planning permission for a further 950 units at Cambourne, the Committee said this was subject to “..reference back to Planning Committee to make sure it is satisfied that substantial resolution of drainage issues relating to Cambourne and a programme to upgrade Uttons Drove have been secured”.
2. A short Joint Statement from Anglian Water, MCA ,Taylor Wimpey and Bovis Homes is attached confirming a recommendation to the Planning Committee that delegated authority be given for the Planning Permission to be issued for the 950 dwellings without the need for any further works or reports back on drainage matters before the grant of the actual permission. Representatives from AW and MCA will give short presentations to confirm their support for the recommendation and will be available to answer questions.
3. In relation to upgrade of Uttons Drove, the form of a legal Agreement between the parties listed below is substantially agreed (and some final drafting points are currently being finalised) but it has been agreed by the parties that the final form of Agreement will be completed before or at the same time as completion of the section 106 Agreement and the issue of the planning permission for the 950 units.

The Environment Agency (EA)
Anglian Water (AW)
South Cambridgeshire District Council (SCDC)
MCA Developments Limited (MCA)

The Agreement provides for the following;

- i) Requisite works to accomodate discharge of an additional 950 units at Cambourne will be carried out by the EA and SCDC.
- ii) The EA will appoint a contractor on or before 30 October 2011 and both SCDC and the EA shall each start their respective works on or before 31

November 2011 and each shall use reasonable endeavours to complete their works by 1st August 2012

iii) The cost of the works will be paid to the EA and SCDC for their respective parts of the works and the form of Agreement provides for costs to be paid for by AW and MCA

iv) SCDC will be paid a commuted sum to cover future maintenance of the SCDC element of works and SCDC will be responsible for future maintenance in such regard

iv) the EA will be responsible for future maintenance of the EA element of works and AW will be responsible for payment to the EA of the EA's costs reasonably incurred in future maintenance in such regard

4. The downstream section of the Swavesey Main Drain is designated "main river" pursuant to the Water Resources Act 1991 and is regulated by the EA. The upstream section of the Swavesey Main Drain is an ordinary watercourse and is regulated by SCDC pursuant to the Land Drainage Act 1991 and the Floods and Water Management Act 2010. The EA has assured SCDC that as the relevant statutory body it is satisfied that the works will reduce flood risk from the Swavesey Drain system.
5. The EA and SCDC have the requisite powers, if necessary, to carry out and complete the works but the EA are currently liaising with individual landowners so as to avoid having to use their requisite powers if matters can proceed by negotiation.
6. The EA have said they are satisfied that they are able to address points raised by the Swavesey Internal Drainage Board (SITB) and that the works proposed by the EA should not be delayed because the SITB might have preferred an alternative arrangement. The EA will give a short presentation to confirm their support for the Uttons Drove works and an EA representative will be available to answer questions.

Recommendation:

7. If the forms of presentation on Drainage and Uttons Drove are satisfactory to the Planning Committee it is recommended that the Committee confirm delegated authority for the planning permission to be issued without further reference back to the Committee on these matters.

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

Cambourne 950 – Foul Drainage.

Joint Statement to SCDC Planning Committee from Anglian Water & MCA Developments Ltd.

Aug / Sept 2011

At the Planning Committee on 6 December 2010 the Committee gave officers delegated powers to approve an outline application for 950 dwellings subject to “...reference back to planning Committee to make sure it is satisfied that substantial resolution of drainage issues relating to Cambourne ... has been secured”.

It is agreed by Anglian Water and MCA Developments that extensive drainage works have been continuing since December 2010 to achieve the substantial resolution of the drainage issues previously identified and that the repairs, testing and monitoring carried out so far are sufficient for Anglian Water to recommend that the Planning Committee now give delegated authority for the Planning permission to be issued for the 950 dwellings without the need for any further works or reports back on this point before the grant of the actual permission. Whilst this recommendation is of course similarly made by MCA Developments the recommendation is also made by Anglian Water recognising its position as the statutory undertaker for the Cambourne drainage works.

Work in relation to the drainage system will continue to move it forward to formal adoption of the foul and surface water sewers Anglian Water, MCA Developments (and MCA's shareholders, Taylor Wimpey and Bovis Homes), undertake to continue working together towards this goal. We will also work with other housebuilders on specific housing parcels where necessary.

We also confirm and undertake to the Committee that improved working practices and protocols are in place to ensure that the drainage works on the 950 new dwellings will be carried out in a way which will avoid the problems of the past.

There is a series of charts and graphs available to help demonstrate the substantial progress that has been made.

The essence of the presentation today is to assure the committee of the progress made and to give the assurance from each of the organisations listed below that works have been carried out such that the Committee may be satisfied that substantial resolution of drainage issues has been secured .

Anglian Water
MCA Developments Limited
Taylor Wimpey
Bovis Homes

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South Cambridgeshire District Council

Planning Committee – 7 September 2011 – Declaration of Interests

Councillor

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/6438/07/O - CAMBOURNE

Up to 950 dwellings, a neighbourhood/community building, ancillary public open space, formal play areas, internal access roads, pedestrian and cycle routes, and associated drainage and engineering infrastructure, including electricity sub-stations on land at Upper Cambourne for MCA Developments Ltd.

Recommendation: Approval of Design Guidance document

Date for Determination: 15th November 2007

Notes:

The submission of the Design Guidance document has been reported to the Planning Committee due to the strategic importance of the document for the development of the additional 950 dwellings at Upper Cambourne.

Update on the development of the Design Guidance document

1. The outline application for 950 units at Upper Cambourne went before Planning Committee on 6th December 2010, at which time the Committee resolved to grant planning permission subject to the resolution of the drainage issues and the completion of the Section 106 legal agreement.
2. One of the conditions (no. 6) detailed in the committee report required the submission of a Design Briefing Document, for approval, prior to or concurrently with the submission of each of the reserved matters applications. In the months since the December committee the applicant has been working with officers to develop a Design Guidance document for the entire site.

Proposed Development

3. It is proposed that the Design Guidance document, submitted on 2nd August 2011, be included in the list of approved documents for planning reference S/6438/07/O. The document provides additional design guidance for the outline application, in accordance with the wording of the aforementioned condition, and will influence the design of the reserved matters applications that are to be submitted.

Planning Policy

4. *South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:*
 - (a) **Policy DP/1 Sustainable Development**
 - (b) **Policy DP/2 Design of New Development**
 - (c) **Policy DP/3 Development Criteria**
 - (d) **Policy DP/4 Infrastructure and New Developments**

- (e) **Policy DP/6 Construction Methods**
 - (f) **Policy HG/1 Housing Density**
 - (g) **Policy HG/2 Housing Mix**
 - (h) **Policy SF/6 Public Art and New Development**
 - (i) **Policy SF/7 Underground Pipes, Wires, Fibres and Cables**
 - (j) **Policy SF/10 Outdoor Play Space, Informal Open Space and New Developments**
 - (k) **Policy NE/3 Renewable Energy Technologies in New Development**
 - (l) **Policy NE/6 Biodiversity**
 - (m) **Policy NE/9 Water and Drainage Infrastructure**
 - (n) **Policy NE/14 Lighting Proposals**
 - (o) **Policy TR/1 Planning for more Sustainable Travel**
 - (p) **Policy TR/2 Car and Cycle Parking Standards**
 - (q) **Policy TR/4 Non-motorised Modes**
5. *South Cambridgeshire Local Development Framework Site Specific Policies DPD 2010:*
- (a) **SP/3 Cambourne**
 - (b) **SP/4 Cambourne Approved Masterplan and Design Guide**
6. *South Cambridgeshire Local Development Framework Adopted Proposals Map 2010:*
- (a) **Inset No. 14 Cambourne Map 4 of 4**
7. *South Cambridgeshire Local Development Framework Supplementary Planning Documents:*
- (a) **Open Space in New Developments SPD - Adopted January 2009**
 - (b) **Public Art SPD - Adopted January 2009**
 - (c) **Trees & Development Sites SPD - Adopted January 2009**
 - (d) **Biodiversity SPD - Adopted July 2009**
 - (e) **Landscape in New Developments SPD - Adopted March 2010**
 - (f) **District Design Guide SPD - Adopted March 2010**
8. *Non-statutory guidance:*
- (a) **RECAP Waste Management Design Guide Draft Supplementary Planning Document February 2010**
9. *Circular 11/95 – The Use of Conditions in Planning Permissions:*
- Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
- Consultations**
10. On 8th July 2011 officers held a workshop involving the **Ecology Officer, Landscape Officer, Urban Design Officer** and **Local Highways Authority Officer**. All of the comments that were raised during this workshop have been incorporated into the final version of the Design Guidance document. The **Police Architectural Liaison Officer** could not attend this workshop but has since confirmed that he has no objection.

11. **Cambourne Parish Council** – at the time of writing the Parish has not responded. It is meeting to discuss this on Tuesday 23rd August 2011 and Members will be updated.
12. **Bourn Parish Council** – has not responded.

Representations

13. Two representations have been received from owner/occupiers of properties in Cambourne. Both of these representations refer to the principle of further development at Upper Cambourne, which was considered in the report that went before Planning Committee in December 2010.

Planning Comments – Key Issues

14. The Upper Cambourne Design Guidance document builds on the principles outlined in the Design and Access Statement and the parameter plans, which show how the built form will address the various access routes that permeate the site, the open spaces within it and how it will relate to the adjacent countryside. The document also includes implementation guidance to aid the design and construction of the last parts of Upper Cambourne.
15. The production of the Design Guidance has taken place over a number of months with various key steps in the process. These key steps are highlighted in Appendix 1.
16. The development of the Design Guidance document has been informed by a design review process of Upper Cambourne that was lead by Council officers and involved a wide range of stakeholders, including elected Members, visiting Upper Cambourne on 15th March 2011. The officer workshop of 8th July 2011 also provided a number of valuable comments that have helped to enhance the document. The aim of the document is to create a single document to supersede previous design guidance for Upper Cambourne and create a single point of reference for the design of the additional 950 units.
17. The document starts by providing site wide guidance that is applicable to all areas of Upper Cambourne before introducing the three character areas, which are identified in the Design and Access Statement, in more detail. Guidance is given on the design of open spaces and the spine roads as well as the development parcels. The document concludes by giving guidance on how the design process should move forward to construction.
18. The document accords with the original design guidance for the final phases of Upper Cambourne and is in line with the principles of the Masterplan. The document contains diagrammatic plans of land parcels to aid the design process. These plans are not to scale, to allow flexibility and creativity in the design process. Particular attention has been paid to the issue of parking with a preference being for on plot parking and a move away from large parking courts, which are generally reserved for flatted developments. The use of materials has also been considered in light of the concerns about the quality of some of the materials already used at Upper Cambourne. For each character area a pallet of example materials and scale of development is provided.
19. The Council's Urban Design Team and planning officers have been involved in the development of this document and it has also been the subject of extensive consultation with Cambourne residents and the Parish Council. The submission of the

Design Guidance document will give additional weight to the promotion of quality design at Upper Cambourne.

20. In the report that went to Planning Committee in December 2010 there was a condition detailing what was to be included in the Design Guidance document(s) (referred to as Design Briefing Documents), which were to be secured by way of a pre-commencement planning condition. Given the desire to make an early start on site the applicant has been proactive in the development of this Design Guidance document. As a result of this work it will no longer be necessary to require this document by way of a planning condition; although one will still be used to ensure that future development accords with it.

Recommendation

21. It is recommended that members **AGREE** that the Design Guidance document be approved as part of the S/6438/07/O application submission documents, subject to the following condition:

Additional condition

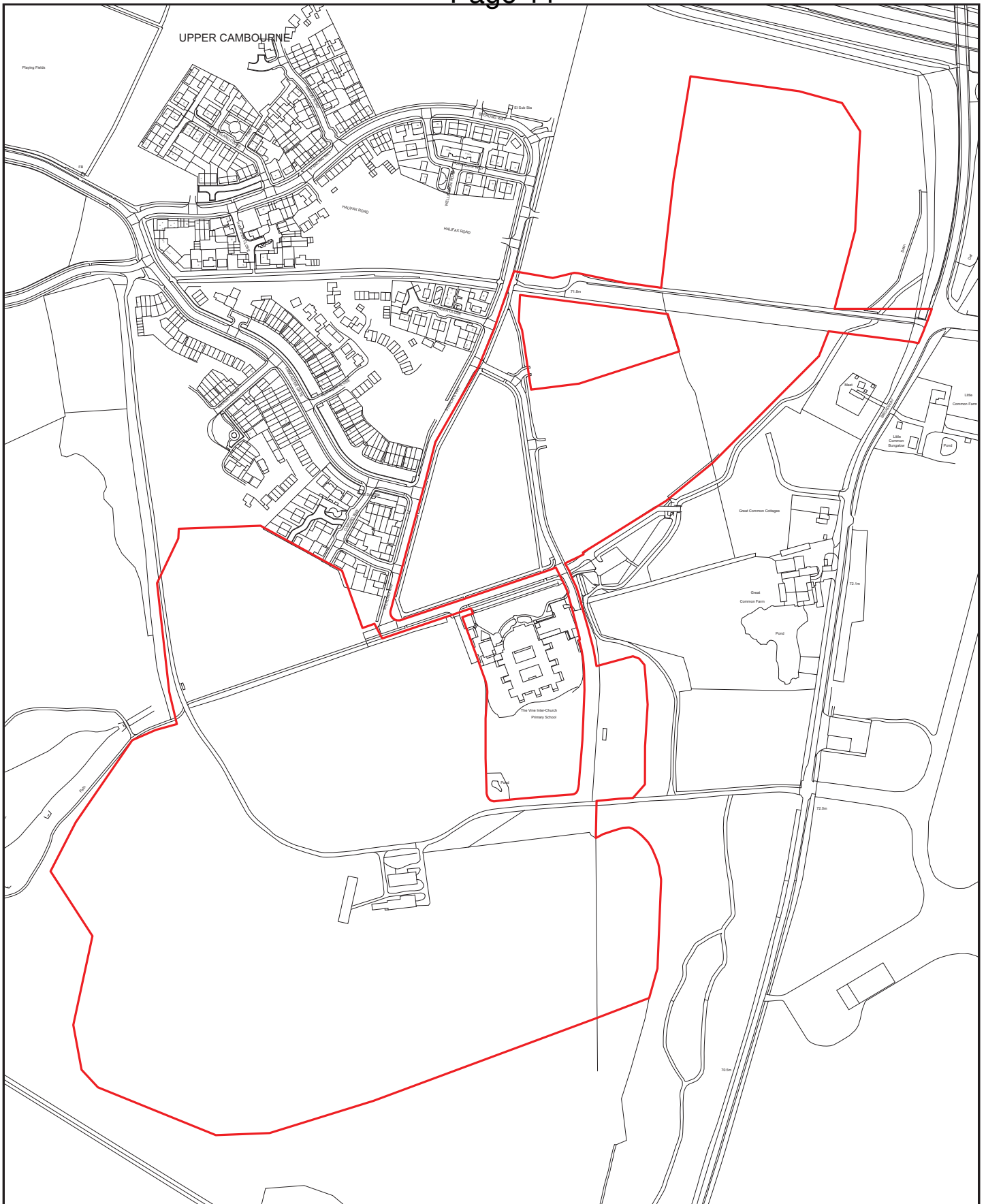
1. The development shall be carried out substantially in accordance with the approved 'Upper Cambourne Design Guidance' document, dated 1st August 2011, unless otherwise agreed in writing by the Local Planning Authority.
(Reason: To ensure that the development accords with the design principles detailed in the approved Design Guidance document, in accordance with South Cambridgeshire Local Development Framework (Development Control) Policies DP/1, DP/2 and DP/3.)

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted July 2007)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents:
 - Open Space in New Developments SPD - Adopted January 2009
 - Public Art SPD - Adopted January 2009
 - Trees & Development Sites SPD - Adopted January 2009
 - Biodiversity SPD - Adopted July 2009
 - Landscape in New Developments SPD - Adopted March 2010
 - District Design Guide SPD - Adopted March 2010
 - Affordable Housing SPD - Adopted March 2010
 - Health Impact Assessment SPD - Consultation Draft October 2010
- Circular 11/95 – The Use of Conditions in Planning Permissions
- Planning File Refs: S/6438/07/O

Contact Officers: Trevor Faulkner – Principal Planning Officer - New Communities
(Planning)
Telephone: (01954) 713417

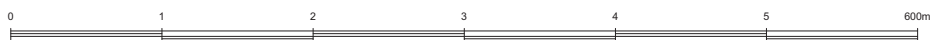
Edward Durrant – Senior Planning Officer - New Communities
(Planning)
Telephone: (01954) 713266



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District Council

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/0983/11 –MILTON

**Outline application for demolition of existing buildings, removal of existing pylons/masts from training grounds, and construction of up to 89 dwellings (including affordable housing), restoration of North Lodge, restoration of Humphrey Repton Landscape, provision of formal and informal open space including sports pavilion and children's play equipment, provision of associated landscaping and improvements to existing access
At EDF Depot, Ely Road, Milton, Cambridge
For Helical (Milton) Ltd.**

Recommendation: Delegated Minded to Approve**Date for Determination: 12 August 2011**

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

Major application**Departure****Site and Proposal**

1. The site lies to the north of the main village of Milton and in the Green Belt. It measures approximately 8.2ha in total and comprises 2 adjoining areas of land. Access is gained off the west side of Ely Road, between Milton Hall and the College of West Anglia. To the north of the access is a 0.75ha open area of land, partly comprising a disused and overgrown car park, and the vacant North Lodge to Milton Hall. North Lodge also has a separate pedestrian access via historic gates on Ely Road. Trees and hedges mark the boundaries to the road (west), north and east. The second area of the site lies beyond the first area, but south of the access / behind Milton Hall. It is the larger area and comprises a disused depot with several utilitarian buildings and hardstandings. This built development is located in the distinct area occupying approximately the north-west quarter of the site. The remainder of the site is open grassland and with a significant tree belt and lake along the southern boundary. This is said to be a landscape designed by Humphrey Repton for Milton Hall. It is presently also occupied by many overhead power lines and telegraph poles, associated with its former use by EDF as a training facility. These would be removed as part of the application proposal. Adjacent to the northern boundary of the site is a tall telecommunications lattice mast with many attachments and associated buildings around its base. These would all be retained as part of the proposal.
2. To the south of the site is the Milton Children's Hospice and beyond that the built up residential area of the village. To the west are All Saints Church and Milton

Hall with its modern office wing extensions projecting towards the site, along with a further modern office building with its car park. To the north is the College of West Anglia. Most of the north, east and part of the southern boundaries back onto open agricultural land (apart from some riding stables to the north of the mast area), with the railway lying further east and the site for the Cambridge rowing lakes beyond that.

3. The southern and western parts of the site lie within the Conservation Area and in close proximity to three listed buildings, Milton Hall (Grade II), All Saints Church (Grade II*) and North Lodge (Grade II). Trees within the Conservation Area are afforded statutory protection. The site also lies within Flood Zone 1 (low risk).
4. The outline planning application, validated on 13 May 2011, seeks permission for the demolition of all buildings apart from North Lodge and those associated with the transmitter mast, the removal of the pylons / telegraph poles and overhead lines from the site, the construction of 89 dwellings of which 35 units (39%) would be affordable, the restoration of North Lodge for use as a single dwelling, provision of formal and informal open space with associated pavilion and equipped play area, associated landscaping including restoration of the Repton-style landscape. All matters are reserved apart from the details of the access into the site, but illustrative material has been submitted to show how the built development could be accommodated within the area occupied by the current buildings.
5. The main area for housing development is 3.28ha in size. The erection of 89 dwellings equates to a density of 27 dwellings per hectare.
6. The application is accompanied by supporting documentation including a Planning Statement, Design and Access Statement; Heritage Appraisal; Heritage Design Report; Landscape and Visual Assessment; Affordable Housing Statement; Flood Risk Assessment; Human Health Risk Assessment; Site Investigation, Risk Assessment and Development of Remediation Strategy; Archaeological Evaluation Report, Aerial Photographic Assessment, Geophysical Survey and Archaeological Desk-Based Assessment; Transport and Accessibility Report; Residential Travel Plan; and Ecological Appraisal. Also submitted are parameter plans for land use, building heights and housing mix.
7. A section 106 Agreement would accompany any grant of permission, and this would require a pavilion with parking and cycle parking, 2 football pitches and a play area. These are shown on the proposed plans. A bus stop on Ely Road is also proposed.

Relevant Planning History

8. Outline permission was granted in 2009 (ref. **S/1601/09/O**) and detailed permission for all reserved matters except landscaping in 2010 (ref. **S/1730/09/RM**) for the redevelopment of the site for 101 retirement units (including the restoration of North Lodge as one unit), facilities building, warden's accommodation, playing fields, pavilion play area and landscaping. This has not been implemented due to market conditions.
9. Earlier planning history from the 1990s associated with the Eastern Electricity / EDF use includes the erection of office and store buildings, the use of a building as a training school, and a 3m high perimeter security fence. Prior to the training facility use, it was a depot for the storage and distribution of materials and a base

for operations in connection with the maintenance of the electricity supply network.

10. Other planning history relates to the telecommunications mast, various antennae and associated equipment cabin buildings.
11. North Lodge obtained listed building consent in 1994 and 2002 for works including alterations and reinstatement of chimneys, doors and windows, walls and gates, and a damp proof course. Planning permission was granted in 2002 for a garage/utility room and fences and gates.

Planning Policy

12. National Policy
PPG2: Green Belts
PPS3: Housing
PPS7: Sustainable Development in Rural Areas
PPS13: Transport
13. South Cambridgeshire Local Development Framework Core Strategy 2007
ST/1 Green Belt
ST/2 Housing Provision
ST/3 Re-Using Previously Developed Land and Buildings
ST/6 Group Villages (including Milton)
14. South Cambridgeshire Local Development Framework Development Control Policies 2007
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/6 Construction methods
DP/7 Development Frameworks
GB/1 Development in the Green Belt
GB/2 Mitigating the Impact of Development in the Green belt
GB/5 Recreation in the Green Belt
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
ET/6 Loss of Rural Employment
SF/6 Public Art
SF/10 Outdoor Play Space, Informal open Space and New Developments
SF/11 Open Space Standards
NE/1 Energy Efficiency
NE/2 Renewable Energy
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/9 Water and Drainage Infrastructure
NE/10 Foul Drainage
NE/11 Flood Risk
NE/12 Water Conservation
NE/14 Lighting Proposals
NE/15 Noise Pollution
CH/1 Historic Landscapes
CH/2 Archaeological Sites
CH/3 Listed Buildings

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
TR/3 Mitigating Travel Impact
TR/4 Non-Motorised Modes

15. District Design Guide SPD - Adopted March 2010
Trees and Development Sites SPD (2009)
Open Space and New Developments SPD (2009)
Landscape in New Developments SPD (2010)
Listed Buildings SPD (2009)
Development Affecting Conservation Areas SPD (2009)
16. **Circular 11/95 (The use of Conditions in Planning Permissions)**
Advises that planning conditions should be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects.
17. **Circular 05/2005**
Advises that planning obligations must relevant to planning, necessary, directly related to the proposed development to be permitted, fairly and reasonably related in scale and kind and reasonable in all other respects.
18. **The Town and Country Planning (Consultation) (England) Direction 2009**
This sets out the circumstances in which local planning authorities are to refer to the Secretary of State applications for planning permission, including those decisions which are departures from the development plan.

Consultations

19. **Milton Parish Council** recommends refusal of the application on the following grounds:
 - (a) Traffic – the two junctions Knights Way/Ely Road/High Street and Landbeach Road/Humphries Way/A10 are difficult junctions to negotiate at peak hours. As most of the traffic emanating from this development will use these two junctions and almost certainly at peak hours it is imperative that a scheme to alleviate the difficulties at these junctions is designed.
 - (b) Parking spaces allocated are inadequate especially as the trend is for householders to use their garages for purposes other than parking their cars.
 - (c) Details of the S106 Agreement must be re-negotiated. We prefer that to happen before the full planning application is granted.
 - (d) The terrace facing along the southern side is completely out of keeping with anything else in the village. We believe that this should be “broken” up.
 - (e) We would like the rest of the grass areas made available for recreation use – not just the area to the east of the development.
 - (f) As the site is partly in and adjacent Milton’s Conservation Area and Green Belt, underground cables should be installed as part of the design.

The agent has addressed these points directly with the Parish Council and any further comments from the Parish Council will be reported by way of an update.

20. **Local Highway Authority** requests conditions regarding contractors' traffic, delivery routes to avoid the village of Milton, survey of the condition of Ely Road (for allocation of future repairs), and the provision of a highway design code to work to at the Reserved Matters stage. It is also considered that the proposed development will generate fewer vehicles than the extant consented use on the site. In addition to the provision of a new bus stop on Ely Road, in the vicinity of the site access, a residential travel plan should also be provided.
21. **The Environment Agency** has no objection, in principle, but would require further information demonstrating that the proposed development can go ahead without posing an unacceptable flood risk and/or risk of pollution to the water environment. The revised Flood Risk Assessment (FRA) is fully acceptable for the scale and nature of the development. It satisfactorily demonstrates that the site is still situated within Flood Zone 1 (low risk) and appropriately outlines a new surface water strategy that will be managed in a way so as not to adversely affect third parties, subject to detailed design.

As the matters referred to in the suggested planning conditions are not “reserved matters” as defined in the Town and Country Planning Act, 1990, it will be necessary to impose a separate condition for each issue to ensure that these matters are addressed by the future developers, namely a surface water drainage scheme, a scheme to deal with the risks associated with contamination and subsequent verification of any remediation required, and ecological enhancement.

22. The **County Council Rights of Way and Access Team** is concerned that the development only seems to be accessible from the main vehicle entrance. "We appreciate that the 'red line' limits what the developer can deliver (especially given the sensitivity of the hospice) in terms of access to (1) the village and to the country park and (2) to the proposed future site of the Sport Lake access paths (as screenshot below, from the Sport Lakes website), but we would suggest that there is considerable scope through negotiation with surrounding landowners for the County as Highway Authority to deliver this access through s106, in line with current Policy to help deliver a more permeable (for pedestrians, cycles, and possibly equestrians (noting the proximity to the College equestrian centre)) solution".
23. **Cambridgeshire County Council (as education authority)** had pre-application discussion with the agent and has agreed S106 contributions towards the provision of education arising from the development.
24. **Cambridgeshire County Council's Archaeologist** has no objection subject to a suitable mitigation strategy to preserve the archaeological interest of the area. It is concerned that several elements of the proposals may be in conflict with each other and that the applicant has not understood the implications of the development on the historic environment in relation to archaeology. A strategy is needed for the residential development footprint, football pitches and works to enhance the lakes and new landscape planting. It notes that parts of the site have been found to have significant contamination and in these areas specialised excavation apparatus and measures, prior to decontamination works need to be considered at an early stage as part of the strategy and developer's risk management. It is concerned about the implications of developing the football pitches and removing cables and telegraph poles due to the potential to disturb archaeological evidence relating to Roman settlement (a cropmarked site). A strategy for the laying out of these pitches e.g. drainage, levelling etc. is required to preserve in perpetuity the archaeological remains. Documentation incorrectly

states that archaeological investigations have been completed at the site. It acknowledges that it is suggested a staged archaeological condition would be required releasing land area by area and by stage of archaeological programme. It recommends that further information be sought prior to determination in the form of a considered strategy.

25. **The Housing Strategy Manager** notes that the district wide targets for tenure mix of new affordable housing is 70% social rent and 30% intermediate housing, however the greatest demand is for social rented properties. With the changes to the HCA funding it is accepted that this tenure mix may not be financially viable, and so the proposed 50/50 split is considered acceptable.

Proposals for the size of the affordable dwellings should be informed by the housing register data, and the village and parish housing needs surveys (were exception sites are proposed especially); the 2005 Milton housing needs survey states that 88% of households require 1 or 2 bedrooms and 11% require 3 bedrooms. The application proposes 6, 1no. bedroom flats, 12, 2no. bedroom flats, 12, 2no. bedroom houses and 5, 3no. bedroom houses. The dwelling size proposals for the affordable housing are in accordance with both the parish and district profile and are therefore acceptable.

There is no requirement for this site to be made available for people with a local connection to Milton, as the site is not an exception site. The dwellings would be open to all applicants who are registered on the Councils Home Link system. South Cambridgeshire District Council has a legal obligation to give reasonable preference to all applicants assessed and placed in the highest housing need.

The properties should meet the Homes and Communities Agency, Design and Quality Standards. The application proposes that the affordable housing will be integrated within the development in terms of spatial distribution and appearance and this proposed layout has the support of the affordable housing team.

Whilst this application does not quite meet the required 40% affordable housing the application is acceptable in terms of dwelling size, tenure split and distribution in relation to the proposed affordable dwellings.

26. **The Landscape Design Officer and Trees Officer** - Although the Landscape Plan is acknowledged as being illustrative, it, together with the other documents, should firmly establish intentions and principals regarding important landscape features and themes.

North Lodge Area

- 1) The car parking for North Lodge itself should be slotted between the trees south of the Lodge, rather than to the east where it will form a visual stop to the entrance roadway.
- 2) The Corsican Pine trees and significant apple trees south and west of the lodge should be retained (assuming a fair condition) – they are shown as removed on the Landscape Strategy Plan.
- 3) The area also contains some significant Pine and Pear trees, which I was not aware of, as they had not appeared on drawings presented at the meetings. These are described as in 'Good' condition (category B) in the tree report, and would be lost if the car parking (and SUDs) are constructed in the locations shown. I assume it is a principal that all good trees will be

retained unless their removal is essential for construction or enhances the landscape.

- 4) The balancing pond was also missed, as it is not particularly clear on figure 5 - Landscape Strategy Plan (I thought it was a patch of meadow!). This pond will need careful design as it will be the major landscape feature of the entrance to the site, and will form the foreground of views to North Lodge
- 5) As it is in such a sensitive location, I think there should be some description of how this feature is intended to look and whether or not it will contain permanent water - Balancing ponds can look fairly 'industrial'. Does the drainage system need to be split into NW and SW as shown? (D&AS page 48). A principal of the design was that surface water drainage is to be used to top up the lake levels. Will there be enough water from the SW area alone, particularly as a significant percentage will be lost due to evaporation, infiltration under car parks, in swales etc. If released slowly as suggested the water will also spend a considerable time underground in pipes and cells, reducing water quality.

Main Development

- 1) Further thought is needed to access and parking courts of the blocks immediately north of Milton Hall, and access to the parkland from the green space.
- 2) Some houses in the central area seem to be within 5 metres of the pylon with no screening between. A house in this area also has its rear garden filled with a garage.
- 3) Stronger Landscape treatments are needed where roads and car parking meet the parkland e.g. west of the playground and around the pavilion.
- 4) Parking courts back onto each other at the south-east end of the development – an inhospitable space which could use some landscape to break it up.
- 5) Trees should form part of the street scene along the main route – e.g. at traffic calming points.
- 6) Trees in the green fingers and along the southern edge will need to be carefully positioned to preserve the views between the farmland and the park.
- 7) Landscape not needed to the east of the pavilion – views needed over the sports pitches?
- 8) Trees around the pavilion – it was agreed to stop the main street with a main large, feature tree, possibly with other supporting trees. However, the planting to the east of the pavilion would block views to the pitches from the pavilion. Without knowing the layout of the pavilion, a principal of its construction could be a viewing/access area on its east side.

Woodland and lake

- 1) Some description of the type of surface water drainage throughout the site is needed, and how surface water will reach the lake.
- 2) Access to some parts of the woodland should be noted and south lakeshore should be noted and shown on the drawings, as previously agreed. As far as I am aware it has always been a principal of the design that there will be limited access to the southern shore of the lake and woodland. Figure 4.11 shows this. Residents and visitors will want to explore the woods to some extent and so this should be acknowledged and safe, low-key provision made by a replacement bridge (also for maintenance access) and bark paths through the woodland, occasional benches etc. Access would be discouraged to the eastern 60% or so of the woodland, which would be managed to enhance the ecological environment.

The Trees and Landscape Officer requires conditions regarding the management of the trees and lake, and the retention of 2 pine trees near The Lodge as they are significant in the setting of the Lodge and the wider street scene.

27. In response to comments from the agent some further comments were provided.

Most of the application does seem okay, but accepting that this is for outline and that the plans are 'illustrative' (although they should tally) there are principles which need to be established now e.g. that the drainage system will deliver sufficient good quality water to the lake (it looks like only a small percentage will make it) and that there will be some access to the woodland (people will go there anyway).

In relation to the balancing pond in front of the North Lodge is a significant feature. We will need some idea of what this will look like - i.e. not your standard balancing pond.

28. **The Principal Conservation Officer** - "The layout is more simplified than previously seen during pre-application meetings, which is an improvement. However, it appears much more cramped than the previous scheme. Because the previous scheme did not show many of the intended garage blocks, it would be helpful to distinguish between the colours of houses and garage blocks so we can get a more realistic comparison.

The location of individual trees is also better considered, although some areas still need to be revisited, as [the Landscape Design Officer] suggests, and the playground area trees should be relocated to better screen this from the main vista.

I would endorse [the Landscape Design Officer's] views but would have added concern regarding the balancing pond, which would be seen in the frontage of the site and in primary views of the listed North Lodge, and would ask for details to be made available to establish the principle. If you feel this can be covered by condition, it should specifically exclude the balancing pond subject to an acceptable scheme.

The Heights Plan and Land Use Plans are somewhat crude, as for instance it would not be appropriate to build to 1.5 storeys to the south of North Lodge. The Landscape Strategy Plan is much more useful to show the intent. It would also be helpful to have an overlay of the current site (as previously done for the retirement house scheme) in order to establish where and how far the current proposal extends beyond the current boundaries of built development, in order to

make an informed comparison. It does seem that the proposed development extends much further along the eastern boundary of Milton Hall and in a much more continuous character, which would intrude significantly into the main vista from Milton Hall.

The submission seems very short on illustrative sections to show relative bulks and extents of buildings. Whilst we discussed proposed development quite close to North Lodge, I was still asking for detail to establish the principle. I am concerned about proposed development of a similar scale or larger than North Lodge as close as shown on the land use plan, as it would appear as a backdrop to North Lodge when viewed from its original approach. An illustrative street view should be supplied showing the view and bulk of buildings to include North Lodge and the proposed courtyard range and to show a significant gap of wooded backdrop to the side of North Lodge."

29. The **Environmental Protection Officer** - notes the need for some remediation measures regarding contaminated land and recommends a condition to secure this.
30. Comments have not been received from Police Architectural Liaison Officer, Cambridgeshire Fire and Rescue Service, Ecology Officer, Lead Officers for Sustainability, Public Art, Sport and Leisure, Environmental Operations Manager. Comments are awaited from the Urban Design Officer and English Heritage. Updates will be provided.

Representations

31. **Councillor Hazel Smith** - "The application is outline, and most details are reserved. Nevertheless there is detailed work in the design and access statement showing the workings that have led to a long terrace of houses being proposed fronting onto the parkland and sports pitches. This could not be more different from the cottagey design of the approved retirement development. Terraces like this are an urban feature not seen anywhere else in Milton. I do not feel this is appropriate in the Green Belt. The terrace wrapping round the corner facing the green area is an overly dominant feature which is longer than the full length of Milton Hall itself, and I am frankly surprised that the architects' discussions with SCDC planners have led to this proposal. The original more broken frontage with green fingers into the development would be more sympathetic. As the proposal is now for General Housing not over-55s, is there a good reason why we could not have further recreation uses (pitch markings perhaps) on the larger area between the housing and the lake?"
32. **The occupier of 37 Butt Lane** objects to the proposed change from a retirement village to general, including affordable, housing. The change in intended use combined with the changes to the travel plan since the bus services were massively reduced will lead to many more cars and car journeys in the village of Milton. The lack of retirement village will be unfortunate and a loss of a local amenity that would have been well used. Milton has a large amount of "affordable housing" i.e. 1 and 2 bedroom properties already.
33. **The occupier of 1 Knights Way** comments:

Having attended the Parish Council meeting with the developer's agents I have two comments to make. I am keen to see that the current tree coverage is maintained or improved. Heading north up Ely Road the current feeling is one of heading out into the country. I am concerned that the row of houses in the North

Lodge area of the application would change that feel entirely. As the current plans stand this row seems to be reasonably back from the road with trees retained in front of it. I am keen that this level of tree cover should become a requirement of the application. I would not like to see a show-home or large advertising boards placed on the roadside as the project progresses. My second concern regards the level of traffic. The developer's agents were keen to stress that the development represented a reduction in traffic from the previous commercial use of the site. My concern is around the timing of these journeys. Vehicles accessing a commercial site all day is very different from a number of vehicles leaving the site in a short period of time in the morning and returning in the evening. Currently the junction of Ely Road and the High Street gets very busy with college traffic and traffic accessing the office next to the planned development site."

Planning Comments

34. Planning permission has previously been granted for the redevelopment of this site for housing (retirement village) including the renovation of North Lodge as a dwelling. The development area was strictly limited to the built up part of the site as it presently exists, to avoid encroachment into the open part of the Green Belt. The principle of redevelopment has, therefore, been accepted.
35. The main issues in this case are, therefore, related to the changes made in the current scheme and any policy changes. This is an outline application, with all but access reserved, so the application is generally to consider the principle of housing development and its impact on the landscape and historic setting in which it would lie.

Green Belt – Inappropriate Development

36. The site is within the Cambridge Green Belt. In determining applications for development the first consideration is whether the development can be considered 'appropriate', as defined in 'PPG2: Green Belts'. With the exception of the proposed sports pavilion and football pitches, the proposals are by definition 'inappropriate development'. It is noted that the existing land use is also 'inappropriate development'.
37. PPG2 advises that "...inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why planning permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations." A balancing exercise is required to ascertain whether the material planning considerations put forward by the applicants amount to very special circumstances that outweigh the harm to the Green Belt and other harm.

Other harm

Openness of the Green Belt

38. The development extends beyond the area of existing development and will include buildings that are taller than the existing industrial buildings. This will result in a harmful impact on the openness of the Green Belt.

Countryside

39. Countryside policy (Policy DP/7) limits development outside frameworks to that which is essential in the countryside. The aim of the policy is to protect the countryside from gradual encroachment, to guard against incremental growth in unsustainable locations. This site is however, a brownfield site, where some re-use of the existing buildings or limited re-development on a like-for-like basis could be supported (see Policies ET/7 Conversion of Rural Buildings for Employment and ET/8 Replacement Buildings in the Countryside). PPS7 "Sustainable Development in Rural Areas" takes a similar approach by favouring the re-use or redevelopment of buildings in the countryside for employment use. Notwithstanding, that is not what this application seeks, but it is acknowledged that there is an extant planning permission for a similar type of development on this site.

Housing Provision

40. Additional housing developments in South Cambridgeshire are currently required to meet a shortfall identified through the Regional Spatial Strategy. Any shortfall in housing provision within the current Local Development Framework process will, however, be made up from allocated sites and windfall sites at more appropriate and sustainable locations, in accordance with policy ST/2.
41. Milton is a group village where residential development within the framework is limited to 8 dwellings or exceptionally about 15 where it would make best use of a brownfield site. The site however, is not within the framework. Notwithstanding, the principle of re-development for housing has been established through the extant planning permission.
42. The main element of the proposal is housing, of which 54 units would be market housing and 35 affordable, equating to almost 40%.
43. Housing outside the development framework is usually required to be 100% affordable and to accord with the exceptions policy. I note the comments of the Housing Strategy Manager that this is not an 'exceptions' site. Officers agree as the proposal would not accord with the exceptions policy (due in part to the size of the scheme) and is being put forward as an exception to this and other housing settlement policies with very special circumstances as the justification. That said there remains a need to provide for affordable housing and in the view of officers an appropriate level would be 40% to accord with general affordable housing requirements. Viability has not been assessed as the proposal meets this requirement.
44. Within the market housing, Policy HG/2 sets targets for up to ten houses and then these targets become a guide for larger schemes. The submitted Housing Mix Parameters Chart shows a range of numbers for each of the houses sizes at this stage, since the actual number of units of each size would be determined through the design process at reserved matters stage. Nevertheless, the ranges shown would secure a mix of market houses of approximately 28-34% 2-bedroomed units, 15-18% 3-bedroomed units, and 37-40% 4-bedroomed units. This does not accord with the suggested mix and the developer has been asked to demonstrate why a mix closer to that of Policy HG/2 cannot be achieved. The final mix can be controlled through a condition. Members will be updated on this point.

45. It is noted in the Design and Access Statement that densities are likely to average approximately 27 dwellings per hectare (dph) which is broadly in line with the requirements of Policy HG/1.

Design and Layout

46. These matters are shown for illustrative purposes only, and would, therefore, be finalised through the reserved matters application. The overall theme is to provide some dwellings near to North Lodge in the form of a converted stable yard or similar. These would be a 1 and a 1/2 storey terrace of units with gardens and parking behind them in a walled courtyard. They would be positioned so as to avoid cutting into the view from the pedestrian gateway adjacent to North Lodge towards Milton Hall, and would be subservient to both these Listed Buildings. Parking for North Lodge would be provided adjacent to it, but the exact position would be finalised through the reserved matters application.
47. In the main area, the dwellings would be set in linked but distinctive areas. On arrival from the west would be higher density development, arranged to form a quadrangle by "borrowing" visually from the forms of the office wings at Milton Hall. Further east, the access road would lead towards the pavilion and pitches, through a built up area set in perimeter blocks. The layout has been negotiated to present a frontage to the open parkland and lake, rather than being inward looking. Negotiations also included the provision of green fingers into the development from the south, and these have evolved into two more robust fingers, which continue right through the whole site to the paddock land to the north. As a result the central section presently has a hard appearance, but this will be negotiated further through the reserved matters process. Ultimately, the layout shows how the dwellings can be accommodated within the developable area of the site.
48. There will also be some further negotiation required around the area of the lattice mast. At present, the development has been designed to screen it in closer views, but some of the associated equipment buildings would have a detrimental effect on the gardens of the properties adjacent, in particular where there are extraction units adjacent to a rear garden. Parking also requires further attention, but has been demonstrated to be able to be provided at a sufficient level to meet the Council's standards.
49. An update will be provided addressing the anticipated comments of the Urban Design Officer.

Employment

50. The principle of losing the employment provision on this site has been established through the extant permission.

Listed Buildings and Conservation Area

51. An update will be provided responding to the concerns of the Conservation Officer. The key areas raised are: inclusion and impact of garage blocks; trees to screen the play area from Milton Hall's vistas; the principle and detailed design of the balancing pond in the setting of North Lodge; heights, especially in relation to North Lodge, extent of development beyond the existing built area, the continuous nature of the parkland frontage; and need for illustrative sections,

especially of development in the North Lodge area.

52. Comments from English Heritage will be also be addressed by way of an update, if available otherwise the recommendation will be to allow officers delegated powers to approve subject to its response.

Archaeology

53. Clarification is required of the County Council's comments in relation to archaeology prior to issuing a decision. An update will be provided and further advice on how to proceed will be reflected in the recommendation and any subsequent decision.

Highways and access

54. Access is to be determined at this stage. The existing access to Ely Road is to be unaltered. The local highway authority has not objected subject to requested conditions and amendments that can be incorporated at the reserved matters stage in terms of the internal layout of the site. Less traffic would be associated with the development than the previously approved scheme, so there would be less impact on highway safety.
55. An update will be provided if the local highway authority responds to the applicant's response to its queries.
56. The extant permission secured permissive footpaths through the site. The footpath link to the lakes will be secured.

Sustainability

57. The provision of on-site renewable energy sources to meet 10% of the site's energy needs can be secured by way of a planning condition. At this stage this is intended to be provided through the use of solar panels. Water conservation measures would also be secured through a planning condition.
58. The site is considered to be reasonably sustainable due to its proximity to Milton and alternative means of transport.

Flooding and Drainage

59. The Environment Agency's comments are noted in relation to flooding and drainage and the views of the Council's Land Drainage Manager on the drainage proposals will be sought.
60. Further consideration to the detailed design and location of the balancing pond may be required to address the concerns in relation to the conservation of the built historic environment, landscape and ecology.

Landscape and Ecology

61. The Landscape Design Officer's concerns are noted and can be addressed through the submission of detailed schemes. It may however, be necessary to amend the parameter plans and an update will be provided.
62. The Environment Agency's comments on conservation issues, i.e. the need for enhancement of biodiversity through appropriate mitigation measures, retention

of existing wildlife corridors and habitats, can be addressed through conditions. It should be noted that conditions were added to the previous planning permission and, subject to confirmation by the Ecology Officer will be necessary to ensure that this development also accords with policy NE/6.

Contributions

63. The County Council has negotiated directly for an education contribution, which has been agreed between the parties as being a payment per dwelling, since the eventual number of dwellings may be less than 89 once the design of the scheme is finalised at reserved matters stage.
64. It would be inappropriate to request contributions towards a footpath / bridleway scheme to link the site to surrounding land uses, as there is no scheme worked up that can be costed and apportioned. However, the layout of the site does not prevent future involvement in discussions to achieve access beyond the boundaries of the site should the County Council progress this.
65. Open space is to be provided on the site in the form of the restored Repton Landscape, and an equipped play area would be provided adjacent to the proposed pavilion and pitches. It is acknowledged in the application that the LEAP is slightly smaller than the required standard, however, due to the otherwise generous provision of open space the shortfall of approximately 26sqm is likely to be acceptable. This will be confirmed with the Lead Officer for Sport and Leisure and an update will be provided.
66. It was agreed in the previous extant approval that public art provision would be secured. The application has not referred to this and this will be clarified and an update provided. This can be secured via planning condition or S106 if agreed in accordance with policy SF/6.
67. Other contributions towards waste receptacles and S106 monitoring would also be required.

Green Belt - Very Special Circumstances

68. The material considerations put forward which the applicant considers amount to very special circumstances, in summary, are:
 - (a) The lack of a 5 year housing land supply to meet adopted targets.
 - (b) Improvements to the landscape, including removal of pylons and associated equipment, restoration of the lake and its woodland setting.
 - (c) Provision of extensive recreational opportunities for local residents by way of sports pitches and informal access to woodland and grassland. Pitches to be made available on a managed basis to meet a specific local need.
 - (d) Restoration of North Lodge and rehabilitation of its setting – securing its long term future.
 - (e) Improvements to the setting of Milton Hall – screening of modern extensions to the Hall by way of 3-storey building adjacent and removal of pylons etc. and creation of a parkland vista.

- (f) Restoration of the parkland designed by Humphrey Repton, including lake and woodland which forms part of the setting of the Church, Milton Hall and North Lodge.
- (g) Delivery of 35 affordable homes off-site which would otherwise not be forthcoming.
- (h) Delivery of housing to meet the Regional Spatial Strategy target.
- (i) Contribute to the Council's sustainability objectives to increase the supply of housing near employment opportunities, reducing commuting.

Cumulatively the applicants suggest these outweigh any harm by way of inappropriateness and other harm identified.

69. Officers agree that there is merit in these other considerations. These cumulatively do amount to very special circumstances that are sufficient to clearly outweigh the harm by way of inappropriateness and the other identified harm in regard to openness of the Green Belt, countryside, employment, Listed Buildings, and housing provision.

Departure

70. The application proposals amount to a departure to the development plan. Under the Town and Country Planning (Consultation) (England) Direction 2009, development which, by reason of its scale, nature or location, would significantly impact on the openness of the Green Belt should be referred to the Secretary of State. In this case, the proposals are considered to be of a nature and scale that the implementation of the development plan could be significantly prejudiced.
71. In addition, on the basis that very special circumstances have been provided that outweigh the harm it will cause, officers are minded to support the application. If approved, the application must be referred to the Secretary of State. Under the Green Belt Direction it must be referred as the proposals are for inappropriate development of more than 1000m² which will significantly impact upon openness of the Green Belt due to the height and footprints of buildings.

Conclusion

72. The proposed redevelopment of the site would achieve improvements to the historic and landscape environments, the provision of housing including affordable housing, and the provision of community facilities and publicly accessible open space. Whilst all but access is reserved for future detailed applications, it is clear that the site's unique circumstances can accommodate the development in a positive and sustainable way.

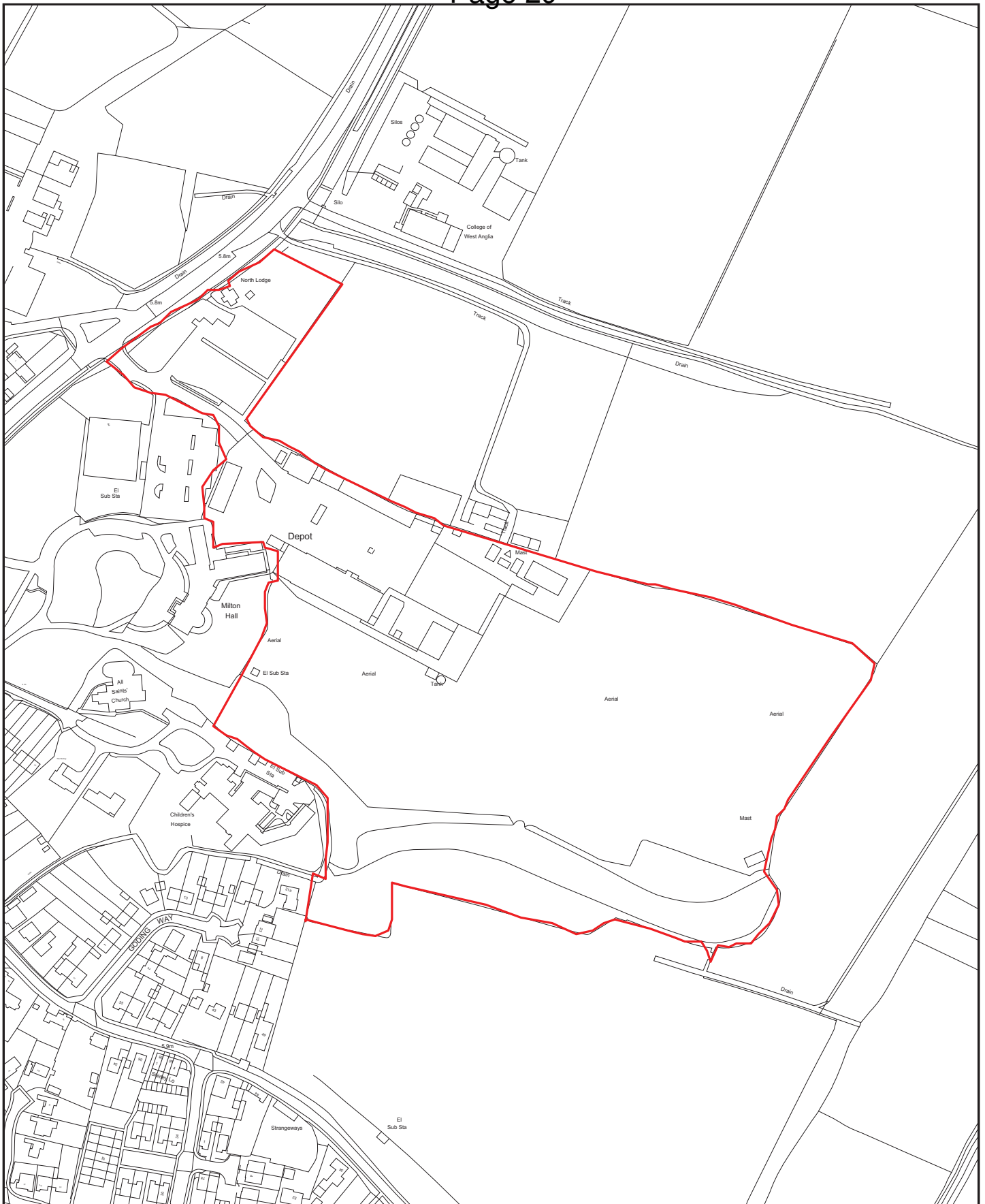
Recommendation

73. **Minded to approve subject to delegating:**
- (a) Addressing concerns in relation to conservation; landscaping and archaeology;
 - (b) Comments from English Heritage, Urban Design Officer, Principal Conservation Officer and the Local Highway Authority;
 - (c) Referral to the Secretary of State under the Consultation Direction; and

- (d) Appropriate safeguarding conditions; and Section 106 agreement addressing the following matters:
- i. Time limit for submission of reserved matters and commencement.
 - ii. Approved drawings including parameter plans.
 - iii. Housing mix.
 - iv. Highway conditions: contractor's traffic, delivery routes, residential travel plan, highway design code, condition survey of Ely Road.
 - v. Permissive footpath link to lake.
 - vi. Foul and surface water drainage and pollution control.
 - vii. Contamination investigation and radiation (including foundation design).
 - viii. Archaeological conditions.
 - ix. Schemes for the community facilities and open space.
 - x. Landscaping and tree protection.
 - xi. Ecology.
 - xii. Affordable housing scheme.
 - xiii. Education contributions.
 - xiv. Public art.
 - xv. Lighting.
 - xvi. Renewable energy and water conservation.
 - xvii. Other safeguarding conditions as required.

These conditions will be worked up and published in the written update report, along with any further consultation responses and associated requirements.

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



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/1260/11 - Milton**Conversion and change of use of garage (C3 Use Class (ancillary residential))
to antiques shop (A1 Use Class (Retail)) at 363 The Rowans, Cambridge Road,
for Mr Paul Overton****Recommendation: Approve Conditionally****Date for Determination: 22nd August 2011****This application has been referred to the Planning Committee for determination
because the recommendation of the Milton Parish Council does not accord
with the officer recommendation.****Site and Proposal**

1. The application site comprises a detached two-storey dwelling with an attached single storey double garage with external materials buff facing brick and concrete roll roof tile. The property sits in a large plot with an extensive area of hard standing to its frontage providing off road car parking. The site lies within the village development framework and outside the village Conservation Area. The Rowans is predominantly a residential area but does have some commercial premises, such as those opposite the application site, with other services and facilities located a short distance away upon Cambridge Road.
2. The proposal comprises the conversion and change of use of the existing attached double garage from ancillary residential space to a retail antiques shop (A1 Use Class). This would involve the internal conversion of the garage and external alterations through the removal of the existing garage doors with replacement glazing and a door.
3. The proposal has benefited from pre-application advice and is supported by a Design and Access Statement.

Planning History

4. None of relevance

Policies

5. South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
 - DP/1** Sustainable Development
 - DP/2** Design of New Development
 - DP/3** Development Criteria
 - DP/4** Development Infrastructure

DP/7 Development Frameworks
SF/4 Retailing in Villages
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards

Consultations

6. **Milton Parish Council** – Recommend refusal on the grounds that the proposal would result in:
 - Parking Problems due to it being situated close to a busy junction and opposite other businesses and a care home;
 - Intensification into a larger business;
7. **Local Highway Authority** – Raise no objections commenting that two 2m x 2m pedestrian visibility splays are provided and permanently maintained free of obstruction above a height of 600mm. The Local Highway Authority considers the need for cycle provision to be provided on site.
8. **Environmental Health Manager** – Raises concerns over the use of the garage for commercial use due to the building not being insulated to the same standard as a domestic property, furthermore, the proposal may set a precedent for future development proposals of a similar nature. Regardless of this it is recommended that a condition ensuring that deliveries or collections shall not take place outside of unneighbourly hours.

Representations

9. None have been received.

Planning Comments

10. The key material planning considerations in the determination of this planning application are the impact that the proposed revisions would have upon the public real, retail local services, residential amenity, car parking and highway safety.

Retail Provision

11. The proposal would involve the change of use and conversion of a domestic garage to facilitate a small private antiques shop run by the occupier of the attached residential premises 363 The Rowans. Given that the proposal is for a small antiques shop and not a wider retail use within the A1 Use Class, the proposal is considered to represent a use commensurate to a scale, size and attraction appropriate to the function and size of village. Nevertheless, to ensure that the level of intensity of the proposal remains appropriate in terms of safeguarding residential amenity and highway safety it is considered necessary to condition that the consent is personal and the use carried out by the applicant and is associated with the residential occupation of No.363 The Rowans. Furthermore, should the premises cease to be occupied by the applicant the use would cease and return to its previous use as ancillary residential space associated with the main dwelling. The applicant has agreed to these conditions and therefore the consent will be solely for an antiques shop and no other use within the retail use class as secured by condition.

Public Realm

12. The proposed alterations to the garage would be common to that of a domestic garage conversion and would not appear incongruous within the predominantly residential setting of the Rowans. The conversion works would utilise materials to match the existing dwelling and would not provide any addition of fascia signage or alterations that would materially alter the domestic appearance of the dwelling. In addition the proposal would involve no alterations to the driveway or access to the property and is considered to result in a sympathetic and acceptable impact upon the character and appearance of the wider area. A condition shall be applied to ensure that no storage of materials associated with the business use to be kept outside the premises, other than refuse/waste.

Residential Amenity

13. No.363 The Rowans is a detached dwelling situated within a large plot and the proposed level of intensity from the proposed antiques shop is considered to be minimal. The conversion of the proposed garage would be subject to the necessary building control regulations with regard to insulation and would not involve a particularly noise sensitive use, given the personal and individual occupation and management of the proposed business by the current occupier of the property.
14. It is acknowledged that the proposal would result in additional vehicle movements above that of the existing residential use. However, these are considered to be predominantly by appointment and not by the attraction of passing traffic due to the secluded and low key siting and appearance of the site. In addition it is considered that most trade will come from local residents within the village who would be able to walk or cycle to the site. The adjacent dwelling at No.361 The Rowans has its driveway parallel to the proposed parking area for the site and it is not considered that the proposed use would have a detrimental impact upon the amenities that the occupiers of this property currently enjoy. Conditions will be attached to ensure that deliveries do not take place within un-neighbourly hours.

Highway Safety & Car Parking

15. The proposal would not involve any alterations to the access to the site or the hard standing currently in situ. As such the site only has the provision to provide a 2m x 2m pedestrian visibility splay upon the south east side of the vehicular access, which is currently defined by a gravelled surface separate from the tarmac that defines the driveway. The southwest side of the access is landscaped and not within the ownership of the applicant. Nevertheless, this arrangement is not uncommon within the street scene and the pavement at this point is particularly wide. Therefore the current arrangement to the access is deemed suitable to provide an appropriate access to serve the proposed mixed use of a dwelling and antiques shop.
16. The site is situated approximately 30m from the junction with Cambridge Road and given the likely limited intensification of the site as a result of the proposal it is not considered that any adverse impact upon highway safety would occur. Furthermore, The Rowans is a particularly wide road with the provision of vehicles to park either side and allow through traffic. Therefore

the proximity of other businesses is not considered to result in any detrimental impact upon highway safety within the area.

17. The comments from the Locals Highway Authority are noted with regard to cycle provision. However, given the association of the proposed shop with the existing dwelling and the private nature of the frontage of the premises, it is not considered that the formal provision of cycle storage is essential.
18. The site has an existing large driveway laid to tarmac, which could accommodate approximately four parked vehicles clear of the public highway. This is considered a sufficient level of parking for the existing dwelling and the proposed antiques shop.

Conclusion

19. 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

20. 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: Scale 1:1250 site location plan; 160, 150 and 120.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **No deliveries shall be taken at or despatched from the site outside the hours of 08.00 and 18.00 on weekdays and 08.00 and 13.00 on Saturdays nor at any time on Sundays, Bank or Public holidays.**
(Reason - To limit the impact of vehicle movements on residential amenities in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. **The use, hereby permitted, shall be carried out only by the applicant, Mr Paul Overton, and shall be associated with the occupation of the residential premises known as 363 The Rowans as indicated edged in red upon the approved location plan.**
(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
5. **When the premises cease to be occupied by Mr Paul Overton, the use, hereby permitted, shall cease and shall revert to ancillary residential and all materials and equipment brought on to the premises in connection with the use shall be removed.**

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

- 6. No materials or equipment associated with the antiques shop shall be stored on the site outside the building save that waste materials may be kept in bins for removal periodically.**

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

- 7. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the retail use hereby approved shall be limited to an antiques shop and to no other purpose (including any other purposes in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).**

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

- 8. The materials to be used for the development, hereby permitted, shall accord with the specification in the application form and approved plans, unless otherwise agreed in writing by the Local Planning Authority.**

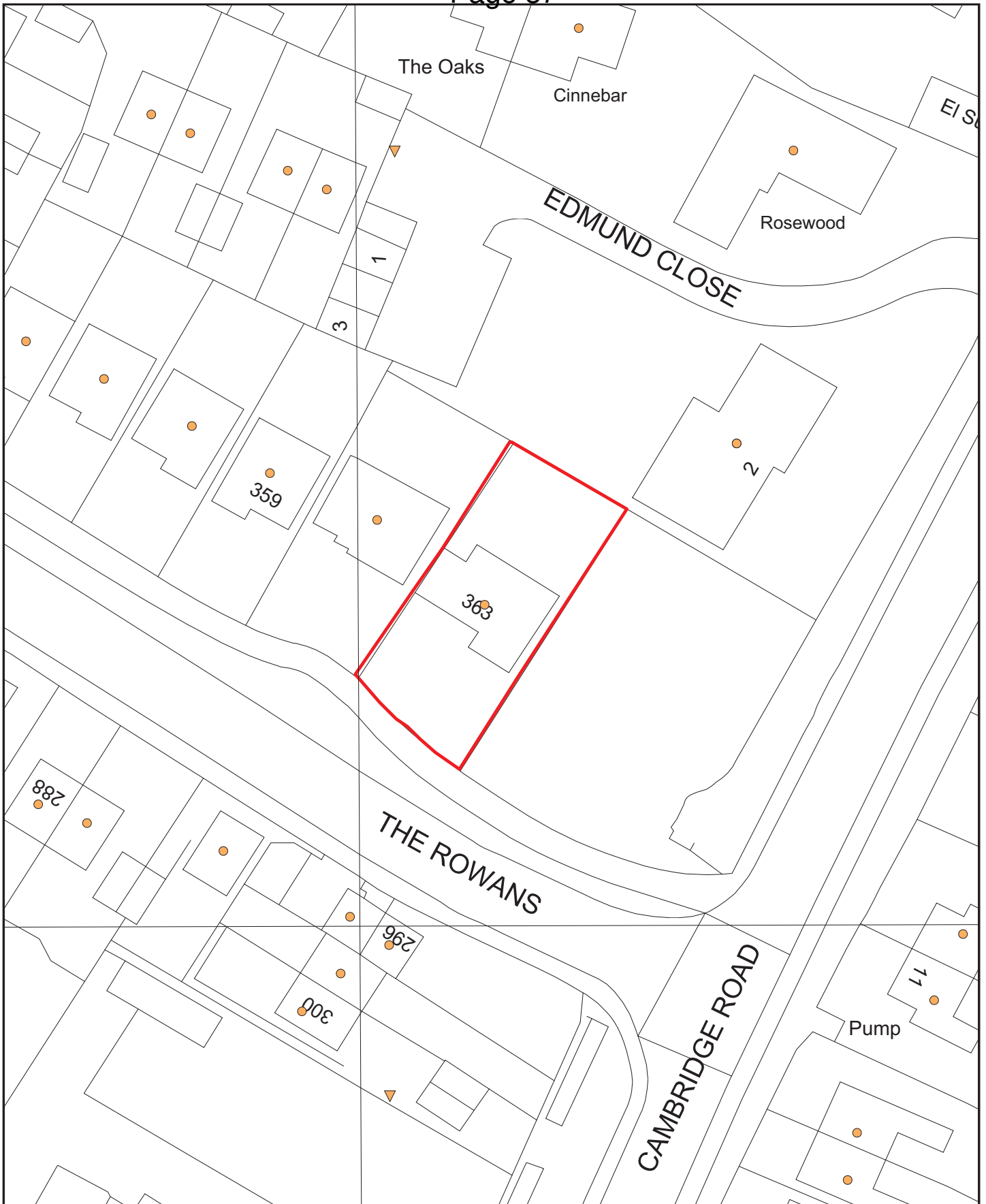
(Reason – To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Development Control Policies Development Plan Document (2007)

Contact Officer: Mike Jones – Senior Planning Officer
01954 713253

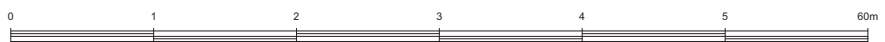
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/1319/11 – CARLTON

**Subdivision of Existing Site to Erect a New Two-Storey, Three Bedroom House
at Land Adjacent to 1 Hall Cottages, Acre Road.**

(for Mr Francis Read, Cyril Read and Sons)

Recommendation: Approve Conditionally

Date for Determination: 26 August 2011

Notes:

This Application has been reported to the Planning Committee for determination because the recommendation of the Parish Council conflicts with the recommendation of officers.

Site and Proposal

1. The site comprises the side garden of 1 Hall Cottages located amongst neighbouring two-storey dwellings to the east, west and south and surrounding open countryside to the north. The site is bordered by hedging to the front and side and trees to the rear. The site falls within the village framework of Carlton.
2. The proposal involves the erection of a two-storey detached dwelling set in-between Beech Lodge to the west and 1 Hall Cottages to the east. The dwelling would have a similar linear front to Hall Cottages with a rear two-storey gable range. Vehicular access would be shared by the new dwelling and 1 Hall Cottages at the front of the site and 4 parking spaces and turning area would be laid out in the front garden.

Planning History

3. None

Planning Policy**Local Development Core Strategy 2007:**

4. ST/7 Infill Villages

South Cambridgeshire LDF Development Control Policies DPD, 2007:

5. DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments

DP/7 Development Frameworks
HG/1 Housing Density
NE/6 Biodiversity
NE/15 Noise Pollution
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards
TR/2 Car and Cycle Parking Standards

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

6. District Design Guide SPD – adopted March 2010
Open Space in New Developments SPD - adopted January 2009
Landscapes in New Developments SPD - adopted March 2010

Consultations

7. Carlton Parish Council – Recommends refusal due to the following reasons:
(i) Insufficient space between the new dwelling and its neighbours
(ii) Overdevelopment would be conspicuous within the street scene where houses are typically separated by green in-fills
(iii) Concern of lack of parking provision and congestion on the roadway.
8. Local Highway Authority - Requests inter-vehicle visibility splays of 2.4m x 43m be shown in full on the approved drawings. Please add conditions with regard to: 2x2m pedestrian visibility splays to be provided, appropriate surface water drainage from driveway and bound material to driveway within 6m of highway boundary.

Representations

9. Owner/occupier of Carlton House, Acre Road - Objection due to development being out of character with the area, cramped and lacking in off-road parking.
10. Owner/occupier of Beech Lodge, Acre Road - Objection due to lack of parking and potential for on-street parking to the detriment of highway safety, adverse loss of light to greenhouse in rear garden which would impact upon crops grown for self-sufficient lifestyle (reference made to Prescription Act of 1832 regarding the right to light), loss of privacy to rear garden, adverse noise from occupants of new dwelling, disturbance to trees and wildlife on the site, being out of character with the area and the dwelling would not be used as a farm workers cottage as stated.

Planning Comments – Key Issues

11. The main issues to consider in this instance are: the principle of the development, the character of the area, parking and highway safety, residential amenity, noise, biodiversity, landscaping, community open space and infrastructure.

Principle of Development

12. The existing site is residential in use and the proposed subdivision of the plot and the erection of a new dwelling would intensify this use. The proposal would fall within the village framework of Carlton, where Policy ST/7 of the LDF Core Strategy 2007 allows for residential developments of not more than

2 dwellings comprising the subdivision of an existing dwelling. The proposed new dwelling is therefore considered acceptable in principle in relation to this policy.

13. Housing density Policy HG/1 is applicable in this instance and seeks a minimum density of between 30-40 dwellings per hectare, unless there are local circumstances that require a different treatment. The proposal would equate to a density of 25 houses per hectare under this target, however any further dwellings on this site would not be feasible due to the constraints of the site. Consequently, there is considered to be no strong planning reason why the development should be refused under this policy.

Character of the Area

14. The proposed siting of the dwelling would appear to be compatible with the location, being positioned between two existing two-storey dwellings and set no further forward than Beech Lodge House to the west with a similar depth to Hall Farm Cottages. Unfortunately, no street scene view has been provided in the application, as advised at pre-application stage; however the proposed dwelling would be 7.3m to ridge height and would have a linear front elevation similar to the neighbouring Hall Farm Cottages (please refer to the aerial photographs and street photographs of the site provided in Appendices 1-4).
15. The proposed finished floor level of the dwelling would be similar to 1 Hall Farm Cottages as shown on amended drawing 608/10/03c (stamped 18 August 2011). A 1m space would be provided either side of the new dwelling and to the west side of the existing dwelling, whilst to the west, the proposal would be sited adjacent to an adjoining single storey garage. Consequently the new dwelling is considered to be sufficiently divorced from the neighbouring two-storey dwellings to avoid an undue cramped appearance. The rural character of the area is also not considered to be adversely affected by the proposal, as the site falls within a close linear group of housing which then gives way to the open countryside to the east along Acre Road.
16. In terms of design, the dwelling has been kept simple and would be similar in appearance to Hall Farm Cottages in terms of the front elevation detailing and slate roof. Consequently, the proposal is considered to accord with Policies DP/2 and DP/3.

Parking and Highway Safety

17. The Local Highway Authority have raised no objection to the proposal and the applicant has shown the requested visibility splays on amended drawing 608/10/03c (stamped 18 August 2011) to ensure that the vehicular access would not be detrimental to highway safety. Local residents have raised parking as a concern and the proposal has been assessed with regard to the parking standards set out in Policy TR/2.
18. The proposal would provide 4 parking spaces for both the existing and new dwelling, compared to the required 3 parking spaces under this policy and therefore there is considered to be no strong planning reason why the proposal should be refused due to lack of parking. However, a condition is recommended to ensure that the parking and turning area is implemented

before the occupation of the new dwelling and retained thereafter in the interests of highway safety. Parking on highway-owned land is an offence and is therefore a separate issue to this application. The proposal in this instance is considered to accord with Policies DP/3 and TR/2.

Residential Amenity

19. Concern has been raised by the owner/occupier of Beech Lodge with regard to loss of light to the rear greenhouse and the right of light stipulations of the Prescription Act 1832. For clarity, a private right to light is not a material planning consideration, which can be taken into account in this application. Whilst the neighbour's self-sufficient lifestyle is acknowledged, it is considered that little weight can be attached to the impact of the development upon the greenhouse when assessing, on the whole, whether the neighbour's amenity would be unacceptably reduced under Policy DP/3. In contrast, more weight is ascribed to the impact upon habitable rooms and typically, rear garden patio areas that have significantly higher amenity value. Subsequently, the proposal has been assessed with regards to loss of light and the tests set out in the Building Research Establishment (BRE) guide 'Site Layout for Daylight and Sunlight: a good practice guide (March 1992).
20. The assessment under the BRE guide shows that no significant loss of light would occur to the windows in the neighbouring dwelling and the extent of overshadowing within the rear garden is not considered to be unacceptably adverse given the limited area of the garden affected, the short duration of overshadowing, the sloped roof form of the new dwelling and the distance of the proposed roof ridge away from the majority of the neighbouring garden. Notwithstanding this assessment, the applicant has moved the dwelling 1.2m further forward than originally submitted to reduce the area of overshadowing in the neighbouring rear garden during the morning hours (see drawing 608/10/03c, stamped 18 August).
21. Loss of privacy has been considered in relation to both Beech Lodge and 1 Hall Farm Cottages. The proposed first floor east side window would serve a bathroom and would be obscurely glazed to avoid loss of privacy to 1 Hall Farm Cottages. No other windows are proposed at first floor level in the side elevations and therefore a condition is recommended to protect the privacy of immediate neighbours with regard to future first floor side openings.
22. The proposed rear first floor windows would serve habitable rooms and would present views to the rear gardens of the adjoining properties, which would be mutual. It is accepted that some privacy would be lost to neighbours due to the proposal; however, significant parts of the neighbouring gardens would still retain a good level of privacy and on balance the proposal is not considered to lead to a harmful reduction in privacy to both neighbours.
23. Consequently, there is considered to be no strong planning reason why the development would have an unacceptable adverse impact upon residential amenity in relation to Policy DP/3. A condition is recommended in paragraph 28 to restrict certain householder permitted development rights in order to protect neighbour amenity.

Noise

24. Potential noise and disturbance from future occupiers of the proposed dwelling has been raised as a concern by the owner/occupier of Beech Lodge due to the proximity of the new dwelling. The new dwelling is not considered to harm residential amenity in the location proposed, which is already residential in use. The level of noise created by future occupants will vary between different occupants and cannot be reasonably controlled through planning conditions. Given the existing residential use of the site and the residential location this issue is not considered to present strong planning grounds for refusal. However, a condition should be added to any consent to control hours of use of power machinery during the construction period.

Biodiversity and Landscaping

25. There are no protected trees on site and the more mature trees exist to the rear boundary of the site. Some disturbance to wildlife during the construction phase is in most cases unavoidable but it is noted in this case that the scheme proposes several new trees to the front of the site and the retention of the front and side hedge, which provide wildlife habitats. In this case, a landscaping condition is recommended to agree the details of the landscaping scheme.

26. **Community Open Space and Infrastructure**

The new development would put extra demand on community infrastructure and community open space in Carlton and the applicant has confirmed that a contribution towards these elements, and refuse bins, in accordance with Policies DP/4 and SF/10, can be secured via a Section 106 agreement. The applicant has already submitted a draft heads of terms towards this legal agreement and therefore a condition will not be necessary to agree this scheme.

Conclusion

27. The development is considered to be compatible with the location and is not considered to have an unacceptable adverse impact with regard to parking, highway safety, noise, biodiversity or residential amenity.

Recommendation

28. Approve, as amended, subject to the following conditions:

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 608/10/03c (stamped 18 August 2011) and 608/10/05.

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

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

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

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

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

(Reason – To avoid displacement of loose material onto the highway in the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

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

8. The proposed access and turning area shall be provided before the dwelling, hereby permitted, is occupied and thereafter retained as such.

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

9. No windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the east and west elevations of the dwelling at and above first floor level unless:
(i) permanently fitted with obscure glazing and fixed in place; or
(ii) installed with a sill height of not less than 1.7m above the finished internal floor level; or
(iii) otherwise expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

10. Apart from any top hung vent, the proposed first floor window in the east elevation of the building, hereby permitted, shall be fixed shut and fitted and permanently glazed with obscure glass.
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no rear extension within Class A 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 - To ensure that future additions that would otherwise be permitted under this Order can be considered in relation to the amenities of adjoining neighbours in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

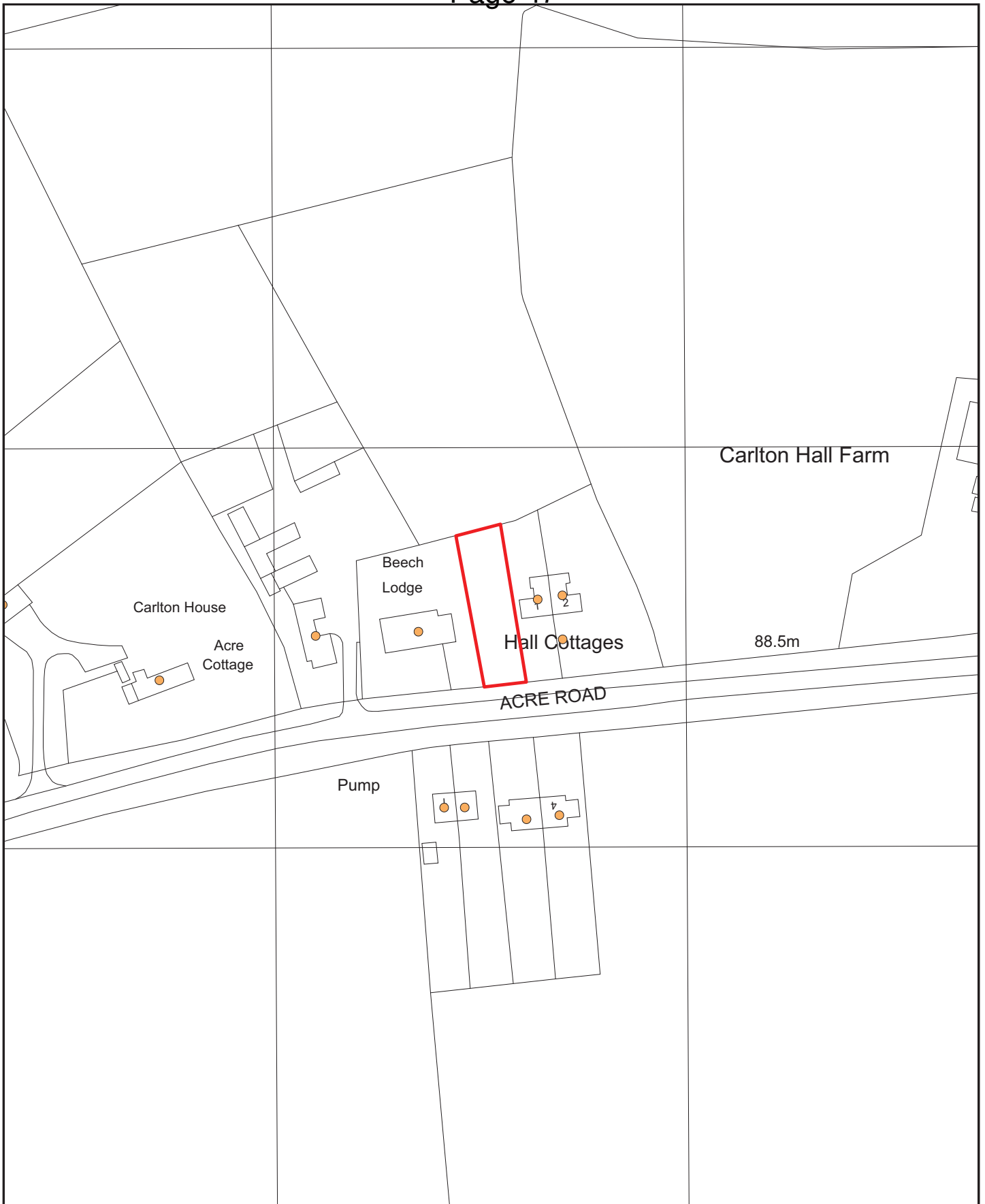
12. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire LDF Development Control Policies DPD, adopted July 2007
- South Cambridgeshire LDF Supplementary Planning Documents (SPD): District Design Guide SPD.
- Building Research Establishment (BRE) guide 'Site Layout for Daylight and Sunlight: a good practice guide (March 1992)

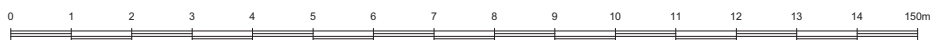
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/1142/11 - BASSINGBOURN
Change of Use from Agricultural Land to Garden Land (C3) and Creation of
Tennis Court including the Erection of Surround Fencing.
for Mrs Rosanna McCraith

Recommendation: Refuse

Date for Determination: 1 August 2011

The application has been referred to the Planning Committee as the applicant is the wife of District Councillor David McCraith.

Site and Proposal

1. The application site is a part of a large enclosed field to the rear of the garden area of No. 104 North End, Bassingbourn. The house itself is situated perpendicular to the road and has a rear garden behind. At the rear of the garden area there is a large open field which is approximately 1.8 hectares in area. A small vegetable garden takes up a small portion of the field immediately adjacent to the garden and behind that, to the East, the land opens out into a single large field. The field is largely enclosed by trees and hedges on the boundaries, although there are views into the site from adjoining land at the South West corner of the field where there is only a very low boundary and also through sparser planting from the public footpath the rear of the site. The field is not cropped and, at the time of the officer's site visit, was being grazed by sheep. The entire site, including the dwelling, is outside of the Development Framework in the countryside.
2. The proposed development is the change of use of part of the field in the South West corner to residential garden land and the installation of a tennis court and associated fencing on that land.

Planning Policies

3. **DP/2** Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
NE/6 Biodiversity

Consultations

4. Parish Council – has recommended approval, provided the area for the change of use is just the tennis court area and not the whole of the field.
5. Trees Officer - has confirmed that the court appears to be within the Root Protection Zone of the hedgerow trees along the Western boundary of the site. As the court will

require below ground works it is possible that these trees would be damaged by the installation of the court. She has recommended that prior to any approval, a Tree Survey be carried out to demonstrate whether the court can be accommodated in its current location while preserving the long term health of the trees.

Representations

6. One emailed representation has been received in respect of the proposed development, querying the whether change of use would be granted for the whole field and what impact that would have on the future used of the site.

Planning Comments

7. The main planning considerations in this case are the impact on the countryside, the impact on trees and the impact on residential amenity.
8. Impact on the countryside – At present, the site is a dwelling, garden with an area of agricultural land behind all of which are located outside the Development Framework of Bassingbourn in the countryside. The Western boundary of the site is a line of trees that provides a clear boundary between residential curtilages of the properties to the West and the agricultural land and wider countryside to the East. The land is clearly agricultural in character and allowing the change of use to garden land would result in an encroachment of the residential use into the countryside. Policy DP/7 - Development Frameworks states that land outside of village frameworks should only be used for those uses which need to be located in the countryside. Although the policy refers to outdoor recreation being an acceptable countryside use, it is not considered that this applies to a private tennis court, particularly as it does not need to be located on the currently undeveloped rural land outside of the existing residential curtilage. The net result of allowing the change of use of the land is that the land will form part of a single planning unit and become permanently residential in nature. The proposal is therefore contrary to policy DP/7, which seeks to protect the countryside from unnecessary encroachment.
9. In addition, the court and fencing would be an overly domestic and alien feature in the wider rural field and would compromise its character and appearance. This would be contrary to policies DP/2 and DP/3. The screening proposed in the form of the new Beech hedge is not considered to be sufficient to mitigate this harm as it would not fully screen the court and it would remain visible in wider public views of the site from the public footpath to the East.
10. Impact on trees - The application drawings show the tennis court located approximately 3 metres from the hedgerow trees on the Western boundary. The Trees Officer has expressed concern that the ground works may harm the roots of the trees and impact on their long-term health. The loss of the trees would be significant as they contribute to the character and amenity of the area and provide valuable wildlife habitat. In addition, the loss of the trees would also exacerbate the harm caused by the tennis court to the character of the area, as it would reduce the screening from views from the West. Although the court could be moved further away from the trees if necessary, at present it is considered that the application as it stands has failed to demonstrate that the court in the proposed location would not cause harm to the adjacent trees.
11. Even if the creation of the tennis court is supported in principle, it would not be appropriate to condition any approval regarding further information on tree protection.

This is simply because, without the necessary information, it is not possible to say that the trees can be protected and retained.

12. Impact on the residential amenity – The proposed tennis court has been set to the South of the vegetable garden, on the line of the rear gardens of neighbouring properties to the South of No. 104. However, given the length of gardens and the screening provided by the existing trees on boundary between the garden and the field, it is not considered that the court or fencing would cause any significant harm to the residential amenity of neighbouring properties.
13. Conclusion - The proposed change of use of the agricultural land to garden land is contrary to policy DP/7 as it will extend the residential use of the existing dwelling into an area which is currently open countryside. The Development Plan states that resisting such development is necessary to ensure that the countryside is protected from gradual encroachment on the edges of villages. In addition, the fencing court itself and the fencing would be visible from the public domain and would be out of character with the existing rural character of the immediate location.

Recommendation

14. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that the application be refused Planning Permission, for the following reason(s).
 1. The proposed change of use to garden land and installation of a tennis court and fencing would, by nature of its location on undeveloped agricultural land outside the village framework, result in the gradual encroachment of residential development into the open countryside and would cause harm to the rural character of the surrounding area. The proposal is therefore contrary to policies DP/2, DP/3 and DP/7 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007.
 2. The application as submitted, has failed to demonstrate that the tennis court could be accommodate in the proposed location without causing harm to the adjacent trees close to the Western boundary of the site. The loss of those trees would have a detrimental impact on the character and appearance of the area as well as to wildlife habitat and would be contrary to policies DP/2, DP/3 and NE/6 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007.

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

- **Local Development Framework Development Control Policies 2007**
- **Planning File ref: S/1142/11**

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)**S/1350/11 - ELTISLEY****Extensions and Alterations to Dwelling - 70, Caxton End, Eltisley, St Neots,
Cambridgeshire, PE19 6TJ for Mr & Mrs S Ellis****S/1351/11 - ELTISLEY****Alterations and extension to listed building to provide enlarged living room
and bedroom & ensuite, insertion of rooflight and new dormer window - 70,
Caxton End, Eltisley, St Neots, Cambridgeshire, PE19 6TJ for Mr & Mrs S Ellis****Recommendation: Refuse****Date for Determination: 30 August 2011****Notes:****These applications have been reported to the Planning Committee
following a request from Cllr Hudson.****Members will visit the site on the 7th September 2011.****Site and Proposal**

1. 70 Caxton End is a detached two-storey dwellinghouse, Grade II Listed. The property is thatched with buff brick elevations. The property has been significantly extended to the rear by way of a full height two-storey range.
2. To the east of the dwelling is a vehicular access that leads to the rear garden through large timber gates.
3. The site is within the Eltisley Development Framework. Surrounding development is predominantly residential of a mix of age and form.
4. The applications are a resubmission following refusal of applications refs. S/0531/11 and S/0533/11, the operational aspects of the proposal remains the same however the submitted design, access and heritage statement has been changed to address the previous reasons for refusal.
5. The proposal seeks to extend the existing modern rear range of the dwelling and also introduce a new rooflight and dormer window into the roofslope of the existing rear range.

Planning History

6. S/1732/92/F – Extension – Approved

S/1713/98/F - Extension, gates and altered access following demolition of outbuilding – Approved

S/0528/11 – Erection of Garage – Approved

S/0530/11 - Demolition of attached store and replacement with garage, replacement of four windows to listed building, insertion of new window and erection of new internal partition - Approved

S/0531/11 – Extensions and Alterations to Dwelling (comprising an identical proposal to the current application) – Refused due to harm to the special architectural and historic interest of the listed building.

Planning Policy

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

DP/1 - Sustainable Development

DP/2 - Design of New Development

DP/3 - Development Criteria

CH/3 - Listed Buildings

CH/5 - Conservation Areas

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

Listed Buildings SPD - Adopted July 2009

Conservation Areas SPD - Adopted July 2009

9. **National Planning Policy**

PPS5: Planning for the Historic Environment

Consultations

10. **Eltisley Parish Council** – Recommends Approval commenting; 'The proposed improvements are sympathetic with the property and are not visible from the road or neighbouring properties.

11. **Conservation Officer** - Recommends refusal, comments form the substance of this report.

12. **Cllr Hudson** - 'None of the works proposed affect the original thatched cottage therefore no local materials or details will be lost from the original Listed Building. The proposals will not affect the historic structure of the original thatched cottage and its plan form. It will not be possible to see any part of the proposals from any public viewpoint.

Planning Comments – Key Issues

13. The key issues to consider in the determination of these applications are:

- The impact upon the residential amenity of neighbouring dwellings
- The impact upon the special architectural and historic interest of the listed building and the character and appearance of the Conservation Area.

Residential Amenity

14. The proposed extension projects approximately 1.8m from the existing rear range and continues the scale and form of this range. The proposed extension is adjacent to the common boundary with No.68 Caxton End. However due to the limited projection of the extension there is not considered to be a significant impact upon the residential amenity of the occupants of this dwelling in terms of overbearance or overshadowing.
15. The proposed dormer window serves an ensuite and is shown to be obscure glazed on the submitted plans. To this end although the aperture directly faces the rear garden of no.74 there would be no loss of privacy. It is however considered reasonable and necessary to condition that the window be non-opening and obscure glazed in perpetuity to ensure that no loss of privacy occurs in the future. For the same reasons it is also considered reasonable and necessary to condition that the proposed rooflight be obscure glazed.

Special Architectural and Historic Interest of the Listed Building and the character and appearance of the Conservation Area.

16. The proposal affects the side and rear elevations of the property which have been subjected to a significant amount of alteration and extension in the 20th Century and indeed comprise a late 20th century addition to the dwelling. As such the historic plan form of the building has already been altered quite significantly from its humble origins.
17. The bay window would be demolished and the existing one and a half storey extension increased in length by approximately 1.8m. While it could be argued that an additional 1.8m in length is not a large amount it is the cumulative impact of the extensions that would be to the further detriment of the listed building. The continuation of the ridge at the same level as the existing extension would increase the bulk and massing resulting in an extension that is out of proportion and significantly larger than the cottage. As such the proposal would dominate the rear and side elevations and substantially harm the character and appearance of this timber framed and thatched cottage.
18. The existing bay window is of no particular merit and while its removal could be seen as an enhancement the removal of the bay will not outweigh the harm to the listed building that would result from the proposed extension. The bay window already provides a view of the garden and if additional light is required for the lounge the existing fenestration could be modified by replacing the two pairs of multi-paned doors with plain glazing along the entire wall.
19. The Design, Access & Heritage Statement states that the existing rear wing and the proposed extension to it will not be visible from Caxton End as it is screened by existing buildings. However, all views of listed buildings are relevant including non-public views. The rear and side elevations are significant even though they have been compromised by the existing

extensions and a further increase, which will be visible from within the site, will be to the further detriment of the listed building

20. Part of the justification for the proposal is that it will allow for an improvement in the thermal performance of the building fabric of the more recent parts of the house by the inclusion of a high level of insulation in the new walls, double glazed French doors and enhancement of the insulation in the existing part of the rear wing. Upgrading the thermal performance of this part of the building could be achieved without a further extension and there would be no objection (subject to Listed Building Consent) to additional insulation in the rear wing. An application to replace 3 windows in the rear wing with double glazed units was recently approved (S/0530/11).
21. In terms of design the proportions and details of the gable, including the large amount of glazing and glass balustrade would compound the scale and unacceptable proportions of the extension and are considered to be inappropriate and are not in keeping with the simple fenestration and character of the listed building. There would be a greater proportion of glazing to solid resulting in an unbalanced appearance. The existing dormer on the east elevation reads as an incident in the roofslope but the addition of a second dormer would be more prominent and dominant. There would also be an unfortunate and cramped relationship between the proposed dormer window and the existing chimney
22. The addition of a rooflight on the west elevation, in combination with the proposed ground floor window (approved subject to condition under application ref.S/0530/11) would result in over proliferation of openings on this otherwise simple and uncluttered elevation.

Public benefits

23. The level of public benefit is not considered to outweigh the harm to the heritage asset in this instance. 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.

Conclusion

24. There is considered to be a significant adverse impact upon the special historic interest of the listed building as a result of the proposals.

Recommendation

25. Refuse both applications

Reason for refusal:

he proposal would harm the special character and appearance of this early 19th century timber framed and thatched cottage by increasing the bulk and massing of the existing extension to the detriment of the listed building and would further detract from the character of the dwelling and the historic plan form. The design, which includes large areas of glazing, a dormer window and rooflight, is considered to harm the rear

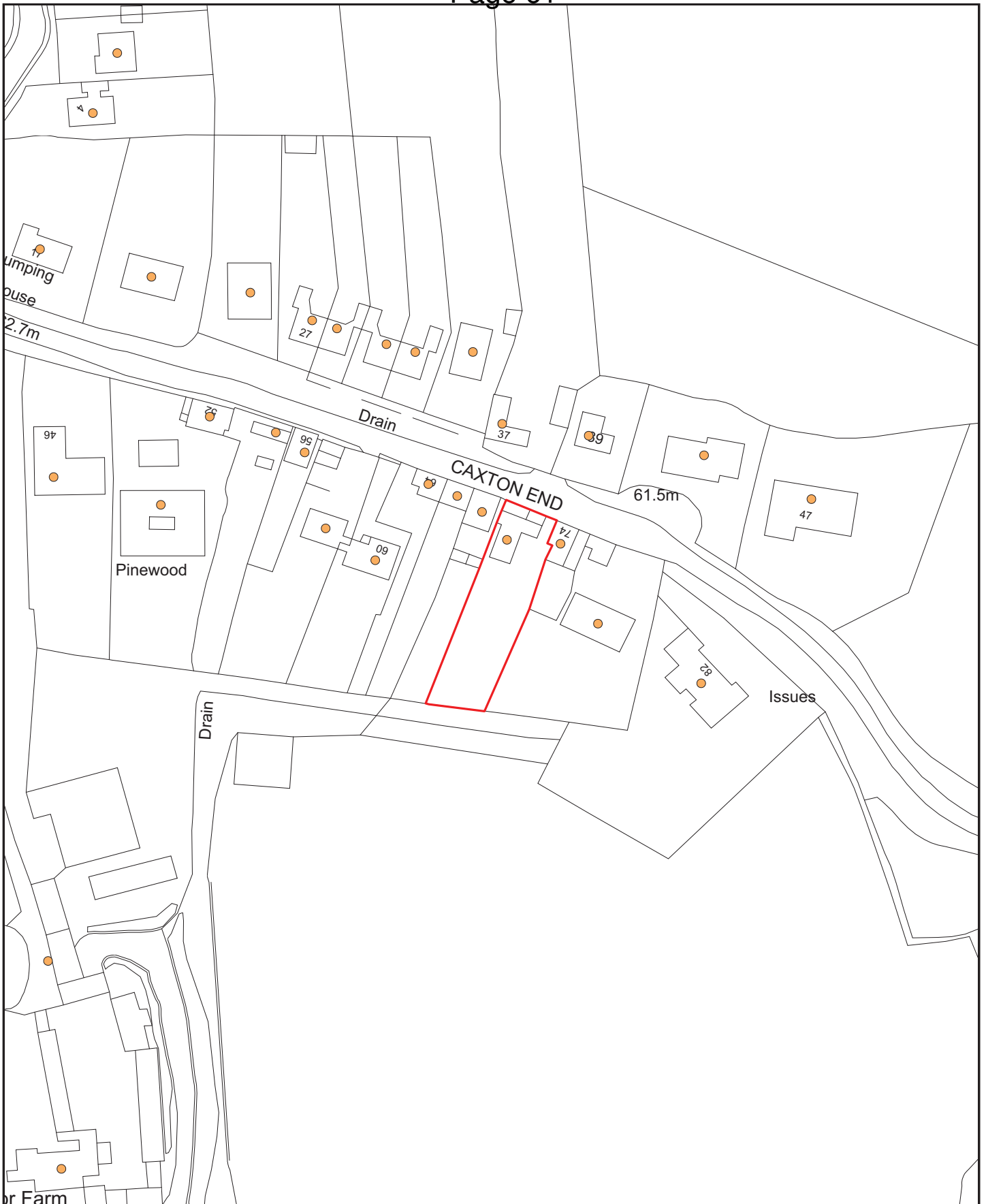
and side elevations resulting in a more prominent and dominant appearance that compounds the scale and form of the extension. The proposal does not therefore overcome the previous reason for refusal of application ref S/0530/11 and remains contrary to Policy CH/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 (DPD), policies HE7 and HE9 of Planning Policy Statement 5: Planning for the Historic Environment (including HE7.2 and HE9.1), PPS 5 Historic Environment Planning Policy Practice Guide (including 86, 111, 178 and 182) and paragraphs 4.1, 4.3, 4.4, 4.10, 4.41 and 8.1 of the Local Development SPD Listed Buildings: Works to or affecting the setting of 2009.

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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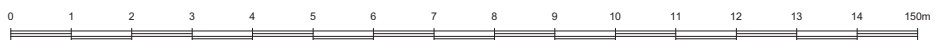
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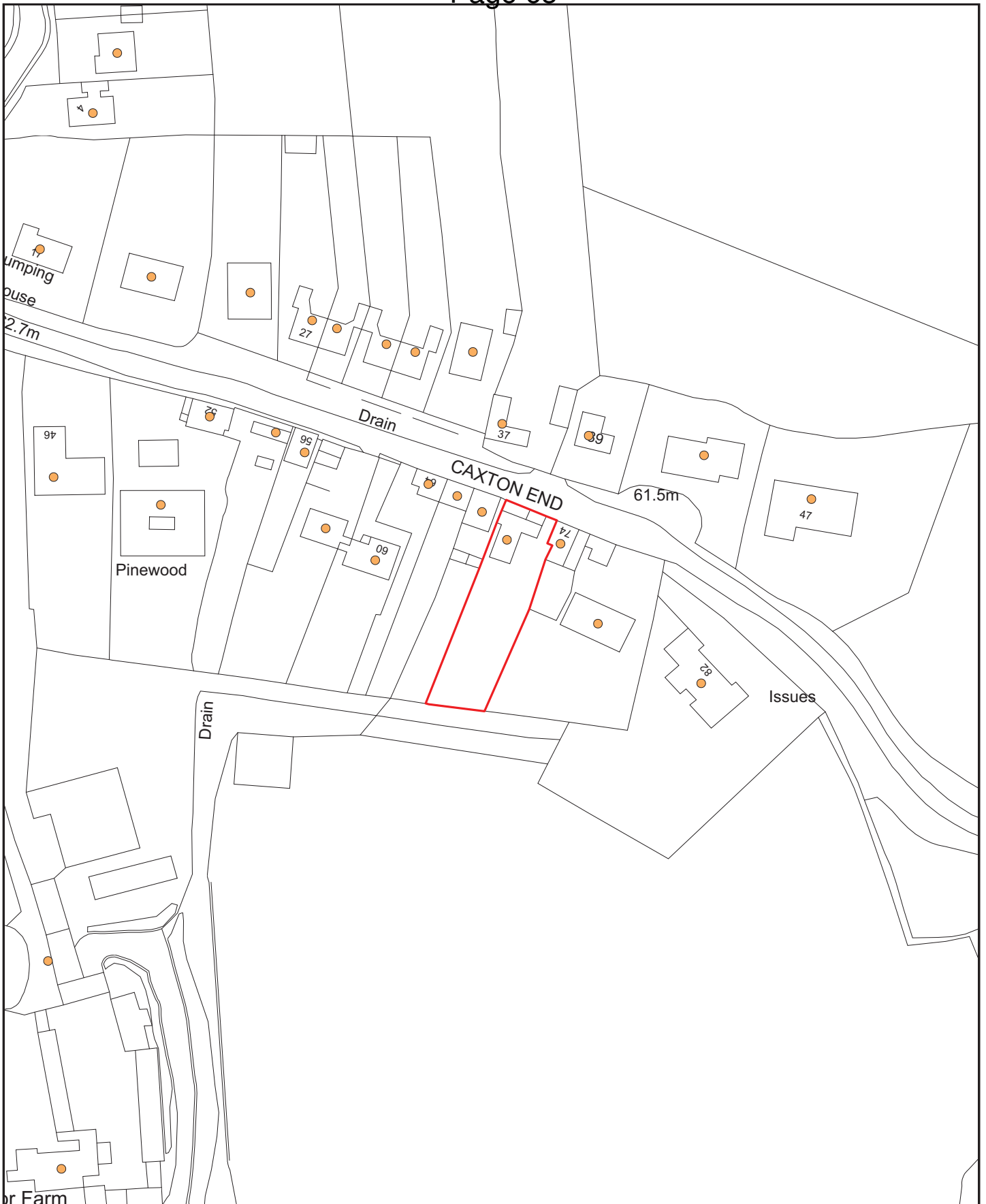


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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/1080/11 - COMBERTON**New Dwelling Following Demolition of Existing Dwelling and Garage at 12 Swaynes Close, Comberton for Mr L Abraham****Recommendation: Approval****Date for Determination: 20 July 2011****Notes:**

This Application has been reported to the Planning Committee for determination because the Parish Council recommendation differs from that of Officers.

Conservation Area**Site and Proposal**

1. No. 12 Swaynes Lane is a linked detached two-storey dwelling. Nos. 10 and 12 Swaynes Lane are linked together by the flat roof garages in between the two properties. There is also a detached two-storey dwelling to the east of the application site, which is known as 16 Swaynes Lane. This dwelling is set slightly forward of the building line that nos. 10, 12 and 26 Swaynes Lane. The site is located within the Conservation Area, within the village framework and with a Protected Village Amenity Area (PVAA) located across the road. There are no dwellings located directly in front of the application dwelling. The rear boundary backs onto allotment gardens and the Green Belt.
2. The front garden measures 15m long from the front elevation of the dwelling to the edge of the public footway. The rear garden has a depth of 35m from the rear wall of the single storey element to the rear boundary. The frontage of the site is open with a sparse dwarf hedge running along the front boundary with two trees located either end of the hedge. There is a set of smaller trees within the front garden itself. Along the front boundary runs a drainage ditch. The driveway to the dwelling runs along side that of no. 10 Swaynes Lane with a narrow section of gravel and low-lying grass separating the driveways. There is space along the drive for at least 3 cars to park clear of highway.
3. There is a smaller ditch that runs between the shared boundary with no. 16 Swaynes Lane. Within the curtilage of no. 16 Swaynes Lane is a dense hedge of significant height that reaches just below the eaves of no. 12 Swaynes Lane; this hedge spans the depth of the east boundary of no. 12 Swaynes Lane. The shared boundary between no. 10 and no. 12 consists of the garages, a 1.8m high brick wall from the rear of garage to the front of the existing brick outbuilding. From the rear of the outbuilding there are some small trees and shrubs near the boundary but no solid definition of the boundary.

4. This full planning application, submitted 25 May 2011, proposes the erection of a two-storey dwelling following the demolition of the existing dwelling and garage. The proposal did include a detached garage forward of the proposed dwelling but this has now been omitted from the application. The new dwelling is to have a modest front gable with a forward projection of 1.65m and will have a ridge height that is lower than the main dwelling. It will have a central section where the gables project to the side and two rear gables with a depth of 2.65m and 4.8m deep. These rear gables will be subservient to the main dwelling. It is also proposed to have two rooms in the roof space to provide a study and guest bedroom. The materials are proposed to be concrete interlocking roof tiles, light buff facing brick and windows are to be constructed from timber.

Planning History

5. S/2185/10 – Extensions, approved
S/0581/11 – Front and Rear Extensions, recommend for approval

Planning Policy

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

DP/2 - Design of New Development
DP/3 - Development Criteria
CH/5 – Conservation Areas

7. **South Cambridgeshire Local Development Framework, Supplementary Planning Documents:**

Conservation Areas SPD – Adopted July 2009
District Design Guide SPD – Adopted March 2010

8. **National Planning Policy**

PPS5: Planning for the Historic Environment

Consultations

9. **Comberton Parish Council** – Recommends that the application be refused. The house as present is part of history of Swaynes Lane. The garage in its new position will be very prominent and a green and wooded part of the lane. The house as present was built as one of a pair, this is amending this.”
10. **Conservation Team** – No. 12 Swaynes Lane is a neutral building, its removal is acceptable providing street views respects the character of the existing dwelling. The Conservation Officer raised concerns about the prominent position of the proposed garage; it is contrary to the set back nature of the group of dwellings and long views towards the listed building on corner (no. 2 Swaynes Lane). Therefore either the garage is removed or it is positioned to be symmetrical with the existing at no. 10 Swaynes Lane. The depth of the new dwelling would be larger than any other in the group and the positioning of the roof lights on the prominent front elevation is a concern. Conservation team accepted the street view as supplied by the applicant to show how the dwelling would relate the dwellings located either side of the site.

11. **Local Highways Authority** – would like conditions to be added requesting a method statement stating the process of demolition and construction and any effects this might have on the adopted public highway reference should be made to control of debris, mud and dust, pedestrian and vehicle movements and the control contractors parking. Temporary facilities should be provided for parking, turning, loading and unloading of all vehicles visiting during the period of construction.

Representations

12. Owner/Occupier of no. 10 Swaynes Lane raised the following points:
- Concerned that when the garage at no. 12 Swaynes Lane is removed the remaining wall and roof of garage is made good and strengthened.
 - Guttering and downpipe will be required on the side of the remaining garage that is next to no.12.
 - Presume that the position of the new garage is acceptable in relation to the road.
 - There have been drainage problems in the past in Swaynes Lane therefore the parking and turning areas should be absorbent.
 - Would like the wall between the garage and study to remain to protect the privacy of those at no. 10 Swaynes Lane.
 - A structural engineers report might be required for the to ensure that the wall of the garage is strong enough.
13. Owner/Occupier of 16 Swaynes Lane, Comberton raised the following points:
- Concerned about the ditch northeast of the application dwelling running between no. 12 and no. 16 Swaynes Lane. This ditch removes water from the fields behind these two properties therefore care should be taken that this is not blocked as no 16 Swaynes Lane has had experience of this in the past.
 - Does not see how increasing the height of the original dwelling by 700mm makes a positive contribution to the Conservation Area.
 - Concerned about the side window in the northeast elevation (serves bedroom), as this would overlook No. 16 Swaynes Lane.

Planning Comments – Key Issues

Residential Amenity

14. There are residential properties either side of the application site. The impact on no. 16 Swaynes Lane is considered to be minimal; this dwelling is located 8m from the shared boundary with a high hedge running along this boundary, which is located within the curtilage of no.16 Swaynes Lane. There is a further gap between the shared boundary and the location of the proposed new dwelling. Therefore it is not considered that the proposal would have an overbearing impact on this property. There are two windows proposed on the northeast elevation that would face no. 16 Swaynes Lane. One is to serve an en-suite bathroom and this is proposed to be obscure glazed. The other window on this elevation is to serve the bedroom; this is a secondary window to that bedroom and is to be conditioned to be obscure glazed to prevent overlooking in the event that that existing hedge is removed.
15. The central front gable is proposed to have two windows in the sides and would serve the landing, as this would look over the frontage of the site, which is parking area it is not considered that these two windows would be harmful either side. The shared

boundary with no. 10 Swaynes Lane is more open, there is a proposed window at first floor, which is to serve a bathroom on the southwest elevation. This is also proposed to be obscure glazed therefore overlooking would not be an issue. Permitted development rights are to be removed by condition to prevent any further windows in the side (northeast and southwest) elevations of the proposed dwelling. The proposed dwelling is to occupy the footprint of the existing dwelling with the exception of the rear projecting gables, which are not present on the existing dwelling. However, these gables are subservient to the main section of the dwelling and the gable closest to the shared boundary has a lesser depth than the other gable, which is closer to the shared boundary with no. 16 Swaynes Lane. The proposal is considered not to have an overbearing impact on the no. 10 Swaynes Lane. There are windows proposed at ground floor level, which would be screened by the existing brick wall, which are located on the shared boundary. The applicant has indicated that it is the intention to erect timber fencing in place of the existing outbuilding which is to be removed. The proposal is considered to comply with Policy DP/3 of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted July 2007.

Impact upon the Conservation Area and Street Scene

16. On 22 February 2011 consent was granted under planning reference S/2185/10 for a two-storey and a single storey rear extension. The two-storey element was proposed to be 7m high with a depth of 6m. The proposed new dwelling would occupy a similar footprint as that granted under planning reference S/2185/10. However, the new dwelling is proposed to be 700mm higher than was granted consent and there is to be a small increase in the depth. The extended dwelling would have a depth of 14.6m and the proposed new dwelling would be 15.2m deep.
17. Although there were concerns over the depth of the proposed dwelling, which would be larger than any of the other dwellings located within the immediate vicinity. There is however only a slight difference in the proposed depth of the new dwelling compared with what was granted under planning consent S/2185/10.
18. There is a mixture of house types, scale, form and materials along this part of Swaynes Lanes. The proposed materials for the new dwelling are light buff bricks and interlocking tiles, samples of which will be required prior to the commencement of works. The increase in height by 700mm is not considered to be a significant increase to be harmful to the street scene or the Conservation Area. The proposal is considered to preserve the setting of the Conservation Area and the Street Scene.

Other Matters

19. One of the Parish Councils' objections to the proposal is that it would result in the loss of a pair of semi-detached dwellings. This is not in itself a material planning consideration but nonetheless the separation of these two dwellings would not be harmful to the street scene or the Conservation Area. The applicant also argues that the plot that these two houses occupy are of a sufficient size to accommodate two detached dwellings comfortably.
20. The Parish Council also states that the dwelling is part of the history of Swaynes Lane. The applicant has responded by arguing that a house of this style/design and age could not be considered to be part of the history of this attractive and ancient village. The new dwelling would allow for an attractive and simplistic property in the Conservation Area and would be an appropriate replacement of this structurally

unsound dwelling which requires extensive works in order to make it habitable due to the level of subsidence and cracks that has affected the property over the years.

21. The neighbour at no. 10 Swaynes Lane does not object to the proposal but does raise concerns that their garage might be structurally damaged by the removal of the garage at no. 12 Swaynes Lane, in terms of the strength of the wall, guttering and downpipes. These issues are party wall matters and are not dealt with under planning legislation. However, the applicant will be made aware of the neighbours concerns in the event that planning permission is granted.

Recommendation

22. Approval subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Ground Floor Plan Drawing no.218/11/12, Proposed Elevations Drawing no.218/11/10, and Proposed Floor Plans Drawing no.218/11/11 all date stamped 25 May 2011.

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

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

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the side (southwest and northeast) elevations of the dwelling at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

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

5. The proposed first floor window in the side (northeast) elevation of the dwelling, hereby permitted, shall be fitted and permanently glazed with obscure glass.

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

6. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained,

together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.

(Reason - To ensure the development is satisfactorily assimilated into the area enhances biodiversity and maintains highway safety in accordance with Policies DP/2, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

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

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

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

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

- 9. Prior to the commencement of any development, a method statement shall be provided detailing the process for demolition and construction and any effects this may have on the adopted public highway. Details shall include the control of mud, debris, dust, pedestrian and vehicle movements and the control of contractors parking and shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and completed in accordance with the approved method statement prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the Local Planning Authority.**

(Reason – In the interests of highway safety and residential amenity in accordance with Policies DP/1 and DP/3 of the adopted Local Development Framework 2007.)

- 10. No power operated machinery (or other specified machinery) shall be operated on the premises before 08:00 am on weekdays and 08:00 am on Saturdays nor after 6:00 pm on weekdays and 1:00 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions.**

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

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/2185/10, S/0581/11

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/1223/11 – FOWLMERE**Erection of Dwelling - Land West of The Way, Fowlmere, Cambridgeshire, SG8
7QS for c/o Cheffins****Recommendation: Delegated approval****Date for Determination: 15 August 2011****Notes:****This Application has been reported to the Planning Committee as the officer recommendation differs from that of the Parish Council.****The Site falls within the Fowlmere Conservation Area.****Members will visit the Site on the 7 September 2011.****Site and Proposal**

1. The site comprises a piece of scrub grassland within the Fowlmere Development Framework that is accessed from 'The Way' which is an un-adopted access road serving the Welding Alloys Industrial site, a single dwelling and a dedicated parking area for occupants of a small number of properties that front High Street
2. The southern boundary of the site comprises a wall of block construction that forms the rear garden wall of a number of residential properties that front High Street including 'The Old Stores' and 'The Variety Shop'. The northern boundary of the site is formed by what appears to be a 19th or early 20th century gault brick wall. There are a number of significant mature trees on the far side of this wall that provide a green backdrop to the site.
3. Two drains run in a northeasterly fashion away from the site and the site itself falls within Flood Zone 3.
4. Surrounding development is predominantly residential with a significant industrial use located within close proximity to the north (Welding Alloys). Views of the application site are afforded through the entrance to The Way from High Street where a number of historic buildings can be viewed in tandem with the application site. The site falls within the Fowlmere Conservation Area and observing the site from The Way affords views of the listed Parish Church and the backs of listed buildings on High Street.
5. A single dwelling is proposed to be erected upon the site.

Planning History

6. S/0002/85/F – Three Dwellings Shop Extension Car Parking and Access Road – Allowed by Appeal.

S/0521/11 – Erection of Dwelling – Withdrawn.

S/1226/11 - Erection of Two Dwelling (on a separate site on The Way) - Pending Consideration.

Planning Policy

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

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/4 Infrastructure and New Developments

DP/5 Cumulative Development

DP/7 Development Frameworks

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

CH/5 Conservation Areas

HG/1 Housing Density

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

SF/11 Open Space Standards

NE/1 Energy Efficiency

NE/2 Renewable Energy

NE/6 Biodiversity

TR/1 Planning for More Sustainable Travel

TR/2 Car and Cycle Parking Standards

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

Listed Buildings SPD - Adopted July 2009

Conservation Areas SPD - Adopted July 2009

Open Space in New Developments SPD - Adopted

Trees and Development Sites SPD - Adopted

District Design Guide - SPD - Adopted

Consultations

9. **Fowlmere Parish Council** – Recommends refusal, for the following reasons:

- The site is unacceptable for a residential property
- The proposals do not preserve or enhance the character and appearance of the Conservation Area
- The proposal is too close to neighbouring properties and will have an overbearing effect
- The proposal is in the 'flood plain'
- Impact upon the quality of life for future occupants from the adjacent industrial site and access

- The application should be considered jointly with application ref.S/1226/11 and therefore an element of affordable housing is required.
10. **Conservation Officer** - Considers that the proposed dwelling design is a marked improvement over the scheme previously submitted in accordance with application ref.S/0521/11. The scale of the proposal is now such that it is not considered to adversely block or harm views of the listed buildings beyond. Considers that the dwelling is too close to the southern boundary of the site and thus appears a bit cramped. Advises that the width of the dwelling should be reduced. Following the receipt of amended plan, the width has been reduced and there is no objection to the scheme subject to a number of conditions regarding the detailing of the dwelling and protection of the existing 19th century boundary wall are suggested.
11. **Environment Agency** – Considers that planning permission should only be granted subject to conditional requirements for:
- Finished floor levels
 - Surface water drainage details
 - Foul water drainage
12. **Environmental Health Officer** - No objections – Gives due regard to the impact of the adjacent industrial site upon future occupants of the dwelling.
- Recommends standard conditions regarding:
- Hours of use of power operated machinery
 - Use of pile driven foundations
 - Development to be carried out in accordance with plans and noise assessment
13. **Tree Officer** – Raises no objections but advises that the works should be carried out in accordance with the arboricultural report submitted.
14. **Local Highways Authority** – Note that The Way is un-adopted but advise that the proposals would have no significant adverse effect upon the Public Highway. Suggest standard conditions regarding bound driveway material; drainage and pedestrian visibility splays.
15. **Drainage Manager** – No comments received.

Representations

16. Three letters of representation received from the occupants of Fowlmere house, 'The Old Stores' and 'The Old Post Office' raising concerns for the following reasons:
- Overbearing impact
 - Overshadowing
 - Loss of privacy
 - Visual harm to the Conservation Area
 - Impact of the adjacent industrial site on the standard of living for future occupants of the proposed dwelling
 - Concerns for the proposed package sewage treatment plant.
 - Impact upon the protected Horse Chestnut Tree

Planning Comments – Key Issues

17. The key issues to consider in this instance are the efficient use of land, the impact of proposals upon the residential amenity of neighbouring dwellings, the impact of proposals upon the character and appearance of the Conservation Area and setting of adjacent Listed Buildings, flood risk and tree impacts.

Principle of Development and Efficient use of land

18. The site falls within the Development Framework boundary and comprises green field land. As such, in accordance with the guidance set out in Planning Policy Statement 3; Housing (PPS3) it is important to make an initial assessment of the impact that residential development would have upon the character and appearance of the area. In this case surrounding development is predominantly residential and adjacent to the application site to the south the existing built form fronts High Street and is of a relatively dense nature. To this end it is considered that the principle of residential development of the site in question would not be detrimentally uncharacteristic to the character and appearance of the area in this instance.
19. The application site is approximately 0.03ha in area and a single dwelling is proposed. Thus the resultant density of development would be approximately 33dph, which is in accordance with the LPA's housing density policy HG/1. Hence the proposals are considered to constitute an efficient use of land.

Neighbour impact

20. The proposed dwelling is of single-storey height being approximately 4.5m to roof plate at its highest and approximately 3.3m at its lowest.
21. To the south and south west of the site the rear garden areas of 'The Old Stores' and 'The Old Variety Shop' are adjacent to the site boundary. To the west is the garden area of Fowlmere House. There is a defined sitting out area situated at the end of the garden serving the Old Stores closest to the application site boundary. At present views to the north from these garden areas are open.
22. The proposed dwelling is sited approximately 2m from the common boundary with the Old stores but this diminishes to significantly less due to the angle of the boundary in this case. Hence the proposed dwelling is within close proximity to The Old Stores and at this point of proximity the height of the structure is at its lowest (approximately 3.3m). Therefore due to the scale of the proposed dwelling this proximity is not considered to have an undue overbearing impact upon the garden area of the Old Stores.
23. Being single storey there are no first floor windows proposed in the dwelling that would afford a view into the garden area or windows of the Old Stores, The Old Variety House or Fowlmere House and thus there is not considered to be any loss of privacy as a result of the proposals.
24. Due to the fact that the proposed dwelling is sited to the north of neighbouring sites, and its single storey scale, there is not considered to be any significant overshadowing in this instance.

Character and appearance

25. The proposed dwelling is situated within the Conservation Area and views of the site are afforded from High Street along The Way. The setting of the site, in terms of surrounding residential development, is very much one of vernacular architecture and more classical contemporary styles. A large proportion of nearby dwellings are historic and where dwellings have been built more recently, for example to the west of the entrance to The Way they have been of an early 20th century idiom. At present the site itself forms a green backdrop to views along The Way from High Street.
26. The proposed dwelling does not reflect the historic character and appearance of the area. Rather it is of a very modern design, which is at least partly informed by the single storey nature of the building. As a piece of modern architecture the structure is considered to be well designed with good detailing, good proportions and appropriate material choices. As such the proposal is of visual interest. Thus whilst the proposal is not vernacular or classical in its character such as much of the surrounding development it certainly is not considered to materially harm the character and appearance of the Conservation Area due to the quality of design.
27. Due to the single storey scale of the development the views that are currently afforded from The Way to the rear of those historic dwellings on High Street, Fowlmere House and the listed Church are not considered to be substantially blocked or materially harmed.
28. The Conservation Officer recommends a conditional requirement to ensure the protection of the existing 19th century wall to the rear of the site and this is considered reasonable and justified in this instance.

Flood Risk

29. The site falls within an area of flood risk. A Flood Risk Assessment has been submitted which has been properly assessed by the Environment Agency who consider that the scheme can be sited within the flood zone providing floor levels are not set lower than 23.25m above Ordnance datum. It is considered reasonable and justified to condition this requirement and the developer has confirmed that this will not affect the overall height of the dwelling.
30. In order to minimise the exacerbation of flooding to the area and the pollution of the water environment the EA recommend conditions regarding surface water and foul water drainage – such conditions are considered reasonable and justified in this instance.
31. Concerns have been raised for the use of a package sewage treatment plant. The applicants have confirmed that the intention is to connect to the existing foul sewer in the location. The application form has been amended to this extent.

Tree impacts

32. The Council's Tree Officer raises no objections to the proposals providing adequate tree protection measures are carried out in accordance with the

arboricultural report submitted (Acacia Tree Surgery). It is considered reasonable and necessary to condition that works be carried out in accordance with these details.

Noise impact

33. Concerns have been raised for the potential noise and disturbance impact upon the end user of the dwelling arising from the adjacent industrial site. The Council's Environmental Health Officer has commented upon the proposals and advises that due to the proposed high thermal performance of the dwelling and the internal layout, with more sensitive area sites to the rear of the building away from the industrial site, that there would not be an adverse impact upon end users from noise and disturbance. Further to this it is advised that there has only been one noise complaint against the site since 2002.

Further Considerations

34. The Parish Council is concerned that the scheme, when considered in tandem with application S/1226/11 (which proposes two dwellings), triggers a need for affordable housing provision.
35. Policy HG/3 requires the provision of affordable housing in developments of two or more dwellings. As this application relates to a single dwelling, and the constraints of the site in terms of its ability to accommodate further development have been highlighted above, this Policy does not automatically apply. However it is also necessary to consider Policy DP/5 in respect of whether this application should be interpreted as cumulative development when considered along with application ref. S/1226/11 for residential development of a site on the opposite of The Way. The policy states that whether development forms part of a larger site where there would be a requirement for infrastructure provision, in this case affordable housing.
36. The question to be considered here is if planning permission is granted on the current site for a single dwelling and the tandem application for two dwellings on the nearby site would it be reasonable to require an affordable dwelling to be on the grounds that the two proposals represented cumulative development. In determining an appeal elsewhere in the district where this argument was raised the Inspector considered that the following factors should be taken into account: whether the sites are within one ownership; whether they comprise a single site for planning purposes; and whether the proposals constitute a single development.
37. In respect of the first of these criteria the sites are shown to be within the same ownership however they relate to physically separate developments served by different access points some way apart and the two sites could be developed independently. In this case it is not considered that they can be considered to comprise a single unit for planning purposes or constitute a single development and, despite the desirability of doing so, it would therefore not be reasonable to request an affordable housing contribution.

Developer Contributions

38. A draft S106 agreement has been submitted seeking to agree contributions for public open space, community facilities and refuse bin provision. The figures offered are in accordance with Council's standard contributions calculations. The draft agreement is currently receiving attention from the Council's Legal Team.

Conclusion

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

Recommendation

40. Allow delegated approval subject to the completion of a S106 agreement.

Conditions

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 2-001 Rev J, 2-005, 2-014 Rev B, 2-015 Rev B, 2-016 Rev B, Acacia Tree Surgery Ltd Arboricultural Implication Assessment, Noise Assessment February 2011 and Site Specific Flood Risk Assessment February 2011.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **No development shall commence until details of the following 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.**
 - a) **Details of the gate**
 - b) **Materials to be used the external construction of the building**
 - b) **Eaves details at a scale of 1:5**

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
4. **Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the**

implementation programme agreed in writing with the Local Planning Authority.

(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

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

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding and harm to highway safety in accordance with Policies DP/1, DP/3 and NE/11 of the adopted Local Development Framework 2007.)

6. **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained. 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 and does not adversely harm highway safety in accordance with Policies DP/2, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

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

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

8. **No development shall commence until details of a scheme for the protection of the 19th century wall to the rear of the site 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 - Insufficient information was submitted with the application to assure the Local Planning Authority that this feature would be

adequately protected during construction to comply with Policy CH/5 of the adopted Local Development Framework 2007.)

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

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

10. **Finished floor levels shall be set no lower than 23.2m metres above Ordnance Datum.**

(Reason - To protect the development and its occupants from flooding in extreme circumstances.)

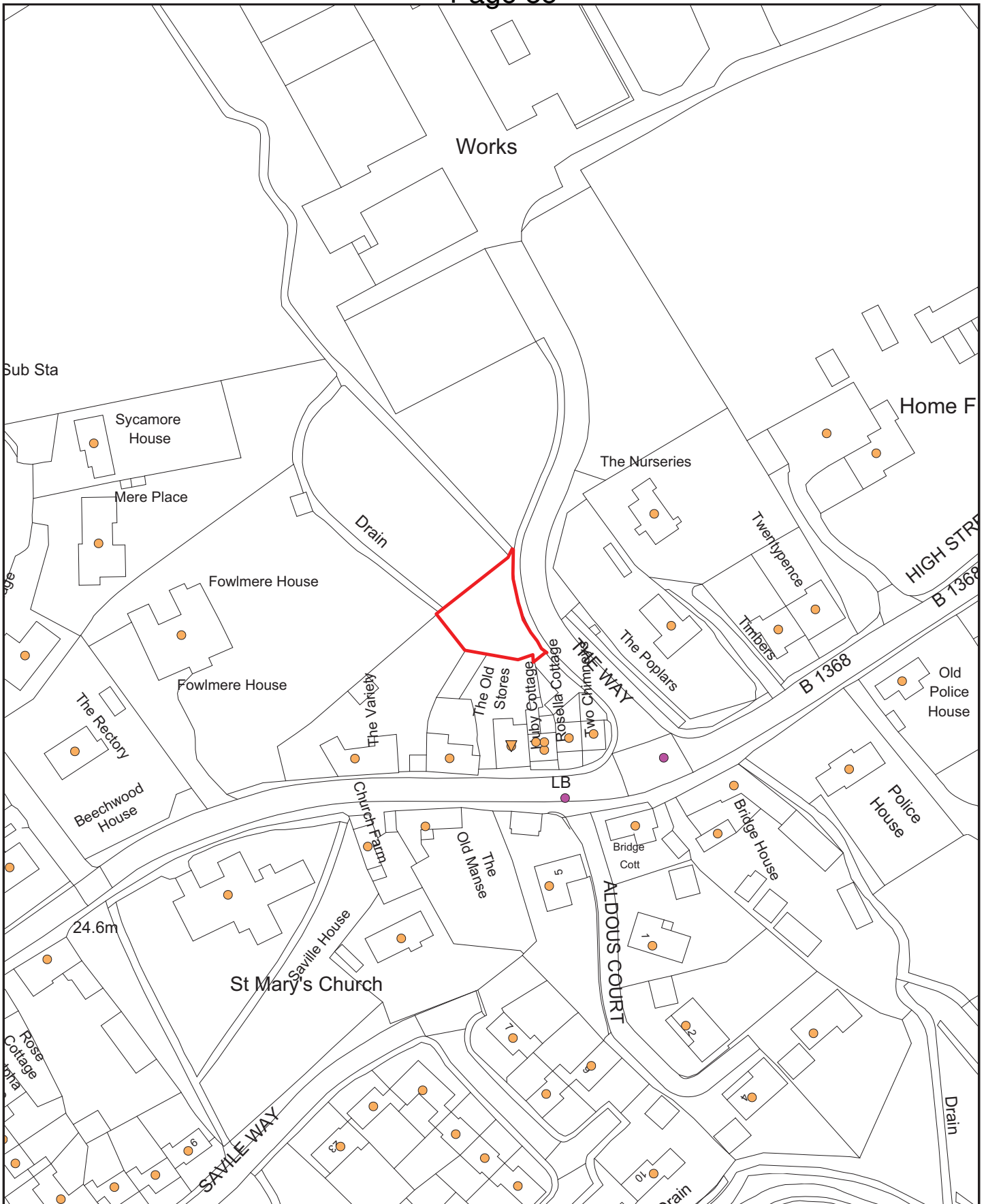
11. **During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local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

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

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

- South Cambridgeshire Local Development Framework 2007

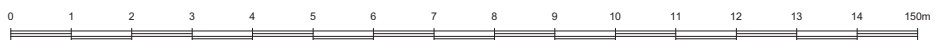
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)**S/1226/11– FOWLMERE****Erection of Two Dwellings –The Nurseries, The Way, Fowlmere,
Cambridgeshire, SG8 7QS for Cheffins****Recommendation: Delegated approval****Date for Determination: 15 August 2011****Notes:**

This Application has been reported to the Planning Committee as the recommendation of the Parish Council differs to the Officer recommendation.

Members will visit the Site on the 7 September 2011.

Site and Proposal

1. The site comprises an existing residential site within the Fowlmere Development Framework that is accessed from 'The Way' which is an unadopted access road serving the Welding Alloys Industrial site and a dedicated parking area for occupants of a small number of properties that front High Street. The existing dwelling is single storey with three bedrooms, within the curtilage of which there are the remains of another structure of similar size, possibly once a green house.
2. The south eastern boundary of the site comprises a timber close-boarded fence and forms the common boundary with the rear gardens of 'Timbers' and 'Twentypence'. The western boundary of the site is the common boundary with 'The Poplars' and comprises a tall landscaped boundary. The northern boundary of the site is largely open with low landscaping and forms the common boundary with the car park of the adjacent industrial site.
3. The site falls within Flood Zone 3.
4. Surrounding development is predominantly residential with a significant industrial use located within close proximity to the north. Views of the application site are limited from the public realm with some glimpse views afforded from High Street between 'Timbers' and 'Twentypence'.
5. Two detached dwellings are proposed to be erected upon the site following the demolition of the existing house.

Planning History

6. S/0640/75/O – Erection of 6 Dwellings and Garages – Refused
S/1391/86/O – Two Houses – Refused and Appeal Dismissed.
S/1344/01/F - Erection of 2 Flats for Visitor Accommodation Following Demolition of Existing Dwelling – Refused
S/2205/01/F - Erection of 2 Flats for Visitor Accommodation Following Demolition of Existing Dwelling – Approved
S/0526/11 – Erection of two dwellings – Withdrawn
S/1223/11 - Erection of Dwelling (on a separate site on the The Way) - Pending Consideration.

Planning Policy

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

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/5 Cumulative Development
DP/7 Development Frameworks
CH/4 Development within the Curtilage or Setting of a Listed Building
CH/5 Conservation Areas
HG/1 Housing Density
HG/2 Housing Mix
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards
NE/1 Energy Efficiency
NE/2 Renewable Energy
NE/6 Biodiversity
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards

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

Open Space in New Developments SPD - Adopted
Trees and Development Sites SPD - Adopted
District Design Guide - SPD - Adopted
Biodiversity SPD – Adopted July 2009

Consultations

9. **Fowlmere Parish Council** – Recommends refusal, for the following reasons:
- Impact upon residential amenity by way of overlooking

- Impact upon quality of life for future occupants from the adjacent industrial site and access
 - Considers that the application should be considered jointly with application ref.S/1226/11 and therefore an element of affordable housing is required.
10. **Contaminated Land Officer** - No objections, satisfied that a condition relating to contaminated land investigation is not required.
11. **Environment Agency** – Considers that planning permission should only be granted subject to conditional requirements for:
- Finished floor levels
 - Surface water drainage details
 - Foul water drainage
12. **Environmental Health Officer** - No objections – Gives due regard to the impact of the adjacent industrial site upon future occupants of the dwelling.
- Recommends standard conditions regarding:
- Hours of use of power operated machinery
 - Use of pile driven foundations
13. **Tree Officer** – No objections - The trees identified for retention are not specimen trees, multi stemmed and of potential nuisance species within the context of the site. Having been identified for retention they require arboricultural implication assessment, method statement supported by tree constraints plan and tree protection details.
14. **Local Highways Authority** – Note that The Way is un-adopted but advise that the proposals would have no significant adverse effect upon the Public Highway. Suggest standard conditions regarding bound driveway material; drainage and pedestrian visibility splays.
15. **Drainage Manager** – No comments received.
16. **Ecology Officer** – No objections - Any removal of vegetation within the site during the bird nesting period should be controlled by a suitable condition.

Representations

17. Letters of representation received from the occupants of Timbers, Twentypence, The Poplars and Home Farm, raising concerns for the following reasons:
- Loss of privacy
 - Loss of trees
 - Planting of inappropriate tree species

Planning Comments – Key Issues

18. The key issues to consider in this instance are the efficient use of land, the impact of proposals upon the residential amenity of neighbouring dwellings, the impact of proposals upon the character and appearance of the

Conservation Area and setting of adjacent Listed Buildings, flood risk and tree impacts.

Principle of Development and Efficient use of land

19. The site comprises garden land associated with the existing dwelling on the site and falls within the Development Framework boundary. As such, in accordance with the guidance set out in Planning Policy Statement 3; Housing (PPS3) it is important to make an initial assessment of the impact that residential development would have upon the character and appearance of the area. In this case surrounding development is predominantly residential and adjacent to the application site to the south the existing built form fronts High Street and is of a relatively dense nature, whereas to the north there is a substantial industrial site comprising structures in excess of two stories. To this end it is considered that the principle of residential development of the site in question would not be detrimentally uncharacteristic to the character and appearance of the area in this instance.
20. The application site is approximately 0.15ha in area and two dwellings are proposed. Thus the resultant density of development would be approximately 13dph. This is below the stipulations of policy HG/1 which seeks 30dph unless circumstances suggest otherwise. However taking the recent changes to PPS 3 into account and having regard to the site history whereby developments of a higher density have been refused in the past a development of less than 30dph is considered acceptable in this location in this instance

Housing Mix

21. The scheme proposes the replacement of the existing three bedroom dwelling on site with two 4-bedroom dwellings. There is thus a net gain of 1 dwelling in this instance. Policy HG/2 is applicable and seeks to ensure that all schemes for residential development provide a variety of house sizes. The policy effectively requires 40% of all scheme to be 1 or 2 bed, 25% to be 3-bed and 25% to be 4-bed. The policy weights one and two-bed properties, or small dwellings, more heavily as the Housing Needs survey for the District identifies that there is a significant shortfall in the provision of such dwellings.
22. The scheme is not considered to provide an adequate mix of dwelling sizes, proposing two large dwellings. However the applicant's have voluntarily submitted a draft heads of terms for this proposal and application ref. S/1223/11 which seeks to agree that the provision of the two bedroom dwelling required for this site be provided on the site under consideration in accordance with application ref.S/1223/11. Being as the net gain in housing mix is the same as if a small dwelling were provided on this site the agreement offered is considered appropriate and can be met through a S106 legal agreement. However it is important to note that the draft heads of terms effectively means that should application S/1223/11 be refused for any reason then this application would become contrary to policy HG/2 and therefore be unacceptable.

Neighbour impact

23. The proposed dwellings are of two storey height (approximately 8.7m to ridge), are of simple gabled form and the ridge lines runs roughly southwest to northeast within the site.
24. To the southeast of the site the rear garden areas of 'Timbers' and 'Twentyence' are adjacent to the site boundary. At present views to the north east from these garden areas are largely open.
25. The proposed dwelling annotated on plan ref. 1-001 rev C at Site A is sited approximately 16m from the common boundary with Timbers. The proposed dwelling annotated on plan ref. 1-001 Rev C as Site B is sited approximately 21m from the common boundary with Twentyence. Due to this degree of spatial separation it is not considered that the proposed dwelling would have an undue overbearing impact upon the rear gardens of either of these adjacent dwellings. The dwelling proposed on Site A is approximately 4m from the north eastern boundary of The Poplars. Whilst this is a close relationship it is the gable of the proposed dwelling that is adjacent to the common boundary and is therefore not as imposing as a full elevation would be at this proximity. Further to this The Poplars retains private garden land that is divorced from this location and there is at present a strong and tall landscaped boundary between the two sites, which it would be reasonable and desirable to retain via a conditional requirement.
26. Within the southwest elevation of the proposed dwelling annotated as 'Site A' full height glazed openings are proposed to serve a landing area at first floor level. Although the landing area is not a 'habitable room' the apertures would afford a significant loss of privacy to the garden area of The Poplars were they not fitted shut and obscure glazed. The proposals do indeed show these windows to be obscure glazed and fitted shut, however in the event of approval it is still considered reasonable and necessary to apply a condition ensuring this treatment in perpetuity.
27. At first floor level within the rear elevation of both proposed dwellings there are three full height windows shown. Each of these windows serves a bedroom. The windows directly face the rear garden areas of Timbers and Twentyence. Although concerns for a loss of privacy have been raised by both the Parish Council and the occupants of Timbers the proposed windows are in accordance with the guidance contained within the District Design Guide at para 6.68 which advises of a minimum separation distance between habitable room windows of 25m. In this instance a distance of 36m is observed by site A and 32m by site B. To this end loss of privacy from these windows is not a sustainable reason for refusal of the applications.

Character and appearance

28. The proposed dwellings will not have a prominent visual impact upon the adjacent Conservation Area being screened by existing development along The Way. No significant views of the development would be afforded along the access to The Way. Glimpse views of the rear elevations of the two dwellings proposed may be afforded from High Street in the gaps between Timbers, Twentyence and The Poplars.

29. The proposed dwellings would have a greater visual relationship to the adjacent industrial site to the north of the application site than to the historic development along High Street. To this end the proposed design of the dwellings is not considered inappropriate for this context.

Flood Risk

30. The site falls within an area of flood risk. A Flood Risk Assessment has been submitted which has been properly assessed by the Environment Agency who consider that the scheme can be sited within the flood zone providing floor levels are not set lower than 23.25m above Ordnance datum. It is considered reasonable and justified to condition this requirement.
31. In order to minimise the exacerbation of flooding to the area and the pollution of the water environment the EA recommend conditions regarding surface water and foul water drainage – such conditions are considered reasonable and justified in this instance.

Tree impacts

32. The tree officer does not consider any of the trees on site to be exceptional specimens. However the scheme does propose the retention of a number of trees on site and in lieu of this an arboricultural impact assessment including tree protection details would be required. It would be reasonable and justified to condition this information in this instance.

Ecology

33. The Council's Ecology Officer has visited the site and made a visual inspection for evidence priority species roosting (i.e. bats). No evidence to suggest that the site accommodates such species was found and thus the Ecology Officer raises no concerns for the impact of the proposals upon the biodiversity of the area.

Noise impact

34. Concerns have been raised for the potential noise and disturbance impact upon the end user of the dwelling arising from the adjacent industrial site. The Council's Environmental Health Officer has commented upon the proposals and advises that due to the proposed high thermal performance of the dwelling and the internal layout, with more sensitive area sites to the rear of the building away from the industrial site, that there would not be an adverse impact upon end users from noise and disturbance. Further to this it is advised that there has only been one noise complaint against the site since 2002.

Further Considerations

35. The Parish Council is concerned that the scheme, when considered in tandem with application S/1223/11 (which proposes a single dwelling), triggers a need for affordable housing provision.
36. Policy HG/3 requires the provision of affordable housing in developments of two or more dwellings. As this application proposes the net gain of a single dwelling, and the constraints of the site in terms of its ability to accommodate

further development have been highlighted above, this Policy does not automatically apply. However it is also necessary to consider Policy DP/5 in respect of whether this application should be interpreted as cumulative development when considered along with the extant planning consent for residential development of the area of garden land to the north of the existing house. The Policy states that whether development forms part of a larger site where there would be a requirement for infrastructure provision, in this case affordable housing.

37. The question to be considered here is if planning permission is granted on the current site for two dwellings and the tandem application for a single dwelling on the nearby site would it be reasonable to require an affordable dwelling to be provided on the grounds that the two proposals represented cumulative development. In determining an appeal elsewhere in the district where this argument was raised the Inspector considered that the following factors should be taken into account: whether the sites are within one ownership; whether they comprise a single site for planning purposes; and whether the proposals constitute a single development.
38. In respect of the first of these criteria the sites are within the same ownership however they will be physically separate developments served by different access points some way apart and the two sites could be developed independently. In this case it is not considered that they can be considered to comprise a single unit for planning purposes or constitute a single development and it would therefore not be reasonable to request an affordable housing contribution

Developer Contributions

39. A draft S106 agreement has been submitted seeking to agree contributions for public open space, community facilities and refuse bin provision. The figures offered are in accordance with Council's standard contributions calculations. The draft agreement is currently receiving attention from the Council's Legal Team.

Conclusion

40. 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

41. Allow powers of delegated approval subject to successful completion of a S106 agreement to address matters of housing mix and developer contributions.

Conditions

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

2. **The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 1-001D, 1-002E, 1-004E, 1-005C, 1-008, 1-011, Anglia Consultants Noise Assessment February 2011 and Site Specific Flood Risk Assessment February 2011.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
4. **Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)
5. **Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding and harm to highway safety in accordance with Policies DP/1, DP/3 and NE/11 of the adopted Local Development Framework 2007.)
6. **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity and does not adversely harm

highway safety in accordance with Policies DP/2, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

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

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

8. **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 back of the carriageway.**

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

9. **Finished floor levels shall be set no lower than 23.2m metres above Ordnance Datum.**

(Reason - To protect the development and its occupants from flooding in extreme circumstances.)

10. **Apart from any top hung vent, the proposed first floor windows in the side elevations of the buildings, hereby permitted, shall be fitted and permanently glazed with obscure glass.**

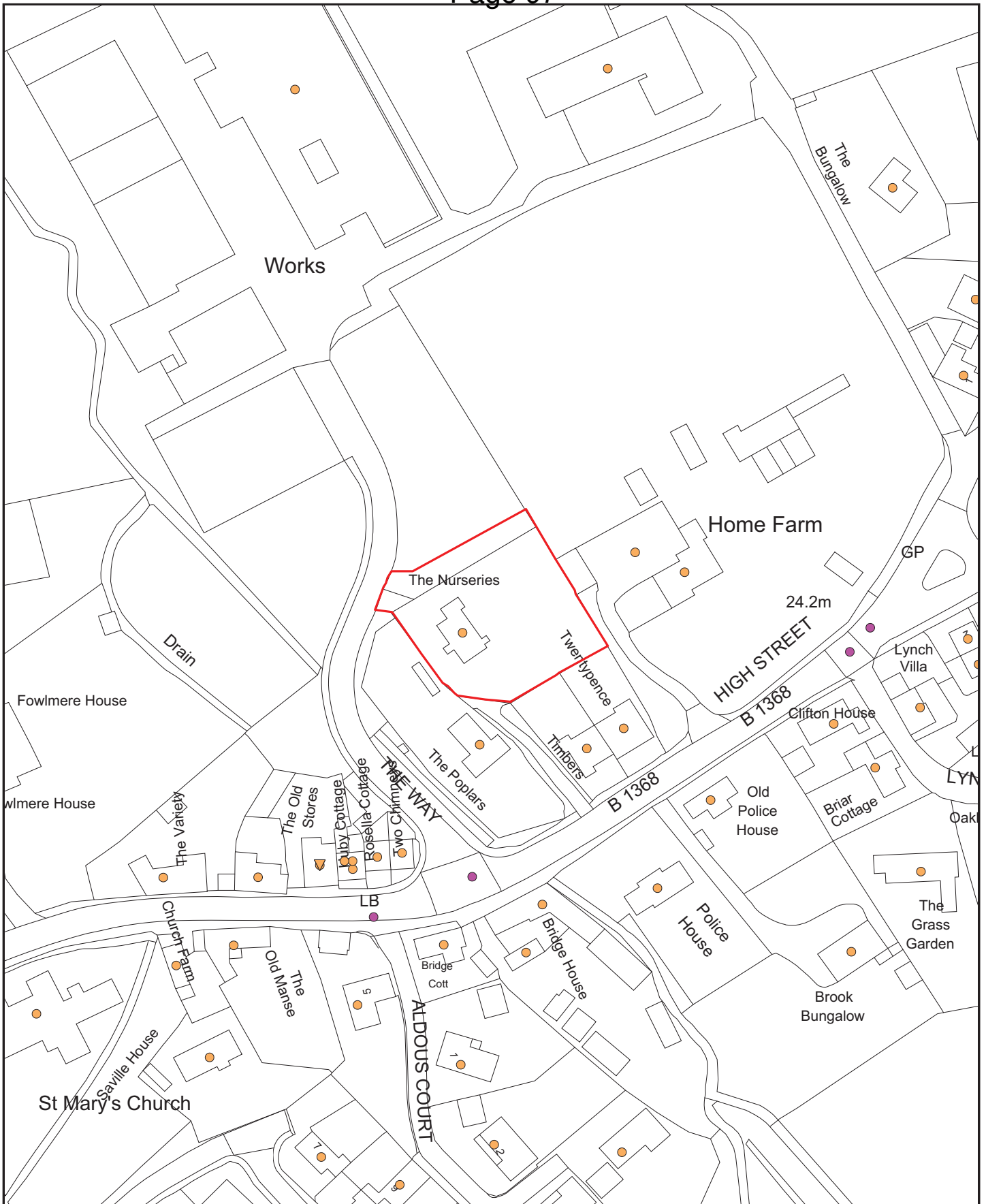
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework 2007

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/1297/11 – SAWSTON**Extension of Time for Implementation of Planning Consent S/2435/07/F for Change of Use of Shop/ Dwelling to Dwelling with Home Office, Erection of Bungalow and Garage, Formation of Driveway, and Realignment of Public Right of Way At 82 Mill Lane, for Fabco Properties Ltd.****Recommendation: Approval****Date for Determination: 23rd August 2011****Notes:**

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

Site and Proposal

1. The site is located within the Sawston village framework. No. 82 Mill Lane is a grade II listed building. It is a detached, one and half storey in height. The building is clad in render and roofed with corrugated tin. It has a single storey render and tile front projection and a single storey flat roof rear extension that was previously a shop and store. The building is in a poor state of repair. There is one parking space to the front and one to the rear. A mature Horse Chestnut tree subject to a Tree Preservation Order is situated in the front garden. There is a narrow rear garden that tapers to the north. A 1.8 metre high fence runs along the eastern boundary. There is an existing access to the eastern side outside the curtilage of the listed building and an area of public amenity space. Public footpath No. 18, Sawston runs through the amenity area to the east and public footpath No.20, Sawston runs along the northern boundary of the site. The land rises gently from south to north. The site is located within flood zone 2 (medium risk).
2. No. 84 Mill Lane is a two-storey end of terrace house that is set back slightly from No. 82 Mill Lane. It has a single storey rear element with a window facing the site. No. 80 Mill Lane is a two-storey house that is set slightly forward of No. 82 Mill Lane. It has a blank side elevation and windows in the front and rear elevation adjacent the boundary. A 1.8metre high fence runs along the western boundary. Nos. 21 and 22 Uffen Way are bungalows that have their rear garden facing the site with a hedge along the boundary. These are on higher ground above the levels of the application site.
3. This full planning application, received 28th June 2011, proposes to extend the existing time limited implementation period of planning consent S/2435/07/F that expires on 4th December 2011. The original application proposed the change of use of the existing shop/dwelling at No. 82 Mill Lane to a three bedroom dwelling with home office including internal and external alterations and the extension of the residential cartilage. It also included the erection of a three bedroom bungalow with a ridge height of 5 metres to the rear of No. 82 Mill Lane facing eastwards with a

garden to the west, the erection of a shared double garage/store with a ridge height of 4.2 metres and parking area to the north of No. 82 Mill Lane and to the south of the new bungalow, the creation of a new shared driveway with a width of 5 metres to serve No. 82 Mill Lane and the new bungalow, and the re-alignment of the existing public footpath from the centre of the public amenity space to the eastern site boundary.

Planning History

- 4 Planning permission was granted at appeal for the change of use of shop/ dwelling to dwelling with home Office at 82 Mill Lane, the erection of a bungalow and garage to the north of 82 Mill Lane, and the formation of driveway, re-alignment of public right of way, and erection of boundary fencing to the east of Mill Lane under reference **S/2435/07/F**. The application was originally refused as a result of the impact upon the setting of the listed building but the Inspector considered this to be acceptable.
- 5 Listed building consent was granted for internal and external alterations to No. 82 Mill Lane under reference **S/0616/07/LB**. Planning permission was refused for the change of use of shop/ dwelling to dwelling with home Office at 82 Mill Lane, the erection of a bungalow and garage to the north of 82 Mill Lane, and the formation of driveway, re-alignment of public right of way, and erection of boundary fencing to the east of Mill Lane under reference **S/0617/07/F**.
- 6 An appeal was dismissed for full planning permission for one bungalow to the rear of No. 82 Mill Lane under reference **S/1629/86/F** on the grounds of the impact upon neighbour amenity.
- 7 An appeal was dismissed for outline planning permission for two bungalows to the rear of No. 82 Mill Lane under reference **S/0736/86/O** grounds of the impact upon neighbour amenity.
- 8 Planning permission was granted for use of room as hairdressing salon at 82 Mill Lane under reference **S/1505/85/F**.

Planning Policy

- 9 ***Local Development Plan Policies***

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

South Cambridgeshire LDF Development Control Policies DPD, 2007:

- DP/1 Sustainable Development
- DP/2 Design of New Development
- DP/3 Development Criteria
- DP/4 Infrastructure and New Developments
- DP/7 Development Frameworks
- HG/1 Housing Density
- NE/6 Biodiversity
- NE/11 Flood Risk
- CH/3 Listed Building
- CH/4 Development Within the Curtilage or Setting of a Listed Building
- SF/1 Protection of Village Services
- SF/10 Outdoor Playspace, Informal Open Space, and New Developments
- SF/11 Open Space Standards
- TR/1 Planning for More Sustainable Travel

TR/2 Car and Cycle Parking Standards

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Open Space in New Developments SPD - Adopted January 2009

Trees & Development Sites SPD - Adopted January 2009

Biodiversity SPD - Adopted July 2009

Listed Buildings SPD - Adopted July 2009

Landscape in New Developments SPD - Adopted March 2010

District Design Guide SPD - Adopted March 2010

10 ***National Planning Guidance***

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Statement 5 (Planning for the Historic Environment)

11 ***Circulars***

Circular 05/2005 Planning Obligations

Circular 11/95 The Use of Conditions in Planning Permissions

Consultation

12 **Sawston Parish Council** – Recommends refusal on the grounds of the movement of the public right of way that would cause nuisance to neighbours, overdevelopment of the site, and access problems.

13 **Local Highways Authority** – Considers that the proposal would not have a significant impact upon the public highway (comments from previous application).

14 **Environmental Health Officer** – Concerned that problems could arise from noise during construction and suggests a condition in relation to the hours of use of power operated machinery. Also request informatives with regards to pile driven foundations and the burning of waste on site.

15 **Conservation Officer** – Recommends approval and comments that the alterations to the listed building would ensure its long-term future and the conversion of the shop would result in the demolition of the modern flat roof rear extension. The bungalow would not have a significant impact upon the setting of the listed building.

16 **Environment Agency** – The site is located with flood zone 2 (medium risk). The Flood Risk Assessment will need updating as it is in excess of 6 months since it was produced and the data may have changed.

17 **Rights of Way and Access Team** – Has no objections in principle providing the boundary treatment adjacent to the new footpath are as detailed in the application to discharge conditions 3 and 9 of the planning consent S/2435/07/F (1.2 metre high fencing to the front and side of the new bungalow and 1.8 metre high fencing including trellis to the side of the listed building) rather than 1.8 to 2 metre high fencing shown on the submitted plans.

18 **Trees and Landscapes Officer** – Comments are awaited.

19 **Landscape Design Officer** – Comments are awaited.

20 **Ecology** – Comments are awaited.

Representations

- 21 The occupier of No. 84 Mill Lane strongly supports the development as the only financially viable scheme to restore the existing listed building on the site. Comments that the bungalow would not significantly detract from the listed building. Requests that the extension to the time limit is restricted to one year to maintain pressure on the applicant's to develop the site as there are problems with vandalism and fly tipping.
- 22 The occupier of No. 4 Milner Close comments that the pathway through the property as believed to be a 'right of way', has been a right of way for at least 50 years, and is used on a regular basis.

Planning Comments – Key Issues

- 23 The key issue to consider in the determination of this application is whether there has been any material change in circumstances that would justify a different decision to that of the original application. The main factors to take into consideration relate to the principle of the development and its impact upon the character and appearance of the listed building, the setting of the listed building, enabling development, the character and appearance of the area, flood risk, highway safety, neighbour amenity, and the public footpath.

Principle of Development

- 24 There are no objections in principle to the change of use of the whole of the existing building to a dwelling. Whilst it is noted that the premises has not been marketed, the loss of the shop is not considered to result in a significant reduction in retail provision locally available, given that the site is close to Sawston village centre that has a range of shops, it is located in a pre-dominantly residential area, and it has been vacant for a number of years.
- 25 The site is located within the village framework of a 'Rural Centre' where there is a good range of services and residential developments with no limit on size are acceptable in principle subject to all other materials planning considerations.
- 26 The site for the proposed bungalow measures 0.04 of a hectare in area. The erection of one dwelling on the site would equate to a density of 25 dwellings per hectare. Whilst it is acknowledged that this density is below the requirements of at least 40 dwellings per hectare for sustainable villages such as Sawston, it is considered appropriate in this case as a result of the sensitive nature and openness of the site within the setting of a listed building.

Character and Appearance of the Listed Building

- 27 The proposed alterations to No. 82 Mill Lane are not considered to detract from the character and appearance of the listed building and listed building consent has been granted for these works. The alterations to the listed building would ensure its long term future and the conversion of the shop would result in the demolition of the modern flat roof rear extension.

Setting of the Listed Building

- 28 The new bungalow is not considered to damage the setting of the listed building. Although there was an initial objection to this element of the scheme in the original application, the view of the Inspector in the appeal decision was that the proposals

would do very little visual harm to the setting of the listed building. He stated that the setting on to Mill Lane would be little changed and the adjoining open land between Nos. 80 and 82 possesses no visual quality save openness. The eastern boundary would remain open to view and the land between Nos. 80 and 82 would remain free of building apart from an access road. The present visibility of the listed building is partial, obtained over the garden area where planting would always confine clear views of the upper parts. The proposal would not result in a dissimilar view of the structure to remain from the footpaths. The present setting is not one of any particular positive visual quality or one which positively enhances the building's architectural or historic interest.

Enabling Development

- 29 The applicant's agent states that No. 82 Mill Lane is in urgent need of full restoration but Council does not consider that the building is at risk. Given the Inspectors view, the application should not be subject to a unilateral undertaking in relation to the works to the listed building as a result of the proposal being acceptable in its own right rather than only acceptable in relation to enabling development to secure the future of the listed building.

Character and Appearance of the Area

- 30 The siting of the bungalow set back from the road frontage behind No. 82 Mill Lane is not considered to be out of character with the pattern of development in the area, given the similar layout of the site at Nos. 92 and 94 Mill Lane.
- 31 The area has a varied character consisting of a range of sizes and styles of dwellings. A bungalow would be in keeping with surrounding single storey development in Uffen Way and a detached property would be similar to the listed building and other developments in close proximity to the site along Mill Lane. The design of the buildings are deemed acceptable.

Flood Risk

- 32 The site lies within Flood Zone 2 (medium risk) as defined by the Environment Agency. It is situated 600m to the east of the River Cam. The existing impermeable area of the site comprises 269 square metres (27%) and the proposed covers 556 square metres (56%). This gives an increase of 290 square metres (29%).
- 33 The Flood Risk Assessment submitted as part of the original application in 2007 stated that finished floor levels will be 600mm above the 1 in 100 year fluvial flood level at a minimum of 19.34m AOD. This complies with the requirements of the Environment Agency. The development was therefore not previously considered to significantly increase the risk of flooding at the site, or in the surrounding area. However, an updated FRA has been requested to ensure that this remains the case, as the information in the original FRA may be out of date.

Highway Safety

- 34 The additional bungalow is not considered to result in a significant increase in traffic generation from the site given the historic use of part of No. 82 Mill Lane as a shop. The 5 metre wide shared access driveway is acceptable, as it would allow two vehicles to pass. Adequate vehicular and pedestrian visibility splays would be achieved. Two on-site parking spaces would be provided for each dwelling that would accord with the Council's standards. A shed attached to the garage would allow a secure and undercover cycle parking space for each dwelling. The proposal would not therefore be detrimental to highway safety.

Neighbour Amenity

- 35 The proposed dwelling would be situated adjacent to the part of the rear gardens of Nos. 80 and 84 Mill Lane that are used as vegetable patches. Although it is acknowledged that the land rises from Mill Lane towards the north, I do not consider that the dwelling would seriously harm the amenities of these properties through being unduly overbearing or through overlooking leading to a severe loss of privacy, given the position of the dwelling and the number of windows in the south elevation.
- 36 Nos. 21 and 22 Uffen Way have small rear gardens and windows adjacent to the footpath along the northern boundary of the site. The dwelling is not considered to seriously harm the amenities of these properties, due to the reduction in the level of the land, boundary treatment to one of the gardens, distance from the dwelling (13 metres) that complies with the guidelines in the design guide, and low height.
- 37 Whilst the proposed garage block would be situated immediately adjacent to the boundary of No. 84 Mill Lane and approximately 8 metres in length, it is not considered to seriously harm the amenities of that property through being unduly overbearing or through a significant loss of light to its garden, as a result of its design, height of the ridge in relation to the boundary and orientation to the east.
38. The proposed dwelling is not considered to seriously harm the amenities of neighbours through a significant increase in noise and disturbance through the use of its access. Whilst it is noted that the access would be close to the garden of No. 80 Mill Lane, it would be separated by the public footpath and fencing.
- 39 The re-alignment of the right of way is not considered to seriously harm the amenities of the neighbour at No. 80 Mill Lane through a significant increase in the level of noise and disturbance given that there is an existing 2 metre high fence along the boundary.

Developer Contributions

- 40 New policies have been introduced since the approval of the previous planning consent in relation to developer contributions.
- 41 The South Cambridgeshire Recreation Study 2005 identified a shortage of sport and playspace within Sawston. No sport or public open space is shown within the development. The increase in demand for sport space as a result of the development requires a financial contribution of £3,104.38 (index linked) towards the improvement of existing open space in the village to comply with Policy SF/10 of the LDF. This would be secured via a legal agreement that would be a condition of any consent. The applicant is aware of this contribution.
- 42 The South Cambridgeshire Community Facilities Assessment 2009 states that Sawston has a poor level of community facilities. Due to the increase in the demand for the use of this space from the development, a financial contribution of £513.04 (index-linked) is sought towards the provision of new facilities or the improvement of existing facilities in order to comply with Policy DP/4 of the LDF. This would be secured via a legal agreement that would be a condition of any consent. The applicant is aware of this contribution.
- 43 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 requested to provide for the household waste receptacles as part of a scheme. The fee for the provision of appropriate waste

containers is £69.50 per dwelling. This would be secured via a legal agreement that would be a condition of any planning consent. The applicant is aware of this contribution.

Other Matters

- 44 The diversion of the public right of way is a matter for the Rights of Way and Access Team at the County Council to determine. However, it would be a condition of any planning consent.
- 45 The proposal would not result in the loss of the public right of way. The boundary treatment submitted would ensure that the footpath is not enclosed and therefore remains safe for pedestrians.
46. Although the comments of the neighbour in relation to the current state of the site are noted, these are not material planning considerations that would justify a limited extension of time to the current consent other than the standard three years.

Conclusion

- 47 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

- 48 Approval. The following conditions and informatives are suggested: -

Conditions

- 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
- 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 location plan and drawing numbers (00)01A, (00)02A, (2-)10A, (2-)11A, and (2-)12B.**
(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 CH/4 of the adopted Local Development Framework 2007.)
- 4. No development in respect of the bungalow, garages and driveway shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall include indications of all hard surfaces, walls, fences, and other boundary treatments, access features, existing trees, hedges and shrubs on the land, and details of any to be retained, together with measures for their protection in the course of development.**

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy CH/4 and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

5. **The landscaping scheme 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 appearance of the development is satisfactory in accordance with Policy CH/4 and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

6. **The proposed access, turning area and parking provision shall be provided before the bungalow hereby permitted is occupied and retained as such.**

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

7. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be inserted in the front, side (north) and rear elevations of the bungalow above ground floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**

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

8. **The proposed home office shall only be used in connection with the existing dwelling at No. 82 Mill Lane, Sawston and at no time shall be used as a separate self-contained unit.**

(Reason - To ensure the development is satisfactory in accordance with Policy CH/4 of the adopted Local Development Framework 2007.)

9. **No development shall take place within the appeal site until the appellants or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.**

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

10. **No part of the development that results in the diversion of the public footpath that runs along the site shall be commenced until the diversions as shown on drawing number (00)01A has been agreed and the footpath has been provided in accordance with the approved drawing.**

(Reason- To ensure the continued provision of a public right of way.)

11. **No development shall begin until details of a scheme for the provision of recreational, community, and waste infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policies SF/10 and DP/4 have been submitted to and approved in writing by the**

Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

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

- 12. During the period of demolition and construction, no power operated machinery shall be operated on the site before 08.00 hours and after 18.00 hours on weekdays and before 08.00 hours and after 13.00 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**

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

+ any additional conditions required from outstanding consultee responses.

Informatives

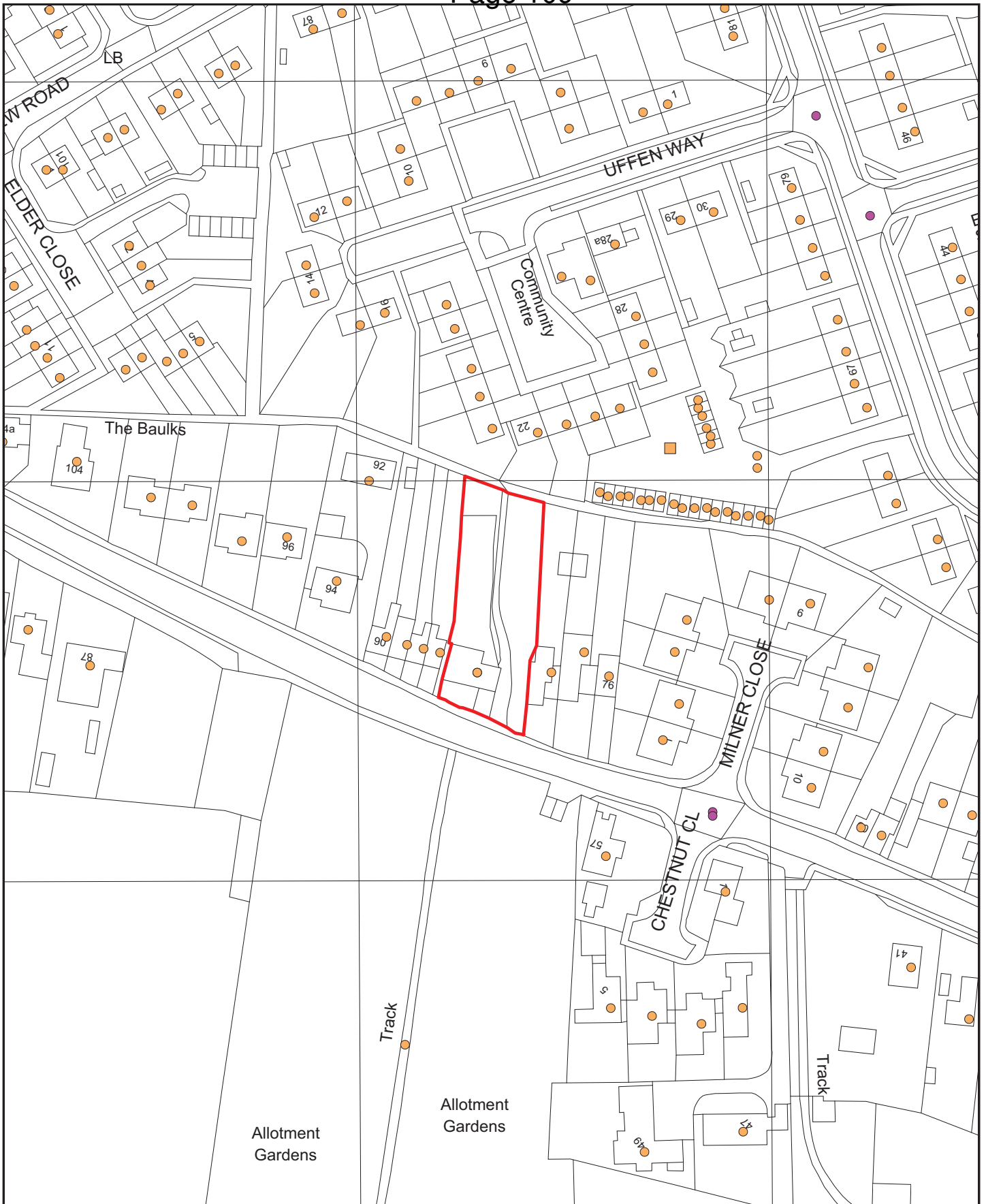
1. Should pile driven foundations be proposed, then before works commence, a statement of the method of construction for these foundations shall be submitted and agreed by the Environmental Health Office so that noise and vibration can be controlled.
2. During construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Environmental Health Officer in accordance with best practice and existing waste management legislation.

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

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents: Open Space in New Developments, Trees & Development Sites, Biodiversity, Listed Buildings, Landscape in New Developments, and District Design Guide.
- Planning Policy Statements 1 and 5
- **Planning File References:** S/1297/11, S/2435/07/F, S/0616/07/LB, S/0617/07/F, S/1629/86/F, S/0736/86/O, and S/1505/85/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)**S/1458/11 – SAWSTON****Extension to Existing Single Storey Rear Addition at 15 Hayfield Avenue,
for Dr Daniel Hatton****Recommendation: Approve Conditionally****Date for Determination: 14 September 2011****Notes:**

This Application has been reported to the Planning Committee for determination because the applicant is related to an elected member of the District Council

Site and Proposal

1. The application site comprises an end-of-terrace bungalow, which has been extended to the front and rear at single storey level. The site is situated in a residential area with an access road running along the eastern boundary of the site serving an air training corps hut to the rear. The site is located within the village framework of Sawston.
2. The proposal is a householder application involving the extension of the existing rear addition from 6.5m to a total depth of 8.5m, increasing the rear kitchen area and continuing the height of the existing asymmetric roof to the rear of the property.

Planning History

3. Planning permission was granted for the existing rear conservatory in 2000 (S/1478/00/F) and the existing front conservatory was granted in 2006 (S/0949/06/F).

Planning Policy**South Cambridgeshire LDF Development Control Policies DPD, 2007:**

4. DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

5. District Design Guide SPD – adopted March 2010

Consultations

6. Sawston Parish Council – Recommends approval.

Representations

7. None

Planning Comments – Key Issues

8. The main issues to consider in this instance are the impact of the development upon nearby residents and the local area.

Impact Upon Adjoining Neighbours

9. The proposed extension would be located more than 5m away from the shared side boundary with 13 Hayfield Avenue and it is considered to have no significant impact on the amenities of this neighbour due the low height of the building and the distance to the neighbour. The proposal would face a vehicular access to the east and consequently no other neighbours would be notably affected by the proposal.

Character of the Local Area

10. The extension would be sited to the rear of the property, which would be positioned away from the main public views along Hayfield Avenue. The proposed roof would be asymmetric and slightly at odds with the simple character of the existing building; however, the proposal would appear subsidiary in height to the principle dwellinghouse and the materials are proposed to match the existing building. Consequently, the extension is considered to have no adverse impact upon the character of the local area

Conclusion

11. The development is considered to have an acceptable impact upon the local area and upon residential amenity in accordance with Policies DP/2 and DP/3.

Recommendation

12. Approve, subject to the following conditions:

Conditions

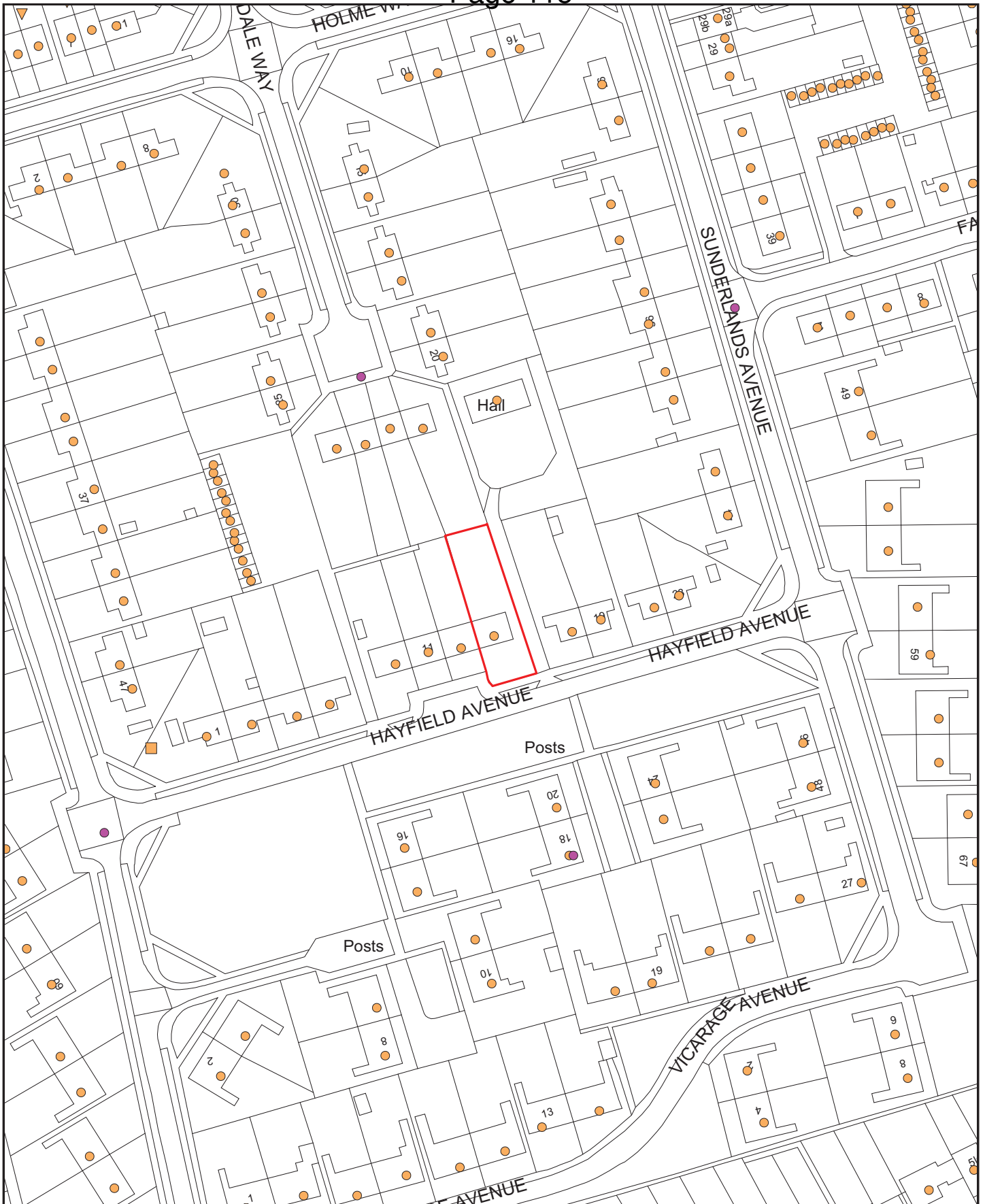
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: SCDC1, SCDC2, SCDC3, SCDC4 and SCDC5.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

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

- South Cambridgeshire LDF Development Control Policies DPD, adopted July 2007
- South Cambridgeshire LDF Supplementary Planning Documents (SPD): District Design Guide SPD.

Contact Officer: Andrew Winter – Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/1107/11 – FULBOURN**Installation of Storage Pod and Canopy Over the Space Formerly Taken Up By
Ten Parking Spaces Within the Store Car Park at Tesco's Stores Ltd, Yarrow
Road.****(for Tesco Stores Ltd)****Recommendation: Approve Conditionally****Date for Determination: 8 August 2011****Notes:**

This Application has been reported to the Planning Committee for determination because the recommendation of the Parish Council conflicts with the recommendation of officers.

Site and Proposal

1. The site comprises a Tesco Superstore, which is a major developed site within the Cambridgeshire Green Belt. The site is accessed via Yarrow Road with car parking fronting the store and a landscape buffer on the western boundary. The site is bounded by the railway track to the north and is part of the former Fulbourn Hospital site, which is now designated as a Conservation Area although the Tesco's site itself falls outside of this designated zone.
2. The proposal involves the erection of a single storey building with a canopy area measuring a total of 7.7m in width, 8.1m in length and 3.3m in height. The building would have a flat roof and walls finished in mushroom render with a timber-clad fascia. The supporting statement states that this is required to offer customers a new service, whereby customers order their shopping online, a personal shopper (member of staff) at the store picks each individual customer's shopping, which is then processed and loaded onto a standard home shopping van. The van will park at the collection pod and unload the shopping into the pod ready for collection by customers at their predetermined time slots. Operating hours would be: 8am to 8pm Monday to Friday, 8am to 6pm on Saturdays and 10am to 4pm on Sundays.

Planning History

3. **S/1820/98/F** Extension to house cash dispensers (ATMs) (approved)
S/0132/99/F Covered Trolley Bay (approved)
S/1572/00/F Extensions to form ATM enclosure and cage store in loading dock (approved)

- S/0532/02/F** Extension to store incorporating new entrance and ATM's (approved)
- S/1136/03/F** Extension, including canopy, to bulk store and rearrangement of the car park (approved)
- S/0390/06F** Change of Use of Part of Car Part to Car Valeting Operation Including Siting of Cabin and Canopy (approved)
- S/0350/07/F** Enlarged Entrance Lobby and Relocation of the ATM (approved)
- S/2366/07/F** Installation of TOMRA Recycling Unit (refused)
- S/1461/08/F** Erection of a Micro-Turbine (approved)
- S/0101/09/F** Erection of a micro wind turbine and associated works (approved)
- S/1691/10** Erection of a bulk store extension to the north side (approved)
- S/1326/11** 5 Fascia Signs, 4 Hanging Signs, 2 Directional Pole Signs and 3 External Pod Signs to Proposed Customer Collection Pod (pending decision)

Planning Policy

National

- 4. Planning Policy Guidance 2: Green Belts
Planning Policy Guidance 24: Planning and Noise

South Cambridgeshire LDF Development Control Policies DPD, 2007:

- 5. DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
GB/1 Green Belt
GB/2 Mitigating the Impact of Development in the Green Belt
GB/4 Major Development Sites within the Green Belt
NE/14 Lighting Proposals
NE/15 Noise Pollution
TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

- 6. District Design Guide SPD – adopted March 2010

CONSULTATIONS

- 7. **Fulbourn Parish Council** – Recommends refusal due to the following reasons:
 - (i) The application fails to provide supporting evidence that the proposed parking layout will accommodate parking demand at peak times if these 10 parking spaces are lost, in addition to the existing spaces that have already been lost to the car valeting facilities, parking of home delivery vehicles and the recently granted bulk store extension.
 - (ii) The position of the pod and canopy, if illuminated, would be visually intrusive to the three storey flats in Speedwell Close.
 - (iii) There are other areas in the site that are better placed, have less impact and are better suited to the potential traffic movements
- 8. **Acting Environmental Health Manager** - Verbal discussion on 19 August 2011. No objection to the proposal with regard to the submitted Noise

Assessment by ANC Acoustic Consultants. Recommends conditions with regard to opening hours and the development being carried out in accordance with the submitted noise assessment.

Representations

9. District Councillor John G Williams - Objects to the proposal on the following grounds
 - (a) Parking
 - (b) Visual intrusion to the flats at Speedwell Close
 - (c) Environment and carbon reduction issues
 - (d) Refrigeration and potential noise nuisance
 - (e) Traffic generation, particularly if customers arrive early for their collection
 - (f) Proposal adding to problems of anti-social behaviour in the car park

Planning Comments – Key Issues

10. The main issues to consider in this instance are: the Green Belt, parking, traffic, sustainability, noise and light pollution, residential amenity and security.

Impact on the Green Belt

11. The site forms part of a designated Major Developed Site (MDS) in the Green Belt where existing built development is recognised to form part of the Green Belt but remains subject to Green Belt policies. Limited infilling or redevelopment may be permitted in major development sites under Policy GB/4 and therefore the application is principally assessed with regard to the criteria of this policy.
12. The proposal is not considered to clearly fall within either category of redevelopment or infilling within the Green Belt and is therefore deemed to be inappropriate development, which is by definition harmful to the Green Belt. Therefore, any other harm to the Green Belt must be assessed first before considering whether any special circumstances exist to justify the inappropriate development.
13. In the recent application S/1691/10 for the bulk store extension, the application referred to an Inspector's report following the South Cambridgeshire Local Plan Inquiry in 2002, which recommended that the Tesco site be removed from the Green Belt and included within the Cherry Hinton village framework. The view was formed as follows:

“The Tesco site is almost entirely developed with buildings and hard surfaced parking and servicing areas. Its appearance and heavy 7-day use contrasts with, and is clearly distinguishable from, the much more open and green land to the south and east within the grounds of the hospital...I consider that the Tesco site has little remaining relationship with the Major Development Site.”

This recommendation was subsequently not accepted by the Council because the original development of the supermarket was only allowed on the basis of a compensatory demolition of other buildings within the MDS in order to maintain the overall openness of this part of the Green Belt. The inclusion of the site within the MDS was therefore considered appropriate to control further development in this sensitive location but it would not appear a mechanism of restricting all future building or extension on the site, as can be seen in the existing extension to the south side of the building approved

under S/1136/03/F, as well as the recently approved north side extension (S/1691/10).

14. The proposed building and canopy would be single storey in height, similar to the existing car valeting service and sited within the car park behind the mature landscaping to the west of the site. The design and appearance of the development would be simple and under canopy lighting is proposed rather than total illumination of the building. The building is thus considered to be compatible with the location and screened by vegetation to the front of the site. Subsequently, the proposal is not considered to have an adverse impact on the openness or visual amenities of the Green Belt.
15. Consequently, the site is considered to be unique within the Green Belt and its location and previous development are considered to present very special circumstances in this instance. The scale and form of proposed development is considered to be acceptable in this location and its harm to the Green Belt, by definition of inappropriate development, is justified by other material considerations.

Parking, Traffic and Sustainability

16. Concern has been raised with regard to the capacity of the site to accommodate parking demand at peak times with the proposed loss of ten parking spaces and the applicant has responded to this concern in an e-mail sent on 19 July 2011. The applicant explains that the new click and collect service has been trialed over the last 12 months at Baldock and Romford stores; from data collated it is estimated that the new service will be serving 15 customers every two hours, therefore on a week day the facility can serve up to 90 customers (8am to 8pm). This is 90 customers that do not need to park at the store to do their shopping and will not occupy existing car spaces for any significant length of time, especially when compared to the same number of cars parked for the duration of a normal shopping trip. Furthermore, no additional retail space would be created as a result of this proposal.
17. The applicant has also highlighted the fact that the recent approved bulk store extension (S/1691/10) resulted in the loss of only 2 parking spaces and that home delivery vans use the main car park for overnight parking and during the working day these vans are either out on the road delivering to customers or are parked in the service yard for loading and unloading.
18. The loss of 10 parking spaces in this instance is therefore considered to be justified and overcome by the proposed new customer service, which is aimed to assist existing customers that already visit the site by car. It is accepted that delivery vans will transport goods between the store and the collection pod and this could be reduced/avoided with the re-location of the service. However, the building has been located within the car park to enable clear identification and ease of access for customers to avoid unnecessary traffic movements around the car park and to avoid busy areas of the car park nearer to the store. The home delivery service will continue to operate and the proximity of the store to existing settlements such as Cherry Hinton and Fulbourn does not present strong planning reasons why the development should be refused on sustainability grounds or highway safety grounds.

19. Consequently, there is considered to be no strong reason why the development should be refused in relation to Policies DP/1, DP/3, TR/1 and TR/2.

Noise, Light and Residential Amenity

20. The applicant has explained that the proposal would involve a dedicated chiller and freezer inside the proposed building, which means that the delivery van would be parked up for an estimated time of 5 minutes to unload goods. The proposed building would house one air conditioning unit and two condensing units and, as detailed in paragraph 3.8 of the submitted noise assessment (see Appendix 1), such units would not impact significantly on residents over an open space of 25m distance. In this instance, the nearest residents are approximately 60m away at Fulbourn Old Drift and 80m away at Speedwell Close and the site is located adjacent to a railway line to the north and Yarrow Road to the west. Consequently, the development is considered to accord with Policies DP/3 and NE/15 with regard to noise issues and the recommended conditions of the Acting Environmental Health Manager are added below in paragraph 24.
21. In an e-mail sent 19 July 2011, the applicant explains that the building would not be illuminated. Lighting is proposed under the canopy, which would not present significant concern of light pollution to the surrounding area, particularly given the existing car park lighting in place. Furthermore, the nearest residents are approximately 60-80m away from the proposal, separated by Yarrow Road and a 40m strip of landscaping to the front of the site and the railway line to the north. The canopy lighting is proposed to be turned off out of hours and the applicant is considering linking such lighting to sensors to aid energy conservation. Consequently, the proposal is not considered to have adverse impact upon residential amenity or the visual amenities of the surrounding area in accordance with Policies DP/3 and NE/14.

Security Area

22. Anti-social behaviour in the car park would appear to be an existing issue in the area and not one produced by the proposed building in this application. The applicant has explained that the existing car park has security lighting at night and is monitored by Tesco security staff. The applicant has already considered proposed sensor lighting to the building and consequently no significant objection is held with regard to this issue.

Conclusion

23. The development is considered to be acceptable in this Green Belt location and is not considered to have an unacceptable adverse impact with regard to parking, traffic, highway safety, noise, lighting, residential amenity or security.

Recommendation

24. Approve, subject to the following conditions:

Conditions

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

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

2. The development, hereby permitted, shall be carried out in accordance with the following approved plans: 16599-P001, 16599-P002, 16599-P003, 16599-P004, and 16599-P004A.

(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 'Environmental Noise Assessment of Noise Generated by Click and Collect Service Tesco', as prepared by G.J. King of ANC Acoustic Consultants dated 19th July 2011 and any variation to this document that is prior agreed in writing by Local Planning Authority.

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

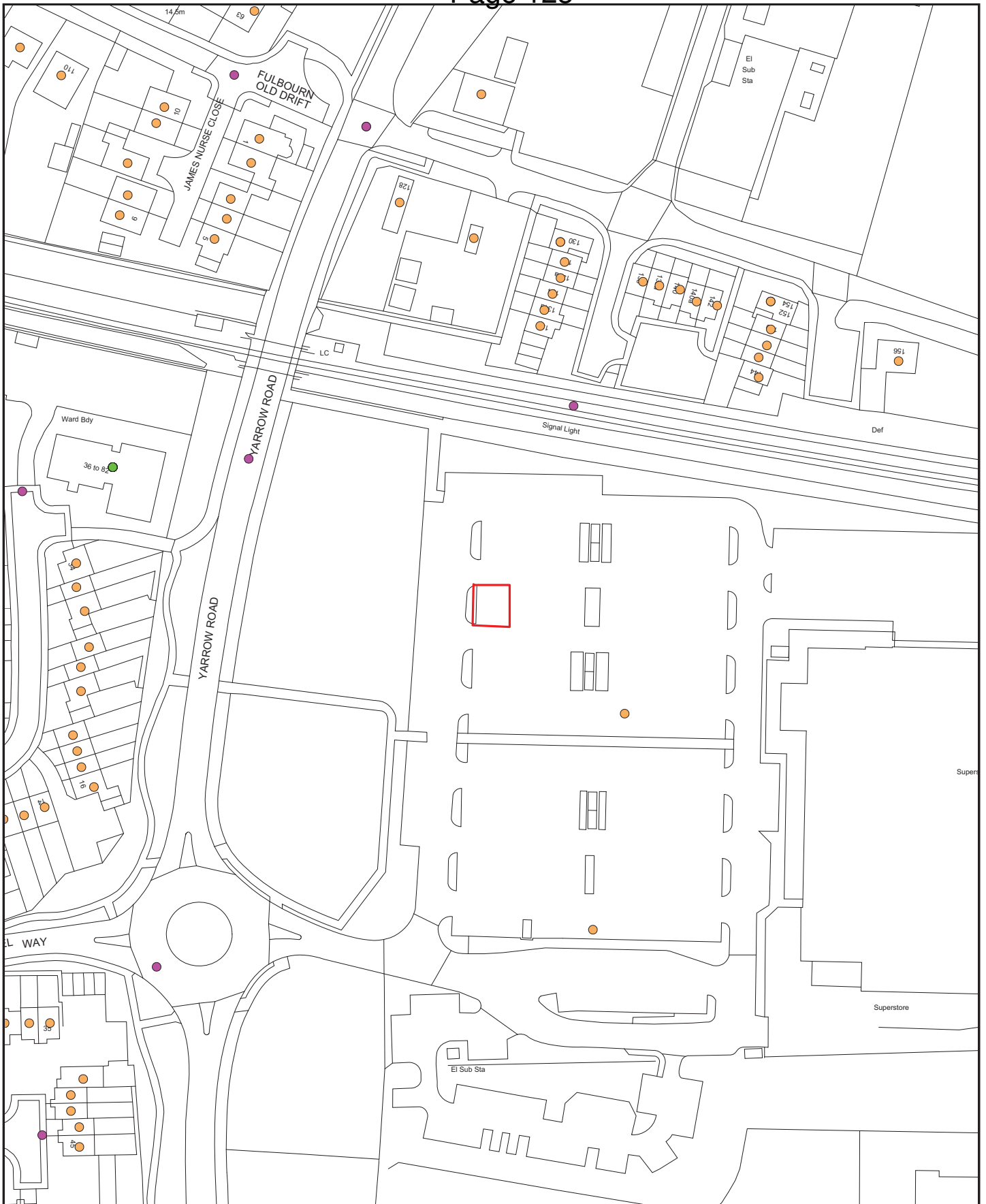
4. The development, hereby permitted, shall not be open to the general public outside of the hours of 08 00 - 20 00 on weekdays, 08 00 – 18 00 on Saturdays and 10 00 – 16 00 on Sundays, unless otherwise prior agreed in writing by the Local Planning Authority.

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

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

- Planning Policy Guidance 2: Green Belts
- Planning Policy Guidance 24: Planning and Noise
- South Cambridgeshire LDF Development Control Policies DPD, adopted July 2007
- South Cambridgeshire LDF Supplementary Planning Documents (SPD): District Design Guide SPD.

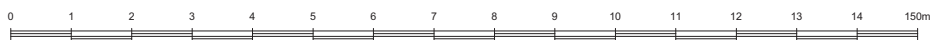
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/1227/11 – GIRTON**Erection of 2 Detached dwellings with Associated car ports, bin stores and access following demolition of existing dwelling – 25 Hicks Lane, Girton, Cambridgeshire, CB3 0JS for Mr Friday****Recommendation: Delegated approval****Date for Determination: 10 August 2011****Notes:****This Application has been reported to the Planning Committee as the officer recommendation differs from that of the Parish Council.****Site and Proposal**

1. The site comprises an existing 1930's bungalow with a modest 60 sq.m of floor area in red brick and brown concrete tiles. It has matured front and rear gardens and a small single detached garage. It is set on a sizeable plot comprising 0.11 hectares and measures approximately 80 metres from front to rear boundary. Hicks Lane is predominately residential in character and has an array of building types and designs within it. The immediate neighbours are both two storeys and of varying design; as are those immediately opposite. The street layout on the southern side of Hicks Lane does not follow any prominent building line and the application site benefits from a fair sized front garden with off street parking and mature gardens. The southern boundary of the site comprises an established row of tree screening that also make up the rear boundary of No. 11 Cherry Bounds Road, a cul de sac that runs along the southern boundary of the application site.
2. The application dated 13th June 2011 comprises the erection of two 2-storey detached properties of contemporary design. The amended mix comprises 1 x 2 bed property and 1 x 4 bed property. The maximum ridge height to the front elevation is 7.6m. Each property has a lightweight framed carport for two vehicles and cycle and bin storage area to the front and both properties propose a mixture of timber, brick and metal materials.

Planning History

3. C/0493/57 - Erection of one pair of garages on land between 23 and 29 Hicks Lane - Refused

Planning Policy

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

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/5 Cumulative Development
DP/7 Development Frameworks
HG/1 Housing Density
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards
NE/1 Energy Efficiency
NE/2 Renewable Energy
NE/6 Biodiversity
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards

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

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

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

7. **Circular 05/2005**
Advises that planning obligations must relevant to planning, necessary, directly related to the proposed development to be permitted, fairly and reasonably related in scale and kind and reasonable in all other respects.

Consultations

8. **Girton Parish Council** – Recommends refusal, for the following reasons:

- The style and density are overwhelming and completely out of character
- If two units are constructed they should be semi detached
- We entirely endorse the views of the neighbours Holmes, Arnold and Sewell who have written in
- The application is incorrect with regards to hazardous materials. The GPC requires assurances for the neighbours as to how the removal of asbestos is to be dealt with
- Additionally no public notice has been erected

9. **Environmental Health Officer** - Detailed comments were not available at the time of writing the report though no objections in principle subject to conditions that will be included as an update.

10. **Local Highways Authority** –Suggest standard conditions and informatives regarding bound driveway material; drainage and pedestrian visibility splays and works in a highway.

Representations

11. Five letters of representation received from the occupants of 10, 12, 16, 23 and 27 Hicks Lane who have raised the following concerns
- Overbearing impact
 - Design and materials out of character - resemble factory units
 - Lack of notification and publication
 - Over development
 - Lack of information on boundary treatment
 - Visual harm to the area
 - Concern regarding walnut trees on site
 - Add to on street parking as inadequate parking on site
 - Busier road than the application suggests - farm traffic uses this road
 - Concern regarding reversing onto Hicks Lane
 - Architecturally detrimental - is offensive and causes shock
 - Conventional design preferred
 - One unit or semi detached would be more appropriate
 - Loss of front garden compounds ugliness
 - Surface water and foul drainage concerns
 - Use of Cambridge brick slate or tiles would be preferred
 - Concern regarding the removal of asbestos
 - Metal roof not conventional

Planning Comments – Key Issues

12. The key issues to consider in this instance are the efficient use of land, the impact of proposals upon the residential amenity of neighbouring dwellings, the impact of proposals upon the character and appearance of the area, obligations and highway safety.

Principle of Development and Efficient use of land

13. The site comprises green field land and as such, in accordance with the guidance set out in Planning Policy Statement 3; Housing (PPS3) it is important to make an initial assessment of the impact that residential development would have upon the character and appearance of the area. In this case surrounding development is predominantly residential and density of neighbouring and surrounding plots are varied. To this end it is considered that the principle of residential development of the site in question would not be detrimentally uncharacteristic to the character and appearance of the area in this instance.
14. The application site is approximately 0.11 hectares in area and two dwellings are proposed. Thus the resultant density of development would be approximately 18dph, which is lower than the requirement of the LPA's housing density policy HG/1. However, in light of the nature of the linear form of Hicks Lane and the predominately developed plot frontages with extensive rear gardens the proposed development is considered to be appropriate to its location and prevalent form. Hence the proposals are considered to constitute an efficient use of land.

Neighbour impact

15. The proposed dwellings are of two storey height being approximately 7.6m to roof ridge at its highest and approximately 5.5m at its lowest. There are approximately 2.10m between the two units and between 600mm and 1m distance between the new units and the existing properties at No. 23 and 27 Hicks Lane. The proposed openings at first floor are to landings and bathrooms. These windows can be fixed and fitted with obscure glazing where necessary. It is considered that neighbour amenity by means of overlooking is acceptable.
16. With regard to the location of the proposed units in relation to the existing properties they have been located in such a way that they sit comfortably in the street scene, set back from the road and situated to relate well to the properties either side of it. Therefore ensuring that bulk and overbearing impact are appropriately addressed.
17. One of the main issues at the pre-application stage was that the front garden area should be retained and the new built form reflective of the existing bungalows building line. This has helped to retain its deep frontage, set the new properties well into the plot and also ensured minimal impact on the existing neighbouring units.
18. It is considered that in light of the above there is no adverse impact on neighbour amenity to the occupiers of the immediately adjacent properties by means of overlooking or being overbearing.

Character and appearance

19. The proposed dwellings are situated within the setting of existing residential units. The setting of the site, in terms of surrounding residential development, is very much one of varied architecture and time periods, ranging from some properties built pre 20th Century, a range of 1930/1950 bungalows, 1960's and more recent 21st century properties. A large proportion of nearby dwellings use a mixture of light coloured brick, render, concrete tiles, slate, timber, and comprise a mixture of gable fronts, hipped roofs, cladding and various fenestration arrangements. There is no uniformity to the street scene and embraces all dwelling types.
20. The proposed scheme comprises gable fronted contemporary properties comprising brick, timber cladding and metal roofing. The materials are partly reflective of the immediate area in terms of cladding and brickwork and the proposal for red brick is not considered to be out of character for Girton as there are many examples of red brick within the village. There are no metal roofs in the immediate vicinity; however, this new roofing material is used widely on new developments in and around Cambridgeshire for its economical and ecological benefits.
21. The proposed dwellings do not reflect the historic character and appearance of the immediate area. Rather it is of a very modern design, which is at least partly informed by the materials proposed. As a piece of modern architecture the structure is considered to be well designed with good detailing, good proportions and appropriate material choices. As such the proposal is of visual interest. Thus whilst the proposal is not conventional in its character

such as much of the surrounding development it certainly is not considered to materially harm the character and appearance of the area due to the quality of design.

Planning Obligations

22. The proposal provides two units, one 2 bed and the other a 4 bed. As the development involves the demolition of one 2 bed dwelling provision for the new four-bed unit is required. In order to meet the requirements of this development in respect to the increase in the capacity of occupants to the village the proposal would require the provision of an off site contribution towards public open space within the village and community infrastructure. This has been calculated at £4258.90 (index linked) with respect to public open space infrastructure and £703.84 with respect to community infrastructure.
23. In addition to the above the proposal would require a sum of £69.50 per dwelling to provide refuse bins and £250 S106 Monitoring fee. The applicant has agreed to meet the above obligations by way of a condition.

Highway Safety and Parking Provision

24. The comments of the Local Highway Authority are noted. No concerns regarding highway safety have been raised. The plans show an adequate depth for the parking of two cars for each property and in light of the 30mph speed limit, the existing relationship and neighbouring relationships no concern has been raised with regard to the reversing of vehicles from the application site. This was questioned at the pre-application stage and the lack of an onsite turning area was seen as a benefit to retaining the deep frontage this plot currently has and enabling new planting to the front of the proposed properties.

Other matters

25. The Parish Council and a neighbour representation questioned the publication of the application. As the site is not in a Conservation Area, within the setting of a listed building, or affecting the public highway, a site notice was not required. Neighbours, others than those abutting the application were notified at the discretion of the officer. In total 5 properties were notified of the proposal and these were 14, 16, 23 and 27 Hicks Lane and 11 Cherry Bounds Road. It is considered that notification of the scheme was carried out appropriately.
26. As raised by the Parish Council and representations the application site could equally house two semi detached properties, however, officers have assessed the proposal for two detached units under this scheme and consider the proposal to meet the necessary policy requirements subject to conditions. Conditions will include the requirement for further information on the proposed boundary treatment that has also been raised as a concern by neighbours.

27. With regard to the removal of asbestos from the site this will be carried out according to the requirements of environmental health and the applicant is aware of the concerns raised. Members will be updated accordingly.
28. Concerns about drainage are also noted. Further information with regard to this will be required via condition and will have to be appropriately addressed prior to development commencing. The site is not in a flood zone and no comments have been made by the Environment Agency in this respect.
29. With regard to trees on site members will be updated accordingly. Members are reminded that the site is not in a conservation area and no trees on the site are protected by TPO's. It is unlikely that they will have a material impact on the proposal.

Conclusion

30. 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

31. Allow approval as amended subject to the following conditions:

Conditions

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Site Location Plan franked 14th June 2011, 11015-SP-100 Rev A, 11015-SE-201, 11015-SE-200 franked 14th June 2011 and amended plans 11015-SP-102 Rev B and 11015-SP-101 Rev B franked 19th August 2011.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

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

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding and harm to highway safety in accordance with Policies DP/1, DP/3 and NE/11 of the adopted Local Development Framework 2007.)

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

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity and does not adversely harm highway safety in accordance with Policies DP/2, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

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

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

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

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

9. **Apart from any top hung vent, the proposed first floor windows in the side elevations of the dwellings, hereby permitted, shall be fitted and permanently glazed with obscure glass.**

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

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

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

11. **Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m 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.)

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

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

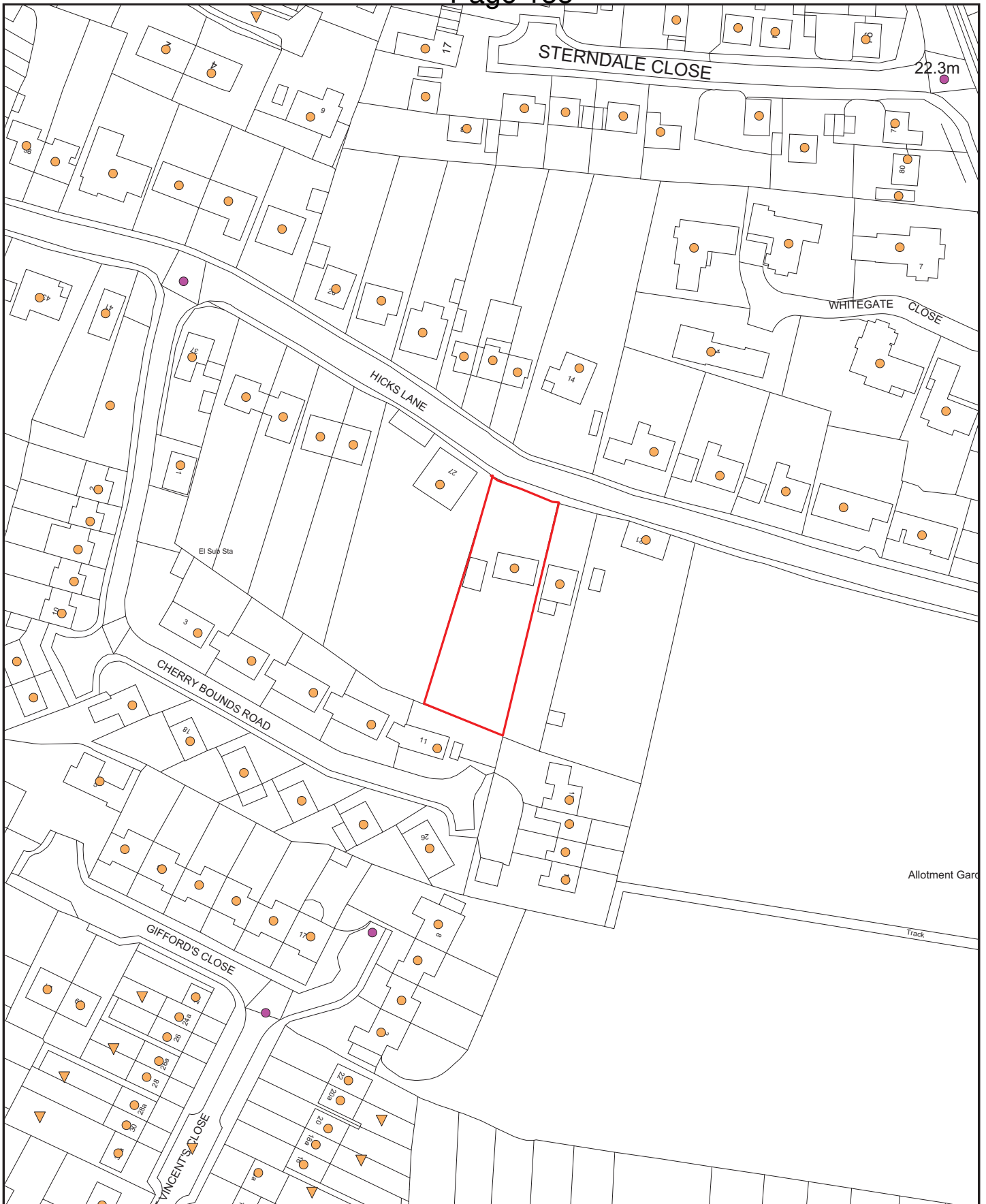
13. **No development shall begin until details of a scheme for the provision of public open space and community facilities infrastructure and waste receptacles to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 and Policy SF/10 have been submitted 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.)

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

- South Cambridgeshire Local Development Framework 2007

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



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/1027/11 – HARSTON

Erection of dwelling, together with two-storey extension to rear of existing property - 44 High Street, for Mr T Jack

Recommendation: Approval

Date for Determination: 14 July 2011

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

Members of Committee will visit the site on Wednesday 7 September 2011

Background

1. This application was deferred from last month's Planning Committee meeting for a site visit. A copy of the original committee report and update are attached as an appendix.

Recommendation

2. The recommendation remains one of approval subject to the conditions set out in the original report and update as well as an additional condition requiring details of contractors' vehicle parking and materials storage areas during the construction period:
 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: H/TB/10/1C.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
 3. The materials to be used for the external walls and roofs of the development hereby permitted shall accord with the specification in the application form and approved plans, unless otherwise agreed in writing by the Local Planning Authority.

(Reason – To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the 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 or Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason – To minimize noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification, no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the side elevation of the new dwelling, and in the side and rear elevations of the two-storey rear extension, at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason – To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. Apart from any top hung vent, the proposed first floor bathroom windows in the rear elevation of the two-storey rear extension shall be fixed shut and fitted and permanently glazed with obscure glass.
(Reason – To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. The proposed parking spaces shall be provided in accordance with drawing number H/TB/10/1C before the dwelling hereby permitted is occupied and thereafter retained as such.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
8. The front garden of the dwelling, hereby permitted, shall not be used for the parking of vehicles.
(Reason - In the interests of highway safety, and in order to preserve the character of the area, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
9. The boundary treatments shown on drawing number H/TB/10/1C shall be completed before the new dwelling, hereby permitted, is occupied and shall be retained in accordance with these details thereafter.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
10. No development shall begin until details of a scheme for the provision of recreational infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.
(Reason - To ensure that the development contributes towards recreational infrastructure in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009)

11. No development shall begin until details of a scheme for the provision of community facilities infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details. (Reason - To ensure that the development contributes towards community facilities infrastructure in accordance with Policy DP/4 of the adopted Local Development Framework 2007)

12. No development shall begin until details of a scheme for the provision of household waste receptacles to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has been submitted to and approved in writing by the Local Planning Authority. (Reason - To ensure that the development contributes towards the provision of household waste receptacles in accordance with Policy DP/4 of the adopted Local Development Framework 2007)

13. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - i) Contractors' access arrangements for vehicles, plant and personnel;
 - ii) Contractors' site storage area(s) and compounds(s);
 - iii) Parking for contractors' vehicles and contractors' personnel vehicles;Development shall not be carried out other than in accordance with the approved details. (Reason - In the interests of residential amenity in accordance with Policies DP/3 and DP/6 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: Open Space in New Developments – Adopted January 2009, District Design Guide – Adopted March 2010.
- Circular 11/95 and 05/2005
- Planning File Reference: S/1027/11.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 August 2011

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

S/1027/11 - HARSTON

Erection of dwelling, together with two-storey extension to rear of existing property. - 44, High Street, Harston, Cambridge, Cambridgeshire, CB22 7PZ for Mr T Jack

Recommendation: Delegated Approval

Date for Determination: 14 July 2011

Notes:

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

Site and Proposal

1. The application site is located within the Harston village framework on the east side of the High Street and is occupied by an end-terraced brick and slate two-storey dwelling. The other properties within the terrace comprise a mix of brick and render finishes, all with slate roofs. The dwelling is accessed via a shared driveway on its south side that also provides vehicular access to a number of other dwellings. Beyond this driveway to the south is the village shop and post office. In front of the shop and the terrace of dwellings, Nos. 44-50 High Street, is a layby area providing a number of parking spaces clear of the main carriageway.
2. The full application, received on 19th May 2011, proposes to extend the existing dwelling on its south side in order to create a two-bedroom two-storey end terraced dwelling. It would be constructed from rendered walls under a slate roof. A centrally positioned two-storey wing would be added to the rear of the existing and proposed properties. Vehicular access to both properties would be via the existing shared driveway, with one parking space for each property provided to the rear of the new dwelling.

Planning History

3. None

Planning Policy

4. **South Cambridgeshire LDF Core Strategy DPD, 2007:**
ST/6: Group Villages
5. **South Cambridgeshire LDF Development Control Policies DPD 2007:**

DP/1: Sustainable Development
DP/2: Design of New Development
DP/3: Development Criteria
DP/4: Infrastructure and New Developments
HG/1: Housing Density
NE/1: Energy Efficiency
NE/15: Noise Pollution
SF/10: Outdoor Playspace, Informal Open Space and New Developments
SF/11: Open Space Standards
TR/1: Planning for More Sustainable Travel
TR/2: Car and Cycle Parking Standards

6. **South Cambridgeshire Local Development Framework Supplementary Planning Documents:**
Open Space in New Developments – Adopted January 2009
District Design Guide – Adopted March 2010
7. **Circular 11/95 (The Use of Conditions in Planning Permissions)** - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
8. **Circular 05/2005 (Planning Obligations)** - Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultations

9. **Harston Parish Council** - Recommends refusal, stating:

"Plot is very small for this type of development.
Will exacerbate existing parking problems."
10. **The Local Highways Authority** – No comments received to date. Any comments received will be reported to Members in an update prior to the meeting.
11. **The Environmental Health Officer** – Raises no in-principle objections, although expresses concern that problems could arise from noise and recommends that the hours of use of power-operated machinery be controlled during the construction period.

Representations

12. Letters of objection have been received from the occupiers of Nos. 28, 30, 34, 38, 46 and 48 High Street. The main points raised are:
 - Traffic safety – 9 cars currently require use of the narrow driveway between No.44 and the shop. Another 2 will impact upon this side road significantly. Safety concerns have previously been raised with the Highways Authority resulting in new keep clear markings being put down the road.

- Parking – The houses on the High Street rely fully on the layby spaces in front of their houses for parking. It can currently be difficult to find space, and use by more residents and their visitors cars would negatively impact the local post office and store, which require the laybys for deliveries and passing trade.
- First floor windows in the rear elevation would overlook No.46 High Street's rear garden. The two-storey extension would also result in overshadowing of No.46's rear bedroom and rear garden area.
- The plans show access to No.44's waste bin location from the rear pathway. This is unacceptable as the path is owned by No.46, whilst No.48 also has a right of access across the path.
- Waste storage – The path is only 1.2m wide and is not wide enough for the waste storage proposals.
- No pre-application consultation with nearby residents was undertaken by the applicant.
- Foul sewage – the application state the development will not be connecting to the existing drainage system, but it also states that foul sewage will be disposed through the mains sewer. This should be clarified.
- Flood Risk – The application refers to soakaways as the method of disposal of surface water. There has been a problem with the land next to No.44 flooding over the last year following a burst water main. This should be taken into account.
- Hedges and Trees – Contrary to the information in the application form, there is a well-established hedge running along the boundary of the site and the side road. Removal of this hedge would adversely affect local ecology.
- Design and access statement – Why is No.55 High Street, a house on the opposite side of the road, a reference point in terms of appearance? The proposed elevation refers to the house on the opposite end of the terrace in terms of matching its appearance. This should be clarified.
- The back garden appears larger on the drawing than it actually is. As the proposed development is so close to the boundary, this could seriously compromise access during construction.
- The proposed development involves removal of the existing garage. This is believed to be asbestos and correct measures should be followed.
- Neither the front elevation or rear elevation are in keeping with the rest of the terrace in terms of the quantity of ground floor fenestration at the front. The rooflines on the rear elevation also do not match other properties.
- There was previously a property on the site that had to be removed for structural reasons. The development may lead to similar subsidence issues and could affect the structural stability of existing properties.

Planning Comments

Principle of development – density and mix issues

13. The site measures 0.0163 hectares in area. The erection of one dwelling on this site would equate to a density of approximately 64 dwellings per hectare. This accords with the minimum requirement of 30 dwellings per hectare required by Policy HG/1 of the Local Development Framework.

Impact upon the character of the area

14. The proposed dwelling would continue the ridge and eaves lines of the existing terrace (Nos. 44-48 High Street) and would be of similar width and depth as the existing properties within the row. Nos. 44 and 46 are brick and slate dwellings whilst the property at the northern end of the terrace, No.48, is a render and slate house with a chimney on the flank wall. The proposed house comprises rendered walls under a slate roof, and includes a dummy chimney on the end elevation, thereby replicating the materials of No.48 and providing symmetry to the appearance of the terrace. On the front elevation is a centrally positioned window at first floor level and a bay window on the ground floor, and this mirrors the design of the adjacent property at No.44 High Street. The appearance of the front of the proposed dwelling is therefore considered to be in keeping with the character of the terrace of properties, thereby avoiding undue harm to the character and appearance of the wider area.
15. The scheme also includes the erection of a two-storey wing to the rear. This would be centrally positioned, extending both the existing and proposed properties, and would comprise a kitchen extension at ground floor level and bathrooms on the first floor. This rear element would be just 1.4 metres deep, with a ridge line 1 metre lower than that of the main dwellings and positioned 3.1 metres in from the end wall of the new dwelling. There are no other two-storey additions at the rear of the existing terrace but, as the proposed extension would clearly be subservient to the main property, it is not considered to be harmful to the character and appearance of the area.
16. The front garden areas of the existing terrace of dwellings are open in nature, with boundaries defined by either hedgerows or low fences. To maintain this character, the application shows the retention of hedges to the front and side boundaries, with a 1 metre high timber fence erected along the boundary between the existing and proposed properties. The boundary treatments proposed are considered to reflect the character of the area and a condition should be added to any consent requiring these boundaries to be maintained in accordance with the details shown.

Parking and highway safety issues

17. Strong concerns have been raised by the Parish Council and local residents regarding the lack of parking for the property and the highway safety implications of the proposal.
18. The scheme includes the provision of one off-street parking space per dwelling, with both spaces to be provided to the rear of the new property. The Council's parking standards require a maximum average of 1.5 spaces to be

provided per dwelling. Given that both the existing and proposed dwellings would be small two-bedroom dwellings, the provision of one space per dwelling is considered to be acceptable in this instance.

19. Whilst no response has been received to date from the Local Highways Authority (LHA), the application has been submitted following pre-application correspondence that included discussions with the LHA. The LHA raised no in-principle objections to the use of the existing shared driveway by an additional dwelling. However, the applicant initially sought to explore the possibility of providing a parking space within the front garden area of the new dwelling, with this space being accessed via the shared driveway. The LHA raised serious concerns about the highway safety implications of providing a parking space in this location. Due to the narrow width of the access and the position of the post office building directly opposite, the restricted width available for manoeuvring and proximity of the turning space to the main road, was considered to result in a situation whereby cars wishing to access the driveway from the High Street would be forced to wait in the main road, thereby obstructing the free flow of traffic on the highway. The LHA advised that, if both spaces could be provided to the rear, so that any manoeuvring takes place well away from the main road, this would provide sufficient space for other vehicles to pull completely clear of the highway whilst cars are manoeuvring on and off the site.
20. The proposed layout is therefore considered to be acceptable from a highway safety perspective. A condition should be added to any consent to prevent the front garden from being used for parking at a later date.

Residential amenity

21. The owner of No.46 High Street has objected to the application on the basis that the development would result in overlooking of No.46's garden. The proposed two-storey addition to the rear would include two first floor openings in the end elevation, both serving bathrooms. These openings would look towards No.46's garden at an oblique angle and are not therefore considered to have an unacceptable impact upon this directly adjoining property. However, these additional rear windows would look towards the rear garden of the property to the east, No.38 High Street, and, to avoid any adverse impact from overlooking, should be required by condition to be fixed shut (apart from any top hung vent) and obscure glazed. The scheme shows no first floor window openings in the side elevations of either the two-storey rear element or in the flank wall of the proposed dwelling. A condition should be added to any consent preventing the insertion of first floor windows in these elevations at a later date in order to protect the privacies of adjoining residents.
22. The owner of No.46 High Street has also expressed concern on the grounds that the two-storey rear addition would overshadow a bedroom window in the rear elevation and the rear garden area. This element of the proposal would be sited 3 metres away from the boundary with No.46 and, as previously referred to, would be just 1.4 metres in depth. Due to the size of the extension, together with its distance from the boundary, it would not encroach into a 45-degree angle drawn from the centre of No.46's bedroom window, nor would it result in an unacceptable degree of overshadowing of the rear garden area.

Access and waste storage

23. The owner of No.46 High Street has advised that the access path shown on the plans beyond the rear boundary of the site is under the ownership of No.46. This has implications for the development in that the plans indicate that the path would be used to access the bin storage areas. The applicant's agent has been advised of this problem and requested to amend the plans in order to ensure access to the bin storage areas for both properties can be achieved without use of the rear pathway.

Other issues

24. The applicant has clarified that the new dwelling would be connected to the main sewer via new drainage runs to be constructed as part of the development, whilst all soakaways would be constructed in accordance with Building Regulations, thereby ensuring flooding problems would not arise as a result of the development.
25. The applicant has also confirmed the existing asbestos garage will be disposed of safely. In addition, with regards to concerns raised relating to the structural stability of the dwelling, stresses that it would be constructed in accordance with Building Regulations and with the advice of qualified Structural Engineers.

Infrastructure requirements

26. The proposal would result in the need for a financial contribution towards the provision and maintenance of open space, in accordance with the requirements of Policies DP/4 and SF/10 of the Local Development Framework. Based on the proposed two-bedroom dwelling, this amounts to £2,244.90, as calculated at the time of the application. It would also result in the need for a contribution towards the provision of indoor community facilities (£378.88), and household waste receptacles (£69.50), together with additional costs relating to Section 106 monitoring (£50) and legal fees (minimum £350). The applicant has confirmed his agreement to such payments.

Recommendation

27. Subject to the receipt of amended plans showing satisfactory access to the waste storage areas for both properties, delegated powers are sought to approve the application:
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: H/TB/10/1B.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. The materials to be used for the external walls and roofs of the development hereby permitted shall accord with the specification in the application form and approved plans, unless otherwise agreed in writing by the Local Planning Authority.
(Reason – To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the 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 or Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason – To minimize noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification, no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the side elevation of the new dwelling, and in the side and rear elevations of the two-storey rear extension, at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason – To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. Apart from any top hung vent, the proposed first floor bathroom windows in the rear elevation of the two-storey rear extension shall be fixed shut and fitted and permanently glazed with obscure glass.
(Reason – To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. The proposed parking spaces shall be provided in accordance with drawing number H/TB/10/1B before the dwelling hereby permitted is occupied and thereafter retained as such.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
8. The front garden of the dwelling, hereby permitted, shall not be used for the parking of vehicles.
(Reason - In the interests of highway safety, and in order to preserve the character of the area, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
9. The boundary treatments shown on drawing number H/TB/10/1B shall be completed before the new dwelling, hereby permitted, is occupied and shall be retained in accordance with these details thereafter.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

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

11. No development shall begin until details of a scheme for the provision of community facilities infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.
(Reason - To ensure that the development contributes towards community facilities infrastructure in accordance with Policy DP/4 of the adopted Local Development Framework 2007.)

12. No development shall begin until details of a scheme for the provision of household waste receptacles to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has been submitted to and approved in writing by the Local Planning Authority.
(Reason - To ensure that the development contributes towards the provision of household waste receptacles in accordance with Policy DP/4 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: Open Space in New Developments – Adopted January 2009, District Design Guide – Adopted March 2010.
- Circular 11/95 and 05/2005
- Planning File Reference: S/1027/11.

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 August 2011

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

S/1027/11 - HARSTON

Erection of dwelling, together with two-storey extension to rear of existing property – 44 High Street, Harston, Cambridge, Cambridgeshire, CB22 7PZ for Mr T Jack

Recommendation: Delegated Approval

Date for Determination: 14 July 2011

A. Update to the report

Agenda report paragraph number 23

Revised plans have been submitted, showing the provision of bin storage areas to the front of both properties, instead of to the rear via the pathway owned by No.46 High Street.

A representation has been received from Councillor Mrs Lockwood, who expresses her apologies as she's unable to attend the meeting, and comments as follows:

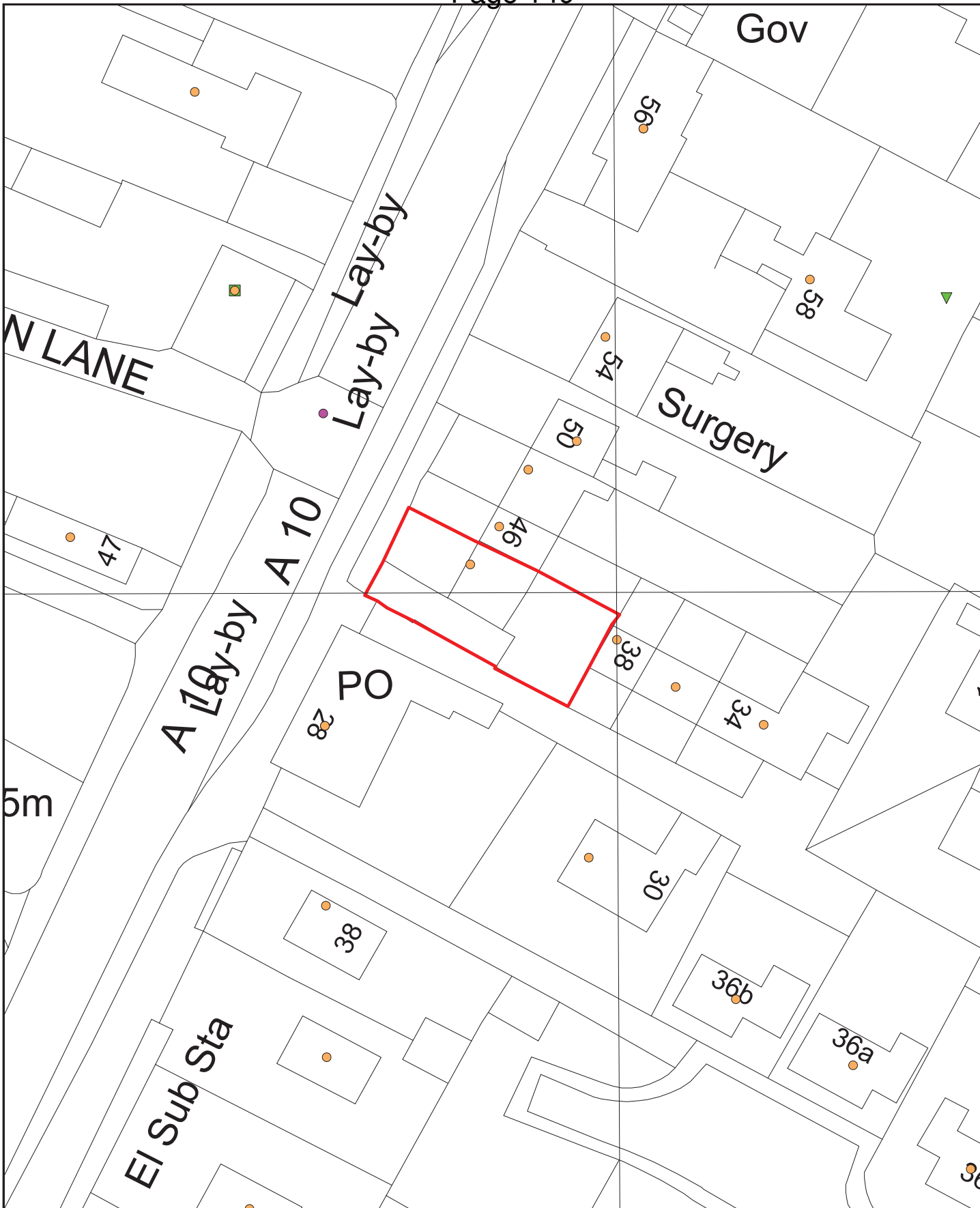
"I do not have much to add to the concerns expressed by Harston Parish Council and neighbours about increased traffic in that very narrow track/shared driveway by the side of the property. The track/driveway exits to the A10 across the layby in front of the shop and is a cause of recurrent aggravation. I would be interested to hear the views of Highways which I think are essential to determine this application."

Planning Comments

This revision resolves the only outstanding issue, and the recommendation is therefore now one of approval subject to the wording of condition 2 being amended to reflect the revised drawing number H/TB/10/1C.

With regards to the concerns raised by Councillor Lockwood, as advised within paragraph 19 of the report, no formal response has been received from the Local Highways Authority (LHA). However, the LHA did advise during pre-application discussions that it had no objections to the existing narrow shared driveway being used by one additional dwelling.

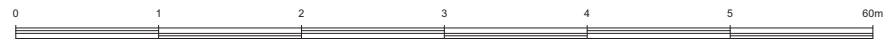
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/1339/11 - Histon**Erection of a dwelling at land rear of No.14 Cottenham Road, for Mrs Lucas****Recommendation: Approve Conditionally****Date for Determination: 29th August 2011****This application has been referred to the Planning Committee for determination because the recommendation of the Histon Parish Council does not accord with the officer recommendation.****Site and Proposal**

1. The application site comprises a plot of land 0.0188ha and is located at the rear-most part of the rear garden serving 14 Cottenham Road. The site opens up onto Winders Lane due to the removal of a previously existing fence and landscaped boundary. Winders Lane is a narrow lane that links Cottenham Road with Clay Street. There are 12 properties fronting Winders Lane, all but two of which are detached. There is no clear architectural style within the street scene with properties varying in design greatly. The site lies within the village development framework and outside of the village Conservation Area.
2. The proposal comprises the subdivision of the existing residential garden and the erection of a detached two-storey three-bedroom dwelling with integral garage. The proposal would front onto and be accessed via Winders Lane.
3. The proposal has benefited from pre-application advice and is supported by a Design and Access Statement.

Planning History

4. Planning Application S/0415/11 for the erection of a dwelling was refused on the grounds that it failed to provide adequate pedestrian visibility splays and by virtue of the extent of hard standing to its frontage and its massing and proximity to the narrow semi-rural lane would result in a cramped and urban appearance contrary to the spacious, landscaped character of surrounding residential development. As a consequence the proposal would result in a marked contrast to the character of the street scene and would be incongruous within its setting.

Policies

5. South Cambridgeshire Local Development Framework Core Strategy 2007
ST/4 Rural Centres

- 6 South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
 - DP/1** Sustainable Development
 - DP/2** Design of New Development
 - DP/3** Development Criteria
 - DP/4** Development Infrastructure
 - DP/7** Development Frameworks
 - HG/1** Housing Density
 - NE/1** Energy Efficiency
 - TR/1** Planning for More Sustainable Travel
 - TR/2** Car and Cycle Parking Standards
 - SF/10** Outdoor Playspace, Informal Open Space, and New Developments

- 7 South Cambridgeshire Supplementary Planning Documents
 - District Design Guide**, Adopted March 2010.
 - Open Space in New Developments**, Adopted January 2009.

Consultations

- 8 **Histon Parish Council** – Recommend refusal on the grounds that the size of the parking space shown is inadequate for a car to manoeuvre in and out in a forward gear. Concerns also relate to the proposed access, as the proposed visibility splay does not appear to be sufficient for the nature of the road. Notwithstanding this, the Parish Council acknowledges that a real attempt has been made to address issues from the previously refused planning application.

- 9 **Local Highway Authority** – No comments have been received. However, the Highways Authority commented upon the previous planning application that the minimum requirements to provide a safe and appropriate access to the site to facilitate a single dwelling would be the provision of 2m x 2m pedestrian visibility splays.

Representations

- 10 2 Letters have been received from the occupiers of nos.6 Winders Lane and 12 Cottenham Road raising the following objections:
 - The proposed visibility splays are for pedestrians only and will not ensure the safety of motorists within Winders Lane;
 - Winders Lane is used as a through road between Clay Street and Church Street and the proposal would result in vehicles reversing into this lane, with limited visibility to avoid oncoming vehicles;
 - The proposal would contain first floor windows looking directly into No.12 Cottenham Road and the proposal should be single storey to avoid overlooking. If approved the first floor rear windows should be obscure glazed;

One additional letter from an unknown address comments on the lack of provision for a vehicle to turn within the site and enter and exit the site within a forward gear.

Planning Comments

- 11 The key material planning considerations in the determination of this planning application are the impact that the proposed revisions would have upon the public realm, the planned layout of the area, infrastructure provision, residential amenity, car parking and highway safety.

Housing

- 12 The proposal would result in a density of approximately 54dph and the infill development of a plot of garden land. Histon is designated as a Rural Centre and is one of the larger and more sustainable villages within the District with a wide range of services and facilities. Whilst this density would exceed the 40dph threshold outlined within Policy HG/1, it is evident that the site is sufficiently served by public transport links and within reasonable distance from local services and facilities. The development proposal would also suitably provide adequate private amenity space and car parking to serve a three-bedroom dwelling. The planned layout of the area is one of linear form of mainly detached properties fronting Winders Lane. Nevertheless, the surrounding building plots are notably larger and wider than that of the application site. In light of the above, the principle of infill housing development within the application site is considered to be acceptable.

Public Realm

13. Winders Lane is characterised by predominately detached dwellings commensurate to their plots with the provision of landscaped frontages that convey a semi-rural nature. In addition the Lane includes mature trees and hedgerows to the merit of the street scene. The current proposal seeks to address the reasons for refusal upon the previous application by providing a tandem parking arrangement with increased soft landscaping to its frontage.
14. The proposal follows a similar pattern of development to that of the adjacent dwelling Argyll House, which was developed through the subdivision of the rear gardens serving 16-18 Cottenham Road. The application site however, provides a narrow plot of an approximate width of 9m compared to neighbouring plots of widths more common of 18m in width. As a consequence the scale of the dwelling has been reduced and set back from the roadside to that of the previously refused application in order to provide additional space to the front of the property for vehicle parking and associated landscaping. As a consequence, the proposal would provide a more sympathetic frontage that would be in character to the surrounding street scene within Winders Lane subject to the provision of a landscape scheme to be agreed prior to development commencing on site by way of condition.
15. In addition to the above, the proportions of the current proposal have been reduced from that previously refused in order to address the cramped and truncated appearance when viewed from the street scene. This has now been addressed due to the provision of a landscaped area to the frontage and the reduction in the size of the building from a 4-bedroom property previously refused to a 3-bedroom dwelling. The proposed dwelling would represent a simple two-storey gable fronted dwelling finished in facing brick work and is considered to be acceptable in terms of its scale, design and character to that of other properties, which vary greatly in type within Winders Lane.

Nevertheless, the final selection of facing brickwork and roof tiles will be agreed by way of condition.

16. The proposal would provide approximately 65sqm of rear garden space, which is above the minimum level of 40sqm advised by the Council's District Design Guide SPD for urban environments.

Residential Amenity

17. The proposal would be sited approximately 29m from the rear building lines of properties within Cottenham Road. The District Design Guide SPD recommends a minimum distance for back-to-back residential relationships of 25m. Due to the open nature and length of the rear garden serving Nos.12 and 14 Cottenham Road to the southwest the provision of first floor bedroom windows orientated to the northwest is not considered to result in a material loss of privacy upon residential amenity serving properties within Cottenham Road. Therefore it is not considered that these windows would require obscure glazing in order to safeguard the privacy of neighbouring properties.
18. The proposal would be sited within 1m of the common boundary with Argyll House with 2m separating the flank elevations of each property. Argyll House has only a single window within the elevation facing the site, which is an obscure glazed narrow first floor window. Given the size and treatment of this window, it is considered that this window serves a bathroom and not a habitable room. The proposal would be sited 2m back from the front building line and 2m beyond the rear building line of Argyll House. This layout would still allow for a horizontal angle of 45-degrees at a vertical angle of 25-degrees to be uninterrupted, assessed from the rear windows of Argyll House. For this reason, the proposal is not considered to result in any significant loss of sunlight or daylight upon the amenity currently enjoyed by the occupiers of Argyll House. A condition reinforcing the criteria of the General Permitted Development Order will be applied informing that any windows or opening created at first floor within the flank elevations of the proposed dwelling would need to be fixed shut and obscure glazed with top vent opening only to ensure the safeguard of privacy to adjacent dwellings.

Highway Safety & Car Parking

19. The proposal for a three-bedroom dwelling would require the provision of 1.5 car parking spaces in accordance with the Council's maximum car parking standards. To the previously refused application the Local Highway Authority has recommended that 2m x 2m splays be provided from the back edge of the carriageway and this formed one of the reasons for refusal as in order to provide these splays the site would be unable to provide two parallel car parking spaces at the required size of 5m deep by 2.5m wide. The current proposal provides 2 tandem spaces at the required dimensions (with one space being within an integral garage) and the required 2m x 2m pedestrian visibility splays and has addressed the previous reason for refusal with regard to this issue. Conditions should be applied to ensure that the garage remains as a parking space and is not converted into habitable space and that the visibility splays are permanently maintained and kept free of obstruction below a height of 600mm.
20. The site is adjacent to a pinch point in the Lane, whereby it would be difficult for two vehicles to pass one another and would not provide the ability to turn

a vehicle clear of the highway to enable access and egress within a forward gear. However, this is not uncommon within Winders Lane and, given the narrow width and back lane character of the road, it is considered that the Lane is lightly trafficked road where the provision of vehicle-to-vehicle visibility splays are not required. The views of residents about speeding through traffic has been acknowledged, however this is a police matter and not considered to be a material planning consideration. The proposal in its current form would therefore provide a satisfactory and appropriate means of access to the adopted highway and is therefore not considered harmful upon highway safety.

Infrastructure Provision

21. The proposal would provide the capacity for a two-bedroom property. In order to meet the requirements of this development in respect to the increase in the capacity of occupants to the village the proposal would require the provision of an off-site contribution towards public open space within the village and community infrastructure. This has been calculated at £3,104.38 (index linked) with respect to public open space infrastructure and £523.93 with respect to community infrastructure.
22. In addition to the above the proposal would require a sum of £69.50 to provide refuse bins and £50 S106 Monitoring fee. The applicant has agreed to meet the above obligations by way of condition.

Conclusion

23. The revisions to Planning Policy Statement 3 “Housing” (PPS3) seek to protect garden land from unacceptable forms of development with each development proposal being considered upon its own merits. Based on the current proposal officers are of the opinion that the reasons for refusal stated in the previous decision have been overcome, subject to suitable conditions and therefore the overall balance is to favour the development of the garden land in question to facilitate sustainable housing development.
24. 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

25. 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 plan: SL 101.3.**
(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, 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 of the area and the amenities of the occupiers of neighbouring properties in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)
- 4. During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- 5. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- 6. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- 7. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- 8. 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 Policies SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

- 9. The proposed 2m by 2m pedestrian visibility splays shown upon drawing no. SL 101.3 are to be permanently maintained and kept clear of obstruction above a height of 600mm.**

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

- 10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be inserted in the side elevations of the dwelling at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**

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

- 11. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the vehicular access shall be ungated unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**

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

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

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

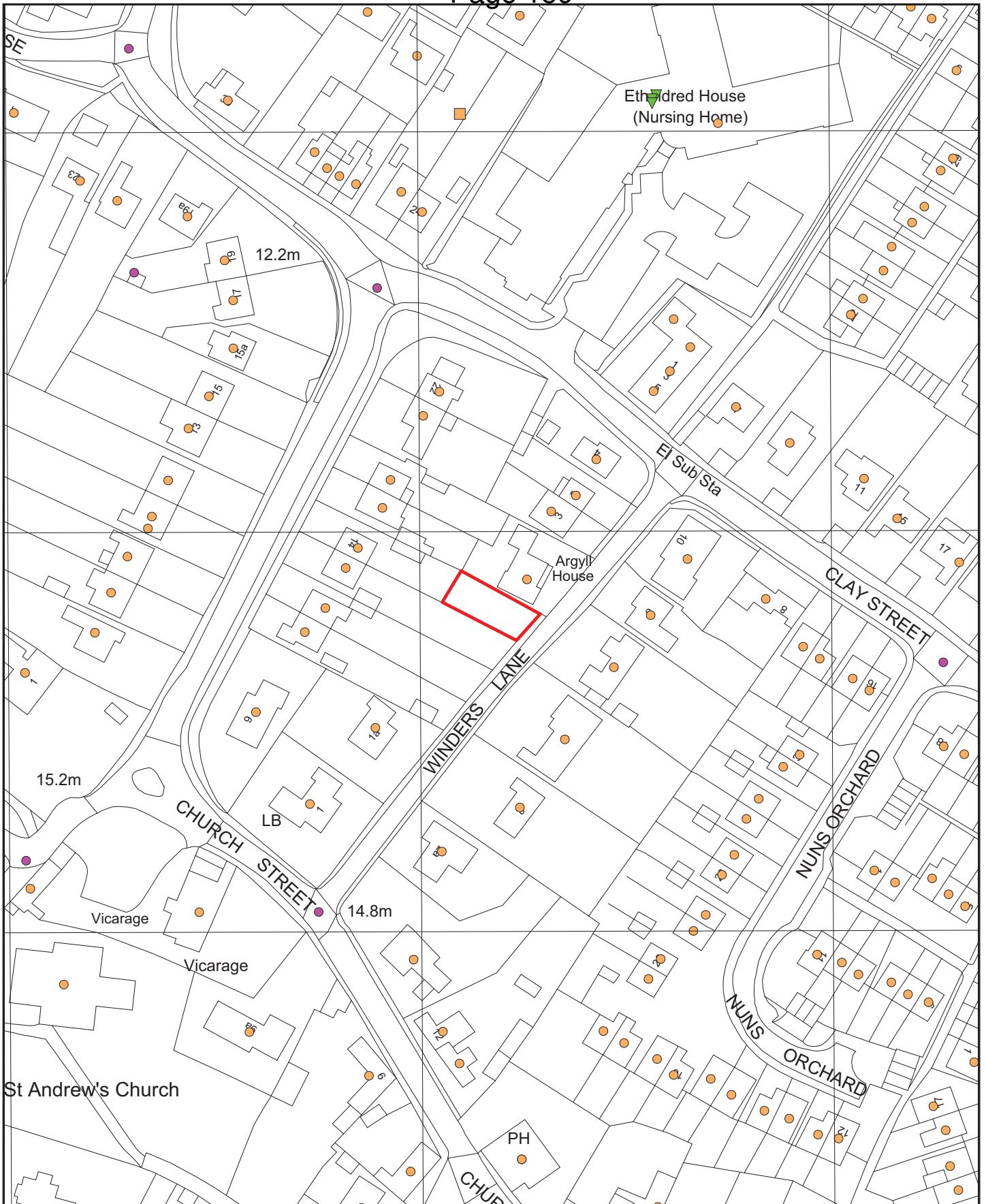
- 13. The garage, hereby permitted, shall not be used as additional living accommodation.**

(Reason - To ensure the continued provision of off-street parking space in the interests of highway safety and to safeguard the amenities of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

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

Contact Officer: Mike Jones – Senior Planning Officer
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South
Cambridgeshire
District Council

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 7 September 2011
AUTHOR/S: Executive Director (Operational Services) / Corporate Manager (Planning and New Communities)

S/1526/11 - SWAVESEY

Erection of stables, tack room, a hay barn and associated hard standing and access track at land between Lairstall Drove and Cow Fen for Mr T Smith

Recommendation: Approve

Date for Determination: 26 September 2011

Notes:

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

The site is within the Conservation Area and is within the setting of two Grade I buildings and one Grade II building.

Site and Proposal

1. The application site measures approximately 13 hectares (32 acres). The site is located outside of the village framework and a small section of the site is within the conservation area. To the northwest of the site are two Grade I Listed Buildings (Church of St Andrew and The Old Manor House) and one Grade II Building (garden wall to the Old Manor House). The northern edge of the site is defined by the Guided Bus Way. The eastern and southern boundary is defined by Cow Fen Drove (Bridleway) and Lairstall Drove (Public Footpath).
2. The land is currently an open field (agricultural use) with a mature hedge and tree line defining the eastern and southern edges of the site. There is currently an access to the site in the southeast corner and the proposed development will make this existing access more formal.
3. The application, validated on the 1 August 2011, is for the erection of stables, a tack room, a hay barn, access track and associated handstanding on the east side of the site. The proposed stables and tack room has been stated to be for personal recreation and not a business use. There is land to the north of the site and on the opposite side of the Guided Bus Way, which is to be used for grazing.
4. The proposed barn measures approximately 24 metres x 10 metres, with a maximum height of 4.5 metres. The stable (with tack room) is an L-Shape building with approximate dimensions of 15.9 metres x 3.7 metres and 10.4 metres x 3.7 metres, with a maximum height of 4 metres. There is space on site for a vehicle to enter and leave in a forward gear.

Planning History

5. S/0909/11 – Erection of stables, tack room, a hay barn and associated hard standing and access track was withdrawn.

Planning Policy

6. **National Guidance**

Planning Policy Statement 5: Planning for the Historic Environment

Policy HE7 and HE9 (including 7.2 and 9.1)

PPS 5 Historic Environment Planning Policy Practice Guide (including 86, 111, 142, 178 and 182)

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

DP/2 - Design of New Development

DP/3 - Development Criteria

DP/7 – Development Frameworks

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

CH/5 – Conservation Area

NE/6 - Biodiversity

TR/1 – Planning for More Sustainable Travel

TR/2 – Car and Cycle Parking Standards

8. **South Cambridgeshire Local Development Framework, Supplementary Planning Documents**

Listed Building SPD – Adopted July 2009

Development Affecting Conservation Areas SPD – Adopted January 2009

Consultations

9. **Swavesey Parish Council** – The Parish Council recommends refusal on the following grounds:
10. The development will bring increased traffic movements along Market Street and Cow Fen Drove, which currently experience numerous problems with levels of traffic, parking, speeding and access. Cow Fen Drove is a farm drive, maintained to agricultural standards only through minimal voluntary maintenance by local landowners. It suffers from the current level of traffic to and from existing stables and paddocks in Cow Fen, by increased traffic movements will increase the problems and future maintenance. Market Street is the only access to Cow Fen Drove and is a narrow street, which already suffers from parking and access problems. Increased traffic movements will increase safety and access issues along here.
11. Lairstall Drove and Cow Fen Drove are both public bridleways, which are well used by local residents and horse riders. Adding a vehicular access at the corner of the two drives is considered a potential danger. Whilst the Parish Council considers an access for foot and horse use in the Drove is sensible, it does not agree with adding a vehicle access here as well. There is another access to the field at Station Road, which would be safely made into a vehicle access, which would then not increase the problems already mentioned relating to Market Street, Cow Fen and Lairstall Drove.

12. The Parish Council also points out that there is an anomaly in para 3.2 page 6 of the Flood Risk Assessment, where it is states that protection from the Swavesey Drain is at 1 in 150. This does not take into account the effect of the Great Ouse River in the system, the standard protection given by the Swavesey Drain bank is only a design of 1 in 10.
13. The Atkins study of Swavesey, which was jointly commissioned by South Cambridgeshire District Council and the Environment Agency shows the site to flood at less than 1 in 50. Whilst this does not impact on an application for stables it may impact on any future application for a house to service them. If a condition cannot be applied, perhaps at least the applicants should be made aware of this. The Parish Council is raising this in order to be consistent with its response to a previous planning application for this immediate vicinity at the Arabian Stud, Cow Fen. This fact was used by the Planning Inspector on an appeal, with regard to this other site, to give reason for refusal.
14. **Local Highways Authority** – (Parish Council comments were shown to the Local Highways Authority) It states that the proposal is acceptable, subject to a condition controlling where gates can be placed.
15. (25th August 2011) The Local Highways Authority updated its comments in order for its previous condition to be more clear. It also requested that additional conditions are added to control parking layout and prevent the stables (including tack room) from being used for commercial use.
16. **Conservation** – No objections to the proposal.
17. **Environment Agency** – It states that the previous comments of S/0909/11 should be referred to. These comments were that the development is acceptable but conditions and informatives should be added to prevent water contamination.

Representations

18. None currently received

Planning Comments – Key Issues

19. The key issues to consider in the determination of this application are:
 - Principle of Development
 - Impact on Listed Buildings
 - Visual Impact
 - Highway Safety
 - Flood Risk
20. Principle of Development – The proposed development (stables and tack room) is for private outdoor recreation and this is confirmed in the Design and Access Statement. It is noted that the land will be used for both horse and cattle grazing. The cattle grazing could occur without planning permission and is a fully appropriate use in the countryside. The hay barn might be used in connection with both the cattle and horses. The stables (with internal tack room) and hay barn by being for outdoor recreation comply with policy DP/7 and therefore the development is acceptable in principle.
21. Impact on Listed Buildings – The access on the site provides a key line of sight to the two Grade I Listed Buildings. The applicant had taken on board the advice provided

by the Conservation Manager in S/0909/11 in regards to the location of the proposed buildings in order to preserve this key line of sight. The proposed development preserves the setting and character of the Listed Buildings.

22. Visual Impact – The design of the proposed buildings are in keeping with the rural character of the area, as they have an agricultural appearance. However, the proposed buildings (in particular the barn) are of significant size in the local area. The buildings would be well screened from people using the bridleway and footpath to the east and south but the site is relatively open in particular to the west. In order to maintain the current rural appearance a landscaping condition will be added in order to preserve the existing planting in particular on the eastern boundary of the site and to plant additional trees to the west in order to break up the visual impact of the proposed buildings. The proposal, therefore, if appropriately conditioned would preserve the visual appearance of the local area.
23. Highway Safety – The developer has stated that there will be one car trip on and off the site during summer and two in wintertime. There may be some vet trips but these will be few but unpredictable. The developer also states that the size of the hay barn ensures that there is likely less than one large vehicle visiting the site per month. There will also be cycle storage in the tack room. There will also be cattle on the land that could be removed from the site during wintertime. It is considered that the proposed traffic movements are not significantly different to that which would occur if the land were being used as agricultural land.
24. The conditions requested by the Local Highways Authority relating to no gates within 15 metres of the Bridleway and that the stables (including tack room) should not be for business use are accepted. These conditions reflect what the applicant has applied for and maintain highway safety. In addition it will be conditioned that the turning area is maintained free of obstruction in order to ensure that vehicles enter and leave in a forward gear.
25. The Local Highways Authority requested condition regarding parking layout is not considered reasonable. The developer has shown that there will be a parking area measuring approximately 8 metres x 20 metres (see drawing number CPL/2358/006 Rev 1). This is considered plenty of space for any associated vehicles for the agricultural business and private use of the stables.
26. The Rights of Way and Access Team at the County Council have yet to formally respond to this planning application. It is noted that the Rights of Way and Access Team did comment on the previous application and made no objection. It did request some informatives and these would be added to any consent granted. Members will be updated of any additional comments during Planning Committee.
27. Flood Risk – The developer has submitted a detailed flood risk assessment, which includes a balancing pond (described by the developer as a Sustainable Urban Drainage System). The balancing pond was not included in the previous application. The Environment Agency's comments can be added to any consent in order to cover the concerns of water contamination. It is noted that the Swavesey Internal Drainage Board recommended refusal on the previous application and its comments will be provided to members at Planning Committee.
28. The Parish Council's concerns raised in regards to flood risk to a possible future dwelling is not material in the consideration of this application. If in the future a dwelling was proposed it would be considered upon the merits of the case at the time of submission.

Conclusion

29. The proposed development is considered to preserve the visual character of the local area, as well as the special character of the Listed Buildings. In addition it is considered that the proposal will have no detrimental impact upon highway safety or use of the public rights of way and will not increase the likelihood of flooding, though this later point will be confirmed during Planning Committee.

Recommendation

Approve, subject to the following conditions.

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: CPL/2358/002, J191/001, CPL/2358/004 Rev 5, CPL/2358/003 Rev 5, CPL/2358/005 Rev 5 and CPL/2358/006 Rev 1.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. The proposed turning area (drawing number CPL/2358/006 Rev 1) shall be provided before the first use of the hereby permitted development and thereafter retained as such.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. No gate or gates to the vehicular access shall be located within 15m from the near edge of public right of way (Bridle Way number 18) and any gate/gates shall be hung to open inwards, unless a planning application is submitted to and approved by the Local Planning Authority
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
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. The proposed stables and tack room, hereby permitted, shall not be used in connection with any trade or business purpose.

(Reason – The proposed development has been submitted as a private stable and tack room and has been duly assessed as such. If the development were used in connection with any trade or business there is potential of harm to highway safety and detrimental nuisance to the users of the public rights of way.)

8. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control of the water environment, which shall include foul and surface water drainage, shall be submitted and agreed in writing with the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans.

(Reason – To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of pollution to the water environment.

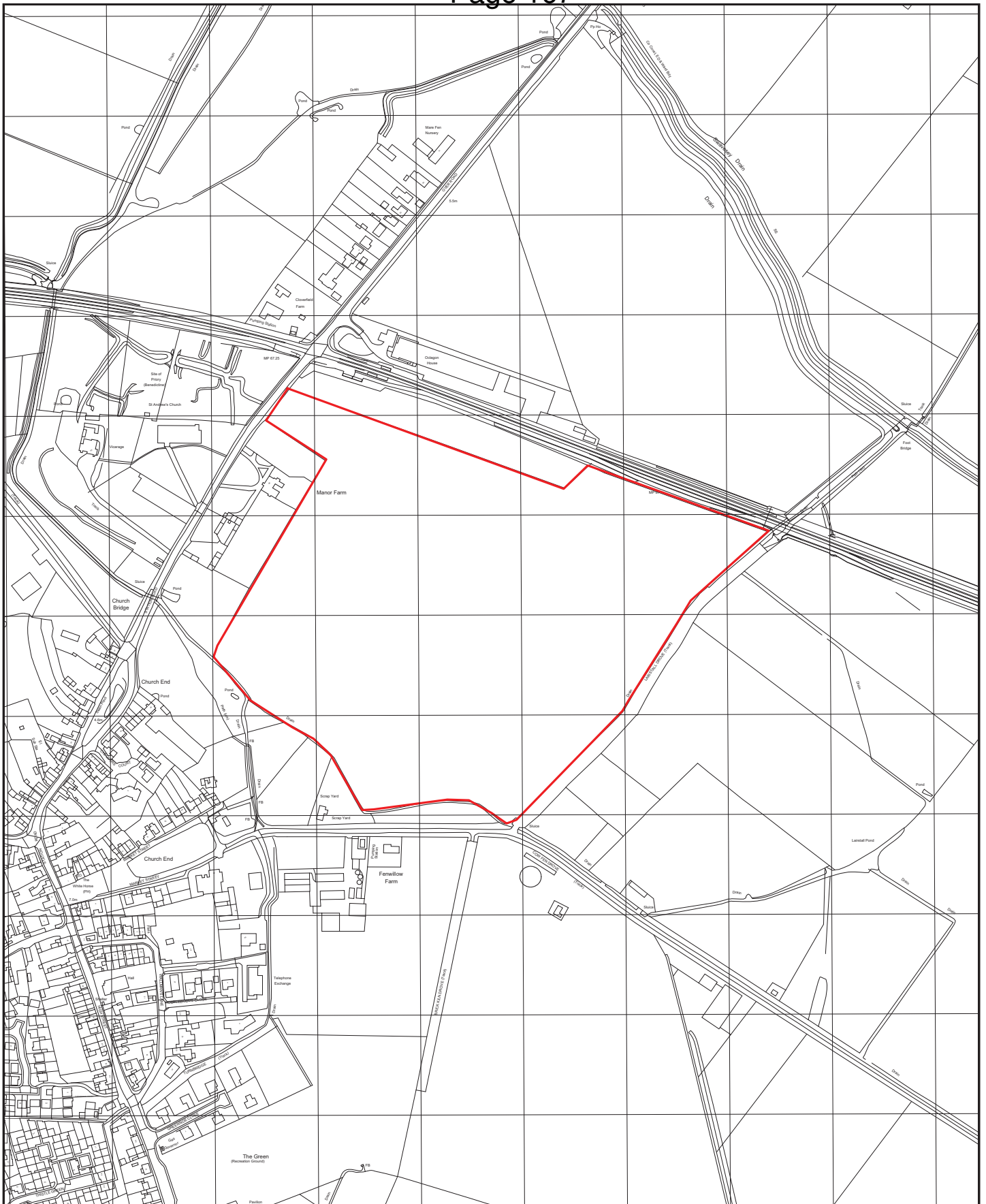
Informatives

Environment Agency and Rights of Way and Access Team informatives to be added

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

- South Cambridgeshire Local Development Framework 2007
- Planning Policy Statement 5: Planning for the Historic Environment

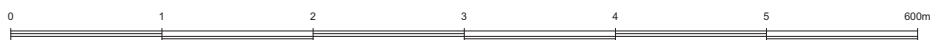
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/1364/11 – STOW CUM QUY
Conversion and change of use of stable to office (B1a) at Alvescote Stables,
Newmarket Road, for Mr Martin Flack

Recommendation: Approve Conditionally

Date for Determination: 26th September 2011

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

Site and Proposal

1. The application site comprises a single-storey stable building built from black featheredged weatherboarding and a slate roof. The building sits within a grassed paddock of approximately 0.26ha, which is relatively flat with a high brick wall, gates and timber fence onto Newmarket Road and timber fences enclosing its side and rear boundaries. The site is located outside of the village framework of Stow cum Quy within open countryside and the Cambridge Green Belt. The site is within the wider setting of a Grade II* Listed building, St Mary's Church, located due west of the site.
2. The stable and paddock is within the same ownership as the adjacent detached bungalow and garage to the northeast, known as Alvescote but is not within the residential curtilage of this property. The site is accessed from Newmarket Road (A1303). Newmarket Road is a fast main road leading from the A14 and is subject to the national speed limit. Running parallel with Newmarket Road, on the north side, there is a pedestrian footpath. The paddock and stables benefit from a separate point of access to Alvescote onto the Newmarket Road, although there is a single crossing.
3. The proposal comprises the conversion and change of use of the stable building into a small office unit (B1a Use Class). This would comprise minor alterations to the building's external elevations such as the insertion of a full height single casement window replacing a timber door upon the front elevation and a double casement window replacing double timber doors upon the rear elevation. The internal conversion of the stable would comprise the insertion of a partition wall around the existing kitchen/wash room to provide a staffroom, store and W/C.
4. A Design and Access Statement supports the proposal.

Planning History

5. Planning Application S/1913/09/F for the change of use of stable and paddock land to residential annexe ancillary to Alvescote was refused on grounds of inappropriate development within the Green Belt and dismissed upon appeal by reason of inappropriateness and other harm.
6. Planning Application S/2051/04/F for the erection of a stable block was refused.
7. Planning Application S/0356/05/F for the erection of a stable block was approved.
8. Planning Application S/1602/07/F for the removal of Condition 9 (removal of stable if no longer in use as such) of Planning Permission S/0356/05/F was approved. Condition 3 of this permission states that 'the stables, hereby approved, shall not be used other than for the purposes of stabling horses or for the use of agriculture'. The reason for this condition was to maintain the rural character and appearance of this sensitive Green Belt location in accordance with policies P9/2a of the approved structure plan 2003 and GB1 of the Local Development Framework 2007.
9. Planning Application S/0577/09/F for an additional vehicular access was refused.

Policies

10. 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
GB/1 Development in the Green Belt
GB/2 Mitigating the Impact of Development in the Green Belt
ET/7 Conversion of Rural Buildings for Employment
CH/4 Development Within the Curtilage or Setting of a Listed Building
11. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
Open Space in New Developments SPD - Adopted January 2009
Biodiversity SPD - Adopted July 2009
District Design Guide SPD – Adopted March 2010
12. Planning Policy 2 (PPG2) 'Green Belts'
Planning Policy Statement 7 (PPS7) 'Sustainable Development in Rural Areas'

Consultations

13. **Stow cum Quy Parish Council** – Recommend refusal stating that the conversion of the stable into an office would engender a light industrial use of the site.
14. **Local Highway Authority** – Raise no objections subject to the provision and retention of the parking and turning areas and that the visibility splays shown upon drawing 5647/1 and 5647/2 are provided and maintained free of obstruction.
15. **Environmental Health Manager** – Raises no objection from an environmental health standpoint.
16. **English Heritage** - No comments have been received and written or verbal updates will be provided.

Representations

17. One letter has been received from the occupiers of Fen View, which raises concerns over the proposed parking provision and the likelihood of vehicles being parking on the verge, which may obstruct visibility. In addition a concern has been raised over the potential for noise and disturbance and the proposed working hours with vehicles coming and going at all hours.

Planning Comments

18. The key material planning considerations in the determination of this planning application are the impact that the proposed revisions would have upon the Green Belt, countryside, employment provision, the historic environment, and residential and highway safety.

Green Belt & Countryside

19. Planning Policy 2 (PPG2) 'Green Belts' stipulates that the re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there. PPG2 states that re-use of buildings inside a Green Belt is not inappropriate development providing that it does not have a materially greater impact than the present use on the openness of the Green Belt. Strict control is exercised over any associated uses of land surrounding the building, which might conflict with the openness of the Green Belt and the form, bulk and general design of the building is in keeping with its surroundings.
20. Planning Policy Statement 7 (PPS7) 'Sustainable Development in Rural Areas' requires policies to set out the criteria for permitting conversion of rural buildings for residential uses. This is due to considerable pressure to convert barns and vacant rural buildings into residential units, which is contrary to the general policy of restricting housing proposals outside established village limits. Policy ET/7 supports conversion of appropriate buildings for employment uses, and this remains the preferred use for such buildings. PPS7 also states that local planning authorities should resist the loss of local facilities for employment uses. Policy ET/7 states that the change of use or adaptation of buildings in the countryside for employment use will be permitted provided the building is structurally sound, not makeshift in nature, capable of re-use without materially changing their existing character or impact upon the surrounding countryside and that the form, bulk and general design of the buildings are in keeping with their surroundings.
21. In consideration of the above the proposed conversion of the stable is considered to result in modest and sympathetic alterations to the stable that would be in character with the rural appearance of the building and its surroundings. Furthermore, the building is of permanent construction and is well maintained and would require little alteration internally to facilitate the proposed use. The proposals would result in no additional extensions or increased built form to the building or its surroundings. Nevertheless, it is acknowledged that the proposed office use may engender additional vehicle movements and car parking to that of the existing stable use. Notwithstanding this, the scale of the office is modest and suitable controls by way of conditions would limit the occupation of the building to no more than two employees, and prohibiting storage or the siting of associated materials of the business outside of the building other than any associated car parking. In addition the application site (plan edged red) encompasses the building and means of access only; therefore the surrounding paddock would remain open in character.

21. In relation to the previously refused application the appeal Inspector stated that the stable building was of substantial construction and would be capable of conversion. It was also stated that the proposed external works to allow daylight to the proposed annexe would reduce the appearance of a countryside building and that the association of a residential use in and around the building would result in erosion to the openness of the Green Belt and intrusion into the countryside. The current proposal addresses these issues by proposing such minor alterations as the inclusion of two windows designed to appear like vertical narrow doorways. In addition the paddock that the building would sit within would remain open in use and appearance. Taking these matters into account, officers consider that the proposed change of use would not represent inappropriate development and would not result in other harm to the openness, character or visual amenity of the Green Belt.

Employment Provision

22. In light of the above the proposal is considered to accord with the criteria of Policy ET/7 for the conversion and change of use of a rural building for employment use. The Inspector in the earlier appeal did not consider that a more intensive use for the stable building would be appropriate in this location due to the impact of the conversion and the use on the Green Belt. This opinion was arrived at based upon the proposal before the Inspector at the time. The current proposal would provide a small-scale employment opportunity within the village for a small office business, which is within walking and cycling distance of the village. The proposals are therefore considered to address the concerns raised by the Inspector in providing an employment use whilst adhering to the principles of Green Belt policy.

Residential Amenity

23. The conditions proposed to limit the intensity of the proposed office use are considered to be sufficient to safeguard the residential amenity of Alvescote or other dwellings within the vicinity. A partly erected timber close boarded fence of approximately 1.8m height separates the application site and the adjacent dwelling at Alvescote. This fence is currently under construction and does not require express planning permission. The proposal would involve no material alteration to the vehicle access to the stable building and the proposed access runs parallel with that to the dwelling. In addition to the boundary treatment, a detached single storey garage serving Alvescote separates the dwelling and the stable building.

Highway Safety

24. Newmarket Road (A1303) is subject to the national speed limit of 60mph and the site's existing access is gated. The proposal would provide an independent access to the site with the parking for two vehicles and a turning area to allow the cars to enter and exit the site within a forward gear. In addition the adjacent dwelling will retain two parking spaces and a turning area. It is acknowledged that the proposed use would result in an increase to the vehicle movements likely to be created by the lawful use as a stable. Newmarket Road is served by a cycle path linking with Stow and Cambridge, and the building would provide cycle storage and a shower to encourage local occupiers to cycle to and from work. The existing access is served by 2m x 2m pedestrian visibility splays and 2.4m x 215m vehicle to vehicle splays in both directions with provision for a vehicle to be clear of the adopted highway in order to enter through the gated entrance. In light of the above it is considered that the existing access is appropriate to serve the proposed business use and would not result in detriment to highway safety.

Historic Environment

25. The application site is not within the curtilage of the Grade II* Listed Church but does abut its curtilage. The proposed external alterations to the stable are minor and suitable conditions should be imposed to ensure all materials or equipment associated with the building are kept inside the building in order to safeguard the potential impact upon the listed building. As such, the proposals are not considered to result in a detrimental impact upon the setting of the adjacent listed building.

Conclusion

26. 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

27. Approve, 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: 5647/1, 5647/2 & 5647.**
(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 Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the premises shall be used for an office and for no other purpose (including any other purposes in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).**

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

4. No materials or equipment shall be stored on the site outside the buildings save that waste materials may be kept in bins for removal periodically.

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

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

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

6. The use, hereby permitted, shall be restricted to no more than two employees unless otherwise agreed in writing by the Local Planning Authority.

(Reason - To limit the impact of vehicle movements on residential amenities in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

7. Prior to the first occupation of the use, hereby permitted, the area for turning and parking shown upon drawing number 5647/2 shall be provided and thereafter permanently maintained for that purpose.

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

8. The visibility splays of 2.4m x 215m as shown upon drawing number 5647/1 shall be maintained free from obstruction exceeding 0.6m above the level of the highway verge/footway.

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

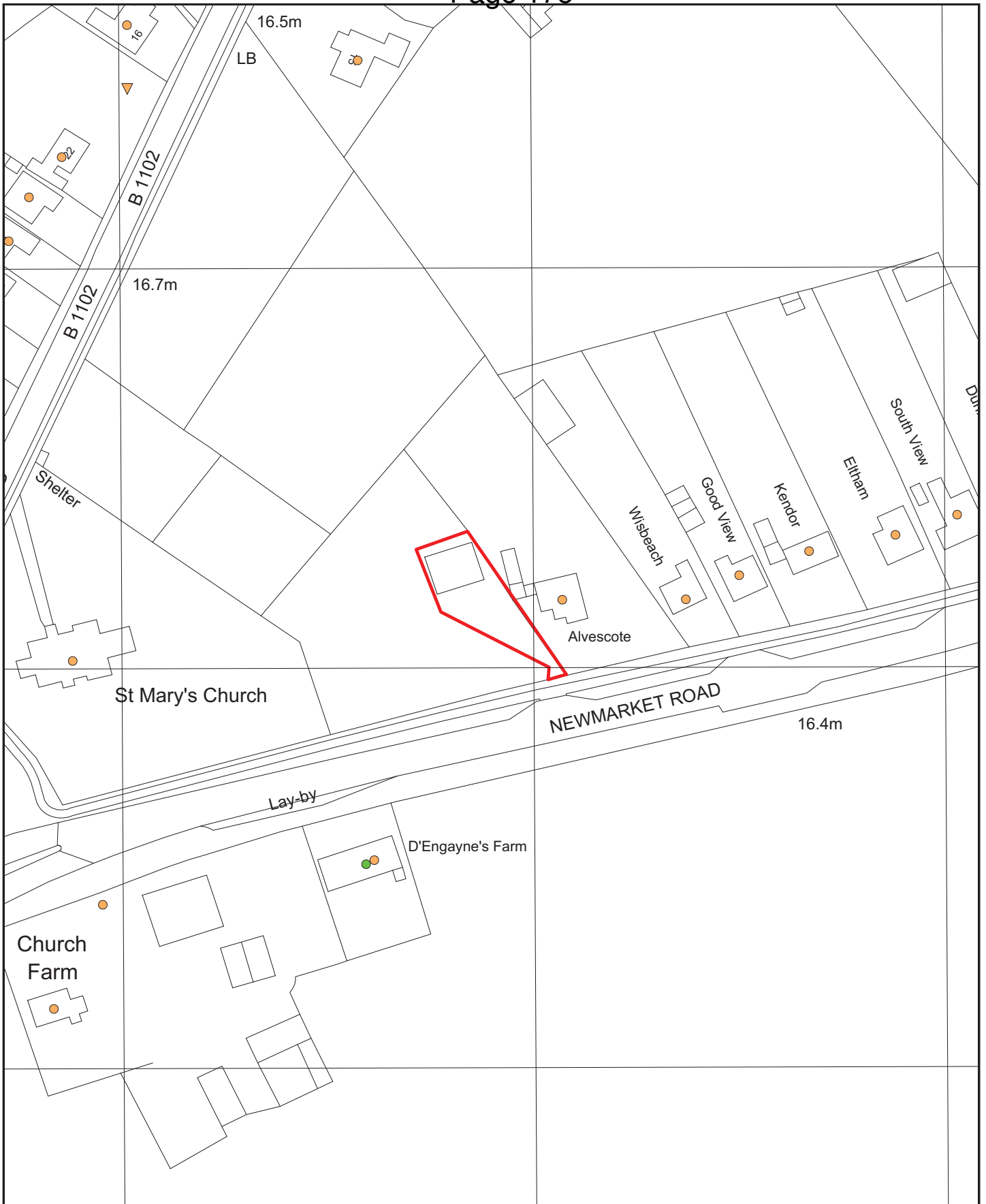
9. The visibility splays of 2m x 2m as shown upon drawing number 5647/2 shall be maintained free from obstruction exceeding 0.6m high.

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

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

- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Planning Policy 2 (PPG2) 'Green Belts' ; Planning Policy Statement 7 (PPS7) 'Sustainable Development in Rural Areas'

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

**S/1341/11 - SIX MILE BOTTOM
(IN THE PARISH OF LITTLE WILBRAHAM)****Extension to provide additional clinical facilities and accommodation for veterinary students (revised scheme) 1084msq. - Station Farm, London Road, Six Mile Bottom, Little Wilbraham, Newmarket, Cambridgeshire, CB8 0UH
for Professor & Mrs Richard White****Recommendation: Minded to approve****Date for Determination: 29 August 2011****Notes:**

This Application has been reported to the Planning Committee for determination because it is a departure to the development plan that is recommended for approval subject to referral to the Secretary of State.

Departure Application**Site and Proposal**

1. This application is for the revision of a full planning permission granted in April 2011 (S/1530/10/F) involving the provision of additional clinical space, taking the total extension to 1084sqm. The proposed facilities will provide clinical facilities together with veterinary student accommodation. Constructed as a single storey infill between two clinical buildings, to the south and a one and a half storey extension (first floor to be residential accommodation for up to 9 students) to the west, using an area of open grass to the western corner of the site to exercise sick animals accommodated within the building. The proposed amendments involve the extension to the proposed operating theatres adjacent to the stairs, to the north, and the provision of a plant room and six additional kennels, to the east.
2. The site is located within the former Station Farm property that consists of the farm house, yard, barns and 6 acres of paddocks. The site lies within the parish of Little Wilbraham at Six Mile Bottom, 8 miles from Cambridge and 5.5m from Newmarket. The site adjoins the A1304 to the south-east which provides ready access to Newmarket and Cambridge via the A1303/A1304, and beyond via the A11/M11, and the A45. The site is accessed by a private, 60m long metalled track leading from the A1304 Newmarket Road.
3. The site buildings themselves are set back over 60m from the A1304 Newmarket Road, and are accessed via a private driveway. This services the Centre, Station Farm and the adjoining agricultural building to the west. To the east the site comprises paddock land that is used as an animal walking area. It also accommodates a 60- space car park (approved planning permission in 2010).

4. To the north of the site is the Cambridge to Ipswich rail link. This runs close to the main clinic building but is well screened by established woodland. To the south-east (A1304) the boundary is marked by a well established hedgerow, although there are views of the clinic in the background of the main farmhouse. To the west of the site is the A11 which is heavily screened by woodland.
5. The existing Dick White Referrals Ltd. is a specialist veterinary facility recently built (2003) in the style of rural agricultural buildings. This has barn-like outbuildings which are finished in black stained weatherboarding and a clay pantile roof. The mass of the buildings is generally one to one-and-a-half storeys in height with a tight grouping of the buildings.

Planning History

6. **S/0212/02/F** – Erection of temporary building for veterinary consultancy – approved.
7. **S/0622/05/F** – Extension and alterations – approved.
8. **S/0364/06/F** – Conversion and extensions to buildings to provide enhanced veterinary facilities – approved.
9. **S/1740/07/F** – Siting of four portable cabins for use as temporary consultancy rooms – approved.
10. **S/1358/09/F** – Alterations to approved scheme S/0364/06/F and retention of a new staff car park – approved.
11. **S/1361/09/F** – Temporary siting of a portable cabin as use as physio/hydrotherapy unit – approved.
12. **S/1530/10/F** - Extension to provide additional clinical facilities and veterinary student accommodation. - approved.

Planning Policy

13. **South Cambridgeshire Local Development Framework (LDF) Core Strategy DPD, adopted January 2007:**
None relevant
14. **South Cambridgeshire LDF Development Control Policies DPD, adopted July 2007:**
 - DP/1 – Sustainable Development
 - DP/2 – Design of New Development
 - DP/3 – Development Criteria
 - DP/7 – Development Frameworks
 - ET/5 – Development for the Expansion of Firms
 - ET/1 – Limitations on the Occupancy of New Premises in South Cambridgeshire
 - ET/7 – Expansion of Existing Firms
 - SF/6 – Public Art in New Development
 - NE/3 – Renewable Energy Technologies in New Development
 - NE/1 – Energy Efficiency
 - NE/12 – Water Conservation

15. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Public Art SPD - Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009
Biodiversity SPD - Adopted July 2009
Landscape in New Developments SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010
16. **The Town and Country Planning (Consultation) (England) Direction 2009** sets out the circumstances in which local planning authorities are to refer to the Secretary of State applications for planning permission, including those decisions which are departures from the development plan.

Consultation

17. **Little Wilbraham Parish Council** – Recommends approval.
18. **East of England Development Agency** – Has not responded.
19. **Network Rail** – Has not responded.
20. **Highway Agency** – No objection.
21. **Cambridgeshire County Council (Local Highway Authority)** – Verbally confirmed they have no objection to the proposal, as there was no significant impact on the main London Road.
22. **Environmental Protection Team** – No object subject to conditions.
23. **Environment Operations Manager** – No Comments.
24. **Ecology Officer** – No further comments.

Representations

25. **Councillor Robert Turner** – Supports the application.

Planning Comments – Key Issues

26. This application is for the provision of additional veterinary associated accommodation for a highly successful, well-established veterinary clinic and training centre, which is regarded as a “centre of excellence” in the veterinary field. The proposed application is a re-submission of an application granted planning permission in April 2011 for 1008sqm, and involves an additional 78sqm of floor space that allows the better usage of the floor space created by the first application and the effective re-location of the plant room. The main issue in determining this application are considered to be: noise/vibration within the building, and the impact of the development on highway safety, employment and the open countryside.

Noise

27. Policy NE/15 seeks to ensure that any planning application granted would not be subject to unacceptable noise levels from existing noise sources. The current proposals are located close to the A10 and the Ipswich rail link in a location that suffers noise pollution caused by traffic and trains. The issue of noise from animals within the building also needs to be considered. The applicant has provided a noise

assessment with the application, which provides information regarding the protection that could be used to ensure that students occupying the building do not suffer from an unacceptable level of noise. However, the document does not fully satisfy the requirements of PPG24, as it is not a comprehensive noise report. Following detailed discussions with the Environmental Protection Officer and the applicant's agent it has been agreed that, subject to further information being submitted which, would be controlled by a condition, noise could be kept within appropriate levels both within the building and outside.

Parking/Access

28. Planning permission was granted on 30 November 2009, for the provision of an additional car park to accommodate 60 vehicles. This proposal was supported by a detailed 'Travel Plan', which sought to reduce the number of trips generated from the site. Due to the location of the facilities the car park was considered to be essential to the effective working of the clinic. However, it is important to recognise that, although the opening times are limited (8:00 – 18:00) due to the nature of the facility, the building will operate 24 hours a day and it should be expected that vehicles may visit the site at anytime. Therefore, the benefits of a further detailed travel plan for this type of development site may be limited and difficult to assess, however, the applicant has undertaken a detailed assessment of staff needs and limited improvements have been made to staff travel.
29. Whilst this application seeks in total to create additional usable floor space of 684sqm of clinic and care facilities and 402sqm of student accommodation it is not proposed to create any additional parking on the site. The applicant identifies that currently the site employs 89 staff, 18 of which work part time or at weekends only and 3 who work from home. The rest work a shift pattern which results in no more than 50 staff being on site at any one time. The applicant does not intend to alter or increase the staff numbers as part of this application. Consequently it is anticipated that the recently constructed car park (S/1358/10/F) is of a sufficient size to accommodate the proposed increase in floor space, therefore, no additional spaces are to be created as part of this application.
30. This facility is accessed by a 60m driveway, which already has significant visibility splays either side of the junction with the main London Road. The Local Highway Authority has raised no objection to the proposals as the application does not involve any alterations to the driveway and anticipates that the car parking permission granted in 2010 would have sufficient capacity to accommodate vehicles visiting the facility. In addition, it is anticipated that the provision of the new student accommodation site will reduce the trips to the site from students lodging nearby.
31. Consequently, it is considered that the parking/access to the site is adequate to facilitate the applicants', new revised proposals.

Employment

32. Policies ET/1 and ET/5 provide clear guidance for the expansion of firms within the countryside. The Service's Economic Development Panel has evaluated the use of the premises again on the impact of development on the countryside, and whilst the location of the facility is not within the village framework it has been considered appropriate due to the nature and function of the building and its relevant importance to Cambridge and the research sector within the County. Therefore, due to the value of this business to Cambridgeshire, there are exceptional circumstances to consider the development of these facilities within this location to be acceptable.

Design of the Building

33. The style and design of the proposed extension is in keeping with the existing building's barn-like appearance. The external materials to be used are to match the existing structures. The extension is to be substantially higher at 7.7m, compared to the existing 6.4m height. This wider visual impact is significantly reduced due to the distance the buildings are from the public highway. In addition, this extension does not introduce a two-floor element into the proposal, as bedrooms applied for are located within the existing roof voids. It is proposed that there will be windows located within the roof slopes and the gables which significantly reduces the impact of the building on the locality to an acceptable level.
34. The massing of the building is concentrated within a central area, behind the existing building complex at Station Farm, which will reduce the visual impact of the development when viewed from the public highway. The substantial screening adjacent to the railway line by a line of established trees will ameliorate the impact from the public area and the significant land level differences to the rear will result in the A11 being unaffected by the development. Consequently, the development is in accordance with the aims and objectives set out in the District Design Guide 2010, and, therefore, the development is considered acceptable.

Landscaping

35. The site is generally flat in nature with the most significant landscaping being to the rear of the building. The proposals involve no significant landscaping improvements, however, they do involve works close to the east coast mainline, which should be managed to ensure that the proposals do not impact on the existing line of mature trees that protect and reduce the impact of this development from that public area. The Council's Landscape Design Officer recommended on the previous application that a condition be considered to improve the landscaping and for measures to be taken to ensure that the semi-mature trees adjacent to the boundary do not conflict with the building. The revised extensions do not impact on that recommendation. In addition, the Landscape Design Officer recommended that no tree is planted within 6m of the building. Consequently, it is considered appropriate to condition any approval for planning permission for the provision of a comprehensive landscape design which is agreed prior to development commencing on site. Therefore, subject to the relevant conditions the application is considered acceptable in this respect.

Open Countryside

36. The application site is not in the Green Belt but has been identified as a departure to the development plans, as it is contrary to DP/7 and ET/5 of the South Cambridgeshire Local Development Framework (2007). The impact upon the countryside is greater in this instance as there is a significant extension proposed to the building, which introduces a two-storey element to the building. It is, therefore, proposed to refer the application to the Secretary of State by virtue of the fact that the threshold for referral has been exceeded, by 84sqm.
37. It is acknowledged that in addition to the essential need for the extension, Dick White Referrals Ltd. are considered by others in the veterinary profession as a leading specialist in the field of veterinary surgery. This is substantiated by viewing a previous application (S/0364/06/F), which had over 50 letters of support from other professional institutions. It is clear that this institution provides a substantial knowledge base, which benefits the wider Cambridge area by way of knowledge

sharing – educational programmes for professional and students (extending to undergraduates and beyond). The clinic is identified as a valuable asset to the County and is considered to accord with the objectives of the Local Development Framework's Employment Policies by supporting the Cambridge Area's position as a world leader in research and technology based industries and higher education. By virtue of this fact and the character/nature of the development, it is considered that the proposals are not significantly harmful to the objectives of the development plan and approval is therefore recommended.

Waste Management

38. The applicant has confirmed that the development will not generate any additional significant level of waste, as the proposals will consolidate, re-organise and accommodate existing levels of usage more effectively within the building and are not purposely to provide an expansion of the building in output terms. Therefore, no additional volume of waste will be generated from the site than that already being produced. The application is supported by a report using the assessment guidance given in the waste toolkit's Design Standard Check List. In addition, all specialist waste is to be removed from the site using specialised contractors. Therefore, the development is considered to be acceptable and in accordance with the aims and objectives set out in Chapter 10 of the adopted LDF District Design Guide.

Energy Efficiency

39. The applicant has provided a detailed energy efficiency statement, which provides information that relates to a residential property and shows that 20% of the energy used on the site could be produced by using renewable technologies (air source heat pump). A detailed assessment and measurement against the size and design of this building needs to be undertaken to ensure that the required 20% efficiency is actually being achieved on this site. It is, therefore, considered appropriate to consider a condition which requires a detailed scheme for this building to be complied in accordance with Policy NE/3.

Water Conservation

40. It is important that the site considers and implements effective water conservation measures in accordance with the requirements of NE/14. The application confirms that the proposal will be built in accordance with the AECB Good Practice Standards and, therefore, will meet the levels of performance expected from such building and is considered acceptable.

Conclusion

41. This site is located outside the village development framework and in the countryside and, therefore, has been considered as a departure from the development plan. The nature and use of the site is such that it provides a valuable research and development facility for Cambridge. The existing use benefits from and is considered to be appropriate in its rural context. In addition, the design, form and ancillary works to the building do not detract from the character and nature of the rural area.
42. Therefore, having regard to applicable national and local policies, and having taken all relevant material considerations into account, it is considered that the planning application should be referred to the Secretary of State with a recommendation for approval subject to the following conditions.

Recommendation

43. Recommend to the Secretary of State APPROVAL, subject to the conditions set out below:

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 No. 10/063/01 (Location Plan): 09:076-14 (Ground Floor Plan) 09:076-15 (First Floor Plan) 09:076-16 (Elevations) 09:076-11 (Drainage) LD11;907, LD11 907-1(Landscape).
(Reason- To facilitate any future application to the Local Planning Authority under Section 73 of the Town and County Planning Act 1990.)
3. Prior to the commencement of the development a lighting scheme, to include details of any external lighting such as street lighting, floodlighting, security lighting, shall be submitted to and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation, full isolux contour maps and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles, angle and glare) and shall assess artificial light impact in accordance with the Institute of Lighting Engineers (2005) 'Guidance Notes for the Reduction of Obtrusive Light'. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved detailed measures unless the Local Planning Authority gives its written consent to any variation.
(Reason: To ensure that the site does not suffer any light pollution in accordance with Policy NE/14 of the adopted Local Development Framework 2007).
4. Before development is commenced, a noise insulation scheme including consideration of alternative mechanical ventilation requirements, for protecting the proposed residential units from the A11 road and the adjacent railway line noise shall be submitted to and approved in writing by the Local Planning Authority and all works which form part of the approved scheme shall be completed before any one of the permitted residential units are occupied and maintained thereafter.
(Reason: To ensure that the students occupying the residential accommodation within the building do not suffer unacceptable levels of disturbance in accordance with policy NE/15).
5. Before the use, hereby permitted, commences, the student accommodation floor and the underlying kennel accommodation shall be acoustically insulated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Information shall also be provided as to the effective ventilation of both floors bearing in mind the requirements of the first floor as sleeping accommodation.
(Reason: To ensure that the students occupying the residential accommodation within the building do not suffer an unacceptable level of noise in accordance with Policy NE/15 of the adopted Local Development Framework 2007.

6. In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from [the date of the first occupation of the dwellings hereby approved].
- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.
 - (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
 - (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

No demolition, site clearance or building operations shall commence until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Local Planning Authority following BS 5837. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.

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

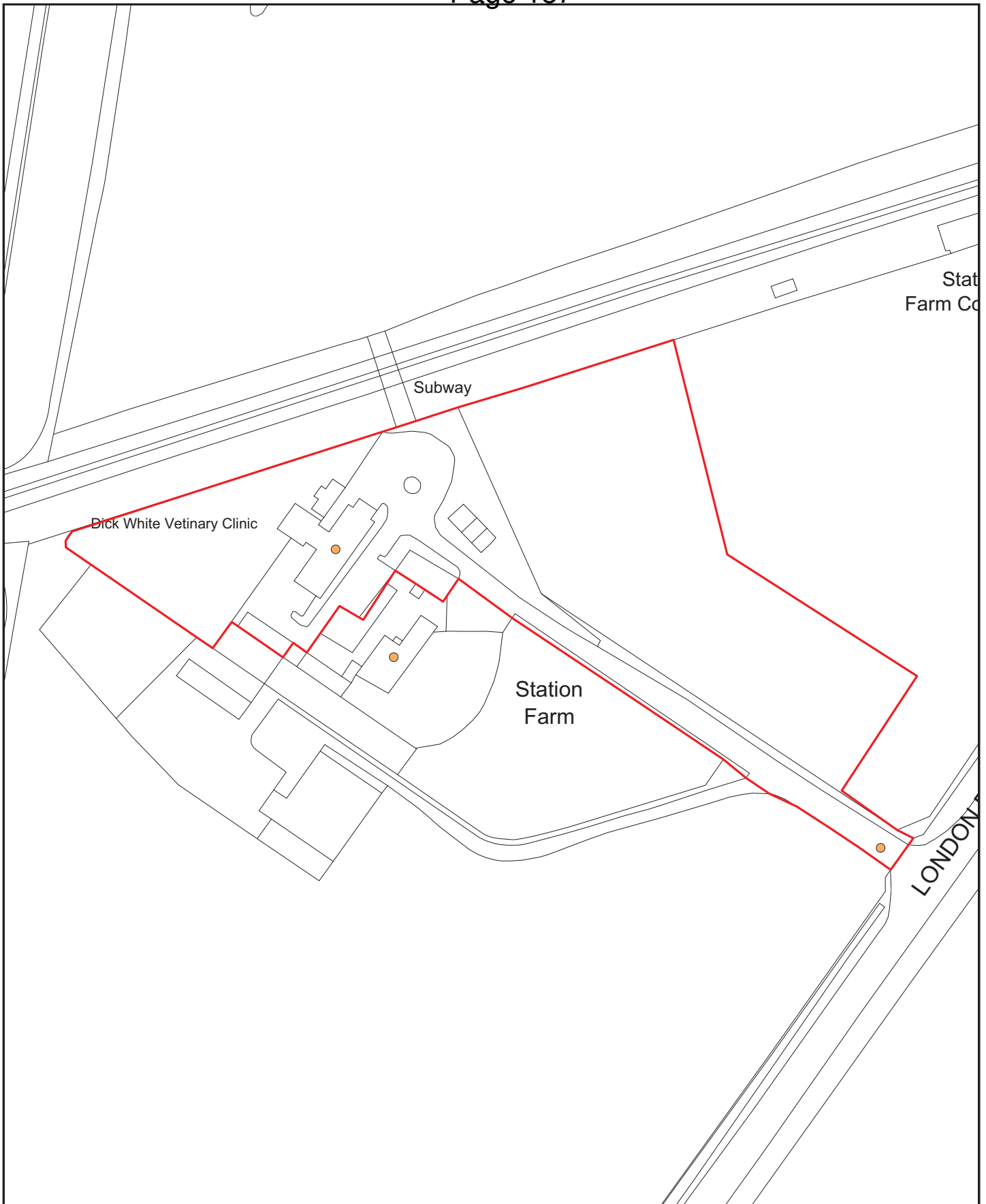
Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy DPD (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted July 2007)
- South Cambridgeshire LDF Supplementary Planning Documents (SPD):
Public Art SPD - Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009
Biodiversity SPD - Adopted July 2009
Landscape in New Developments SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010
- The Town and Country Planning (Consultation) (England) Direction 2009

- Planning File Refs. S/0212/02/F, S/0622/05/F, S/0364/06/F, S/1740/07/F, S/1358/09/F, S1361/09/F, S/1530/10/F and S/13411/11/F.
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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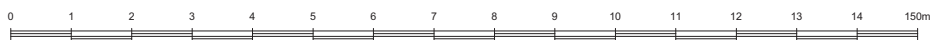
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 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 Date report written. Summaries of recent decisions of importance are also reported, for information.

- Decisions Notified By The Secretary of State**

Ref. no.	Details	Decision	Decision Date
S/1139/10/F	Mr & Mrs J West 5 The Pudgell Great Chishill Replacement garage with new detached carport, storage facility gym garden store & workshop	Dismissed	06/07/11
S/2312/10/F	Mr & Mrs L Walker 3 Cossington Close Cottenham Change of land to Residential	Dismissed	04/08/11
S/0768/11/F	Mr J Holroyd 36 High Street Guilden Morden Installation of photovoltaic solar panels to existing garage roof	Dismissed	11/08/11
S/1957/10	H G Jefferies & Son Fullers Hill Little Gransden Conditions	Withdrawn	11/08/11
S/0050/11/F	Mr P Salt 38 High Street Grantchester First Floor Extension	Dismissed	11/08/11
S/1679/09/F	Landmark Real Estate Woburn Place Thriplow 2 Storey house with detached double garage	Dismissed	17/08/11
S/1825/10/F	Towerview Properties 80 High Street Sawston Condition I re Carparking	Allowed	17/08/11

S/0008/11/F	Mr & Mrs J Smith Oxcroft Farm West Wrating Road West Wrating Two Storey side extension	Allowed	19/08/11
S/0009/11/LB	Mr & Mrs J Smith Oxcroft Farm West Wrating Road West Wrating Two Storey side extension	Allowed	19/08/11

- **Appeals received**

3.

Ref. no.	Details	Decision	Decision Date
S/0050/11/F	Mr P Salt 38 High Street Grantchester First Floor Extension	Refused	06/07/11
S/0724/11/F	Mr N Jones Elmlea 13 Silver Street Litlington Single Storey Extension. Existing Garage to form additional accommodation	Refused	14/07/11
S/0725/11/LB	Mr N Jones Elmlea 13 Silver Street Litlington Single Storey Extension. Existing Garage to form additional accommodation	Refused	14/07/11
S/0262/11/F	Mrs S Izzard Land off Potton Road Gamlingay Change of Use of land and buildings from end of life vehicle disposal to permanent residential caravan site	Refused	18/07/11
S/0721/11/F	Prof & Mrs Feldman 133 Green End Comberton Roof Extensions	Refused	19/07/11
S/1392/10/F	Dr S Sangray 37a Rampton Road Willingham Removal of Agricultural Occupancy condition	Refused	21/07/11
S/1568/10F	Mr C Handley Westfield Willingham Erection 7 Dwellings and parking alteration to	Non- determination	21/07/11

	existing access		
S/0733/11/F	Mr A Greed (Camsure Homes Ltd) South of Brickhill Willingham 19 Dwellings	Refused	22/07/11
S/1778/10/F	Barton Housing Association Gretton Court High Street Girton	Approved	02/08/11
S/0572/11/F	Mr & Mrs Remijn Churchfield House 1 & 2 Hinxton Grange Hinxton	Refused	02/08/11
S/2361/07/LDC	Mr A J Jakes The Conifers Long Drove Gamlingay Continuation of Use of the Mobile Home	Approved	12/08/11
S/1020/11/F	Mr G Griffiths Tractor Shed adj to Lantern House Ivy Farm, The Green Rampton Erection of dwelling following demolition of existing tractor shed and carport	Refused	19/08/11
S/1042/11/LB	Mr G Griffiths Tractor Shed adj to Lantern House Ivy Farm, The Green Rampton Erection of dwelling following demolition of existing tractor shed and carport	Refused	19/08/11

- **Summaries of important decisions**

4. None

- **Local Inquiry and Informal Hearing dates scheduled before the next meeting on 7 September 2011.**

5. None

- **Appeals withdrawn or postponed:**

6.

Ref. no.	Name	Address	Detail
S/1957/10	H G Jefferies & Son	Fullers Hill Little Gransden Conditions	Withdrawn 11/08/11

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

7.

Ref. no.	Name	Address	Date
S/1793/10/LB	Ms L Boscawen	The Grange St Michaels Longstanton	14/09/11

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

- None

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