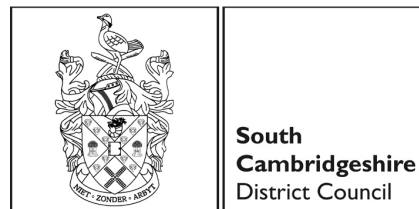


South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 03450 450 500
f: 01954 713149
dx: DX 729500 Cambridge 15
minicom: 01480 376743
www.scambs.gov.uk



22 December 2011

To: Chairman – Councillor Pippa Corney
Vice-Chairman – Councillor Robert Turner
All Members of the Planning Committee - Councillors Val Barrett, Trisha Bear,
Brian Burling, Lynda Harford, 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, 11 JANUARY 2012 at 10.00 a.m.**

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

Yours faithfully
JEAN HUNTER
Chief Executive

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

AGENDA

PAGES

PUBLIC SPEAKING

Those non-Committee members wishing to address the Planning Committee should first read the Public Speaking Protocol.

PROCEDURAL ITEMS

- 1. Apologies**
To receive apologies for absence from committee members.
- 2. General Declarations of Interest** 1 - 2
- 3. Minutes of Previous Meeting**
To authorise the Chairman to sign the Minutes of the meeting held on 7 December 2011 as a correct record. These minutes are on the

Council's website and can be found by following the links from www.scambs.gov.uk/meetings

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

4.	S/2016/11 - Babraham (Babraham Institute)	3 - 22
5.	S/2026/11 - Waterbeach (Land adj 12 Burgess Road)	23 - 32
6.	S/2183/11 - Cottenham (88 Rampton Road)	33 - 48
7.	S/1725/11 - Ickleton (Land to the West of 20 Church Street)	49 - 66
8.	S/2167/11 - Papworth Everard (Site to the west, Errnine Street South)	67 - 84

INFORMATION ITEMS

9.	Appeals against Planning Decisions and Enforcement Action	85 - 88
10.	Enforcement Action - Current cases	89 - 100

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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- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

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Disturbance by Public

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

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EXCLUSION OF PRESS AND PUBLIC

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

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

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

Notes

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

South Cambridgeshire District Council

Planning Committee – 11 January 2012 – Declaration of Interests

Councillor

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

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Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Please return the completed form to ian.senior@scambs.gov.uk prior to the meeting, or leave it with the Democratic Services Officer in the Chamber, or leave it with the Democratic Services Section.

Personal / Personal and Prejudicial [delete as appropriate]

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Reason:

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Reason:

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 11 January 2012
AUTHOR/S: Executive Director (Operational Services) / Corporate Manager - Planning and New Communities

S/2016/11 - BABRAHAM

Outline application for four research and development buildings and associated infrastructure, including details of the main access road, lighting, standby generator building and flood compensation works

Recommendation: Delegated Approval

Date for Determination: 5th January 2012 (Major Application)

Notes:

This Application has been reported to the Planning Committee for determination as the application represents a Departure from the Development Plan and needs to be referred to the Secretary of State

Departure Application**Adjacent to Conservation Area and Listed Buildings****Site and Proposal**

1. The Babraham Research Institute Campus is one of the UK's leading centres for bioscience innovation, and lies within the countryside and Green Belt to the south-east of Cambridge and on the north-west side of the village of Babraham. The campus comprises a range of research and development buildings located on the north-west and south-east side of Babraham Hall, a 19th century Grade II Listed Building situated within a 450 acre parkland setting. At the south-western edge of the premises, is the Grade I Listed Church of St Peter, whilst the River Granta runs to the south-west of the Hall and Church. The southern part of the campus grounds lies within the village Conservation Area, which extends beyond the village and encompasses much of the village of Babraham. Vehicular access to the Institute is obtained via the A1307 and a recently constructed roundabout at the north-western edge of the campus grounds.
2. The application site extends to 3.64 hectares and comprises an area of grassland located directly adjacent to the north-western edge of the existing built-up part of the campus. The southern part of the application site extends to the River Granta and includes land that lies within the river's flood plain, whilst the site's northern edge is bounded by a section of the main access road from the A1307. Open parkland lies to the north, whilst there is open grassland and a tree belt to the west of the site.
3. The planning application, registered on 7th October 2011, seeks outline consent for the erection of four research and development buildings, and includes detailed matters with respect to:

- The main access road and footpath.
 - External lighting relating to the main access road.
 - Main surface and foul water discharge.
 - Flood compensation works.
 - Standby generator building and associated external compound.
4. The application has been accompanied by a number of supporting statements. These include: Design and Access Statement, Planning Statement, Heritage Statement, Archaeology Report, Ecological Appraisal, Tree Survey, Travel Plan, Transport Assessment, Flood Risk Assessment, Noise Survey and Waste Management Design Guide Toolkit.
5. The supporting documentation explains that, earlier this year, significant Government funding was allocated to Babraham Research Campus for the purposes of its continued development, with the aim of attracting leading bioscience companies. The Campus has gained a reputation as a key global player in bioscience and the investment would further strengthen its position by facilitating the construction of additional research and development buildings to provide accommodation that will attract anchor tenants and create additional jobs and investment in the Cambridge area. Biomedical discoveries at the Institute have given insights into heart failure, cancer, obesity, inflammatory disorders and neuro-degenerative diseases, and the proposed further developments would support the continuation of this work.
6. The proposed buildings would have a combined floorspace of around 9,500m², and result in the provision of approximately 410 additional jobs, that would be split between the buildings as follows:
- B900 - approx 2,500m² and 60 jobs
 - B910 - approx 2,100m² and 105 jobs
 - B920 - approx 2,400m² and 120 jobs
 - B930 - approx 2,500m² and 125 jobs
7. Buildings B910, B920 and B930 would consist of two stories of accommodation, with two wings arranged either side of a central entrance and with storage and plant areas located within the roof space. Building B900, located at the southern end of the site within the flood plain, would mainly provide accommodation at ground floor level with some offices above. To accord with the Environment Agency's requirements, the finished floor level of the buildings would be at 24.5m AOD. It is proposed that development would be contemporary in design, to provide a contrast to the Hall. In keeping with recently constructed buildings elsewhere within the grounds, the proposed buildings would be designed with light coloured/buff brick walls, matching mortar colours, aluminium framed non-reflective glazing, and shallow pitched or curved roofs, clad in aluminium, zinc or stainless steel (to a matt finish). Areas of stronger colour would be limited to accent features of a building, and flues would be grouped in shrouded chimneys.
8. The buildings would be laid out in an orthogonal pattern to the Hall and arranged around a new spur road/footpath that would extend in a south-westerly direction from the existing main site access road. Consent is sought for the new spur road, footpath and lighting at this stage. There would be separate vehicular and pedestrian access points to each building off the spur road, whilst each plot would also have its own car and cycle parking and landscaping. It is intended that these detailed layout matters would be the subject of separate reserved matters applications.

9. The current outline application also proposes the erection of a generator building. This would be an approximately 4.5 metre high single-storey building, comprising buff brick walls under a curved aluminium roof, and would be located at the western edge of the site between buildings B920 and B900.
10. To the north-west of the application site and adjacent to the River Granta is a flood compensation area constructed several years ago in order to compensate for the footprint of an adjacent building constructed within the flood plain. The southernmost building proposed within the current application (B900) also lies within the flood plain and the application therefore proposes to increase the size of the existing flood compensation area in order to offset the volume of this new building.

Planning History

11. S/0195/99/O – Outline planning permission granted for a two phase development of new research laboratories, facilities and infrastructure partly on land occupied by buildings to the south-east and north-west of the Hall and partly by extending the site northwards to accommodate new development. This was subject, in part, to conditions restricting the use of Phase 1 buildings to research and development (B1b) and phase 2 buildings to biotechnology research and development requiring regular and close contact with the research facilities at the Institute. The consent was also subject to a Masterplan and to a Section 106 Agreement requiring the implementation of a Travel to Work Plan.
12. S/0003/03/F - Application for the renewal of the previous outline permission approved subject to a Masterplan, a Section 106 Agreement requiring the implementation of a Travel to Work Plan and to the following conditions (in part):
 - Restriction to biotechnology research use;
 - 10 year restriction to firms needing to be located close to the biological research facilities at Babraham Institute;
 - No buildings in phase 2 (defined as any new gross internal floorspace exceeding 9400m²) to be occupied/brought into use until provision of roundabout and means of vehicular access to A1307;
 - Programme and timetable for demolition of buildings to be submitted with each reserved matters application;
 - Restriction of ground floor levels to at least 24.59 ODN;
 - Existing vehicular access from High Street to be closed before occupation/use of any building within Phase 2.
13. The Masterplan for the approved outline application provided a framework for the development of the site and defined zones to be set aside for landscaping (green), car parking/landscaping (grey), areas suitable for new bio-developments for Babraham Bioscience Technologies (purple) and an area of existing Institute buildings suitable for infill or demolition and replacement (yellow). The Masterplan also proposed substantial demolition of redundant buildings, with a condition of the outline seeking to control the level of demolition to ensure the redevelopment of the site has no greater impact on the openness of the green belt and to minimise the increase in traffic generation before the roundabout and means of access to the A1307 is constructed.
14. S/1402/06/F – Renewal of outline planning permission S/0003/03/F, together with a variation to the access road and roundabout works.

15. Under the aforementioned outline permissions, Reserved Matters Consents have been granted for a number of new buildings and for the redevelopment of part of the site, and these schemes have either been completed, are under construction or still extant and awaiting commencement.

Planning Policy

16. National Planning Policy
PPG2: Green Belts
PPS5: The Historic Environment
17. South Cambridgeshire Local Development Framework Core Strategy DPD, 2007:

ST/1: Green Belt
ST/8: Employment Provision
18. 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/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/4: Major Developed Sites in the Green Belt
ET/2: Promotion of Clusters
ET/5: Development for the Expansion of Forms
SF/6: Public Art and New Development
NE/1: Energy Efficiency
NE/3: Renewable Energy Technologies in New Development
NE/4: Landscape Character Areas
NE/6: Biodiversity
NE/10: Foul Drainage – Alternative Drainage Systems
NE/11: Flood Risk
NE/12: Water Conservation
NE/14: Lighting Proposals
NE/15: Noise Pollution
CH/2: Archaeological Sites
CH/4: Development Within the Curtilage or Setting of a Listed Building
CH/5: Conservation Areas
TR/1: Planning for More Sustainable Travel
TR/2: Car and Cycle Parking Standards
TR/3: Mitigating Travel Impact
19. South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Open Space in New Developments – Adopted January 2009
Development Affecting Conservation Areas – Adopted January 2009
Public Art – Adopted January 2009
Trees and Development Sites – Adopted January 2009
Biodiversity – Adopted July 2009

Listed Buildings – Adopted July 2009

Landscape in New Developments – Adopted March 2010

District Design Guide – Adopted March 2010

Health Impact Assessment – Adopted March 2011

20. 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.
21. 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

22. **Babraham Parish Council** – Recommends approval providing noise levels are kept to a minimum during and after building in order to respect nearby neighbours. No weekend working and normal hours Monday to Friday.
23. **The Conservation Officer** – Recommends approval. The new bio development buildings would be sited in a zone to the north of the Hall. In accordance with the masterplan principles adopted in 2003, in connection with outline permission S/0003/03, the proposed development would not intrude into the key viewpoints of the Hall from the High Street, The Close or from the A1307 to the north. The masterplan has a defined building line for this northern area that respects the established views and retains the fan like swathe of open land to the front of the Grade II listed Hall. This open land and angled estate roads concentrate views and road alignments towards the Hall with the Grade I listed Church behind, retaining the hierarchy of the Hall at the centre of the site. The proposed extension of car parking and associated landscape impinge into the building line but this is a good balance providing necessary car parking without significant detriment to the important views.
24. **The Joint Urban Design Team** – Recommends approval, although advises the following:
 - Investigation of the potential of incorporating a 'central square' within the new development, which will help improve the pedestrian movement and street level interaction between the research blocks.
 - Investigation of the potential of incorporating 'living roof' on the proposed roofs, improving the scheme visually and providing biodiversity.

The Team states that the proposal is considered to relate to the surrounding character and scale of built form, with the proposal adding a strong façade fronting onto the surrounding development to the north-east. The building orientation is considered to be acceptable. The proposed roof avoids visual conflict with other elements of the block, with important sightlines identified in the 2003 Masterplan being protected. However, it is considered the form could be improved by creating a central arrival space for this block with a strong frontage towards the existing building and natural surveillance over the parking area. The height of the buildings is considered to be acceptable. Internally, buildings B910, B920 and B930 consist of two wings of accommodation arranged either side of a central entrance and atrium space, allowing for a flexible internal arrangement that can be subdivided into a number of separate tenancies. B900 is arranged around a central servicing space with plant room above, and is consistent with its function as laboratory space. The

building form is considered to be appropriate to ensure the longevity of the development.

The four buildings have been arranged around a new spur road, in an orthogonal arrangement determined by the earlier approved Masterplan. Separate vehicular and pedestrian access points are provided to each building plot, with service roads and delivery points located discreetly behind the buildings. Sufficient parking is provided and an additional 20 cycle spaces have also been provided.

The proposed buildings would be modern in design. However, it is considered that the proposal offers a prime opportunity to enhance the biodiversity of the site. Due to the nature and scale of the proposed roof, it is recommended that the scheme should allow for the implementation of a living roof. This would deliver a range of benefits, including providing visual amenity, creating a new outdoor space, enhancing biodiversity, reducing flood risk and improving energy performance by providing insulation.

25. **The Trees Officer** – States that the Institute has planted many trees on the site, and manages the existing mature tree stock well. The proposed development would result in the loss of some trees within the site but there are no objections to this. Trees identified for retention should be protected in accordance with the protection details in the arboricultural report.
26. **The Landscape Design Officer** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
27. **The Ecology Officer** – Raises a holding objection. There are no objections to the development itself, but the proposed flood alleviation measures cause concern. Habitat creation measures have been secured in the current flood storage area and this is starting to develop an interesting biodiversity. The proposed excavation has the potential to undo much of this work and alternative approaches that deliver greater habitat gains should be explored. The following areas should be discussed further:
 - Why the excavation has to take place in the current lowered area – if a new storage area was created, then this latest development could deliver further significant habitat gain rather than affecting habitat that is now maturing.
 - Why it is not more sensible to place flood attenuation near or upstream of the development it serves.
 - It is proposed that run-off from car parking areas be directed to the river via a closed-pipe system. This has the potential to deliver water that is low in oxygen, a problem which could be overcome by having a pond and reedbed feature at the end of this system. This would provide water quality benefits as well as a complimentary habitat to the river corridor.
 - The EA produced a document in July 2011 that seeks to enhance the River Granta as opportunities arise. In this reach, it identifies the river as being deeply incised and could benefit from having its banks re-graded. This application should be seeking to deliver such enhancements.
28. **The Section 106 Officer** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
29. **The Sustainability Officer** - No response received to date. However, during pre-application discussions, it was confirmed that the measures outlined in the Sustainable Energy Report, namely air source heat pumps and PV array combination

solution for each building, would appear to comply with the requirements of Policy NE/3.

30. **The Arts Development Officer** – States that the application falls under the scope of the Council’s policy on public art.
31. **The Environmental Health Officer** – Expresses concern that problems could arise from noise and suggests that the following conditions be added to any permission:
 - Details of the location and type of any power driven plant or equipment
 - Details of any external lighting
 - Control hours of use of power operated machinery during the construction period
32. **The Environmental Health Officer (Contaminated Land)** – States that the site incorporates a small area of infilled land (a possible ditch). It is therefore recommended that a condition be added to any consent requiring works to cease and the prior approval of a remediation strategy should any previously unidentified contamination be found to be present on the site.
33. **The Economic Development Officer** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
34. **The Local Highways Authority** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
35. **The County Archaeologist** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
36. **English Heritage** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
37. **The Environment Agency** – Raises no objections in principle to the application, but recommends that the scheme be deferred or withdrawn in order to clarify a number of issues:
 - The FRA refers to PPG25 rather than PPS25.
 - The total site area is clarified to be 35,280m² rather than the 36,000m² quoted in the FRA.
 - Proposed alterations to the drainage network should be clearly marked on a plan.
 - Calculations should be re-run using FEH for rainfall events of greater than 1 hour.
 - The submitted soakaway results are unclear, with contradictions between the print outs and letter dated 21st September.
 - The FRA states that some areas may be subject to negligible surface water flooding – these should be clearly identified on the site plan with indicative depths, and how any water stored above ground will drain back down through the proposed SuDS system.
 - The FRA states there is a fairly large fall from the top of the site to the bottom. There are no details of how surface water will be captured within the SuDS system this preventing unrestricted runoff to the River Granta.
 - There are also concerns regarding the calculated floodplain compensation. The band between 23.00m and 23.90m AOD does not appear to be accounted for. Calculations for building B900 do not appear to take into account any ground level changes within the floodplain, eg – to the car park area where levels will

increase by around 800mm. Storage volumes will be lost and must be compensated for.

38. **Anglian Water** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
39. **The Cambridge Water Company** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
40. **The Cambridgeshire Fire and Rescue Service** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.

Representations

41. None

Planning Comments

Principle of the development

42. In 1999, outline planning permission was granted for research facilities and associated infrastructure at Babraham Hall. This permission was issued in the context of emerging planning policies, which identified Babraham Institute as a Major Developed Site in the Green Belt. The application was referred to the Secretary of State as a Departure from the Development Plan but was not called in for decision. The Council considered, in granting permission, that the growth and development of the Research Campus and its continued ability to associate with and promote high quality commercial bio-technology research and development represented the very special circumstances required to support the development. The outline permission was renewed in 2003 and 2006, under which Reserved Matters consents were granted for a number of new buildings and for the redevelopment of part of the site. However, no applications have been submitted in connection with the north-western edge of the approved site (land designated in the Masterplan as 'purple' land appropriate for new development), and the last outline planning permission granted in 2006 has now expired.
43. Babraham Institute is identified within Local Development Framework Policy GB/4 as a Major Developed Site in the Green Belt. This policy states that within the boundary of such sites, limited infilling or redevelopment may be permitted. Infilling is defined as the filling of small gaps between built development providing it has no greater impact on the open nature of the Green Belt and does not lead to a major increase in the developed proportion of the site. Redevelopment is limited to that which would not result in a greater footprint or height than existing, or would not increase the impact on the openness of the Green Belt.
44. The current proposal is contrary to Policy GB/4 and, as the outline planning permission has expired, the application constitutes inappropriate development in the Green Belt by definition and has been advertised as a Departure from the Development Plan. It is therefore necessary to consider whether there are any other very special circumstances in this instance to set aside the in-principle policy objection to the development. Given the scale of the proposed development, the application would also need to be referred to the Secretary of State should Members be minded to support the proposal.

45. In approving the development and expansion of the Babraham Institute as a Departure from Green Belt policy in 1999, the importance of the development to the regional economy was deemed to constitute the very special circumstances required to support the development. Whilst there has been a change in the policy framework since 1999, the Green Belt, Conservation Area and Listed Building constraints affecting the site have not altered in this time period, and, as such, there have not been any significant changes in the context against which the development must be judged. The current proposal effectively seeks to re-apply for the development of the north-western part of the previously approved site. The documentation submitted with the application makes it clear that the proposed development would adhere to and keep within the parameters of the previously agreed Masterplan, with the buildings being sited within the 'purple' area designated as suitable for the construction of new bio-development, and does not propose any expansion of, or encroachment beyond, the previously approved development boundary.
46. As the proposed development accords with the previous outline permissions and Masterplan, which have largely been implemented through a series of Reserved Matters consents, and the lack of any significant change in circumstances, these are considered to constitute the very special circumstances required to support the development.

Impact on the character of the Conservation Area and upon the setting of adjacent Listed Buildings

47. The site edged red falls outside, but within the setting of, the Conservation Area and within the setting of the Grade II Listed Hall and the Grade I Listed Church. These are significant historic assets and the previously approved Masterplan was drawn up to ensure development of the site would not seriously harm the setting of these buildings as well as the character and appearance of the Conservation Area. As the proposed development would follow the principles established in the previous Masterplan, it would not increase the impact of the previously approved scheme upon designated heritage assets. Given the historical planning context, the Conservation Manager has recommended approval of the application. The Joint Urban Design Team has also expressed its broad support, although has requested that the possible creation of a focal point and use of green roofs be explored further. With regards to these suggestions, the applicant's agent has responded as follows:
- The octagon area in front of The Forum, located within the central core of the Campus, acts as a pedestrian focal point for the entire campus. Given the restricted width available for development, the need to protect the sightline to the hall and the presence of the flood plain, the central spur road approach allows the provision of discreet servicing areas behind buildings and provides space between the buildings. The creation of a central square would not enable this to be achieved and is considered to be of a more urban form that would not be in keeping with the nature of the site. With respect to pedestrian linkages between the buildings, footpaths have been proposed which minimise road and car park crossings and follow soft curving routes in keeping with the parkland setting. Also, as each building would have separate tenancies, it is stressed that the amount of movement between buildings will be limited.
 - There is concern regarding the use of green roofs due to the health status the buildings are required to achieve. Also, the introduction of green roofs would be out of character with the way that the campus has been developed and would not be consistent with the previously approved masterplan. Also, the site as a whole

is considered to provide plenty of other opportunities for biodiversity without the use of green roofs.

48. As has been clarified in the representation received from the applicant's agent, the Campus has a centrally located social/restaurant area that acts as a focal point and hub for the whole campus. There are no separate smaller focal points elsewhere in the Campus, and the creation of one here would not reflect the manner in which the site has been developed to date. In addition, the possibility of using green roofs has previously been discussed and explored with the Institute in connection with previous Reserved Matters applications, but has been deemed inappropriate on this site for the reasons outlined by the applicant's agent.

Trees/Landscaping

49. A tree survey has been undertaken and an arboricultural implication assessment and method statement submitted. This concludes that the site edged red has a few trees within its boundary that provide very little amenity beyond the Campus boundary. Two maturing trees and a small group of more recently planted trees would be removed to enable the development. This would be mitigated by planting a number of new trees as part of the designed landscape scheme. Two small areas of construction are proposed within the root protection areas of retained trees, and precautions are recommended to prevent undue damage to the roots of the trees. The Trees Officer has raised no objections to the application, subject to development complying with the submitted arboricultural report.
50. The 2003 Masterplan included a landscaping strategy that sought to enhance the setting of the Hall and Church and safeguard key vistas. These works have been undertaken. The current application proposes to maintain the vista of the Hall and to add some additional individual trees and low-level landscaping, a landscaped strip to the river frontage, and some shrub/hedge planting adjacent to the buildings and car parking areas.

Ecology Issues

51. The River Granta is a designated County Wildlife Site. A biodiversity survey has been undertaken and this concludes that the site is of a low level of biodiversity. Recommended mitigation measures are proposed to avoid encroachment into the river corridor and include: protection of habitats during construction, no storage of fuel or chemicals within 10m of the riverbank, site lighting to be directed downward and away from mature trees, any new trees to be native species, ground clearance outside the nesting season, ornamental planting to include berry and nectar species, extension of flood compensation area to be carried out as before (ie – lower the land level to expose the chalk below).
52. The Ecology Officer has raised a holding objection to the proposed flood compensation measures, and these are discussed in further detail in the following paragraphs relating to flood risk issues.

Flood Risk

53. The southern part of the site, and the proposed southernmost building, lies within the floodplain of the River Granta. The previous outline permission was subject to the requirement for flood compensation works to be undertaken (these have been carried out) as well as setting a minimum floor level for new buildings. The application has been accompanied by a Flood Risk Assessment, which proposes that an extension to

the existing flood compensation area be constructed prior to work on the southernmost building commencing.

54. The Environment Agency initially recommended that the application be withdrawn or deferred to enable clarification of a number of issues. The applicant's engineers subsequently met with the Environment Agency and has confirmed the following points
- Reference to PPG25 replaced with PPS25.
 - Site area confirmed as being 36,436m²
 - The proposals do not affect the existing surface water drainage system. The proposed surface water drainage for the phase 2 development is separate and has its own outfall to the River Granta. The proposed foul drainage would be connected to the existing foul drainage system.
 - Surface water drainage calculations have been revised to include an increase of 10% on the FSR rainfall values to approximate the use of FEH rainfall events.
 - Soakaway results provided.
 - The surface water drainage design has been refined, and the simulation results show there is no surface flooding from any point of the drainage system for the 1 in 100 year design storm.
 - Car parking bays to be constructed with permeable block paving.
 - The over compensation volumes gained during the work carried out in phase 1 for the level bands between 23.00m and 23.90m has been used to compensate for the loss of volume caused by phase 2, building B900.
55. Following the receipt of this further information from the applicant's engineers, the Environment Agency has indicated that it has no objections, subject to the following conditions:
- A scheme for limiting the surface water run-off generated by the 1 in 100 year critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
 - Provision of compensatory flood storage on the site to a 1 in 100 year standard.
 - Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
 - Finished floor levels to be set no lower than 24.50m AOD.
56. In view of the Ecology Officer's holding objection to the proposed flood compensation works, the applicant's agent suggested that the flood compensation measures be withdrawn from the outline proposals and dealt with as a reserved matter instead. This would give time to meet with the Environment Agency and Ecology Officer in order to discuss and agree the location and details of the flood compensation area taking into account concerns regarding biodiversity and to allow the client time to develop a flood evacuation management plan. The Ecology Officer welcomed this approach, as the Institute has land that can be used to provide flood storage, but also commented that, if an alternative way forward cannot be found, then an effort would need to be made to retain the best of what has already been created whilst looking to the future. The Environment Agency, however, strongly advised against this approach as the need and design for floodplain compensation relates directly to the viability of the development given that one of the buildings is within the 1 in 100 year floodplain and taking up a significant footprint/volume within it.
57. These issues were discussed by the Council's Economic Development Panel, at which the approach of removing the flood compensation works from the current

application was not supported. The Panel recommended that the Flood Risk Assessment be amended to address the Environment Agency's concerns and that, in view of the pragmatic comments made by the Ecology Officer, that a condition be added to any permission to require the submission a scheme of ecological enhancement.

Highway safety

58. The application has been accompanied by a Transport Statement and Travel Plan. When outline planning permission was granted for the overall development, it did not seek to impose a maximum floorspace across the entire Campus or for each building, rather it limited the level of new floor space to 9,400m² in advance of the provision of a new roundabout access onto the A1307. The roundabout and access has been provided well in advance of the specified level of new floor space being attained, and the old access from the village closed other than for use by pedestrians, cyclists and for emergency services. The requirements for this new access were based upon comments received from the Local Highways Authority during the consideration of the original proposal and designed to cater for the development of the entire site encompassed in the outline permission and, hence, the future growth of the site. The proposed application would result in the creation of around 400 new jobs, over and above those that exist at present, but does not seek to extend the previously approved site.
59. The Institute is committed to a green travel plan that encourages alternative modes of transport such as cycling, walking, car sharing and public transport. Measures encompassed in the Plan include the provision of covered, lit cycle racks, shower and changing facilities, a 20mph speed limit, pedestrian pathways, and a supply of pool cars. In addition, in the current application, it is proposed that car parking be provided at a ratio of 1 space per 30m², in accordance with the standards specified within the LDF, thereby avoiding an oversupply of spaces. Cycle shelters would also be provided for each building at a standard of 1 space per 10 members of staff, (42 spaces in total).

Residential amenity

60. There is one residential property located adjacent to the A1307 and the northern edge of the Institute's grounds, whilst Babraham village lies to the north-east. A noise survey has been undertaken to the north-east and north-west of the site. This recommends that noise emission from future development be controlled to a level 5dB below the lowest measured background noise level at the nearest dwelling, and that details of power driven plant or equipment be provided with each reserved matters application.
61. The Environmental Health Officer has raised no objections to the application subject to a number of conditions to protect nearby residents from disturbance from noise and lighting.

Archaeology

62. The application has been accompanied by an Archaeological Statement. 24 trial trenches have been dug on the site which identified assets of archaeological interest in two zones. Zone 1 is focussed on trenches 11-17 in the central part of the site and zone 2 on trenches 23 and 24 to the south of the site, with the zone 1 assets being identified as vulnerable to the impacts of development. The evaluation has concluded that further investigation will be required. The County Archaeologist has not

responded to date but has indicated in responses to previous applications that any impacts can be mitigated through appropriate planning conditions.

Sustainability issues

63. LDF Policy NE/3 requires all development proposals greater than 1000m² to include technology for renewable energy to provide at least 10% of their predicted energy requirements. The application includes a sustainability and renewable energy statement. This proposes to use a combination of heat pump technology and PV panels. The Council's Sustainability Officer has not formally responded to date but has advised during pre-application discussions that the proposed strategy is appropriate. Detailed measures should be provided with each Reserved Matters application.
64. Policy NE/12 requires all proposals for greater than 1000m² to provide a Water Conservation Strategy prior to commencement of development. Proposed water conservation measures include the addition of a water meter, provision of leak detection systems for each building, provision of shut off valves for water supply of each toilet area, and rainwater to be collected in underground tanks to store water for irrigation purposes. However, the supporting documentation explains that water recycling is not feasible for the type of building proposed due to the need to ensure the water supplied to the laboratory areas is clean.

Infrastructure requirements

65. The supporting documentation states that any permission would be subject to the S106 legal agreement dated September 2007, which covered the access arrangements and service road.
66. With regards to public art, it is proposed that public art be provided as part of the development, either within or related to Babraham village. A contribution not exceeding £4,000 is suggested. This can be secured through a condition of any planning permission.

Environmental Impact Assessment

67. Prior to the submission of this application, the Council was asked to give a screening opinion as to whether the development was development requiring the submission of an Environmental Impact Assessment (EIA). After consideration of the issues relating to the proposed development, the Council issued a formal opinion confirming that the development was not considered to result in significant effects to the environment and that an EIA was not required.

Recommendation

68. Subject to the receipt of amended details to address concerns raised by the Environment Agency, and to the Secretary of State raising no objections to the proposal, delegated powers are sought to approve the application subject to the following conditions:
1. Approval of the details of the layout of the site, the scale and appearance of the dwelling, and the landscaping (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason – This application is in outline only.)

2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
(Reason – The application is in outline only).
3. The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.
(Reason – The application is in outline only.)
4. The development hereby permitted shall be carried out in accordance with the following approved plans: 101, 102, 103, 104, 110, 111, 112, 113, 114, 9770-500, 501, 602 and 603 Rev P1, 9770-D01 Rev P3, 9770-D02 Rev P2,
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
5. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), the buildings, hereby approved, shall not be used other than for biotechnology research and development within Class B1(b) 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 and re-enacting that Order.
(Reason – To accord with Local Development Framework Policy ET/1, which limits new employment to that which has a clear need to be located in the Cambridge Area)
6. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), the buildings, hereby approved, shall not be used for a period of ten years from the first date of occupation of each building for any purpose other than for research and development firms or organisations which can show a special need to be closely related to the biological research facilities at the Babraham Institute and for no other purpose 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 and re-enacting that Order.
(Reason – To accord with Local Development Framework Policy ET/1, which limits new employment to that which has a clear need to be located in the Cambridge Area)
7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any

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

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

9. No site clearance or building operations shall commence until tree protection has been erected on site in accordance with the details shown within the Arboricultural Implications Assessment and Method Statement dated September 2011. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) or hedges 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 and hedges which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
10. No development shall begin until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority; the dwellings shall not be occupied until the nest boxes have been provided in accordance with the approved scheme.
(Reason - To achieve biodiversity enhancement on the site in accordance with adopted Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
11. No development shall take place until a scheme for the provision and implementation of renewable energy technologies, to provide at least 10% of the predicted energy requirements through renewable energy technology, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
(Reason – To ensure that the scheme generates at least 10% of its energy from renewable sources in accordance with Policy NE/3 of the Local Development Framework 2007.)
12. No development shall take place until a water conservation strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
(Reason – To ensure that the development incorporates all practicable water conservation measures, in accordance with Policy NE/12 of the adopted Local Development Framework 2007.)
13. The finished floor levels of any building involved in the development must be set no lower than 24.50m above Ordnance Datum (AOD).
(Reason – To reduce the risk and impact of flooding on the proposed development and future occupants, in accordance with Policy NE/11 of the adopted Local Development Framework 2007.)

14. Prior to the commencement of any development, a scheme limiting the surface water run-off generated by the 1 in 100 year critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site 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 prevent flooding by ensuring a satisfactory storage of/disposal of surface water from the site in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
15. Prior to the commencement of any development, a scheme for the provision of compensatory flood storage on the site to a 1 in 100 year standard 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 prevent flooding elsewhere by ensuring that compensatory storage of floodwater is provided in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
16. Prior to the commencement of any development, a scheme for the identification and provision of safe routes into and out of the site to an appropriate safe haven 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 safe access and egress from and to the site in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
17. 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.)
18. 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.)
19. 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 minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)

20. Details of the location and type of any power driven plant or equipment, including equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the building(s) but excluding office equipment and vehicles and the location of the outlet from the building(s) of such plant or equipment, shall be submitted to and approved, in writing, by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions.
21. 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.)
22. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
23. If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority.

(Reason – To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)
24. No development shall begin until details of a scheme for the provision of public art, to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/6 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 a contribution is made towards public art in accordance with Policy SF/6 of the adopted Local Development Framework 2007)

25. No building shall be occupied until the Travel for Work Plan 2010-2015 has been implemented in accordance with the submitted details. The Plan shall thereafter be maintained in accordance with the approved details.
(Reason – To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/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 (LDF) Development Control Policies, adopted July 2007

South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007

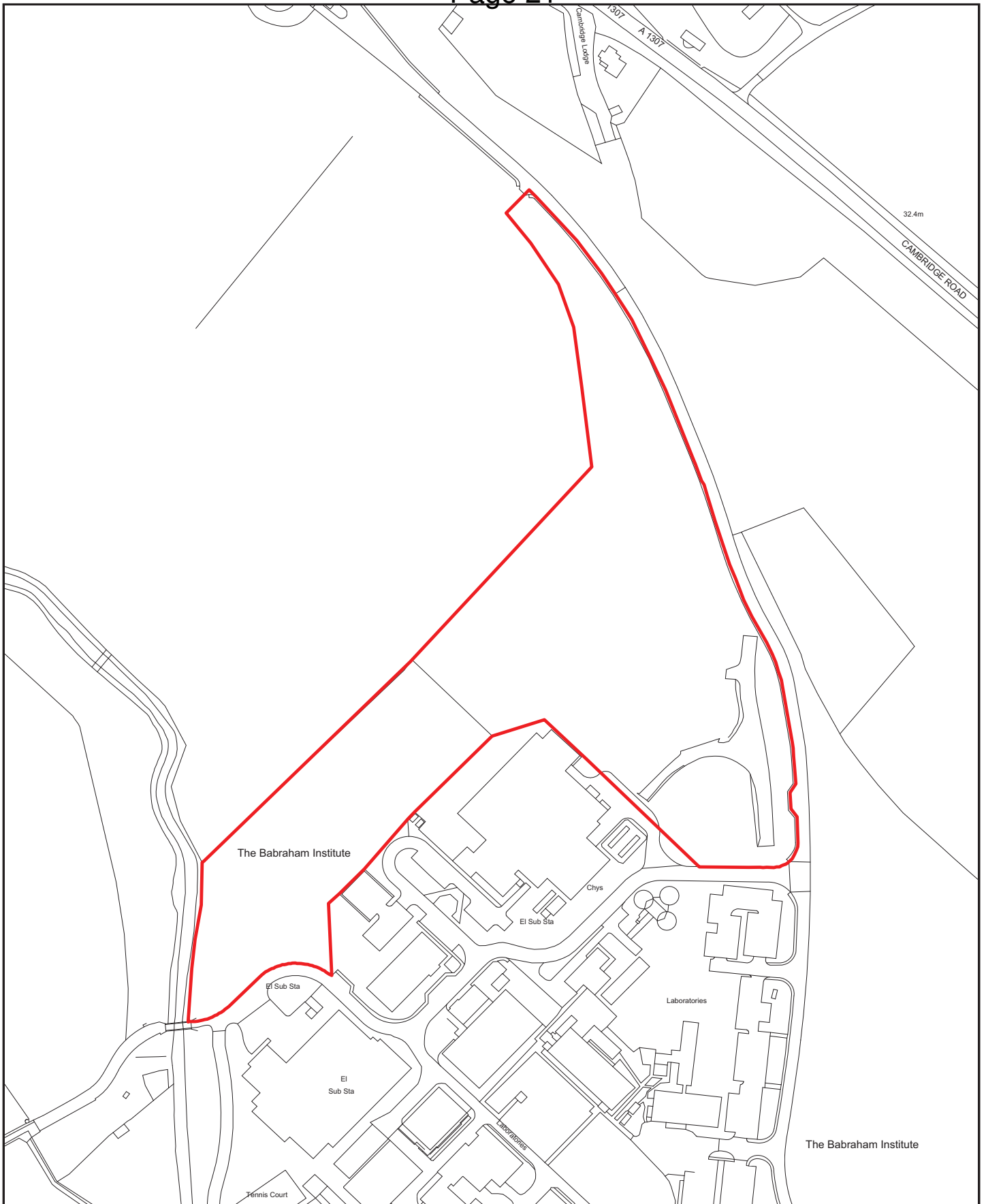
Supplementary Planning Documents:

Circular 05/2005 – Planning Obligations

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

Planning application references: S/2016/11, S/1402/06/F, S/0003/03/F and S/0195/99/O.

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



**South
Cambridgeshire
District Council**

Planning Dept - South Cambridgeshire DC



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 January 2012

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

S/2026/11 – WATERBEACH
Erection of Dwelling with Attached Cycle and Refuse Store –
Land Adj 12 Burgess Road for Miss T Webb**Recommendation: Approval****Date for Determination: 12 December 2012**

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

Site and Proposal

1. The site is located within the Waterbeach village framework. It currently forms an area of rough grass in a fenced off section within the rear garden to No. 45 Rosemary Road. The boundary adjacent No. 43 Rosemary Road has a low picket fence and the boundary with No. 12 Burgess Road has a low brick wall. The site lies in flood zone 1 (low risk).
2. Nos. 41 to 45 Rosemary Road form a terrace of two-storey cottages with long rear gardens and kitchen windows at ground floor level and no windows at first floor level in their rear elevations. No. 45 has a garage attached to the dwelling. No. 43 has a parking area adjacent the site with access on to Burgess Road. No. 12 Burgess Road is a two-storey semi-detached house that has two small ground floor secondary windows in its side elevation with a garage set back to the side and a driveway adjacent the site.
3. The proposal, as amended on 5th December, seeks the erection of detached, two-storey two bedroom dwelling with a single storey rear element. The main dwelling would be set back one metre from the road and the side elevations would project right up to both side boundaries. The dwelling would have width of 4.9 metres, a depth of 7 metres, and a height of 4.85 metres to the eaves and 7.2 metres to the ridge. A single storey, cycle and refuse store and small area of hardstanding would be provided to the front. A small garden would be provided to the rear that has an area of 48 square metres. The dwelling would be constructed from buff bricks for the walls and slate for the roof.

Planning History

4. Site: None relevant.
5. Adjacent Site: **S/2291/11** - Dwelling R/O 43 Rosemary Road - Pending Decision

Policies

6. **South Cambridgeshire LDF Core Strategy DPD, 2007:**
ST/5 Minor Rural Centres
7. **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
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
8. **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
Landscape in New Developments SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010

Consultations

9. **Waterbeach Parish Council** – Recommends refusal on the following grounds: -
 - The absence of any on-site parking will result in vehicles being parked on-street in a busy road where the carriageway is narrow;
 - The dwelling appears cramped in style and represents overdevelopment of the site; and,
 - The dwelling would have an adverse impact upon the neighbours of the adjoining dwelling.
10. **Local Highways Authority** – Requires conditions in relation to the provision of pedestrian visibility splays that measure 1.5 metres x 1.5 metres, that the drive is constructed using bound materials and with adequate surface water drainage measures. Also requests an informative with regards to the works to the public highway.
11. **Environmental Health Officer** – No reply (out of time).
12. **Trees and Landscape Officer** – Has no objections as the site is outside the conservation area and there are no significant trees on the site.
13. **Landscape Design Officer** – Has no objections but requests a landscape condition to achieve a planting bed to the front and details of hard surfaced materials.

Representations

14. The owner of **No. 43 Rosemary Road** is currently having plans drawn up for a dwelling on the adjacent site. She has no objections in principle to the development

but has concerns that the first floor bedroom window would overlook the patio area and the ground floor kitchen window would overlook the garden. Requests reassurance that if this application is approved with a kitchen window to the side elevation, it would not prevent her plans being approved. She notes that a high fence could be erected without planning permission.

15. The owners of **Nos. 5 and 5A Burgess Road** have concerns in relation to the absence of off road parking for this property and that if cars park outside the house it may obstruct access to the driveway and the flow of traffic along Burgess Road that is a narrow carriageway.

Planning Comments

16. The key issues to consider in the determination of this application are the principle of the development and the impacts upon the character and appearance of the area, the amenities of neighbours, and highway safety.

Principle of Development

17. The site is located within the village framework of a 'Minor Rural Centre' where there is a good range of services and facilities and residential developments of up to 30 dwellings are considered acceptable in principle subject to all other planning considerations.
18. The site measures 0.01175 of a hectare in area. The erection of one dwelling would equate to a density of 85 dwellings per hectare. This density would meet the requirement of at least 40 dwellings per hectare for sustainable villages such as Waterbeach as set out under Policy HG/1. Whilst it is acknowledged that it would result in a high-density development, it would make the most efficient use of land.
19. The proposal is not considered to result in piecemeal development. Although it is noted that the sites are situated side by side and a larger development would require infrastructure to make the scheme acceptable in planning terms, the sites are under different ownerships.

Character and Appearance of the Area

20. The proposed development is not considered to harm the character and appearance of the area. The southern side of Burgess Road has mainly two-storey dwellings that are set close to the road. The main element of the dwelling would be sited the same distance from the road as the adjacent dwelling at No. 12 Burgess Road and reflect the linear pattern of development in the vicinity. It would be two-storey in height and in keeping with the scale of dwellings in the locality. The dwelling would have a simple design similar to that opposite at No. 5 Burgess Road. It would be constructed from materials that are evident in the surrounding area.
21. Whilst it is noted that the dwelling would project right up to the side boundaries of the site, it is not considered to result in a cramped development as the area has a fairly high density of development and the comparable sized dwellings at Nos. 4c to 6b Burgess Road have a similar relationship to their surroundings.

Neighbour Amenity

22. The proposed dwelling is not considered to adversely affect neighbours through being unduly overbearing in mass or through a significant loss of light. It would be

orientated to the north and situated a distance of 6 metres off the boundary with No. 45 Rosemary Road and 13 metres from the kitchen window its rear elevation. This would comply with the window-to-building distance of 12 metres as set out in the District Design Guide. It would be orientated to the west of No. 12 Burgess Road and set 3.7 metres from the secondary windows in its side elevation and adjacent the driveway and garage. It would be orientated to the east of No. 43 Rosemary Road and situated adjacent its parking area.

23. The ground floor kitchen window in the side elevation of the dwelling would only overlook the parking area at the rear of No. 43 Rosemary Road, and the first floor bedroom window in the rear elevation would overlook the garden/ patio area at an oblique angle of view.
24. The originally proposed dwelling was considered to result in overlooking to the garden and window in the rear elevation to the neighbour at No. 45 Rosemary Road and lead to a severe loss of privacy to that property. The distance of 6 metres between the first floor bedroom/study window and the rear boundary and the distance of 16.5 metres between the first floor bedroom/study window and the kitchen window would fall short of the window to boundary distance of 15 metres and window to window distance of 25 metres as set out in the Council's District Design Guide SPD. Whilst it is noted that it would result in a similar relationship to the existing dwellings at Nos. 12 and 14 Burgess Road and No. 49 Rosemary Road, this is an historic situation that should not be exacerbated by non-compliance with current policy. Consequently, amended plans have been negotiated to provide a high level window to the bedroom in the rear elevation, and obscure glass to the bathroom window. This will therefore overcome any overlooking to No. 49 Rosemary Road.
25. A condition would be attached to any consent to ensure the first floor bathroom window in the rear elevation would be fixed shut and obscure glazed, and that no other first floor windows than those shown on the amended plans are inserted into this elevation in future.

Highway Safety

26. The erection of one dwelling would not result in a significant increase in traffic generation along Burgess Road.
27. The proposed dwelling would have no on-site parking. However, given that it would provide a small unit of accommodation within a sustainable village that has good access to public transport as a result of the railway station and bus routes, it would be situated in a central location with easy access to local services by walking and cycling, the Council's parking standards are maximum numbers required, and Burgess Road currently has unrestricted on-street parking, the proposal is, on balance, considered acceptable. The development is not considered to result in a significant level of on-street parking that would cause an obstruction to the free flow of traffic along Burgess Road and be detrimental to highway safety.
28. Cycle parking would be provided on site within a covered and secure store.
29. A condition in relation to the provision of pedestrian visibility splays is not required given that there would be no vehicular access. A condition would be attached in relation to the use of bound material and surface water drainage for the hardstanding.

Other Matters

30. The proposal would not increase the risk of flooding to the site and surrounding area subject to satisfactory methods of surface water drainage.
31. A landscape condition would be attached to any consent to agree some planting at the front of the dwelling to soften the development.
32. The South Cambridgeshire Recreation Study 2005 identified a shortfall of sport and play space within Waterbeach. No open space is shown within the development. The increase in demand for sport and playspace as a result of the development requires a financial contribution of approximately £2,244.90 (index linked) towards the provision and management of open space off-site and in the village to comply with Policy SF/10 of the LDF. This would be secured via a legal agreement that would be a condition of any consent. The applicant has agreed to this contribution.
33. The South Cambridgeshire Community Facilities Assessment 2009 did not audit indoor community space in Waterbeach. However, due to the increase in the demand for the use of this space from the development, a financial contribution of £378.88 (index-linked) is sought towards the provision of new facilities or the improvement of existing facilities in order to comply with Policy DP/4 of the LDF. This would be secured via a legal agreement that would be a condition of any planning consent. The applicant has agreed to this contribution.
34. South Cambridgeshire District Council has adopted the RECAP Waste Management Design Guide. In accordance with the guide, developers are requested to provide for 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 agent has confirmed that the applicant would be willing to contribute towards this request.

Conclusion

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

Decision

36. Approve, as amended by plan stamped 5 December 2011, subject to the following conditions:
 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 1A and 2.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. The first floor bathroom window in the rear elevation of the dwelling shall be fixed shut (apart from any top-hung opening light) and glazed with obscure glass and thereafter maintained as such.
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 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 any elevation 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. 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. 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.)
8. No development shall begin until details of a scheme for the provision of outdoor sport and playspace, indoor community facilities, and waste receptacles 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.

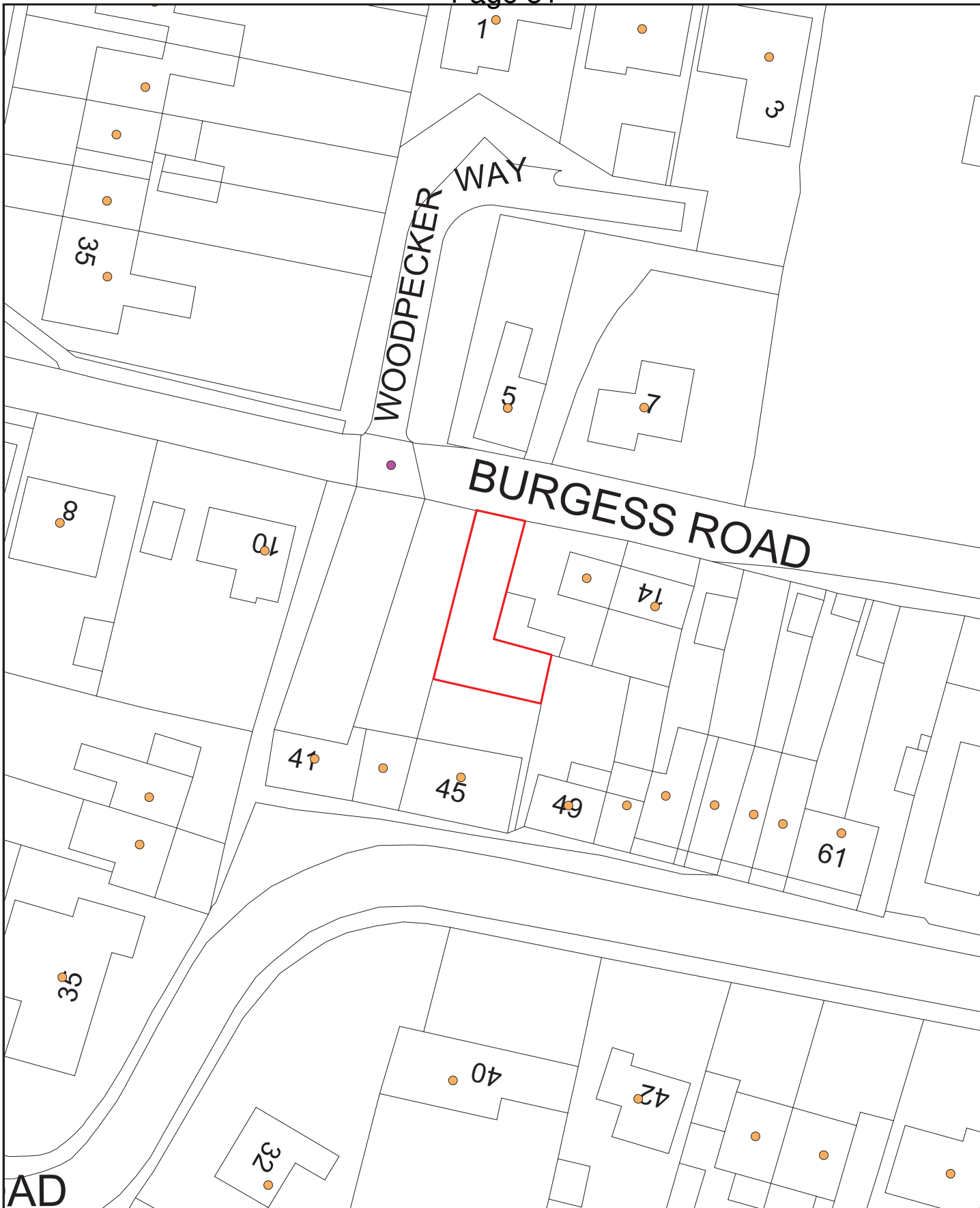
(Reason - To ensure that the development contributes towards outdoor sport and playspace, indoor community facilities, and waste receptacles in accordance with the above-mentioned Policies SF/10 and DP/4 of the adopted Local Development Framework 2007.)

Informatives

1. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
2. See attached Environment Agency advice regarding soakaways.

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

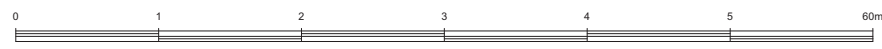
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 11 January 2012
AUTHOR/S: Executive Director (Operational Services) / Corporate Manager - Planning and New Communities

S/2183/11 - COTTENHAM

Outline application for erection of one and a half storey dwelling together with formation of new access to the existing dwelling – 88 Rampton Road, Cottenham, Cambridge for Mr & Mrs Bainbridge

Recommendation: Approval

Date for Determination: 3rd January 2012

Notes:

This Application has been reported to the Planning Committee for determination as the Officer recommendation is contrary to the response of Cottenham Parish Council, and also at the request of District Councillor Edwards

Site and Proposal

1. No.88 Rampton Road is occupied by a detached two-storey Edwardian villa comprising red brick walls under a slate roof. The property is located inside the Cottenham village framework, with the framework boundary running along the north-western edge of the site. Within the curtilage of the dwelling, and located adjacent to the south-eastern boundary, is a detached flat-roofed double garage. There is a mature tree and hedge line bordering the road. Beyond the south-eastern boundary is a further detached Edwardian villa, No.84 Rampton Road, whilst to the north-east/rear is a detached bungalow, No.1 Manse Drive. Adjacent to this property and to the rear of Nos. 82 and 84 Rampton Road is a Grade II listed water tower that has been converted to a dwelling. The application site extends to 0.07 hectares and encompasses the land on the east side of the dwelling (namely between Nos. 88 and 84 Rampton Road) as well as to the front of the existing property.
2. The outline application, registered on 8th November 2011, proposes the erection of a one-and-a-half-storey dwelling on land to the south-east side of No.88 Rampton Road, together with the formation of a new access to the existing dwelling. All matters, other than the means of access, are reserved for further consideration. The application includes illustrative layout and block plans. These indicate the dwelling would be sited gable end to the road (following the demolition of the existing garage) and set approximately 12m back from the front boundary, 2.4m from the south-eastern elevation of No.88 and 6.6m (at its nearest point) to No.84 Rampton Road. The dwelling is shown with a rectangular form (measuring 6.1m wide x 11.4m deep), with a maximum ridge height of 7m and eaves height of no more than 4.5m. The proposed dwelling would be accessed via the existing vehicular access, with the illustrative block plan indicating that parking would be provided to the south-east side of the property and turning to the front. To compensate for the loss of No.88 Rampton Road's existing access, the application proposes the formation of a new vehicular

access to serve the existing dwelling. The proposed means of access would be located to the front of the existing property, in the south-western corner of the site, and two parking spaces and a turning area provided in the front garden of No.88.

3. The application has been accompanied by a Design and Access Statement. This explains that the new dwelling would be a two or three bedroom property, and could be modelled on an Edwardian coach house. It is intended that first floor bedrooms would be built into the roof slope, and that windows to bedrooms would be built into the gable ends, with any first floor windows facing the side boundaries being positioned at a high level and serving non-habitable rooms. The suggested building materials are red brick walls, tiled roof and white painted timber joinery. The statement also recommends that solar panels be considered on the south east elevation.
4. The application is also supported by a Tree Constraints and Protection Plan. This proposes the removal of two trees (both category C trees) in order to enable the construction of the new driveway. The remaining trees along the front boundary are shown for retention and a section of the proposed new driveway would be of no-dig construction.

Planning History

5. S/1418/11 – A full application for the erection of a dwelling and formation of new access to the existing dwelling was withdrawn. Officers had intended to refuse the application on the basis that it failed to address and overcome the reasons for refusal of application reference S/0998/10/F (see paragraph 7 below for further details).
6. S/1767/10 – Application for a dwelling withdrawn prior to validation.
7. S0998/10/F – A full application for the erection of a dwelling on land to the south-east of 88 Rampton Road and a new access to the existing dwelling was refused at Planning Committee in September 2010, against Officer recommendation, for the following reasons:
 1. The proposed dwelling, by virtue of its height, mass and proximity to the southeast side boundary, was considered to appear unduly dominant and overbearing in the outlook from, and to adversely affect daylight to, a large kitchen window of the neighbouring property, No.84 Rampton Road. The unacceptable adverse impact on the residential amenities of No.84 was deemed to be contrary to Policy DP/3.
 2. Properties in the locality have the character of 19th century farmhouses or villas. The proposed dwelling, by virtue of its unsympathetic fenestration design on the front elevation, was not considered to respect the strong characteristic of the villa type buildings in Cottenham and to be visually unattractive in the street scene. The harmful impact on the character of the area was considered to be contrary to Policies DP/2 and DP/3, to the District Design Guide, and to the Cottenham Village Design Statement.
8. S/2367/01/O – Outline application for a dwelling, with all matters reserved, was approved subject to a number of conditions, including a requirement for a maximum height of 7m, and for obscure glazed first floor windows in the north-east elevation.
9. S/1132/92/F – Extension to No.88 – approved.
10. S/0091/90/F – Full planning application for a dwelling – approved.

11. S/0356/88/O – Outline application for a dwelling – approved.
12. S/0343/79/O – Outline application for a dwelling – refused.

Planning Policy

13. South Cambridgeshire LDF Core Strategy DPD, 2007:
ST/5: Minor Rural Centres
 14. 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/6: Construction Methods
DP/7: Development Frameworks
HG/1: Density
SF/10: Outdoor Playspace, Informal Open Space and New Developments
SF/11: Open Space Standards
NE/1: Energy Efficiency
NE/6: Biodiversity
NE/15: Noise Pollution
CH/4: Development Within the Curtilage or Setting of a Listed Building
TR/1: Planning for More Sustainable Travel
TR/2: Car and Cycle Parking Standards
 15. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
Cottenham Village Design Statement -Adopted November 2007
Open Space in New Developments – Adopted January 2009
Trees and Development Sites – Adopted January 2009
Biodiversity – Adopted July 2009
Landscape in New Developments – Adopted March 2010
District Design Guide – Adopted March 2010
 16. Circular 11/95 (The Use of Conditions in Planning Permissions) - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
 17. Circular 05/2005 (Planning Obligations) - Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.
- ### **Consultations**
18. **Cottenham Parish Council** – Recommends refusal. It quotes the reasons for refusal of application reference S/0998/10, and comments as follows:

“A further application S/1418/11 was withdrawn, no doubt due to the fact that this application had not fully addressed the reasons for refusal for application S/0998/10. Cottenham Parish Council recommended Refusal for application S/1418/11 on the following grounds:

1. Whilst this application has tried to abide by advice given by planning officers Cottenham Parish Council does not believe that significant changes have been made to the previous application, S/0998/10. The proposed reduction in height of the proposed dwelling and the introduction of a hip roof are insufficient to overcome the reasons for refusal made on the previous application.
2. This application may well see the proposed dwelling located further away from the boundary but any gain from this move has been negated as the proposed dwelling is now located nearer to the property at 84 Rampton Road leading to a direct loss of light for this property.
3. In addition this proposed dwelling would lead to a loss of light and privacy for 1 Manse Drive, the overbearing mass of the proposed dwelling would also adversely affect the amenity of this single storey building.
4. In view of the 2011 amendment to PPS3, and the exclusion of gardens from the previous definition of 'brown land', CPC believes it would be prudent of SCDC to give greater weight to the following sub-clauses (of its/general local planning authorities policy) hitherto hampered by the brown-land definition. Therefore applications should be rejected if they:
 - a) have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
 - b) provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
 - c) detract from the prevailing character and appearance of the area;
 - d) adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site;
 - e) adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and
 - f) prejudice the comprehensive development of the wider area of which the site forms part.

Cottenham Parish Council believes that this proposed development would be in direct contradiction to these amendments, in particular points a, b, c, d and e.
5. Cottenham Parish Council would also state that this proposed application is contrary to Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document as due to its height, mass and proximity to the southeast boundary, it is of an overbearing, dominant nature which adversely affects the daylight for the neighbouring properties, 84 Rampton Road and 1 Manse Drive, it would equally adversely affect the property at 88 Rampton Road. It would also be contrary to Policy DP/2 which requires a high standard of design which responds to the local character of the built environment for all new developments, the proposed dwelling does not reflect the neighbouring properties and therefore would be visually unattractive in the street scene, indeed Policy DP/3 states that there should be resistance to any proposed dwelling that would have an adverse impact upon village character.

Cottenham Parish Council consider that these reasons still stand for any application for outline planning permission, indeed they highlight the very real concerns that Cottenham Parish Council have in regard to this new application. An outline planning application, by its very nature, does not require any details on height/mass or proximity to neighbouring properties, nor does it require any details of the design of the proposed development. The very fact that this development has not been able to

obtain full planning permission for development is that these details could not be amended sufficiently to meet the requirements of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007. Indeed concerns have been raised that the size of the plot for which permission is being sought is too small to adequately contain any dwelling of any size that would not have some adverse affect on the amenity of neighbouring properties.

To give this application permission for outline planning would, in the opinion of the Parish Council, be a retrospective step. The applicant has tried to obtain full permission and has failed to do so any further applications should only be for full planning permission with all the required information submitted for consideration.

In conclusion Cottenham Parish Council would ask that if planning officers were minded to approve this application that this application is put before the Planning Committee for consideration.”

19. **The Trees Officer** – States that the trees are not afforded any statutory protection. However, their retention is desirable due to the screening effect and their setting within the street scene. No objections providing the trees are protected in accordance with the submitted details.
20. **The Landscape Design Officer** – Raises no objections, stating that this is a better design than those previously proposed as it leaves more breathing space between the new dwelling and No.84. The boundary hedge and trees in the front garden to be retained should be protected during construction given their importance on the street frontage. No further landscaping details are required providing the planting areas shown around the house are confirmed to have a soil depth of at least 450mm. Details of the no dig gravel should be supplied.
21. **The Conservation Manager** – Has not been consulted on the current proposal. In response to application reference S/0998/10/F, the Conservation Manager advised that the only designated historic environment near the site is Tower Mill, a Grade II listed converted windmill, a tall dominant structure, more independent of its setting than normal for a historic building. The proposal was considered to have little impact on its setting and, whilst the effect of that design on the Edwardian villas south of and including No.88 was considered to be regrettable, there were deemed to be insufficient grounds to justify a refusal in Conservation terms.
22. **The Ecology Officer** - Has not been consulted on the current application, but previously commented, in response to application reference S/0998/10/F that, following an inspection of the inside and outside of the garage, bats were not believed to be present. As such, it was concluded that no further information would be required to support the application in relation to bats.
23. **The Environmental Health Officer** – Expresses concern that problems could arise from noise during the construction period, and suggests that conditions controlling the hours of use of power operated machinery during the construction period, and requiring details of any driven pile foundations, be added to any planning permission.
24. **The Local Highways Authority** – No response received to date. Raised no, in principle, objections to the previous applications subject to the provision of 2m x 2m visibility splays, adequate on-site turning for the new dwelling, removal of permitted development rights for gates, construction of new access before occupation of the new dwelling, construction of new access with adequate drainage, and no unbound material to be used within 6m of highway boundary.

25. ***The Cottenham Village Design Group*** – Raises no objections, stating that it has previously commented on a number of proposals for this site, and that the last comments made are still applicable. In these comments, the Design Group stated that the design of the dwelling and materials proposed are far from typical of Cottenham in general. However, they do echo the design of the buildings in the immediate vicinity and the proposal is therefore considered to be acceptable. The proposed retention of the majority of the hedge and tree boundary to the road is also supported.
26. ***The Old West Internal Drainage Board*** – Raises no objections

Representations

27. Letters of objection have been received from residents of Nos.82 and 84 Rampton Road, No.1 Manse Drive, 10A Telegraph Street and 15B Lyles Road. The main points raised are:
- It is unacceptable for an outline application to be submitted without all Reserved Matters being determined at the same time. Any application should provide enough detail to demonstrate how the principle of development can be achieved and, due to the size of the plot and proximity to neighbouring properties, this can only be judged if all reserved matters are considered as part of the application.
 - There is a recent history of unsuccessful full planning applications (S/0998/10/F, S/1767/10 and S/1418/11) that have not been able to demonstrate the principle of development on this plot. The first application quoted was unanimously declined by the Planning Committee, the second withdrawn as insufficient details were provided and the third withdrawn after the planning department has advised the applicants they were minded to decline without a substantial re-design.
 - The previously proposed designs were considered to be out of keeping with adjacent properties due to their style and cramped location.
 - There is a legal right for planning authorities to request information on Reserved Matters within Article 4(2) of the Development Management Procedure Order 2010. The Development Control Practice guide states information on Reserved Matters should be sought when such information is deemed necessary to determine the application. In practice, such circumstance have normally been where a development is proposed in a visually sensitive or physically restricted situation where there is room for doubt that a development can be designed that would be acceptable. The earlier applications demonstrate that the site is visually sensitive and physically restricted.
 - The proposed plot is not considered to be large enough to accommodate a new dwelling without resulting in a cramped form of development that would spoil the character of the area and the currently open setting of the adjacent Edwardian villas.
 - The submitted illustrative information fails to address the reasons for refusal, and intended reasons for refusal, of application references S/0998/10/F and S/1418/11 respectively.
 - The illustrative layout indicates there would be an entrance door and two windows in the side facing No.84, resulting in a loss of privacy due to overlooking

of a habitable room in the side elevation of No.84. This would be contrary to para. 6.68 of the District Design Guide.

- The proposed first floor rear windows indicated in the illustrative plans would overlook the main living areas and garden of No.1 Manse Drive.
- The dwelling location shown in the illustrative plans would result in a loss of amenity to No.88 Rampton Road. It would be overbearing in the outlook from windows in the adjacent single-storey room and result in a loss of sunlight from the south-east.
- As the siting is not proposed at this stage, it is not possible to assess the loss of light to No.84.
- It is doubtful as to whether all cars would be able to enter and leave the site in forward gear.
- There is no indication of how the development could fit in the street scene. Turning the development 90 degrees to the road would be out of keeping with adjacent forward facing properties and would not match the style of the pair of adjacent detached Edwardian villas.
- Applications approved in 1990 and 2001 are old, have expired and are of no value. The plot has since become narrower through the addition of a side extension to No.88.
- The proposed means of access does not relate to the new development and it is therefore questioned whether this is valid or appropriate to the application.
- The proposed new entrance would be near to a curve in the road, and result in highway safety problems.
- The development would result in the loss of trees to the detriment of the character of the area.
- Garden grabbing – there is a growing body of cases, following the revision to PPS3 and downgrading of garden land from brown field status, where appeal inspectors have declined applications to build on garden land where there is: a significant adverse impact on the amenities of neighbouring properties; or an adverse impact on the character of the area. This includes:
 - a) A site in Wellingborough that had a lapsed outline permission for a dwelling, with the appeal being dismissed as the appeal site comprised garden land that there is no longer a priority to develop.
 - b) A site in Barking was dismissed at appeal as a parcel of backland garden was deemed to be worthy of retention in its own right, in the interests of the character and appearance of the area and amenities of adjoining residents.
 - c) A proposed plot in Gloucester where development of a garden was considered to harm the suburban garden character of the immediate locality.
 - d) Proposed residential development of backland gardens in Redhill dismissed at appeal due to the impact on the character of the area. The Inspector referred to the revisions to PPS3, stating they did not preclude development of garden land, but represented a change of emphasis in national policy, by giving local

authorities the freedom to prevent overdevelopment of neighbourhoods and garden grabbing.

28. District Councillor Edwards requests that the application be referred to the Planning Committee for determination, stating:

“There are serious questions regarding the principle of development on this site, and I am particularly concerned about site access, and the impact on the surrounding area in terms of the nature of development. I think that the detrimental impact on the amenity of the neighbouring properties and the overall impact on the aspect of Rampton Road merits this going to Planning Committee.”

Planning Comments

Principle of the development

29. Cottenham is identified within Policy ST/5 of the Core Strategy as a Minor Rural Centre. In such settlements, development and redevelopment, up to a maximum scheme size of 30 dwellings, is acceptable in principle on sites within village frameworks.
30. The proposed development equates to a density of approximately 25 dwellings per hectare. Policy HG/1 of the Local Development Framework requires new residential developments to achieve a minimum density of 30 dwellings per hectare, unless material considerations indicate a different density of development would be more appropriate. This wording reflects the change in emphasis following the revisions to PPS3 and the removal of garden land from the definition of ‘brownfield’ land. Policy HG/1 used to only permit lower densities of development if there was exceptional justification for such an approach, but the word ‘exceptional’ has since been removed from the policy wording.
31. In the representations received, concern has been expressed that the proposed development represents ‘garden grabbing’, and that this has been dismissed at appeal on numerous occasions. In one of the decisions quoted, an Inspector specifically notes that the changes to PPS3 do not preclude the principle of development of garden land. This is an important point and it must be stressed that the revisions to PPS3 were designed to ensure authorities did not feel compelled to approve schemes, in the interests of making the best use of land, that would otherwise be considered unacceptable when judged against material planning criteria. This case, as well as the other appeal decisions referred to, were dismissed due to the harm to the character and residential amenities of the area and it is against these criteria (as well as other material planning considerations) that the current application must be judged.

Impact on the character of the area

32. Application reference S/0998/10/F, which proposed the erection of a detached dwelling on the site, was refused due to its impact on the character of the area and upon the amenities of No.84 Rampton Road, whilst a subsequent revised scheme was withdrawn following Officers intent to refuse the scheme on the same grounds. The current application is in outline form, with only details of the means of access provided, and all other matters (namely siting, design, external appearance and landscaping) reserved for further consideration.

33. Strong concerns have been raised by the Parish Council and local residents regarding the appropriateness of an outline application in this instance, bearing in mind the recent planning history relating to the site. The Town and Country Planning (Development Management Procedure) Order 2010 states that, if a planning authority is of the opinion that an application ought not to be considered separately from all or any of the reserved matters, they must notify the applicant of the additional details required within one month. The relevant circular requires applications to include, as a minimum, information relating to the use, amount of development, indicative layout, scale parameters, indicative access points, and a Design and Access Statement. This required information has been provided in this instance. The guidance makes it clear that it is only in particularly visually sensitive locations, such as within the Conservation Area or setting of a Listed Building, where outline applications will not normally be appropriate. This site is not subject to such designations and, whilst recent applications have failed to find an acceptable solution to the development of the land, this does not automatically imply a need to provide full details in order to establish whether the principle of development is acceptable. It should be stressed that an outline application is the first part of a two-stage process in obtaining planning permission, with the detail not included at outline stage having to form part of a subsequent application (the reserved matters).
34. As referred to within the planning history section of this report, the principle of erecting a dwelling on this site has previously been accepted, through the granting of outline permission reference S/2367/01/O. The single storey extension on the south-east side of No.88 had previously been approved under a 1992 consent and, according to the drawing submitted with application reference S/2367/01/O, existed at the time this application was approved. The approved outline site was therefore the same size as that proposed in the current application. Whilst the Local Development Framework 2007 has been adopted in the meantime, there has been no significant change in the policy status or criteria affecting the site. The land lies inside the village framework and is not located within the village Conservation Area, both of which were applicable at the time of the 2002 outline approval.
35. In September 2010, a full application for the erection of a detached dwelling on this site was refused at Planning Committee. This application proposed a 7m high chalet-style house with a hipped roof front projection, low eaves, and sloping roofs to the front and rear, a design virtually identical in appearance to the dwelling at No.82 Rampton Road. One of the reasons for refusal related to the fact that the design and detailing of the dwelling was deemed to be unsympathetic to the character of the area. However, this proposal was not refused on the grounds that the principle of developing the plot was considered to be unacceptable, rather it was the specific design put forward that was deemed to be harmful.
36. The proposed plot of land measures approximately 37 metres in depth x 12 metres in width. No.84 occupies a plot measuring approximately 45m x 20m, whilst No.82 sits on a small tapering plot that measures around 38m in depth x 6m at the frontage and increasing in width to around 14m at the rear. Nos. 80-84 Rampton Road represent quite a cramped form of development, with limited gaps to either side of No.82, whilst development at the rear is characterised by large bungalows within small plots. The subdivision of the existing site to create a building plot would result in both the proposed site, and the remaining land at No.88, being comparable in size to plots in the immediate vicinity of the site.
37. Whilst all matters other than access are reserved for further consideration, the application does include an illustrative layout plan that indicates how a dwelling may be accommodated on the site. Both Nos. 84 and 88 are set back from the road

frontage. The illustrative block plan shows a proposed dwelling sited around 12 metres back from the front of the plot, to achieve a gentle stagger in the building line between the two adjacent dwellings, with a gap of 2.5m to the adjacent single-storey element of No.88, approximately 7m to the flank two-storey wall of No.84, and a rear garden depth of 14-16 metres. The illustrative block plan demonstrates that it would be possible to erect a modest dwelling on the site whilst maintaining gaps to both sides in order to ensure development would not appear overly cramped within the street scene.

38. Under application reference S1418/11, the revisions made to the design of the dwelling were considered too minor to overcome the previous reasons for refusal. At the time, Officers suggested that a more appropriate form of development could be designed to look like a traditional outbuilding/Edwardian coach house, with a narrow span, sited near to the boundary with No.88, and possibly extending along the bend in the site. The submitted illustrative layout accords with this advice. As pointed out within responses received, this layout indicates that the dwelling would be sited gable end to the road, with its principal elevation facing towards No.84. There is a wide variety of building heights, styles and forms in the immediate area, and there are some instances, including on the opposite side of the road to the site, where gables face the road. This design approach is not therefore considered to result in incongruous form of development. However, dwellings in the area do front the street and it would be important that any property on this site also does the same, which may mean needing to add more presence to the appearance of the front gable. This is a detailed design matter that could be addressed at the reserved matters stage.
39. The Old Water Tower is a Grade II Listed Building sited around 15m away from the rear boundary of the site. The Conservation Manager has previously commented that development of this site would not affect the setting of this building.

Residential amenity issues

40. Application reference S/0998/10/F was partly refused due to the harmful impact upon the amenities of No.84 Rampton Road. No.84 has a ground floor kitchen window in its side elevation and the application proposed to construct a 7m high dwelling in a position just 2m away from this window. Following a site visit by Members, the kitchen served by this window was considered to constitute a habitable room and the impact of the proposed dwelling deemed unacceptable by reason of its dominant and overbearing nature, and loss of daylight to the affected window.
41. The illustrative drawings submitted with the current application indicate a dwelling with a maximum 7m ridge height and with low, maximum 4.5m high, eaves, set in a position around 7m away from No.84's kitchen window. As the ridge line is indicated as running parallel to the side boundaries, the highest element would therefore be some 10m away from No.84's kitchen window. Guidance issued by the Building Research Establishment in 1992 stipulates that development should not encroach into a 25-degree line drawn from a height of 2 metres from an affected window. Using these criteria, it is apparent that it would be possible to erect a one-and-a-half-storey dwelling on this site whilst ensuring that the amenities of occupants of No.84 would not be seriously compromised by reason of a loss of light or outlook.
42. Concerns have been raised regarding the impact of the dwelling shown in the illustrative plans upon the existing property at No.88. The nearest part of No.88 is a single-storey element that comprises a study served by window openings to the front and rear. The dwelling in the illustrative layout would not encroach into a 45-degree angle drawn from the centre point of both windows. It is therefore considered that

there is sufficient space to accommodate a dwelling on this site in principle without compromising the amenities of occupiers of the existing house.

43. Objections have also been raised on the basis that the illustrative drawings show a bedroom window in the rear elevation, which would result in an unacceptable loss of amenity to No.1 Manse Drive to the rear, by reason of overlooking. The nearest part of this adjoining property, as shown on the block plan, is sited around 16m away from the indicative rear elevation. However, this is a blank gable wall. No.1 Manse Drive is an L-shaped property with its principal windows being sited 11.4m from the boundary. As such, providing any first floor windows would be positioned at least 14 metres away from the rear boundary of the site, the plot could comfortably accommodate a one-and-a-half-storey property without resulting in an unacceptable level of overlooking of the adjacent property to the rear.
44. If any dwelling on this site was designed with a front/rear aspect, any first floor windows in the side elevation could be fixed shut and obscure glazed, or high level openings (as indicated in the supporting Design and Access Statement), in order to prevent overlooking of Nos. 84 and 88. Concerns regarding the impact of ground floor openings could be resolved through the construction of appropriate boundary treatments.
45. With regards to the amenities that would be enjoyed by future occupiers of the proposed dwelling, the adopted District Design Guide recommends a two-bedroom house in a rural setting to have a private garden space of 50m², whilst 80m² is recommended for three-bedroom properties. The rear garden size indicated in the illustrative drawings extends to more than 150m², a figure that far exceeds the recommended guidelines.
46. The Environmental Health Officer has recommended that conditions be added to any consent to protect residents from noise during the construction period. Controlling hours of use of power-operated machinery is a standard requirement and it is recommended that this condition be imposed. However, the requirement for driven pile foundations is more appropriately covered through an informative of any planning consent.

Highway safety

47. Rampton Road is a classified road that is subject to a 30mph speed limit. It is proposed that the existing access would be used by the new dwelling. To compensate for this, a new means of vehicular access would be provided to the front of the existing dwelling. Whilst the Highways Authority has not responded to date, it has previously indicated that it has no objections to the proposal subject to 2m x 2m visibility splays being provided on each side of the new access (these are shown on the submitted drawing) and to sufficient space being provided within the curtilage of each property for parking and turning. A condition should be added to any consent requiring the provision of the new access (including visibility splays), parking and turning areas for the existing property prior to occupation of the new dwelling. Conditions relating to parking and turning for the proposed new dwelling are matters that relate to the layout of the site and should therefore be imposed at the reserved matters stage.

Ecology and landscape issues

48. The proposal would involve the demolition of the existing garage. The Council's Ecology Officer has previously visited the site and found no evidence of the presence

of bats. The development is not therefore considered to have significant impacts upon ecology and wildlife interests.

49. The new access would involve the removal of a section of existing hedgerow along the front boundary. The loss of a part of the front boundary hedge is not considered to cause significant harm to the character of the area whilst the Trees Officer is satisfied that the development can be accommodated on site without comprising existing trees.

Infrastructure

50. The proposal would result in the need for financial contributions towards the provision and maintenance of open space, towards indoor community facilities and household waste receptacles in accordance with the requirements of Policies DP/4, SF/10 and SF/11 of the Local Development Framework. The level of contribution would depend upon the number of bedrooms proposed and could not therefore be calculated until the submission of a reserved matters application. However, a condition to secure such contributions would be necessary as part of any outline permission. The applicants' agent has confirmed, in writing, the clients' agreement to such payments.

Recommendation

51. Approval:
1. Approval of the details of the layout of the site, the scale and appearance of the dwelling, and the landscaping (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason – This application is in outline only.)
 2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
(Reason – The application is in outline only).
 3. The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.
(Reason – The application is in outline only.)
 4. The development hereby permitted shall be carried out in accordance with the following approved plans: 369/7A (the means of access, parking and turning areas to the front of the new dwelling only) and Tree Constraints and Protection Plan dated Oct 2011.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
 5. The layout, block plan and floor plan details of the new dwelling indicated on drawing number 369/7A are for illustrative purposes only.
(Reason – The application is in outline only).
 6. The proposed new access shall be constructed using a 'no-dig' method, in accordance with the details shown within the Tree Constraints and Protection Plan' dated Oct 2011.

(Reason - To protect the hedge and trees which are to be retained in order to preserve the visual amenities of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

7. The existing hedge on the front boundary of the site and trees identified for retention within the Tree Constraints and Protection Plan dated Oct 2011 shall be retained except at the point of access; and any trees or shrubs which, within a period of five years from the completion of the development or the occupation of the buildings, whichever is the sooner, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

(Reason - To protect the hedge and trees which are to be retained in order to preserve the visual amenities of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

8. No development shall commence until a scheme for the protection of the front boundary hedge and trees during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

(Reason - To protect the hedge and trees which are to be retained in order to preserve the visual amenities of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

9. No development shall begin until details of a scheme for the provision of recreational, community facilities, and household waste receptacles infrastructure, to meet the needs of the development in accordance with adopted Local Development Framework Policies DP/4, SF/10 and SF/11 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 adequate infrastructure is available to support the development in accordance with Policies DP/4, SF/10 and SF/11 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009)

10. Visibility splays shall be provided on both sides of the proposed new 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.)

11. The new dwelling, hereby permitted, shall not be occupied until the proposed new vehicular access, and parking and turning areas for the existing dwelling, have been provided in accordance with the details shown within drawing number 369/7A. The access, parking and turning areas shall thereafter be retained in accordance with the approved details.

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

12. No gates shall be erected across the new vehicular access and existing access.
- (Reason – In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

13. During the period of demolition and construction, no power operated machinery shall be operated on the site before 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 minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)

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

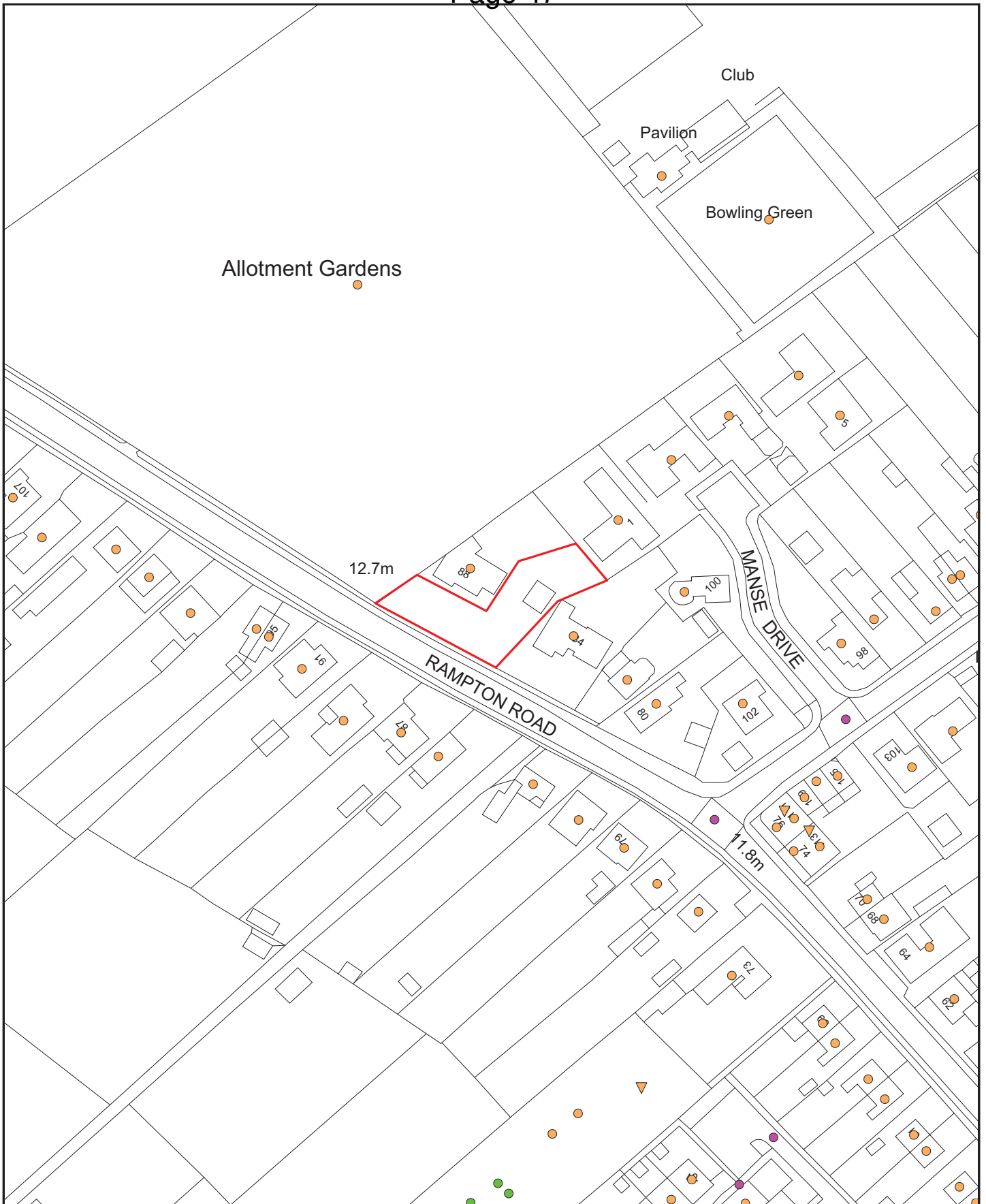
South Cambridgeshire Local Development Framework (LDF) 2007

Circular 05/2005 – Planning Obligations

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

Planning application references: 2183/11, 1767/11, 0998/10/F, S/2367/01/O, S/1132/92/F, S/0091/90/F, S/0356/88/O, S/0343/79/O.

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



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Time of plot: 10:14

Date of plot: 21/12/2011

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 11 January 2012
AUTHOR/S: Executive Director (Operational Services) / Corporate Manager - Planning and New Communities

S/1725/11 – ICKLETON
Erection of Dwelling at Land to the West of 20 Church Street
for Heddon Management Ltd.

Recommendation: Approval

Date for Determination: 25th October 2011

Notes:

Members will visit the site on Tuesday 10th January 2012

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

Site and Proposal

1. The site is located within the Ickleton village framework and conservation area. It is a triangular shaped plot that measures approximately 0.05 of a hectare in area. The site currently comprises an area of rough grass that has a number of trees around the perimeter. The land levels rise to the north. A public footpath runs along the north eastern boundary. The site lies within flood zone 1 (low risk).
2. An electricity substation is situated immediately to the east of the site. It is surrounded by high fencing. No. 20 Church Street is a detached, two-storey, render and plain tile listed building that lies to the south east. It has a high curtilage listed flint wall along the boundary with the site and first floor kitchen, bathroom and landing windows in its rear elevation. No. 1 Frogge Street is a detached, two and a half storey, render and plain tile listed building that lies to the south west. It has a high fence along its rear boundary. No. 28 Church Street is a one and a half storey, render and slate dwelling that lies to the west. It has a ground floor kitchen window in its side elevation and ground lounge patio doors and a first floor bedroom window in its rear elevation. A low fence and trees align the boundary with the site. No. 10 Butchers Hill is a detached, one and a half storey, weatherboard and plain tile dwelling that lies to the north. It is set at an elevated level and has sitting room and bedroom windows in its rear elevation and its main sitting out area adjacent the southern boundary wall.
3. This full planning application, received 26th August 2011, as amended 28th November 2011, seeks the erection of a part two-storey and part single storey L shaped dwelling along the north western and south western site boundaries. It would be set below existing ground levels and have a maximum height of 5.8 metres. The building would have a contemporary design with two monopitch elements of different heights separated by a link. The materials of construction would be vertical timber cladding above a brick plinth for the walls and sedum for the roofs. The accommodation would have four bedrooms. Two parking spaces would be provided on the driveway. The existing Walnut and fruit trees in the south eastern corner of the site would be retained. The remaining trees would be removed. Three new trees and a laurel hedge would be planted on the south western boundary of the site, two new trees would be

planted on the north /north eastern boundary of the site, and one new tree would be planted within the courtyard amenity area.

Planning History

4. Planning permission was refused for a dwelling on the site under reference **S/2123/08/F**. The proposal was considered to damage the setting of the listed building at No. 20 Church Street and the conservation area through the bulk of the development affecting the site's open character and design being unsympathetic to the traditional character of buildings within the vicinity of the site and harm to the amenities of neighbours at No. 28 Church Street through being unduly overbearing in mass, through noise and disturbance from the use of the access; and through overlooking.
5. An appeal was dismissed for the erection of dwelling and garage on the site under reference **S/0750/05/F**. The proposal was considered to damage the setting of the listed building at No. 20 Church Street through the loss of a significant section of the curtilage listed boundary wall, the bulk of the development affecting the secluded surroundings, and the height of the building destroying the majority of the site's open character; harm to the amenities of neighbours at No. 28 Church Street through being unduly overbearing in mass and through noise and disturbance from the use of the access; and an adverse impact upon the new dwelling though overlooking from existing dwellings.

Planning Policy

6. ***Local Development Plan Policies***

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

South Cambridgeshire LDF Development Control Policies DPD, 2007:

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

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Open Space in New Developments SPD - Adopted January 2009
Development Affecting Conservation Areas SPD - Adopted January 2009
Listed Buildings SPD - Adopted July 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
District Design Guide SPD - Adopted March 2010

7. **National Planning Guidance**

Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Statement 3 (Housing)
Planning Policy Statement 5 (Planning for the Historic Environment)

8. **Circulars**

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

Consultation

9. **Ickleton Parish Council** – Recommends refusal and has the following comments:

“General summary comment

By virtue of the scale, design and form of the proposed dwelling the development would intrude upon the open and natural setting of the listed Gurner House, and it would therefore adversely affect the setting of this listed building. In addition it would adversely affect the special character and appearance of the Conservation Area. (Policy CH/4 of LDF 2007, Listed Buildings SPD, Policy HE10 of PPS 5, Policy CH/5 of LDF 2007, Conservation Areas SPD, & Policy HE9 of PPS 5)

Specific comments

No weight should be given to any preference expressed for Option 1 in pre-application discussions. This amounted to nothing more than identification of the least worst option amongst those on offer.

The current proposal represents gross overdevelopment of the site. The dwelling is far too big for the site. It is doubtful that a two-storey dwelling could ever be considered suitable for such a sensitive site.

This is just not the place for this type of design. In this part of the Conservation Area there are no fewer than 5 listed buildings in the vicinity. The building will simply not complement them, or the surrounding non-listed buildings, and the CA will therefore be adversely affected.

The building would be considerably more visible than suggested by the drawings submitted and as claimed in the narratives. In particular the sedum roof - whose visibility will be exacerbated by the intended rooflights - will be visible from the public highway on Butchers Hill. The intended building will also be more visible when viewed from Church Street than indicated in the application papers.

There would be adverse impact on the amenity of Gurner House, and also on the amenity of 10 Butchers Hill. The residents have submitted their own detailed comments in this regard, and the Parish Council supports their comments.

More than on any other neighbouring dwelling, the adverse impact on 28 Church Street would be immense, given the proximity of the intended single-storey wing extension to that dwelling. In addition, the long flanking side elevation of the dwelling and its extension running as it would alongside the garden/recreation space of No 28 would dominate and have a deleterious effect.

The intended parking arrangements for the new dwelling would have almost as bad an impact on the quiet enjoyment of the residence and garden at No 28 as those proposed in previous, rightly rejected, applications. It should be noted that no representations will be received from No 28 directly as the property has been taken into the ownership of the Applicant. The adverse impact of the proposal on that property however needs to be recognised.

There would be considerable negative impact on the amenity of the intended dwelling itself. It would be overlooked - and overheard - from above at the rear from one neighbouring property, and overlooked at the front from two properties and an annexe. There would be serious issues of privacy for any residents. The main rectangular block of the building, which has to be sunk into the ground by reason of the constraints of the site, gives off an unfortunate 'bunkerish' impression. This is reinforced by the need to reduce and set back window openings in the upper floor windows to the front, and the insertion of 'firing-slit' windows at the rear. These rear windows will in addition be awkwardly placed when viewed from within. The rear of the building will be an unattractive dead zone. The need to constrain the height also results in constrained internal dimensions in the upper corridor. We feel these factors, forced on the design in order to address the problem of amenity of surrounding dwellings, detract from the amenity of the proposed dwelling whilst simultaneously failing to remove the adverse impacts upon the surrounding properties.

The Parish Council thinks it is unacceptable that cars should be reversing in or out of the property onto the public highway at that particular part of Church Street. This is a very busy stretch of footpath, located near the village shop and bus stops (used by school buses). There are a lot of vehicle movements and short-term parking related to users of the village shop very near to the location. We believe the application should be refused on the grounds of highway safety.

The Parish Council wondered whether there were any Health & Safety issues involved with arrangements involving the permanent parking of vehicles adjacent to the Electricity sub-station?

The Parish Council was not convinced that the proposed Sedum roof will sit well in this neighbourhood. It was felt that it was not likely to thrive; there was no awareness of any Sedum roofs in the area which can be said to be thriving. It was difficult to see how this roof and other features of the building design could be said to preserve or enhance the character of the area.

Great concern was expressed over the lack of detail about the extensive excavations required if the application were to succeed. These would potentially jeopardize not merely the curtilage wall of listed Gurner House, but equally the historical and interesting flint and brick wall bordering the public footpath between Butcher's Hill and Church Street (and perhaps even endangering the footpath itself). We would not wish to see either of these walls lost or damaged owing to excavations, which may be complicated as we understand the underlying land may be very unstable."

10. **Conservation Officer** – Recommends refusal and makes the following comments: -

Original Plans

"This land is within the ownership of Gurner House at the time of listing and is within the current setting of this and 1 Frogge Street, both grade II listed buildings. The walls predating 1948 would be curtilage listed. The site is significant as an informal open green space within the setting and backdrop of listed buildings and within the conservation area. The Inspector commenting on S/0750/05/F commented that it

provides a very pleasant, spacious setting for the rear of the listed building and that a reason for dismissing the appeal was that it would mean the loss of the existing open backdrop to Gurner House and due to the bulk of the proposed house would amount to an insensitive intrusion into the secluded surroundings of the secluded garden (para 7).

I would have the following concerns:

- The loss of the open green space and backdrop to the listed buildings.
- The cramped and bulky layout of the proposed development.
- The likely undermining of the curtilage listed flint walls due to the extensive lowering of ground levels and proximity of the proposed building and structures close to the walls.
- The set-back location of the building in contrast to the road edge positions of adjacent buildings. The Heritage Statement says other buildings are set back, but these comprise either the farmstead buildings or ancillary and subservient buildings, rather than main houses.
- The potential loss of viability of number 28 due to impact on amenity.
- There is insufficient information regarding how visible the building would be from the listed building or conservation area, say over the wall and at the entrance as accurate sections have not been supplied through these areas and there is conflict between the heights of wall between the listed buildings and this site shown on the drawings e.g. the 3-D drawings do not seem to accord with photos and seem to show more screening than exists.
- The proposed development is therefore likely to be visible above the entrance fencing due to the two-storey nature of the building.
- The extensive use of close boarded fencing at the entrance in contrast to the better quality brick and stone walls more characteristic of the group.
- The loss of trees and green screening in the setting of 1 Frogge Street, making the development and loss of open green space more obvious.
- The development contrasts with the character of main houses along streets in the conservation area which is only varied by farmsteads and subservient buildings. Contrary to para 3.02 of the Heritage Statement, backland development of the hierarchy and form proposed is not characteristic of the historic village.

I refer you to the Inspectors comments on S/1534/08/F which is more current than the views of the Inspector on this site in 2005 with regard to the harm caused by the presence of a building within a formerly open space in a conservation area despite limited public views.

There is no public benefit to offset the harm under PPS5 and I therefore recommend refusal as follows:

The proposed dwelling will adversely affect the settings of the grade II listed Gurner House and 1 Frogge Street, due to its position, extent, bulk and loss of screening and openness. This would be contrary to policy CH/4 and PPS5 policies HE6, 7, 9 and 10 (including HE6.1, HE7.2, HE7.5, HE9.1, HE9.4 and HE10.1).

The proposed development is likely to undermine the curtilage listed boundary flint wall, contrary to policy CH/3 and PPS5 policies HE6, 7 and 9 (including HE6.1, HE7.2, HE9.1 and HE9.4).

The position and presence of the dwelling within a significant open space behind street frontage buildings and the design of the entrance would adversely affect the character of this part of the conservation area, contrary to policy CH/5 and PPS5 policies HE6, 7, 9 and 10 (including HE6.1, HE7.2, HE7.5, HE9.1 and HE9.4)"

Response to agents letter dated 12th October 2011

"I have viewed the site from Gurner House. It is my opinion from the information available in the application, that it would be visible over the wall from Gurner House, both from the garden and from the house. It would intrude upon the openness which is significant to the rear and setting of Gurner House. By being within backland and surrounded by rear gardens, the proposed dwelling does not have the same relationship to houses around it as the street edge buildings do.

The assessment of harm under PPS5 does not require the development only to be dominating or overbearing in order to be harmful. "

11. **Local Highways Authority** – Requires conditions to ensure that the driveway is constructed with adequate drainage measures and bound material within 6 metres of the public highway.
12. **Environmental Health Officer** – Has no comments.
13. **Trees and Landscapes Officer** – Has no objections.
14. **Landscape Design Officer** – No reply (out of time).
15. **Ecology Officer** – Accepts that no reptiles would be damaged and has no further comments.
16. **Rights of Way and Access Team** – Has no objections but comments that Public Footpath No. 6, Ickleton runs along north eastern boundary of the site and highlights points of law in relation to the footpath.

Representations

17. Letters of objection have been received from the neighbours at No. 10 Butchers Hill, March Cottage Butchers Hill, No. 30 Church Street, Gurner House 20 Church Street, and 5 Priory Close. A letter of objection has also been received from the Ickleton Society. Concerns are raised on the following grounds: -
 - Unduly overbearing mass, noise and disturbance, and loss of privacy to No. 10 Butchers Hill;
 - Noise and disturbance from the driveway, overlooking and overbearing mass to No. 28 Church Street;
 - Overlooking to and from Gurner House
 - Noise and disturbance from the driveway and overlooking to and from the annexe to Gurner House;
 - Limited access width and highway safety issues with regards to pedestrian visibility and manoeuvring as there is no on-site turning;
 - The scale, design, form, siting, proportions, materials, texture and colour of the building is out of keeping with the conservation area;
 - The scale, design, form of the building would enclose the existing open setting of the adjacent listed building (Gurner House) and other cottages in Church Street;
 - Overdevelopment of the site;
 - Impact upon the listed wall;
 - Loss of paddock that is possibly a valuable wildlife area;

- If the site is developed it should be for a small affordable dwelling
- Planning history of the site;
- Overlooking to No. 30 Church Street;
- Damage or loss of Ash tree

18. The applicant's agent has responded to the conservation officer original objections in a letter dated 12th October 2011 as follows: -

"I note the Conservation Officer's concerns in respect of the loss of the green space and backdrop to the Listed Building. The supporting documentation of the application clearly outlines our case that it is the views above and beyond the boundary wall which are of most importance to the setting of Gurner House. The tall boundary wall provides an effective screen/barrier between the application site and the curtilage of Gurner House. If development were to occur that is well concealed behind this wall, the presence of built form will not, in our view, have a harmful impact on the setting of the listed building.

In this regard I note the pictures that have been taken from Gurner House. It would be helpful to understand from which windows these pictures are taken from. While I have clearly not had the benefit of viewing the site from Gurner House, it would appear to me that the photos are taken from the first floor window in the modern extension to the dwelling (Bathroom), the ground floor (Kitchen) window in the single storey link and the first floor (Bathroom) window in the main dwelling. Can this be verified?

Also, have you inspected the views from these windows? The reason I ask is that having regard to the orientation of Gurner House, relative to the application site, and the level of separation provided, it would be helpful to know at what angle these pictures have been taken from, (particularly the external first floor shot). I would appreciate your confirmation of this before commenting in any detail on these pictures.

Notwithstanding the above, my initial observations are however that from the historic parts of the listed building views of the proposed building will be limited with the majority of the structure being screened by the boundary wall. When viewed at a certain angle, (and perhaps outside of the first floor bathroom window), views of the first floor will be provided. Such views are however limited and are provided over some distance. As a result the development will not have a dominating or overbearing impact that will adversely affect the setting of the Listed Building. It will instead form a partly visible feature just as existing developments do in the case of Gurner House already and indeed in the vast majority of all other listed buildings.

In relation to the comment about cramped development, the building to plot ratio is not dissimilar to existing plots along Church Street. By design, the dwelling is inward looking with the building lining the outer boundaries of the site. I do not agree that the development appears cramped as a result or harmful to either the setting of the Listed Building or the Conservation Area.

I note the comments about views from beyond the site boundary. These are often difficult to generate as accurate survey data can not be obtained from third party land. The sections that have been submitted are based on accurate survey data and are therefore representative. I will however explore with the architect to see if further drawings can be provided to assist with the assessment of this application.

In respect of the scale of development, relative to other buildings set back from the road, I think the important factor is how the development is viewed/perceived. While it is a two storey building, because it is to be set down within the site, it will have the appearance, when viewed from the surrounding area, of a building of a more subservient scale. It should also be noted that the pattern of development is very mixed in the local area.

The view of the development from Church Street is illustrated on the street view submitted within the application. The proposed use of close boarded fencing reflects the existing treatment of the entrance to the site. I am happy to discuss the potential use of alternative materials here if this is considered necessary/appropriate. In respect of landscaping, some trees are to be removed but these are of limited value. Replacement planting will be provided as part of this development. The level of separation provided, the scale of development proposed and the presence of existing development means, that in our view, the proposed development will therefore have no adverse impact on the setting of No 1 Frogge Street.

I note the comments about the future stability of the Listed Wall. I will seek further guidance on this and revert back to you. Clearly the Party Wall Act would ensure that damage to this common boundary wall would not occur and that it will be adequately protected. I will however see if I can be any more specific on this matter at this stage.

I have had regard to the appeal decision provided by the Conservation Officer for 9 Rectory Farm Road, Little Wilbraham. The comments within this decision concerning the openness of the Conservation Area are cited. Firstly this land is very different to the application site. It is a large parcel of undeveloped land which abuts the highway and provides a very clear break in the ribbon of development which extends along the road. I do not think this site's characteristics could be more different to the application site which has limited highway frontage and sits in amongst enclosed residential gardens. Gaps similar to that provided by the appeal site are characteristic of the Little Wilbraham Conservation Area and are fundamental to the character and appearance of the area. This is not so in the case of the application site and the undeveloped nature of the site makes very little contribution to the overall character of the area, a view very much supported by the previous appeal decision for this site and the Council's pre-application letter, dated 29th July 2011.

In the case of the Little Wilbraham Appeal, the inspector concluded that the open aspect provided by the appeal site, together with the presence of very prominent and high quality landscaped features meant that the development of the space would have an adverse impact on the character and appearance of the designated area. While reference was made to the limited views provided of the development I do not agree that this decision adds any weight to the case being put forward by the Conservation Officer. Each case has to be judged on its merits and the character of the application site and its relationship with the surrounding Conservation Area is fundamentally different to that at Little Wilbraham.

What I think is of relevance within the Little Wilbraham Appeal is paragraph 3 where the impact of the development on the adjacent Listed Building, Reed Cottage, is discussed. Here the Inspector states (and I quote)

its [Reed Cottage] north elevation is along the common boundary with The Bell House. There is only one small window within this, its northern wall, which is a bathroom. Along this boundary there is a considerable amount of vegetation in the form of trees and shrubs, their height emphasising their effectiveness as a screen between the Listed Building and The Bell House, which dates from the early 19th century. These considerations of aspect and screening persuade me that the openness of the appeal site does not contribute in any significant way towards the setting of the Listed Building. Its setting is essentially its garden which is its curtilage, and so I do not consider that the appeal proposal would have any material effect upon the setting, immediate or wider, of the Listed Building."

The applicant's position remains therefore that the development will not have any adverse impact on the setting of the Listed Building nor will it adversely affect the

character and appearance of the Conservation Area. I would also like to point out that this is a position which the Council supported in its pre-application letter since which the development has been reduced in height and scale and has been relocated further away from the Listed Building.”

Amended plans with additional information and a revised landscape strategy have also been submitted.

Planning Comments – Key Issues

19. The key issues to consider in the determination of this application are the principle of the development and density, and the impacts of the development upon the setting of adjacent listed buildings, the character and appearance of the conservation area, the cartilage listed wall, trees and landscaping, highway safety, and neighbour amenity.

Principle of Development

20. The site is located within the village framework of an ‘Infill Village’ where residential developments of up to two dwellings are considered acceptable in principle subject to all other planning considerations.

Density

21. The development of one dwelling would equate to a density of 20 dwellings per hectare. Whilst this would be below the density requirement of 30 dwellings per hectare that should be achieved in villages such as Ickleton, it is considered appropriate in this case given the sensitive nature of the site within the conservation area and adjacent listed building, and the access restrictions.

Setting of Adjacent Listed Buildings

22. No. 20 Church Street is a two-storey listed building that is set on the back edge of the footpath. The original building is to the eastern side with the main garden to the rear, and a 1970’s two-storey annexe extension is to the western side with a kitchen garden to the rear and parking area to the side. There is a high flint wall along the eastern side boundary and large conifers to the rear.
23. Whilst the conservation officer’s concerns are noted, the proposed dwelling is not considered to damage the setting of this listed building. Although the dwelling would be visible above the listed boundary wall, it is not considered to result in the loss of the existing open backdrop to the listed building given that it would project 1 metre above the lowest part of the wall, would not be visually dominant in views from the ground floor windows and the garden of listed building, would be situated a distance of 29 metres from and closer to the less significant service area of the building and garden, and that there area already views of the existing boundary wall to No. 10 Butchers Hill that has a poor design and materials.
24. No. 1 Frogge Street is a two and a half storey building that is set on the back edge of the footpath. It is situated a distance of 20 metres from the site boundary and has a high fence along its rear boundary. There are some trees and landscaping within the site that act as a screen.
25. Although the existing trees and landscaping on the site would be removed, the revised landscape strategy proposes replacement planting in order to ensure that the proposal would not damage the setting of this listed building.

Curtilage Listed Wall

26. The proposed dwelling would be situated a distance of 5 metres from the curtilage listed wall along the eastern boundary. However, the excavation works and retaining walls required to construct the dwelling at a lower ground level would be situated a distance of 2.5 metres from the wall. A structural report has been submitted to demonstrate that the proposal would not have an adverse impact upon the curtilage listed wall subject to the construction of the retaining wall by specialist means. This could be a condition of any consent.

Character and Appearance of the Conservation Area

27. The conservation area comprises a number of houses along the street frontages that have a traditional and dense character and appearance. However, a number of more recent infill plots have been built on sites that are set back from the street frontage, namely No. 28 Church Street and No. 10 Butchers Hill. This is in contrast to open spaces including the green at the corner of Church Street and open paddock land to the south of Church Street that forms a countryside setting.
28. Whilst the conservation officer's concerns are noted, the proposed dwelling is not considered to harm the character and appearance of the conservation area. The Inspector when determining the 2005 application did not consider the site to form an important open space in the conservation area, given its secluded nature and its limited visibility from public viewpoints. The proposal is also not considered to be out of keeping with the pattern of development in the village as infill plots to the rear of dwellings have been allowed in the past. The proposed dwelling would be constructed at significantly lower ground level and have a lower height than the dwelling at No. 10 Butchers Hill and its boundary wall that is currently visible from Church Street albeit well screened by the existing trees on the site. In addition, it would have a contemporary outbuilding style design with timber walls and a sedum roof that although would not match the form of existing buildings, is considered appropriate, and would reduce the impact of the modern dwelling and render wall at No. 10 Butchers Hill. Although it is acknowledged that the dwelling would be situated close to the boundaries of the site, it would have an open courtyard amenity area centrally and a very low scale link so it would appear as two separate buildings. It is not therefore considered to result in a cramped form of development. The close boarding fencing at the entrance to the site is considered to be less prominent than the existing close boarded fencing and is therefore considered acceptable.

Trees and Landscaping

29. The proposal would not result in the loss of any important trees or landscaping that contribute to the visual amenity of the area. The significant Walnut tree would be retained and protected. The trees to be removed along the south western boundary would be replaced. A landscaping condition would be attached to any consent ensure that planting softens the impact of the development upon the surrounding listed buildings and conservation area.

Highway Safety

30. The proposal is not considered to result in a material increase in traffic generation to and from the site that would be detrimental to highway safety. The access width is considered suitable. Whilst it is acknowledged that the standard requirement of 2.0 metres x 2.0 metres pedestrian visibility splays could not be achieved on each side of the access due to the boundary wall and that this would lead to restricted visibility when exiting the site, the use of lower splays are considered acceptable in this case given the support by the appeal Inspector who did not consider the level of traffic that

would use the access and standard of visibility to pose a significant threat to pedestrian safety.

31. Two on-site parking spaces would be provided for the new dwelling that would accord with the Council's parking standards. The proposal would not therefore lead to on-street parking that would cause a hazard and adversely affect the free flow of traffic along Church Street.
32. Although it is noted that the proposal would not provide an on-site turning area and vehicles would have to reverse out of the site, this is considered acceptable given the nature of the existing access and the lack of any objection from the Local Highways Authority.

Neighbour Amenity

33. The proposed dwelling is not considered to seriously harm the amenities of the neighbour at No. 20 Church Street through being unduly overbearing in mass, through a significant loss of light, or through a severe loss of privacy. The single storey element of the dwelling would be situated 5 metres off the boundary, adjacent the kitchen garden, and orientated to the west. This is not considered to be unduly overbearing mass or a loss of light. The first floor bedroom windows in the front elevation would be 30 metres from the windows in the rear elevation and 12 metres and from the boundary. This relationship is considered acceptable.
34. The proposed dwelling is not considered to seriously harm the amenities of the neighbour at No. 28 Church Street through being unduly overbearing in mass, through a significant loss of light, through a severe loss of privacy, or through noise and disturbance from the use of its access. Whilst it is noted that the single storey part of the building would be situated 1.6 metres off the boundary, it is not considered to result in an unduly overbearing mass or light, as it would have a maximum height of 3.3 metres adjacent to the sitting out area and be orientated to the north. The two-storey building would be located adjacent the very rear portion of the garden away from the sitting out area. The first floor bedroom windows in the front elevation would be 17 metres and an oblique angle from the bedroom and living room windows in the rear elevation and 12 metres and an oblique angle from the boundary and sitting out area beyond. This relationship is considered acceptable. The first floor shower room window is not considered to result in a loss of privacy as it would only overlook the very rear portion of the garden and could be conditioned to be fixed shut and obscure glazed. The driveway would run adjacent to the kitchen window and not project as far as the sitting out area and windows in the rear elevation. Given the nature of this room and the proposed use of the site, the development is not considered to result in a significant level of noise and disturbance.
35. The proposed dwelling is not considered to seriously harm the amenities of the neighbour at No. 10 Butchers Hill through being unduly overbearing in mass, through a significant loss of light, or through a severe loss of privacy. Whilst it is acknowledged that the dwelling would be situated a distance of 1.5 metres from the boundary of that property and orientated to the south of its rear habitable room windows and private sitting out area, it would have a sedum roof sloping away with a maximum height of 1.7 metres above the boundary wall at a distance of 8 metres from the boundary. This is not considered to result in an unduly overbearing mass or loss of light. The first floor windows in the rear elevation are not considered to result in a loss of privacy, as they would serve a landing area (non habitable) and have a sill height approximately 1 metre below the height of the wall.

36. The existing dwellings at Nos. 20 and 28 Church Street and No. 10 Butchers Hill are not considered to result in harm to the occupiers of the new dwelling through being unduly overbearing in mass, through a loss of light, or through a loss of privacy. The windows between the properties would have the same relationships identified above and the internal courtyard amenity area would be screened by the proposed dwelling or situated a distance of 20 metres from any windows.

Developer Contributions

37. The South Cambridgeshire Recreation Study 2005 identified a shortage of play space within Ickleton. No 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 £4,258.90 (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's agent has confirmed agreement to this contribution.
38. The South Cambridgeshire Community Facilities Assessment 2009 states that Ickleton has an excellent level and standard of indoor community facilities. However, investment is required and due to the increase in the demand for the use of this space from the development, a financial contribution of £703.84 (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's agent has confirmed agreement to this contribution.
39. 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's agent has confirmed agreement to this contribution.

Other Matters

40. The loss of the paddock is not considered to result in the loss of any important wildlife habitats. Ecological enhancement could be a condition of any consent.
41. The development of one dwelling is not required to be affordable to meet local needs.
42. The loss of the value of a property is not a planning consideration.

Conclusion

43. 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

44. Approve as amended by plans stamped 28 November 2011, subject to the following conditions:
- 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**

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

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 location plan and drawing numbers 10044-05 Revision C, 06 Revision C, 07 Revision C, 08 Revision C, 09 Revision A; LD 11 895-2, 4A and 5A; Prior Associates Report ref: 9581 dated November 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 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 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.)
- 5. No development shall take place until details of the materials to be used for hard surfaced areas within 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 - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 2007 of the adopted Local Development Framework 2007 and in the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework.)
- 6. No development shall take place until details of the method of surface water drainage for the driveway has been submitted to and approved in writing by the Local Planning Authority the development shall be carried out in accordance with the approved details.**
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework.)
- 7. The permanent space to be reserved on the site for the parking of two cars shall be provided before the development hereby permitted is occupied and thereafter maintained.**
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework.)
- 8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that**

originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

- 9. 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 any elevation/roof slope 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.)

- 10. The first floor bathroom window in the south west side elevation of the dwelling, hereby permitted shall be fixed shut and glazed with obscure glass.**

(Reason - To safeguard the privacy of adjoining occupiers 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 development within Classes A, B, C, D, and E of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**

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

- 12. No development shall begin until details of a scheme for the provision of open space, community facilities and waste receptacles 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 open space, community facilities and waste receptacles in accordance with Policies SF/10 and DP/4 of the adopted Local Development Framework 2007.)

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

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

- 14. The excavation works and retaining walls shall be constructed in accordance with the Prior Associates Report ref: 9581 dated November 2011.**

(Reason - To protect the listed wall in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

Informatives

1. The driveway should be constructed from bound materials within 6 metres of the public highway in order to avoid the displacement of loose materials on to the public highway.
2. The access shall remain open at all times and not be obstructed.
3. 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.
4. 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.
5. See attached Environment Agency advice regarding soakways.
6. The effect of development upon a public right of way is a material planning consideration in the determination of applications for planning permission. No alteration to the surface of the footpath is permitted without the consent of the Cambridgeshire County Council Rights of Way and Access Team (it is an offence to damage the surface of a public right of way under s.1 of the Criminal Damage Act 1971).
7. The footpath must remain open and unobstructed at all times. Building materials must not be stored on it, and contractors' vehicles must not be parked on it (it is an offence under s. 137 of the Highway Act 1980 to obstruct a public right of way).
8. Landowners are reminded it is their responsibility to maintain hedges and fences adjacent to public rights of way, and that any transfer of land should account for any such boundaries (s. 154 of the Highways Act 1980.)
9. The granting of planning permission does not entitle a developer to obstruct a public right of way (Circular 1/09 para. 7.1)

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
- Planning Policy Statements 1, 3 and 5.
- Planning File References: S/1725/11, S/2123/08/F, and S/0750/05/F

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

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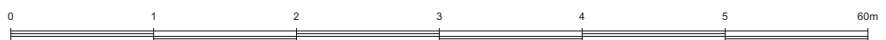
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 11 January 2012
AUTHOR/S: Executive Director (Operational Services) / Corporate Manager (Planning and New Communities)

S/2167/11 – PAPWORTH EVERARD

Variation of conditions 11, 12, 14 and 23 of planning application S/1624/08/RM for David Wilson Homes

Recommendation: Delegated Approval, subject to the legal agreement being considered acceptable.

Date for Determination: 8th February 2011

Notes:

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

Site and Proposal

1. The application site measures approximately 2.73 hectares. The site is located within the village framework. There is a Grade II Listed Building (28 and 30 Ermine Street) approximately 45m to the northeast of the site edge.
2. To the south of the site is the currently approved development (planning application S/1101/10) being carried out. To the north of the site is grassland that forms the next phase of construction. To the east are existing residential properties that face onto Ermine Street South that are now within a Conservation Area and to the west is a tree belt and an open field.
3. The application, validated on the 9th November 2011 is for the variation of conditions 11, 12, 14 and 23 of planning application S/1624/08/RM. Condition 11 refers to the balancing pond details, which were agreed in planning application S/1101/10. Condition 12 refers to public art design and implementation. Condition 14 refers to the timetable for the provision of some public open spaces that have now been agreed in S/1101/10. Condition 23 refers to the list of approved drawings that the development must commence in accordance with.
4. The developer submitted a pre-application advice request during the Summer 2011. Consultation took place between the Local Planning Authority and Papworth Everard Parish Council. The case officer and two urban design officers met with the Parish Council on the 5th December 2011 in order to discuss the Parish Council's comments and in order to show the proposed amended plans to the Parish Council.
5. The developer has submitted several different plans since the application was validated and before the meeting with the Parish Council on the 5th December 2011. These plans have formed the basis for negotiations internally and with the Parish Council. For ease of reference these will be regarded to as Amendment 1. Formal

amendments have been submitted following the 5th December, these will be known as Amendment 2 and have been sent out for consultation.

6. The main changes to the design of planning application S/1624/08/RM are as follows:
 - Road 8 has been straightened out and the road width increased in order to meet the minimum requirements in order for the road to be adopted.
 - Road 10 has been altered in order to prevent it being a through road. This has increased the public open space around the square.
 - The dwellings around the square (Plots D211, D212, D260 and D266 – D272) have been given a stronger Georgian design, with the individual looking dwelling being moved to be next to the NEAP.
 - Dwellings adjacent Summersfield Green have been rotated to face the Green and been altered to a contemporary design.
 - The proposed design of the dwellings has been discussed with both Urban Design Officers and the Parish Council and appropriate improvements made.
 - Landscaping/general layout has been redesigned in order to provide larger plots. This has also placed the roads adjacent to the footpaths.
 - 80% of the proposed Flats over Garages (FOGs) have been given garden spaces and a parking court has been removed in order to give significantly greater garden spaces.
 - An additional two plots have been added into the scheme to increase the total number of dwellings in this phase to 120 dwellings.

Planning History

Since 2003

7. **S/2476/03/O** – The proposal for Residential Development including Public Open Space, Vehicular Access together with Demolition of 18, 20, 52, & 54 Ermine Street South and 1&3 St John's Lane was conditionally approved.
8. **S/0097/06/RM** – The proposal for the Erection of 397 Dwellings with Associated Open Space (The First Reserved Matters Application) Pursuant to Outline Planning Permission Ref: S/2476/03/O was withdrawn.
9. **S/0093/07/RM** – The proposal for the Erection of 365 Dwellings with Associated Open Space and Landscaping (Reserved Matters Pursuant to Outline Planning Permission Ref. **S/2476/03/O**) was conditionally approved.
10. **S/1688/08/RM** – The proposal for the Siting design and external appearance of 166 dwellings was conditionally approved.
11. **S/1424/08/RM** – The proposal for the Approval of appearance, landscaping, layout & scale for the erection of 81 dwellings was conditionally approved.
12. **S/1624/08/RM** – The proposal for Details of reserved matters for the siting, design and external appearance of 118 dwellings, associated works, garaging and car parking, and landscaping for the northern phase 2 (amended scheme to part of reserved matters **S/0093/07/RM**) was conditionally approved.
13. **S/1101/10** – The proposal for the Variation of Conditions 12 & 26 of Planning Permission S/1688/08/RM was approved.

14. **S/2288/10** – Extension of time for implementation of **S/2476/03/O** for reserved matters consents **S/0093/07/RM** (excluding the area defined by planning applications **S/1688/08/RM** and **S/1101/10**), **S/1424/08/RM** and **S/1624/08/RM**.

Planning Policy

15. **National**
Planning Policy Statement 4
16. **Local Development Framework, Core Strategy, adopted January 2007**
ST5 – Minor Rural Centres
17. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:**
DP/1 – Sustainable Development
DP/2 - Design of New Development
DP/3 - Development Criteria
DP/4 – Infrastructure and New Developments
DP/7 – Development Frameworks
SF/6 – Public Art and New Development
NE/1 – Energy Efficiency
NE/2 – Renewable Energy
NE/3 – Renewable Energy Technologies in New Development
NE/6 - Biodiversity
NE/12 – Water Conservation
NE/14 – Lighting Proposals
NE/15 – Noise Pollution
NE/16 - Emissions
CH/2 – Archaeological Sites
CH/4 – Development Within the Curtilage or Setting of a Listed Building
CH/5 – Conservation Area
TR/1 – Planning for More Sustainable Travel
TR/2 – Car and Cycle Parking Standards

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

Listed Building SPD – Adopted July 2009
Development Affecting Conservation Areas SPD – Adopted January 2009
Biodiversity SPD – Adopted July 2009
Public Art SPD – Adopted January 2009
District Design Guide SPD – Adopted March 2010

Consultations

19. **Papworth Everard Parish Council** – (2nd December 2011) The Parish Council originally recommended refusal (see Appendix 1 for full comments).
20. (7th December 2011)
The Parish Council following seeing Amendment 1 state that “in consideration of the amendments to the application that have already been accepted by the developer and included in a new plan for consultation (which has not yet been issued to the Parish Council); and provided that the developer accepts the majority of the other amendments suggested by the Local Planning Authority and by the Parish Council (discussed at a meeting that took place between the Local Planning Authority and the

Parish Council at Cambourne on Monday, 5th December 2011); the Parish Council should revise its previous recommendation and now recommends approval of the application.”

21. The Parish Council still looks forward to receiving the amendments for consultation before the application is finally determined by SCDC.
22. **Local Highways Authority** – The Highway Authority wishes to raise an objection to the above planning application in its current form until the developer provides a set of identical drawings showing the proposed dimensions for example widths of the public adoptable highway.
23. Drawing number 02990 shows a carriageway width of 4.8m, which is not acceptable to the Highway Authority. The feature area between road number 1 and 11 also differs between drawings. The Local Highways Authority request that the developer to clarify and correct.
24. **Rights of Way and Access Team** – Stated that it does not wish to comment on the application.
25. **Conservation**– The Conservation Manager comments are awaited.
26. **Landscape** – The Landscape Officer has requested a set of changes that the developer needs to consider including soft and hard landscaping, boundary treatment and service strips.
27. The Landscape Officer has stated that this can be dealt with by condition and that recently submitted plans may overcome these concerns.
28. **Ecology** – The Ecology Officer has raised concerns over the usability of the swift boxes. The Ecology Officer has also stated that it is not possible to provide the information pack as requested by the Parish Council but those that wish to know more about how to maintain their bird/bat boxes will find the information easily enough online.
29. **Urban Design** – (6th December 2011) The Urban Design Officers considered Amendment 1 and recommends that further amendments should be sought and provides details of these. The Urban Design Officers also explain why certain amendments requested by the Parish Council have not been accepted.

Representations

Planning Comments – Key Issues

30. The key issues to consider in the determination of this application are:
 - Principle of Development
 - Historic Environment
 - Visual Impact
 - Residential Amenity
 - Highway Safety and Parking Provision
 - Biodiversity
 - Public Art
 - Legal Agreement
 - Other Matters

31. **Principle of Development** – The principle of development was considered in planning applications S/2476/03/O (now outdated by S/2288/10) and S/1624/08/RM. This application does not raise any new concerns over the principle of the proposal.
32. **Historic Environment** – Since the approval of S/1624/08/RM the Papworth Everard Conservation Area has been increased in size and now defines the eastern boundary of the site. The Conservation Area Appraisal took into account the Summersfield Development and it is considered that the current proposed development will have no greater impact on the Conservation Area than if planning application S/1624/08/RM was implemented.
33. **Visual Impact** – It was made known to the developers at an early stage that the Local Planning Authority was not just seeking to provide small amendments in order for David Wilson Homes and Barratts to both put their own house types next to each other. The Local Planning Authority was seeking significant improvements to the design of both the layout and individual house types in order to meet the ever greater commitment that “all new development must be of high quality design” (Policy DP/2). Extensive negotiations have taken place between the Local Planning Authority, Papworth Parish Council and the developers.
34. The developer has agreed to the majority of the changes required by the Local Planning Authority, following consultation with the Parish Council. These accepted changes are within Amendment 2 but some of the details the developer has agreed to be included within appropriate conditions. The changes that have not been agreed are not considered to detrimentally harm the design of the development when considered as a whole.
35. The proposed landscaping scheme is still being considered and although the developer is making continued improvements to it, at the current time there is no landscaping plan that is considered to be acceptable to the Landscape Officer. A landscaping condition is, therefore, recommended.
36. It should be noted that due to the transfer of public land to private residential land, front gardens have become significantly more important to the visual character of the local area. On this basis it is considered appropriate to remove permitted development rights relating to hard surfacing between the dwelling and public domain in order to have greater control over the long term landscaping of this area. With boundary treatment being more tightly controlled adjacent public highways, it is not considered to be reasonable to remove this right.
37. The developer has provided details, as part of the application, such as boundary treatments and materials in order to minimise pre-commencement conditions. These are currently being assessed. It may be possible to recommend fewer pre-commencement conditions once this assessment is completed. Members will be updated accordingly.
38. Officers consider the proposal has strongly benefited from the pre-application advice discussions and as a result the development would be of a high quality if approved.
39. **Residential Amenity** – The proposed development follows the general layout of the previous approved scheme and is not considered to have any greater impact on the residential amenity of any occupiers of existing residential properties than the earlier approval.

40. Within the development garden spaces have been increased and any dwellings located too close together have been moved apart in order to improve the residential amenity of future residents.
41. **Highway Safety and Parking Provision** – The comments made by the Local Highways Authority have been passed on to the developer, who has submitted additional plans in order to overcome the Highways Authority's concerns.
42. On average each dwelling will have 2.6 parking spaces per dwelling. This is higher than the usual requirement of 1.5 parking spaces per dwelling but this stems from concerns raised by the Parish Council, in particular that this site will be used by commuters. The additional parking has not harmed the character of the development and during this application private space has been significantly increased through the loss of a parking courtyard. Officers consider the level of parking to generally accord with Planning Policy Statement 4 (EC8).
43. It is also noted that several road widths have been increased in width in order to prevent them from being unadoptable. This change significantly increases the social sustainability of this development, by preventing certain areas from becoming owned by those only able to privately maintain roads as well as the maintenance fees of public open spaces.
44. Condition 19 of planning application S/1624/08/RM relates to the provision of conservation kerbs adjacent to all grass verges. The current proposal has very few grass verges but the use of conservation kerbs still leads to significant visual improvements to the development, in particular around the Square (adjacent Plot D260). The condition should be reworded in order that conservation kerbs are still placed where necessary and that other kerbs are of a sufficient height to discourage people parking on public footpaths.
45. **Biodiversity** – There is still some concern over the submitted biodiversity plan, as it is unsure if the swift boxes will be located in the right locations in order for them to be of use to the local swift population. A condition can be added in order to ensure an appropriate biodiversity scheme is submitted.
46. In the recently submitted landscaping scheme it is shown that seven fruit trees will be planted in the rear gardens of the plots between road 8 and 9. This will help both encourage local biodiversity and provide free organic food for the future occupants.
47. **Public Art** – Officers are seeking to incorporate the public art into the Square (adjacent Plot D260) but at the time of writing the developer has not provided any details on the proposed public art scheme for this phase of development.
48. It is considered appropriate in order to make the proposed art condition to be of the same wording as agreed in S/1101/10. This does not reduce the control of the Local Planning Authority but does give the developer greater flexibility.
49. **Legal Agreement** – The Legal Officer has not yet confirmed if the submitted legal agreement, which should connect this application to previous legal agreements, connects to the outline consent and ensure the developers cannot mix planning permissions, is acceptable. Until the legal document is considered to be acceptable then the application cannot be approved, as this could lead to significant harm upon local services and cause significant harm to the design of the development.

50. **Other Matters** – The developer has now shown sufficient solar panels on the development in accordance with the previous conditions on this site. However, at the current time the solar panels are shown on a plan with other elements that are still under consideration. The solar panels condition will, therefore, remain as previously worded. With the previous history of this site it is not considered that the proposal leads to any additional sustainability concerns.
51. In order to make the Decision Notice as clear as possible, the conditions of S/1624/08/RM have been reworded where appropriate and new conditions added in order to provide clear instruction to the developers.
52. The condition relating to the balancing pond details is no longer considered to be required, as this has been agreed during the determination of planning application S/1101/10.

Conclusion

53. The proposed development is considered to be acceptable. The layout of the development has been significantly improved, that will allow the roads to be adopted and increased the size and usability of individual plots. The design of the dwellings has been continually improved, so that it is now considered to be a development of high quality design.
54. No other material matter is considered to be of sufficient harm in order that this application should not be approved, if appropriately conditioned.

Recommendation

Approve, subject to the prior signing of the legal agreement and the following conditions

1. The development hereby permitted shall be begun no later than the 18th May 2012.

(Reason – This application for a variation of condition follows a Reserved Matters application and under Section 73 it is not possible to extend the implementation time of Reserved Matters.)

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification), no development within Class F of Part 1 of Schedule 2 of the Order shall take place in so far as it relates to development between the wall forming the principle elevation of each dwelling and the highway (including public footpath) unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - In the interests of visual appearance, in particular preserving the soft areas of landscaping of the development, in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

3. Notwithstanding the indicative architectural detailing on front, side and rear elevation drawings, no development shall commence until drawings of at least 1:20 scale, of the following detailing elements, have been submitted to and approved in writing by the Local Planning Authority:

- Chimney construction, including materials
- Porches, bay window and dormer construction and materials

- **Window and door heads and sills on front, rear and side elevations**
- **Cladding and boarding materials, construction including junctions with adjacent materials**
- **Eaves and verge construction, including dentil courses where proposed**

(Reason – To ensure the visual quality and compatibility between all phases of the development and the existing village built form and its landscape setting and to assure the long term character and appearance of the development.)

4. No development shall commence until details (including colour schemes) of the following have been submitted to and approved in writing by the Local Planning Authority:

- **Roof materials and methods of fixing**
- **All bricks and render**
- **Horizontal wood and/or wood effect boarding, wooden cladding and/or other cladding materials**
- **Garage and dwelling doors**
- **Colour of fascia boards, porches and bargeboards**

(Reason – To ensure visual quality and compatibility between all phases of the development and the existing village built form and its landscape setting and to assure the long term character and appearance of the development.)

5. The window colour of plots D234, D235, D167 and D168 shall match plots D119 0123, 104 – 106 and 141 – 147 of planning permission S/1101/10, unless otherwise agreed in writing with the Local Planning Authority.

Reason – To ensure visual quality and compatibility between all phases of the development and the existing village built form and its landscape setting and to assure the long term character and appearance of the development.)

6. No development shall commence until the developer has erected on site, sample panels, of a size to be agreed to allow the Local Planning Authority to undertake a detailed assessment of construction and material combinations in relation to brick, cladding and roof materials that were not agreed in planning permission S/1101/10. The development shall be carried out in accordance with the Local Planning Authority's written approval and only after such approval is given.

(Reason – To ensure that each proposed individual building material and the proposed combinations can be properly and objectively assessed in the context of the existing village and landscape forms.)

7. No development shall commence until details of the free-standing walls, fences, other means of enclosure, street furniture and all hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

(Reason – To ensure the details of the development are satisfactory.)

8. No development shall commence until boundary treatments for each plot of that phase have been submitted to and agreed in writing by the Local Planning Authority.

(Reason – To ensure details of the development are satisfactory and supplement with more details than the information already supplied.)

9. No development shall commence until precise details of the type and design of the solar panels to be erected on 22 dwellings has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

(Return – To ensure the details of the development are satisfactory.)

10. A scheme for the lighting of each parking court shall be submitted to and approved in writing by the Local Planning Authority before occupation commences on the residential development to which it relates. The work shall be carried out in accordance with the approved scheme.

(Reason – To ensure the details of the development are satisfactory.)

11. No development shall commence until a detailed timetable for the design and implementation for the provision of public art, has been submitted to and agreed in writing by the Local Planning Authority. The public art shall be installed in accordance with the approved scheme and within the time periods specified within that scheme unless otherwise agreed by the Local Planning Authority.

(Reason - To ensure the design of the development reaches a high standard.)

12. No services or storage of materials shall be placed within the area of the Plantations to be retained.

(Reason – To ensure the existing trees are not damaged.)

13. 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.)

14. No development shall commence until a timetable for the provision of the strategic landscaping to the public open space areas (including any boundary planting) has been submitted to and approved in writing by the Local Planning Authority. The planting shall take place in the agreed planting seasons unless otherwise agreed by the Local Planning Authority.

(Reason – To ensure that the landscape character of the site is established as quickly as practicable.)

15. Prior to any planting place within the site, in each and every planting season during the course of construction of the development, details of the progress of the development indicating where dwellings have been completed and planting could at that time be implemented, shall be submitted to and agreed in writing by the Local Planning Authority. Planting adjacent to individual completed residential units shall be implemented in the first planting season following the completion of those units in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.

(Reason – To ensure the landscape character of the site is established as quickly as practicable.)

16. Nine months prior to the projected hand-over of the landscaping/public open space to the adoptive body, or any other period agreed in writing by the Local Authority, arrangements shall be made for a site to be inspected by representatives of the Local Planning Authority, the developer and the adoptive body. At the site meeting all planting/seeding defects shall be identified in writing. The said defects shall be rectified, to the satisfaction of the Local Planning Authority, prior to the hand-over.

(Reason – To ensure the implementation of landscaping is satisfactory.)

17. All areas of land to be landscaped shall be fenced off with heras fencing and fully protected from damage and compaction prior to and during construction, unless otherwise agreed in writing by the Local Planning Authority.

(Reason – To maintain the soil structure and to ensure the trees and shrubs thrive.)

18. The precise details of the play equipment and associated benches and bins shall be submitted to and agreed in writing by the Local Planning Authority before the play areas are laid out. The work shall be carried out in accordance with the approved details.

(Reason – To ensure the details of the development are satisfactory.)

19. The location of the Conservation Kerbs shall be as shown on drawing number 10-054-004 Revision D. Before first occupation a scheme shall be submitted to and approved in writing with the Local Planning Authority to discourage vehicles parking on grass verges and public footpaths.

(Reason – In order to ensure the details of the development are satisfactory and to discourage vehicles parking on grass verges and public footpaths.)

20. No demolition, site clearance or building operations shall commence until all trees to be retained have been identified to, and agreed in writing by, the Local Planning Authority and until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Local Planning Authority following B2 5873. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Trees shown and agreed for retention shall not be lopped, topped or removed without the prior written approval of the Local Planning Authority and any tree surgery works shall be carried out in accordance with BS 3998. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.

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

21. No development shall commence on plot D185, until precise details of fenestration and bargeboard materials including colour have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

(Reason – The plot lies in a prominent position within the development and requires special treatment consistent with its prominence and importance, this shall include

the use of traditional materials, as defined in Policy DP/2 of the South Cambridgeshire Local Development Framework Development Control Policies 2007.)

22. No Development shall commence until a Public Open Space Area Specification has been submitted to the Local Planning Authority as defined in the Agreement under Section 106 of the Town and Country Planning Act 1990 dated 29th September 2005.

(Reason – To ensure the detail and management of all areas of open space is adequately controlled.)

23. The development hereby permitted shall be carried out in accordance with the Schedule of Approved Plans labelled Schedule...

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

This application should be read in conjunction with the Legal Agreement dated...

Informative

All conditions within the updated outline consent (planning application reference S/2288/10 must be complied with, unless otherwise agreed in writing with the Local Planning Authority.

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

- South Cambridgeshire Local Development Framework 2007

Contact Officer: Andrew Phillips, Planning Officer
Telephone: (01954) 713169

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Papworth Everard Parish Council

Comments on:

S/2167/11 Location: Summersfield Development Site to the West, Ermine Street South, Papworth Everard, Cambridgeshire Description: Variation of conditions 11, 12, 14 and 23 of planning application S/1624/08/RM

02.12.11

1. House Types & External finishes

David Wilson Homes Types

H414-5 (Dwng no: 010-054-113)

Plot D218: The NW gable is dull and uninteresting. Propose addition of window.

H497-5 (Dwng no: 010-054-116)

Recommend addition of window/s, where possible. There are too many windows, giving a 'crowded feel' to the main façade. Combine windows, so that there are four main windows on this face. Reduce the size of the window above the front door. Plot D169: Southern gable is featureless wall, though will be seen from public areas.

H500-5 (Dwng no: 010-054-118)

Propose: line up dormers with windows below. Front door design is too elaborate for size of house — improve by removing surround to the door, but leave the flat hood in place.

H536-5 (Dwng no: 010-054-120)

The large square windows with small square panes are untypical of the windows used in this part of Cambridgeshire in the Georgian/Regency periods. Proposal: change the shape of the windows to one in which the vertical dimension is dominant. The main façade deserves dormer windows to light roof space, rather than Velux. The heavy door surround and cap to the bay window are unattractive elements.

P332-5 (Dwng no: 010-054-106)

Door too elaborate for style/size of house. Simplify. A plainer front door and door hood would be more appropriate here.

T320-5 - (Dwng no: 010-054-110)

A particular unattractive element of the front elevation is the way in which the dormer window sit directly on the gutter line. Propose either lowering eaves height, or using roof light instead of dormer. (However, this may have adverse consequences for headroom with the building, therefore, a more radical redesign or use of different house type may be needed).

Plot D185 'Special' (Dwng no: 010-054-106)

This design of this pastiche of a Victorian 'Gothic' house is 'overblown' and unacceptable in this prominent location on the edge of the formal green open space. There was never a requirement for a 'special, house in this location. The parish council would be content if a standard house type were used in this location (particularly if more effort were put into providing a house of quality and imagination on Peterhouse Square (see Plot 260, below).

Plot D260 ('central square', aka Peterhouse Square) (Dwng no: 010-054-137)

The requirement on this plot is for an individually (architect) designed house of quality and imagination that would be a focal point for this public space. The current proposal (a standard house type is unacceptable as it does not achieve the impact expected – see also comments on style H536-5, above). Very disappointing.

P332 (Dwng no: 010-054-129)

Door surround is too elaborate. There should be a four-panelled door on a house of this size and design. Remove the door surround, but leave the flat hood.

Barratt styles

Dartmouth (Special) – Plots B260 & 261 (Dwng no: 010-054-144)

There are too many windows on the front elevation, including the unnecessary 'tax window'. A 4-panelled door would be more appropriate for the style of house than the 6-panelled door proposed. Reduce the size of the window over the front door.

H497 – Plot B273 (Dwng no: 010-054-148)

The are too many windows on the front elevation. Reduce number.

K1 (Dwng no: 010-054-154/155)

This block of houses is over-designed. These are tall narrow houses and a much simpler frontage would be appropriate. The parish council consider the render at ground floor level, intended to appear as rusticated stone blocks is unnecessary and should be omitted. The doors and their surrounds are far too large (and elaborate) for the style and size of the houses. The doors appear to be 'squeezed in' between the windows (see particularly Plots B266-8 and B271-2 where the door hood touches the decorative brickwork at the window lintels). It may be appropriate to retain the 6-pannelled doors on the block, but the door surrounds need to be simplified or preferably removed and the door hoods narrowed.

In general the design of the K1 houses is very unsatisfactory. A much plainer treatment of the front elevations is would be appropriate. (See the town house blocks on the South Park Drive in the development on the opposite side of Ermine Street South).

Dartmouth - Plots B284 & B285

NO DRAWINGS for these plots appears to be included in the application bundle that the parish council received.

[End of comments on house types]

Papworth Everard Parish Council

Comments on:

S/2167/11 Location: Summersfield Development Site to the West, Ermine Street South, Papworth Everard, Cambridgeshire Description: Variation of conditions 11, 12, 14 and 23 of planning application S/1624/08/RM

02.12.11

PART 2:

2. Wall details (drawings) and Boundary treatments (Dwng no. 10-051-002 Rev B)

1800mm High Facing Brick Screen Walls

The developer must be made aware that carefully designed and substantial foundations will be required for the 1800mm High Facing Brick Screen Walls in the development to provide long-term stability. The heavy clay soils on which the development is to be built are notorious for shrinkage in dry weather. This frequently leads to movement in walls constructed in the area. Many of the walls constructed in the vicinity within the last 50 years have developed a significant tilt, presumably because their foundations are inadequate. The most concerning occurrence of brick boundary wall instability in Papworth Everard is on the eastern side of the car park to the rear of Pendrill Court in the village centre. This brick screen wall built in the 1990s has recently had to be buttressed with substantial timber supports.

1200mm High Larch Lap + Privacy Panel (1800mm)

The use of larch lap panels supported by timber posts is not acceptable in a development such as at Summersfield (Rear gardens of K1 block). They have an effective life of only a few years before they require replacement.

If larch lap panels are to be used it should be done in association with grooved concrete posts, which makes it less onerous and costly for householders to undertake replacement when necessary.

900mm High Estate Railings & hedging

It is noted when comparing the boundary treatment plan and the Soft Landscape scheme (Dwngs 02990 Rev C and 03991 Rev B) that along the spine road (Summer's Hill Drive) the estate railings and hedging are used together. The parish council supports this dual boundary treatment, but hope it will not result in the developer ultimately using either estate railings or hedging, bit both.

3. Bat and bird boxes (Dwng no. 10-051-002 Rev B)

The parish council fully supports to placement of bat and bird boxes within the development, but considers that the developers should be required to provide the purchasers of the houses that have these items on the property with information on their management and maintenance.

4. Wall and roof Materials (Dwng no: 10-054-004 Rev B)

The parish council believes the developers have made an attempt to relate brick type/colour to roof type/colours on each plot more appropriately than in earlier proposals. However, there is a heavy preponderance of dwellings with 'Baggeridge Orange Multi Gilt stock' in the south-eastern section of the Barrett part of the development, which the parish council does not support. Nor would the parish council support the use of this brick type for the feature house on plot D260.

The parish council is disappointed that the planning officer's suggestions for the use of alternative brick/tile types in the vicinity of Peterhouse Square to create a contrasting, more 'urban', character to this area have not been followed by the developers.

The parish council reserves the right to make further comments on materials once samples have been seen by members of its planning committee.

5. Garage and Front door styles and colours (Dwng no: 10-054-003 Rev B)

The parish council is concerned that small square front door windows continue to be shown on drawings of some individual house types in the application, although the 'Garage and Front door styles and colours' plan indicates that this type of door window is not proposed. There is a real potential here for mistakes to be made during construction that will result in the wrong door types being used.

Some attempt has been made by the developers to relate the door colours more closely with the brick and tiles of which the dwellings will be constructed. However, it is not possible to be sufficiently sensitive to the construction materials if the door colours continue to be applied in long runs of identical colours. One consequence of this, for example, on Plots D171, 172 and 173, where the houses will be of red brick with red roof tiles, black doors are proposed. The parish council believe that a coloured door (ideally, blue) would be more suitable in this instance. (Black doors are more appropriate on white rendered houses, or where the house type is more 'contemporary' in style).

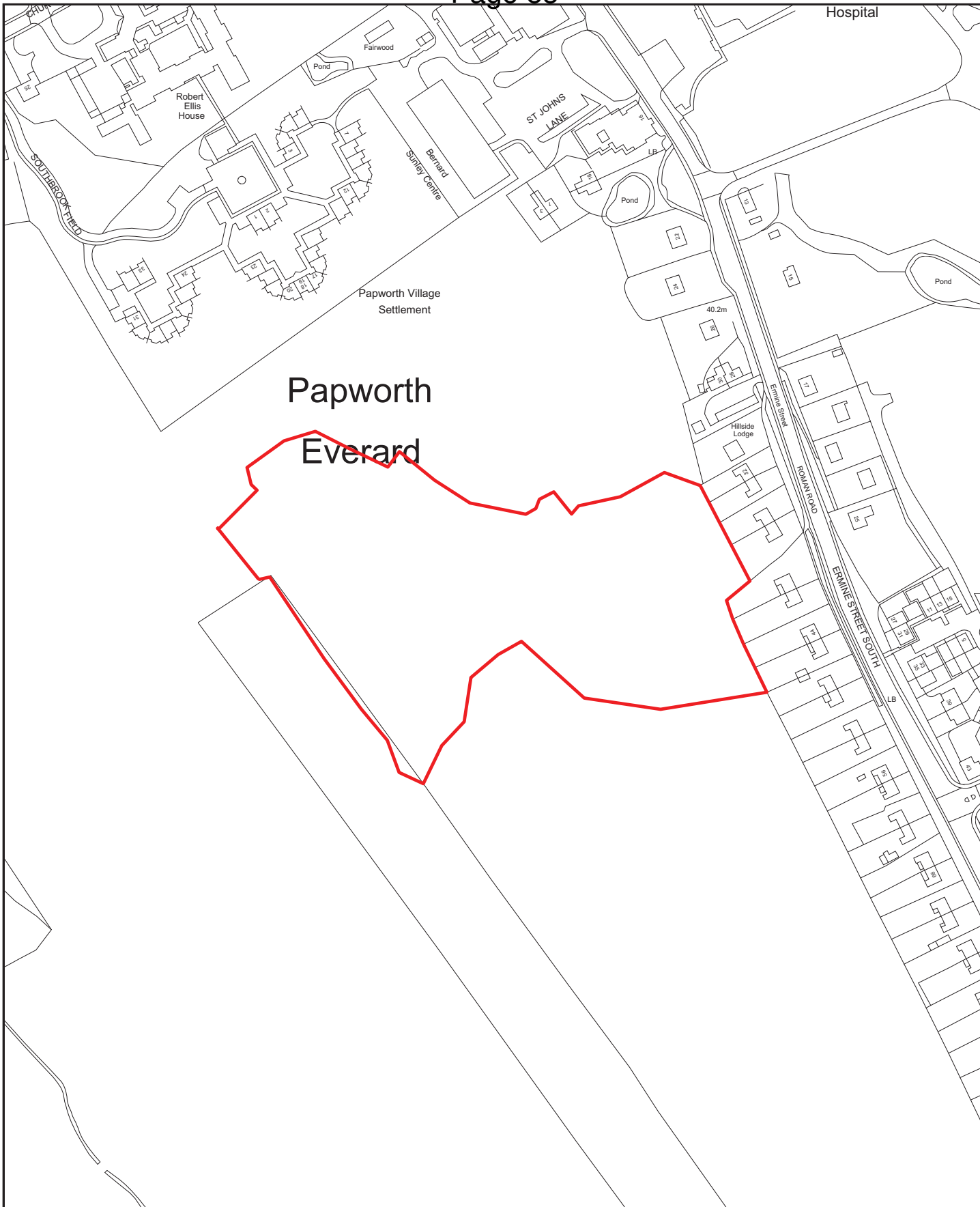
6. Soft Landscape scheme (Dwngs 02990 Rev C and 03991 Rev B)

The use of gravel with a timber border is a totally unacceptable finish to the surface of the public space at Peterhouse Square. In all previous plans and proposals the intention has been for this area to be a focal point of the northern part of this large development. It requires a high quality finish (some form of paving slabs, or at least block paving, reflect this status. Although the land slopes, part of the area should be made level and public seating, railings, etc installed to further emphasise its importance.

There is a regrettable lack of trees proposed in this phase of the development, particularly within the built-up area. At very least, opportunities should be considered for further planting along the spine road.

The planted borders in front of building block K1 (Plots B266 to B272) and plots D211 and D212 should be modified. They will be difficult to maintain and thus will deteriorate and become unsightly.

[End of part 2 comments on phase s of Summersfield]



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Time of plot: 10:09

Date of plot: 21/12/2011

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 January 2012

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 19 December 2011. Summaries of recent decisions of importance are also reported, for information.

- Decisions Notified By The Secretary of State**

Ref. no.	Details	Decision	Decision Date
S/1392/10/F	Dr S Sangray 37a Rampton Road Willingham Removal of agricultural Occupancy	Allowed	01/12/11
S/0262/11/F	Mrs S Izzard Land off Potton Road Gamlingay C of U of land to permanent residential caravan site	Dismissed	02/12/11
S/0251/11/F	Mr & Mrs Robinson 54 High Street Over Erection of a brick wall and gates onto High Street(retrospective)	Dismissed	05/12/11
S/2278/10/F	Mrs C Bidwell 20 New Road Over Two storey extension	Dismissed	05/12/11
S/0725/11/LB	Mr N Jones 13 Elmlea Silver Street Litlington Alterations/Extension to existing outbuilding to create a new bedroom and ensuite shower room	Allowed	06/12/11
S/0724/11/F	Mr N Jones 13 Elmlea Silver Street Litlington Alterations/Extension to existing outbuilding to	Allowed	06/12/11

	create a new bedroom and ensuite shower room		
S/1240/10/LB	Mr J Atherton Upper Farmhouse Alms Hill Bourn Demolition of Garden Wall	Allowed	06/12/11
S/1238/10/F	Mr J Atherton Upper Farmhouse Alms Hill Bourn Timber post & rail fence with gates in revised location	Allowed	06/12/11
S/0687/11/F	Mr I McFadyen 2 Poplar Farm Close Bassingbourn 16no photovoltaic solar panels o garage roof	Dismissed	08/12/11
S/0688/11/LB	Mr I McFadyen 2 Poplar Farm Close Bassingbourn 16no photovoltaic solar panels o garage roof	Dismissed	08/12/11

- **Appeals received**

3.

Ref. no.	Details	Decision	Decision Date
S/2145/10/F	Mr G Forbes Highbanks House Camps End Castle Camps Replacement Dwelling and Cof U of Agricultural Land to Garden Land (Part Retrospective Application)	Refused	11/11/11
S/0289/11/F	Highland Glen Estates Ltd 7 Water Lane Impington Erection of 2 detached dwellings following demolition of existing dwelling	Refused	14/11/11
S/0291/11/CAC	Highland Glen Estates Ltd 7 Water Lane Impington Demolition of existing dwelling	Refused	14/11/11
S/1298/11/F	Taylor Wimpey UK Ltd Land South-West 50 Greengage Rise Melbourn 3 Dwellings and Associated works	Refused	24/11/11

Mr R Crofts	Land adjoining 57 The Lanes Over Erection of 2 Bedroom 1 ½ storey dwelling	Refused	28/11/11
S/1442/10/F	Miss N Cameron Church Cottage Church Lane Kingston Two storey extension, New Garage, Demolition of chimney	Dismissed	30/11/11
S/1522/11/F	Mrs D Edwards Peartree Cottage 92 High Street West Wrating Erection of photo-voltaic panels on roof of detached garage	Refused	02/12/11
S/1284/11/F	Goreway Holdings Adj 7 Station Road Foxton Dwelling	Refused	05/12/11
S/1713/11/F	Mr & Mrs L Lattion 59 Ermine Way Arrington Dwelling and Car Park	Refused	07/12/11
S/1263/09/F	Tonga Marine Ltd Highfields Court Highfields Caldecote Variation of Condition	Refused	09/12/11
S/1263/09/F	Tonga Marine Ltd Highfields Court Highfields Caldecote Variation of Condition 1(A)	Refused	09/12/11

- **Local Inquiry and Informal Hearing dates scheduled before the next meeting on 11 January 2012.**

4.

Ref. no.	Name	Address	Hearing
S/0205/11/F	Mr J Calladine	Greenacre Farm Oakington Road Girton	13/12/11

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

5.

PLAENF.4484	Mr J Green	Overbrook Farm Green End Landbeach	24/01/12
S/2275/10/F	Mr Banks	Manor Farm Washpit Lane Harlton	31/01/12
S/1561/09/F	Mr Bibby	The Stables Schole Road Willingham	15/02/12

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

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Contact Officer: Nigel Blazeby – Development Control Manager
Telephone: (01954) 713165

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 January 2012

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

CURRENT ENFORCEMENT ACTION CASES

1. Purpose

To update Members about current enforcement action cases as at 19 December 2011.

Ref No	Village	Location	See Page No for full update	Remarks
18/98	Cottenham	Setchel Drove	1 – 4	Plots 7, 7A and Four Winds being monitored.
34/98	Milton	Camside Farm Chesterton Fen Road	4 – 10	<p>Defendants appeared before Cambridge Magistrates Court on 15th May 2007. Each given a conditional discharge for 18 months with £200 costs. Planning permission S/1653/07/F approved 12th August 2008 Letter received from defendants Solicitors regarding current circumstances – File submitted to Legal for opinion. Defendant's circumstances remain unchanged. Legal Officer informed.</p> <p>Defendants indicate their intention to move to the site at Southgate Farm, Chesterton Fen Road by July 2011. Waiting delivery of replacement mobile home.</p> <p>Unauthorised mobile homes now removed from site. Remove from active list</p>

Ref No	Village	Location	See Page No for full update	Remarks
19/03	Histon	Land adjacent to Moor Drove Cottenham Road	11 - 14	Application for injunction refused by the High Court, 5 th June 2008 Planning Appeal allowed, planning conditions to be monitored. All schemes required as part of the planning conditions have been submitted within timescale. The planning officer has requested further information in order that the schemes relating to conditions can be discharged.
9/04	Swavesey	Land adjacent to Cow Fen Drove	14 - 17	Monitoring visits have confirmed that the one of the defendants is still residing on site and is therefore in breach of the Injunction Order High Court date 22 nd June 2011 Defendant Steven Cuff found guilty of contempt by the Court and was sentenced to 90 days imprisonment. Monitoring continues

Ref No	Village	Location	See Page No for full update	Remarks
13/05	Cottenham	Plots 5, 5a, 6, 10 & 11 Orchard Drive	18 – 21	<p>Planning Appeal dismissed. Further report to be considered by Planning Sub Committee.</p> <p>No change - Needs Audits to be carried out</p> <p>The Planning Enforcement Sub-Committee considered a report relating to Plots 12 Victoria View, 15 Water Lane, and 5, 5A, 6, 10 and 11 Orchard Drive, all at Smithy Fen, Cottenham, as they remain either in active residential occupation or developed for residential occupation in breach of planning control, following the Sub-Committee's resolution on 21 July 2010 to enforce against continuing breaches.</p> <p>Planning Enforcement Sub-Committee resolved that SCDC make an application to the High Court for Injunctive relief under section 187B of the Town & Country Planning Act 1990 to remedy and restrain continuing breaches of development control, against those adults identified as being either an owner and /or an occupier of plots 5,5A, 6, 10, 11 Orchard Drive and 15 Water Lane, and against persons unknown in respect of those plots, upon the completion of updated needs audits, and provided these do not indicate any change in personal circumstances requiring further consideration by the sub-committee. Travellers Liaison Officer unable to obtain details relating to personal circumstances requiring consideration by the Sub Committee.</p> <p>Further Needs Assessments carried out - Formal proceedings continue.</p>

Ref No	Village	Location	See Page No for full update	Remarks
4/06	Cottenham	Plot 15 Water Lane Smithy Fen	21 - 25	<p>Appeal dismissed on 29th January 2007. File submitted for an application for an injunction. Report to be considered by Planning Sub Committee No change - Needs Audits to be carried out</p> <p>Planning Enforcement Sub-Committee resolved that SCDC make an application to the High Court for Injunctive relief under section 187B of the Town & Country Planning Act 1990 to remedy and restrain continuing breaches of development control, against those adults identified as being either an owner and /or an occupier of plots 5,5A, 6, 10, 11 Orchard Drive and 15 Water Lane, and against persons unknown in respect of those plots, upon the completion of updated needs audits, and provided these do not indicate any change in personal circumstances requiring further consideration by the sub-committee. Travellers Liaison Officer unable to obtain details relating to personal circumstances requiring consideration by the Sub Committee. Further Needs Assessment carried out - Formal proceedings continue.</p>
8/06	Melbourn	1 London Way Clunchpits	25 - 27	<p>Appeal allowed in part and dismissed in part. Partial compliance. Landscaping scheme now approved. Highways & Environmental Health issues reviewed on site. Findings to be published shortly. No Change – Matter to be referred back to Planning Officer Institute Occupational Management to undertake a further risk assessment on the right of way / asbestos issue Multi Agency meeting to be arranged to agree way forward. Meeting held, further information required.</p>

Ref No	Village	Location	See Page No for full update	Remarks
7/07	Barton	The Drift Cambridge Road	27 - 29	<p>Appeal dismissed on the 1st April 2008. Compliance date 1st October 2008 Partial compliance. Discussions continue.</p> <p>Matter referred to delegation to consider next steps</p>
16/07	Willingham	38 Silver Street	29 - 30	<p>Enforcement Notice issued 28th September 2007 for unauthorised work on Listed building. At Cambridge Magistrates Court on 10th January 2008 the owner was fined £10,000 for unauthorised works. A Listed building application S/0192/08/LB, approved 19th March 2008 complies with first part of the Enforcement Notice. Site is being monitored for compliance. Owner interviewed regarding failure to instigate remedial works. Timetable agreed.</p> <p>Works commenced</p> <p>Majority of work now complete although minor finishes to be completed. House still unoccupied.</p> <p>Waiting for further instruction from Conservation team</p>
5/08	Milton	27/28 Newfield's Fen Road Chesterton	31 - 32	<p>Enforcement Notice appealed. Hearing date to be confirmed. Fresh application submitted. Appeal dismissed 6th May 2009, four months compliance period. Further planning application received and registered. Application S/1170/09 approved 24th November 2009, Conditions to be monitored. Further planning application submitted – Ref: S/0246/10/F. Planning permission refused. File submitted to Legal. Further information requested, file resubmitted.</p>

Ref No	Village	Location	See Page No for full update	Remarks
6/08	Milton	6 Sunningdale Fen Road Chesterton	33 - 34	<p>Enforcement Notice appealed. Inquiry date 10th February 2009 Appeal allowed on ground (a) Conditional planning permission granted. Compliance period six months i.e. by 18th August 2009. Planning application received and registered. Application S/1154/09 approved 5th October 2009 – Conditions to be monitored. Original building not removed as per condition – File to be submitted to Legal Further information received from the owner, awaiting further instruction from planning officer.</p>
12/08	Histon	Plot 4 Moor Drove	34 - 35	<p>Prosecution file submitted to Legal regarding failure to comply with a "Temporary Stop Notice" Enforcement Notice Issued. Retrospective planning application submitted. Approved at Committee 10th June 2009 Conditions to be monitored</p>

Ref No	Village	Location	See Page No for full update	Remarks
13/08	Melbourn	49 High Street	36 - 37	<p>Enforcement Notice issued. Prosecution file submitted to Legal for failing to comply with the Enforcement Notice. Defendants found guilty at Cambridge Magistrates Court. Enforcement Notice still not complied with. Further prosecution file submitted Hearing date set for 9th July 2009. Male Defendant ejected from court, case adjourned until 23rd July 2009. Both Defendants found guilty at Cambridge Magistrates Court, and fined £1000 each with costs totalling £520</p> <p>Enforcement Notice not complied with, Prosecution file submitted, Hearing date set for 17th December 2009</p> <p>Both defendants found guilty at Cambridge Magistrates Court and fined £2195 each including costs of £180 each and £15 each victim surcharge. Enforcement Notice still not complied with. File submitted to Legal to instigate formal action.</p> <p>Retrospective planning application submitted. Application refused.</p> <p>Negotiations continue to ensure compliance with the outstanding enforcement notice.</p>
01/09	Great Abington	82 High Street	37 - 38	<p>Listed Building Enforcement Notice no 3342 issued 6th January 2009 for unauthorised works on a Listed building. Compliance period 3 months.</p> <p>Appeal submitted out of time – Prosecution file to be submitted to Legal. Discussions continue to resolve. Listed Building Enforcement Notice complied with in part – Negotiations continue.</p> <p>Planning Appeal dismissed 26th May 2010.</p> <p>Negotiations continue – Owners currently living abroad.</p> <p>Remedial works commenced, completion due November 2011</p> <p>Majority of works now complete, Further inspection to be carried out by Conservation team.</p>

Ref No	Village	Location	See Page No for full update	Remarks
07/09	Sawston	163 High Street	38 - 39	<p>Listed Building Enforcement Notice issued for dismantling and removal works without authorisation Appealed – Hearing date 5th January 2010.</p> <p>Appeal withdrawn.</p> <p>Formal discussions with Conservation Team as to next steps.</p>
16/09	Milton	The Barn, Chesterton Fen Road,	39 - 40	<p>Enforcement Notice issued in respect of breaches of control – Compliance period four months i.e. by 6th February 2010. Appealed – Inquiry 13th & 14th April 2010 Inquiry date moved to 18th & 19th May 2010. Appeal dismissed – Compliance period 9 months i.e. February 2011. Compliance still outstanding. File to be submitted to Legal. Enforcement Notice Complied with. Remove from active list.</p>
01/10	Histon	Land at Moor Drove	40 - 41	<p>Enforcement Notice issued – Compliance period to cease the unauthorised use two months i.e. by 15th April 2010 – Appeal submitted</p> <p>6th December 2010 appeal dismissed, compliance period 6th February 2011</p> <p>Further report received that the HGV vehicle previously identified, is continuing to breach the planning enforcement notice. Breach confirmed and formal copy of the appeal decision notice and warning issued to the vehicle operator. Monitoring continues. Enforcement Notice now complied with – Monitoring to continue.</p>

Ref No	Village	Location	See Page No for full update	Remarks
02/10	Stapleford	Hill Trees Babraham Road	41 - 42	<p>Enforcement Notice issued – Compliance period to cease the use of the land for motor vehicle sales and repairs one month i.e. by 15th April 2010 Appeal submitted.</p> <p>Public Enquiry date 12th October 2010</p> <p>Appeal dismissed 4th November 2011 partial costs awarded. Application to appeal against the Inspectors decision has been made Appeal registered – Court Hearing Date confirmed as 18th October 2011. Application to appeal dismissed. Further site inspection carried out 2nd December 2011 although notice complied with further issues were highlighted relating to the storage of motor vehicles and amenity /waste deposited on the land. Legal file to be prepared.</p>
13/10	Whaddon	North Road Farm Ermine Way	42 - 43	<p>Listed Building Enforcement Notice issued – Compliance period one calendar month, i.e. by 22nd April 2010</p> <p>Appeal submitted 4th March 2010.</p> <p>Appeal dismissed – New planning application (S/0292/10/LB) refused, further appeal lodged.</p> <p>Enforcement Notice withdrawn – Planning and Conservation Officers currently in negotiation with Owner</p>
19/10	Stow-Cum-Quy	Park Farmhouse Station Road	43	<p>Listed Building Enforcement Notice issued – Compliance period to remove the unauthorised gates three months i.e. by 8 August 2010.</p> <p>Notice Appealed.</p> <p>Listed Building Enforcement Notice withdrawn and reissued – See case 24/10</p>

Ref No	Village	Location	See Page No for full update	Remarks
23/10	Meldreth	Field Gate Nurseries 32 Station Road	43 - 44	<p>Enforcement Notice issued – Compliance period to dismantle or demolish the structure of the extension and remove all resulting materials, rubble and /or spoil from the site, one month i.e. 12th August 2010</p> <p>Application submitted – Planning permission granted subject to conditions. Compliance to be monitored.</p>
24/10	Stow-Cum-Quy	Park Farm Station Road	44 - 45	<p>Enforcement notice issued – Compliance period to remove unauthorised gates, one month i.e. by 6th September 2010 Appeal submitted</p> <p>1st December 2010 appeal dismissed – Time period to comply extended to 12 months – Revised scheme to be submitted and agreed by SCDC. Revised scheme agreed further application to be submitted.</p>
28/10	Odsey	Odsey Grange Baldock Road	45	<p>Enforcement Notice issued – Compliance period to remove the unauthorised garage, three calendar months i.e. by 21st April 2011</p> <p>Appeal submitted</p> <p>Appeal dismissed – Compliance period 3 months i.e. by 9th September 2011 Re-Inspection appointment set 28th September 2011. Further application submitted S/1942/11 – Negotiations continue.</p>
1/11	Hardwick	The Blue Lion 74 Main Street	45	<p>Enforcement Notice Issued. Compliance period to remove unauthorised decking structure - One month i.e. by 30th September 2011.</p> <p>Appeal submitted</p>

Ref No	Village	Location	See Page No for full update	Remarks
3/11	Meldreth	Land to the South West side of Whaddon Road	46	<p>Enforcement Notice Issued. Compliance period to remove the three unauthorised storage container structures from the affected land and restore the affected land to its former condition as land in agricultural use - One month i.e. by 21st October 2011.</p> <p>Application S/1881/11 submitted. Temporary consent for 3 years granted. Remove from active list.</p>
4/11	Landbeach	Overbrook Farm Green End	46	<p>Enforcement Notice Issued. Compliance period to cease residential occupation of the three static caravans and then remove the same from the affected land, followed by restoration of the affected land to its former condition as land in agricultural use – Three months i.e. by 19th December 2011.</p> <p>Appeal submitted</p>
6/11	Little Wilbraham	The Scholars Junction of Rectory Farm Road & Great Wilbraham Road	46 - 47	<p>Enforcement Notice issued. Owners required to a) Complete remedial works to ensure that no part of the boundary treatment (including piers or other features) exceeds 1 metre in height. b) remove the brick outbuilding and c) remove all scrap or surplus material resulting from compliance with parts a) and b) Compliance period three months. Appeal submitted – 18th December 2011</p>

Ref No	Village	Location	See Page No for full update	Remarks
7/11	Little Wilbraham	The Scholars Junction of Rectory Farm Road & Great Wilbraham Road	47	<p>Enforcement Notice issued. Owners required to:</p> <ul style="list-style-type: none"> a) Remove the stainless steel extraction flue together with all associated exterior brackets and supports. b) Remove the air-conditioning units and all associated exterior cabling and pipe work and c) Remove the unauthorised raised lantern type roof-light structure and replace with a flat profiled roof-light to accord with the details shown in plan 2001-003 revision B, as approved under planning consent S/0797/10/F <p>Compliance period three months.</p> <p>Appeal submitted – 18th December 2011</p>
8/11	Arrington	<ul style="list-style-type: none"> a) Leo Autopoint Petrol Filling Station, 11 Ermine Way b) Former Telephone Exchange, Ermine Way 	48	<p>Enforcement Notice issued. Steps to be taken.</p> <ul style="list-style-type: none"> a) Cease the use of Area's A and B for commercial purpose consisting of the repairing, servicing, valeting and sale of motor vehicles. b) Remove all motor vehicles from the affected land that are present in connection with the unauthorised commercial use. <p>Compliance period three months – 2nd April 2012</p>

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

- Enforcement Action Progress Report as at 19th December 2011 (attached to the electronic version of the agenda on the Council's website)

Contact Officer: Charles Swain – Planning Enforcement Dept
Telephone: (01954) 713206