

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](http://www.scambs.gov.uk)



24 May 2012

To: The Chairman, Vice-Chairman and all Members of the Planning Committee

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, 6 JUNE 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 SEATING AND SPEAKING

Public seating is available both in the Council Chamber (First Floor) and the Public Gallery / Balcony (Second Floor). Those not on the Committee but wishing to speak at the meeting 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 9 May 2012 as a correct record. The Minutes can be read by going to [www.scambs.gov.uk/meetings](http://www.scambs.gov.uk/meetings) and then following the relevant link.

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

- |           |   |                |
|-----------|---|----------------|
| <b>4.</b> | <b>S/0534/12/VC - Cambourne (WM Morrisons, Broad Street)</b>  | <b>3 - 12</b>  |
| <b>5.</b> | <b>S/0821/12/PO - Hardwick (196 St Neots Road)</b>  | <b>13 - 18</b> |
| <b>6.</b> | <b>S/1490/10 - Steeple Morden (Land adjacent to 28 Ashwell Road)</b><br>There is no plan associated with this report.   | <b>19 - 20</b> |
| <b>7.</b> | <b>S/2559/11 - Orchard Park (Site A (Formerly Q &amp; HRCC) Land Off Ringfort Road, and Site B (Formerly E3, Comm2A, Comm2B &amp; E4) Land off Chieftain Way)</b> | <b>21 - 64</b> |
| <b>8.</b> | <b>S/2587/11- Great Shelford (Camping and Caravan Site, Cabbage Moor)</b>   | <b>65 - 76</b> |
| <b>9.</b> | <b>S/2509/11 - Stapleford (Bury Farm, Bury Road)</b>  | <b>77 - 94</b> |

## **INFORMATION ITEMS**

- |            |  |                |
|------------|--|----------------|
| <b>10.</b> | <b>Appeals against Planning Decisions and Enforcement Action</b> | <b>95 - 98</b> |
|------------|--|----------------|

### **OUR VISION**

South Cambridgeshire will continue to be the best place to live and work in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment. The Council will be recognised as consistently innovative and a high performer with a track record of delivering value for money by focussing on the priorities, needs and aspirations of our residents, parishes and businesses.

### **OUR VALUES**

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

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

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

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

### **Security**

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

### **Emergency and Evacuation**

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

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

### **First Aid**

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

### **Access for People with Disabilities**

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. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can obtain both neck loops and earphones from Reception.

### **Toilets**

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

### **Recording of Business and Use of Mobile Phones**

The Council is committed to openness and transparency. The Council and all its committees, sub-committees or any other sub-group of the Council or the Executive have the ability to formally suspend Standing Order 21.4 (prohibition of recording of business) upon request to enable the recording of business, including any audio / visual or photographic recording in any format.

Use of social media during meetings is permitted to bring Council issues to a wider audience. To minimise disturbance to others attending the meeting, all attendees and visitors are asked to make sure that their phones and other mobile devices are set on silent / vibrate mode during meetings.

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

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

### **Disturbance by Public**

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

### **Smoking**

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

### **Food and Drink**

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

## EXCLUSION OF PRESS AND PUBLIC

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

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

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

### Notes

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

South Cambridgeshire District Council

Planning Committee – 6 June 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:

**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:

Please return the completed form to [ian.senior@scambs.gov.uk](mailto: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]**

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

Please return the completed form to [ian.senior@scambs.gov.uk](mailto: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.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

6 June 2012

**AUTHOR/S:** Planning and New Communities Director

---

**S/0534/12/VC - CAMBOURNE**

**Variation of Condition 1 of S/6133/01/RM (food store, settlement centre and settlement centre car park) to increase the limit of maximum net sales area within the food store from 2,800m<sup>2</sup> to 3,200m<sup>2</sup>**

**at Wm Morrison Supermarkets Plc, Broad Street Cambourne**

**for Wm Morrison Supermarkets Plc**

**Recommendation: Delegated Approval Subject to Variation of S106**

**Date for Determination: 3 July 2012**

**Notes:**

**This Application has been reported to the Planning Committee for determination because the officers recommendation of approval is contrary to Cambourne Parish Council's.**

**To be presented to the Committee by Melissa Reynolds**

**Site and Proposal**

1. Morrison's supermarket is located on the north side of Cambourne High Street at its junction with Broad Street. The site encompasses the store, petrol station and car park. It is bounded to the north by De La Warr Way. A vacant site for retail development and Sackville House, housing a library, health centre and Trading Standards lie to the west of the car park. South of the site, fronting High Street is building W2, accommodating shops and flats.
2. This planning application seeks to vary a condition of the original planning permission for the supermarket. The condition limited the maximum gross internal floor space on both storeys to 5740m<sup>2</sup>, incorporating a maximum net sales area of 2800 m<sup>2</sup>. The application seeks to vary this to allow a maximum net sales area of 3200 m<sup>2</sup>. No physical extensions to the building are sought.
3. The store has, earlier this year, undergone a programme of internal alterations to its layout to allow the store to operate more flexibly from its existing premises.
4. The application is accompanied by information to support the variation proposed:
  - a) The store is the focus of the settlement centre and is the only food store in the centre. Retail proposals should be considered appropriate in the centre.
  - b) Popularity with its customers – serving the growing population of Cambourne plus villages between St Neots, Huntingdon and Cambridge, most which have

limited essential convenience shops only capable of performing a 'top up' shopping role.

- c) The store is very busy and at peak times shopping conditions become uncomfortable.
- d) In recent years, foodstores have increased in size to reflect customers' desires to undertake one-stop bulky shopping trips. The small size of the store means Morrisons is unable to provide customers with the same quality of shopping experience and range of goods that are available at competing superstores. This is contrary to PPS4, which seeks to facilitate greater consumer choice and to encourage a competitive retail sector.
- e) The increase in sales area will allow more comfortable shopping conditions due to greater circulation space and delivery of an improved bulk food shopping offer that is of the same standard as other existing superstores in the wider surrounding area.
- f) The current restriction on net sales floor area was designed to ensure 'an appropriate level of convenience shopping within a single unit, in keeping with the size of Cambourne and its immediate catchment.' Cambourne has seen significant growth since and the store serves an extensive rural catchment. A marginally larger net sales area should be considered appropriate in this location.
- g) At 2800 m<sup>2</sup> the current cap on net sales area means that Morrisons is restricted to a net gross factor of 48.8%. Countrywide Morrisons stores generally operate at an average net to gross factor of approximately 55%. The variation sought would bring the store at Cambourne into line with company average.
- h) The site's in centre location means that the sequential test and issues of impact are not relevant. The impact of the proposal is minimal due to its small scale and fact that it would not be expected to alter the patterns of expenditure in the catchment area.
- i) PPS4 requires retail proposals for in-centre locations to have regard to issues of scale. Increasing the cap on net sales area by 400 m<sup>2</sup> will have a negligible impact, reflects internal layout changes being made across the country as Morrisons rolls out its 'stores of the future' concept, and the quantum of back-up and storage area is decreased as the overall floorspace will remain unchanged.
- j) The principle of increasing the sales area has already been accepted by the Council during its consideration of planning application ref. S/6393/07/F, which was refused due to loss of car parking for the centre.

5. Additional information submitted on 17<sup>th</sup> May 2012 includes further explanation in relation to the proposed increase in net sales area and addresses the concern raised by the Parish Council in relation to the sales of comparison goods within the store. This letter was accompanied by (a) a plan of the ground floor illustrating the area previous and the new net sales area; (b) A plan showing the areas within the store now being used for comparison goods by category and area; and (c) a copy of 'The Study Area & Household Survey Zones' plan taken from the 2008 Cambridge Sub-Regional Retail Study. The letter confirms that:

- a) The main increase in net sales area results from removal of the entrance gates and moving the Customer Services kiosk so that the former entrance area can be utilised for the sale of plants and flowers. Circulation space has been improved, predominantly around the fresh produce aisle.
- b) The submitted plan showing the areas being used for sale of comparison goods shows that all categories are compliant with the 92m<sup>2</sup> restriction ,



however, the total area has increased to 596m<sup>2</sup>, the limit within the S106 being 464m<sup>2</sup>. A Deed of Variation will be provided to amend this clause.

- c) Cambourne functions as the main shopping destination for the residents of Cambourne and the Morrisons constitutes the primary shopping facility. The granting of permission for an additional 950 homes represents an increase in population of around 2,400 persons. There is a need to reflect that increase by providing for improved shopping facilities in the settlement. They consider the improved Morrisons store to be the most sustainable way of meeting bulk food shopping needs of the additional population.
- d) The store serves a wider catchment, beyond Cambourne, notwithstanding its position within the retail hierarchy. The primary catchment for the Morrisons comprises Cambourne and the surrounding villages.
- e) The surrounding villages have very limited food shopping facilities for essential needs only. Morrisons plays an important role in meeting bulk food shopping needs of the residents of the surrounding villages.
- f) Morrisons has a significant market share, as analysed in the 2008 Cambridge Sub-Regional Retail Study.
- g) The store needs to provide a similar quality of shopping experience and range of goods to other large supermarkets to serve this catchment to avoid expenditure leakage from the catchment to competing retail facilities at Huntingdon, St Neots, Royston and Bar Hill. All competing stores are larger, notably Bar Hill. It is concerned about exacerbating leakage to these other stores.
- h) Approximately 81% of the store's sales area is dedicated to convenience goods and the remaining 19% of the sales area (i.e. 596m<sup>2</sup>) is for the display of a limited range of ancillary and complementary comparison goods that aim specifically to cater for small impulse purchases that customers expect to buy when undertaking their main food shopping. In this way, it will not function as a comparison goods shopping destination in its own right and therefore, it does not pose a threat to in-centre comparison retailers and / or future investment. The 2008 Retail Study Household Survey results confirm that Morrisons does not feature in any responses in respect of where residents carry out their shopping for comparison goods, unlike Bar Hill. In light of the modest increase, Morrisons will not harm the future development / investment in Cambourne and specifically the High Street. Indeed, they consider that the new Morrisons format represents a significant investment in Cambourne and will attract customers back to the store from competing stores such as Tesco at Bar Hill to the benefit of Cambourne.
- i) A further thirteen part-time staff have been employed as a consequence of the proposal.

### Planning History

6. The principle of the existing Morrisons store was established by the outline planning permission for the settlement of Cambourne dated 20 April 1994 (ref. **S/1371/92/O**).
7. Reserved matters for the siting and means of access for a foodstore and settlement centre car park were granted on 22<sup>nd</sup> August 2001 (ref. **S/6084/00/RM**). It secured consent for the erection of a Class A1 retail store of 5,740 sq m gross. The car park was required to be dual use in the sense that it would also serve surrounding development rather than just the supermarket.
8. The remaining reserved matters were granted permission (ref. **S/6133/01/RM**) in 2002. The petrol filling station, kiosk and car wash was approved under a separate reserved matters permission in 2002 (ref. **S/6134/01F**). A link building to extend the

café area between the supermarket and the adjacent W2 building facing the High Street (ref. **S/6165/02/F**) was granted permission in November 2002 but not implemented, and has expired. The loading area of the store has been enclosed under permission reference **S/6239/04/F**. There has also been a number of minor applications relating to matters such as advertisement consent.

9. An application to erect an extension to the sales area of the store (ref. **S/6393/07/F**) was refused and a subsequent appeal dismissed on grounds that the effective loss of car parking capacity which would result from the proposed supermarket extension would be prejudicial to the provision of sufficient car parking to adequately support the development of the centre as envisaged in the Master Plan.
10. In terms of the settlement centre, proposals for a DIY store and garden centre were submitted to the Council in January 2007 (ref: **S/6383/06/F**). The application proposed a 2,393 sq m (gross) DIY store and a 932 sq m (gross) garden centre. The application was withdrawn in February 2007 following objections from officers on design grounds. Officers are currently in pre-application discussions relating to this site and two other undeveloped parcels within the settlement centre.
11. Planning permission was granted for a Care Home and 3 retail units on the corner of High Street and Monkfield Lane (ref: **S/6379/06/F**) in August 2007. This site remains undeveloped at present.
12. Outline planning application ref. **S/6438/07/O** was submitted by MCA Developments Ltd in August 2007, seeking approval for a further 950 dwellings (plus community building, open space and play areas) within Upper Cambourne. The application was approved in September 2011 and work has commenced on the first parcels, with three reserved matters permissions having been granted for a total of 103 units. A fourth reserved matters application for a 114 is yet to be determined.

### **Planning Policy**

13. **South Cambridgeshire Local Development Framework (LDF) Core Strategy DPD, adopted January 2007:**
  - a) **ST/4** Rural Centres
  - b) **ST/9** Retail Hierachy
14. **South Cambridgeshire LDF Development Control DPD, adopted July 2007:**
  - a) **SF/2** Applications for New Retail Development
  - b) **SF/4** Retailing in Villages
15. **National Planning Policy Framework (NPPF), published March 2012** advises in paragraph 23-27 on the development of Local Plan policies and assessment of planning applications to ensure the vitality and viability of town centres. Paragraphs 26-27 establish that an impact assessment is required for proposals with a floorspace threshold of more than 2,500 sq m (or other locally set threshold).
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.

**Consultation by South Cambridgeshire District Council as Local Planning Authority**

17. **Cambourne Parish Council** - recommends refusal on the following grounds:
- a) Insufficient information available to justify the increase in floor space.
  - b) It requires a plan indicating how the additional floor area is to be created.
  - c) There is no reference to the Section 106 legal agreement (S106), which has restriction on the categories and amount of sales space as a maximum area of 464m<sup>2</sup> for comparison goods with each category not exceeding 92m<sup>2</sup>. A plan is required to show how the proposed changes affect these limits and ensure the S106 is being complied with.
  - d) The above items are required to assure that the marketing and development of the High Street is not adversely affected by alterations to the area of comparison goods and increased floor area.
  - e) It challenges the statement that the increased floor area would provide more circulation space, as experience of the revised layout shows that the space between the shelves has been reduced in width reducing the level of circulation space.
  - f) It queried whether, if the plan is agreed, the S106 would subsequently need to be renegotiated.
18. The Parish Council has been consulted on the additional information submitted on 17<sup>th</sup> May 2012. Its views will be reported by way of an update.
19. **Economic Development Panel** – Supported the application and made the following points:
- a) Refer to the Cambridge Sub-Region Retail Study, published 2008, that informed the informal planning policy guidance document 'Foodstore Provision in North West Cambridge Informal Planning Policy Guidance', 2011, for information on catchment of Morrisons at Cambourne.
  - b) It will intercept visits to Tesco at Bar Hill and as such increase sustainability by reducing travel.
  - c) The condition was applied prior to the approval of an additional 950 homes at Cambourne. The proposal is modest and will cater for the increased population arising from that approval.
  - d) Queried if any additional jobs were created as a consequence.

**Representations by Members of the Public**

20. No representations have been received.

**Material Planning Considerations**

21. The key consideration in determining this planning application is whether the increase in net sales area is appropriate to the scale of Cambourne in terms of its function as a Rural Centre, and whether if approved, it would have an adverse impact the delivery of the rest of the High Street.
22. Reviewing the net sales area also requires a consideration of the balance between convenience and comparison goods on sale, as there is currently a limit on the extent of comparison goods within the supermarket.

23. The effect of granting a variation of condition would be to issue a new planning permission for the supermarket and so appropriate planning controls need to be re-visited, including conditions and S106 obligations.

***Net sales area***

24. The supermarket is situated in the Cambourne settlement centre. In terms of retail hierarchy, it is not defined as a town centre. It is a local centre and policy ST/9 informs that these 'are appropriate locations for shopping to serve their local catchment are only'.

25. The local catchment of Cambourne has not been specifically defined, however in recent studies such as the 'NW Cambridge Supplementary Retail Study – Final Report' it is noted that:

'Cambourne Rural Centre is a new village lying approximately eight miles to the west of Cambridge which serves a planned housing development. Cambourne is still expanding and there are outstanding retail permissions which have not yet been implemented. The centre has a good range of uses and is anchored by a modern Morrisons foodstore. There are two retail developments adjoining Morrisons, which comprise a high proportion of retail service uses.' (P68 NW Cambridge Supplementary Retail Study – Final Report).

'...whilst it is still expanding (there is significantly more housing to be built) and therefore is yet to fulfil its potential, the centre appears to be relatively vital and viable.' (P68, NW Cambridge Supplementary Retail Study – Final Report).

26. The applicant has advised that the supermarket at Cambourne serves a catchment of its own residents but also drawing customers from 'a hinterland which includes a large number of villages from Conington to the north, Barton to the east, Wimpole to south and Gamlingay to the west. It also draws shoppers from surrounding villages
27. The relatively modest increase in net sales area of 400m<sup>2</sup> will provide a sustainable, primary shopping facility for existing residents of Cambourne, its growing population and rural catchment. It is unlikely to impact on retailing within the villages and the future development of the High Street for which officers are at an advanced stage of pre-application discussions in relation to developing two further sites, with applications expected this summer. The views of the Cambourne Consortium who are marketing the remaining sites in the High Street have been sought.

***Increase in area for sale of 'comparison' goods***

28. The S106 that accompanies the original outline planning permission for the supermarket placed a limit on the sale of comparison goods within the store. Of the total 464m<sup>2</sup> of net sales area not more than 92m<sup>2</sup> can currently be used for sale of comparison goods. These goods include: (a) books, newspapers, magazines, (b) clothing, footwear, (c) furniture, floor coverings, household textiles, (d) radio, electrical and other durable goods, (e) hardware and DIY supplies, (f) chemists' goods, (g) jewellery, silverware, watches and clocks, (h) recreational and other miscellaneous goods.
29. In a letter received on 17<sup>th</sup> May 2012, the applicant has confirmed that every category of comparison goods is compliant with the 92m<sup>2</sup> limit, however, the total comparison

sales area is 596m<sup>2</sup>. This limitation is to be applicable until the date of the first occupation of the final unit comprised within the proposed ground floor element of units at W1-W6. Of these buildings, W1 – Caxton House on corner of School Lane and Broad Street and W2 (the building north of High Street & south of Morrisons & the car park) have been constructed. W3 and W4 are the remaining parcels fronting High Street on its northern side (between W2 and Sackville House). W5 and W6 are the vacant parcels on the south side of High Street between the Monkfield Arms PH and a vacant site for offices (west of The Hub). The purpose of this restriction was limit the impact of a supermarket on delivery of the High Street. It is suggested by the applicant that a Deed of Variation to the S106 be submitted to address this change.

30. The increase is relatively modest 132m<sup>2</sup> and, as such, it is not considered that the impact would be so great as to warrant a refusal. Subject to the responses of the consortium in relation to specifically a Deed of Variation, approval is recommended.

### **Recommendation**

31. It is recommended that the Planning Committee gives officers delegated powers to approve the application subject to
- a) Section 106 requirements (deed of variation in relation to comparison goods)
  - b) The response of Cambourne Parish Council to the additional information.
  - c) The following Conditions and Informatives:

### **Conditions**

- (a) The building hereby permitted shall not exceed a maximum gross internal floorspace on both storeys of 5740m<sup>2</sup> incorporating a maximum net sales area of 3200m<sup>2</sup>.  
(Reason: To ensure an appropriate level of convenience shopping within a single unit, in keeping with the size of Cambourne and its immediate catchment area, whilst recognising the need to allow for the development of other retail units planned for this local shopping centre within this new settlement, in accordance with the aims of the Approved Master Plan and Design Guide).
- (b) The refuse storage area and recycling facilities shall be maintained for use for these purposes.  
(Reason: To ensure that appropriate facilities are provided for refuse storage and recycling given that this will now form the principal recycling facility for Cambourne).
- (c) No barrier shall be installed at the entrance to or exit from the car park, unless previously agreed in writing by the Local Planning Authority.  
(Reason: To ensure the car park remains available for use by members of the public at all times).
- (d) The northern boundary treatment to the foodstore shall be maintained hereafter.  
(Reason: To ensure the visual quality of the development).
- (e) Covered secure parking for bicycles for staff and cycle parking for visitors for use in connection with the supermarket shall be maintained hereafter.  
(Reason: To ensure provision for cycle parking is retained).
- (f) 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 but excluding office equipment and vehicles and the location from the building of such plant or equipment, shall be submitted to and approved, in writing, by the Local Planning Authority

before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions.

(Reason: To safeguard the amenity of nearby residents and adjoining users and in order to minimise the intrusion of such features into the street scene).

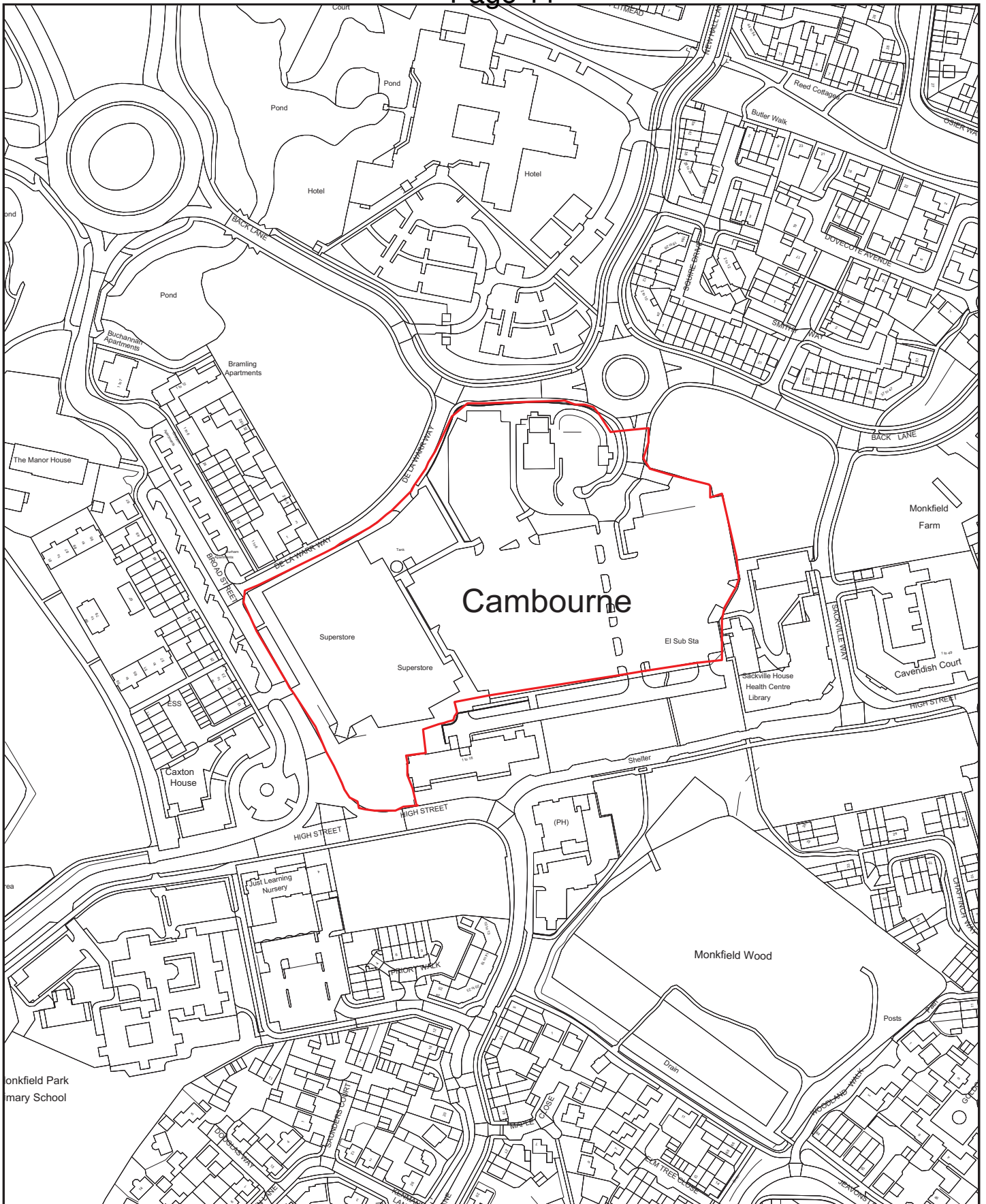
- (g) There shall be no external storage of materials and products save for recycling bins and refuse to be store, as agreed by condition 2.  
(Reason: To prevent unsightliness).
- (h) No openings in any elevation of the foodstore hereby permitted shall have canopies, grilles, shutters or blinds attached to any part of the aforementioned units, unless agreed in writing by the Local Planning Authority.  
(Reason: In the interests of visual amenity).
- (i) The permanent space to be reserved on site for turning, parking, loading and unloading shall hereafter be maintained.  
(Reason: In the interests of highway safety).
- (j) No lighting, bollards to CCTV shall be installed other than in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.  
(Reason: To ensure a coordinated approach to the provision of lighting/structures).

### **Informatives**

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

- South Cambridgeshire Local Development Framework Core Strategy DPD (adopted January 2007)
- South Cambridgeshire Development Framework Development Control Policies DPD (adopted July 2007)
- National Planning Policy Framework (NPPF), published March 2012
- Circular 11/95 (The Use of Conditions in Planning Permissions)
- NW Cambridge Supplementary Retail Study – Final Report (published 2011)
- Planning File Refs: S/1371/92/O, S/6084/00/RM, S/6133/01/RM, S/6134/01F, S/6165/02/F, S/6239/04/I, S/6393/07/F, /6383/06/F, S/6379/06/F, S/6438/07/O and S/0534/12/VC

**Case Officer:** Mrs Melissa Reynolds – Team Leader (Planning)  
Telephone: (01954) 713237



**South  
Cambridgeshire  
District Council**

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2646

Time of plot: 14:05

Date of plot: 22/05/2012

This page is left blank intentionally.



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

6 June 2012

**AUTHOR/S:** Planning and New Communities Director

---

**S/0821/12/PO - HARDWICK****Application to Modify Planning Obligation (S52) of Planning Permission ref. S/0315/89/F to remove occupation tie to no. 169A St Neots Road, Hardwick for Mrs L Wood****Recommendation: Approval****Date for Determination: 7 June 2012****Notes:**

**This Application has been reported to the Planning Committee for determination because as officers do not have delegated powers to determine applications for modification to planning obligations.**

**To be presented to the Committee by Matthew Hare**

**Site and Proposal**

1. Nos.169 and 169A St Neots Road comprise a modest veterinary surgery and detached two storey dwelling respectively and together constitute a single planning unit. The surgery has a frontage onto St Neots Road and the site as a whole relates to a relatively built up area of Hardwick and accordingly falls within the Development Framework. Surrounding development is a mix of commercial and residential land uses.
2. The site was originally occupied by a single dwelling but at the beginning of the 1990's this was demolished to facilitate the construction of the surgery and a new dwelling which were proposed together under planning application refs. S/0315/89/O, S/2193/89/F & S/1130/92/D. The dwelling and veterinary surgery were approved subject to a legal agreement (Section 52) that ensured that 'the dwelling shall not be used or occupied other than by any person employed or engaged in the business of the surgery.' Clearly this was for reasons of residential amenity.
3. The application under consideration proposes to modify the existing S52 agreement to sever the tie between dwelling and surgery thereby allowing independent occupation of either.

**Planning History**

4. **S/0315/89/O** - Veterinary surgery and one dwelling – Approved subject to S52 agreement.  
**S/2193/89/F** - One dwelling – Approved subject to S52 agreement.  
**S/1130/92/D** - New veterinary surgery – Approved subject to S52 agreement.

**Planning Policy**

5. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**  
DP/3 - Development Criteria  
NE/15 - Noise Pollution

6. **Consultation by South Cambridgeshire District Council as Local Planning Authority**

**Hardwick Parish Council** – Recommends Approval.

7. **Representations by members of the public**

None received.

8. **Material Planning Considerations**

9. The key issues to consider in this instance are the impact upon any potential occupier of the dwelling (No.169a) should the occupation tie be effectively removed.
10. The dwelling at no.169a is set directly to the rear of the surgery at no.169 and the access drive serving the dwelling is shared with the surgery running past the eastern elevation of this building. To the front of the dwelling is a hard standing parking and turning area with the primary amenity area of the dwelling set to the rear away from the surgery.
11. Whilst the driveway is shared with the surgery there appears to be limited need for vehicles visiting the premises to travel past the dedicated parking and turning area which is sited to the front of the building and therefore away from the dwelling at 169a.
12. Having regard to the above it is considered unlikely that independent occupation of the buildings concerned would give rise to significant noise and disturbance from vehicular movements associated with the surgery, and in this regard residential amenity is considered unlikely to be detrimentally affected in this capacity.
13. There is a small yard to the rear of the veterinary building adjacent to the driveway and turning area serving the dwelling. There is potential for animals to be kept here but it is not considered that this would be likely or to the substantial detriment of residential amenity having regard to the small size of the area concerned. The Council's Environmental Health Officers have been consulted in this regard but comments are outstanding at the time of writing this report – Officers will update members verbally in respect of the views of the Environmental Health Team.
14. It is noted that there is no significant overlooking of the dwelling at no.169a afforded by the surgery from existing windows or service areas. An office window exists at first floor level in the southern elevation of the vets, however this affords views of the parking area and garage that serve the dwelling and not sensitive private amenity areas. As such it is considered that privacy would not be materially harmed should the occupation tie between the two premises be relaxed.

**Recommendation**

15. It is recommended that the Planning Committee approves the application

**Conditions**

None

**Informatives**

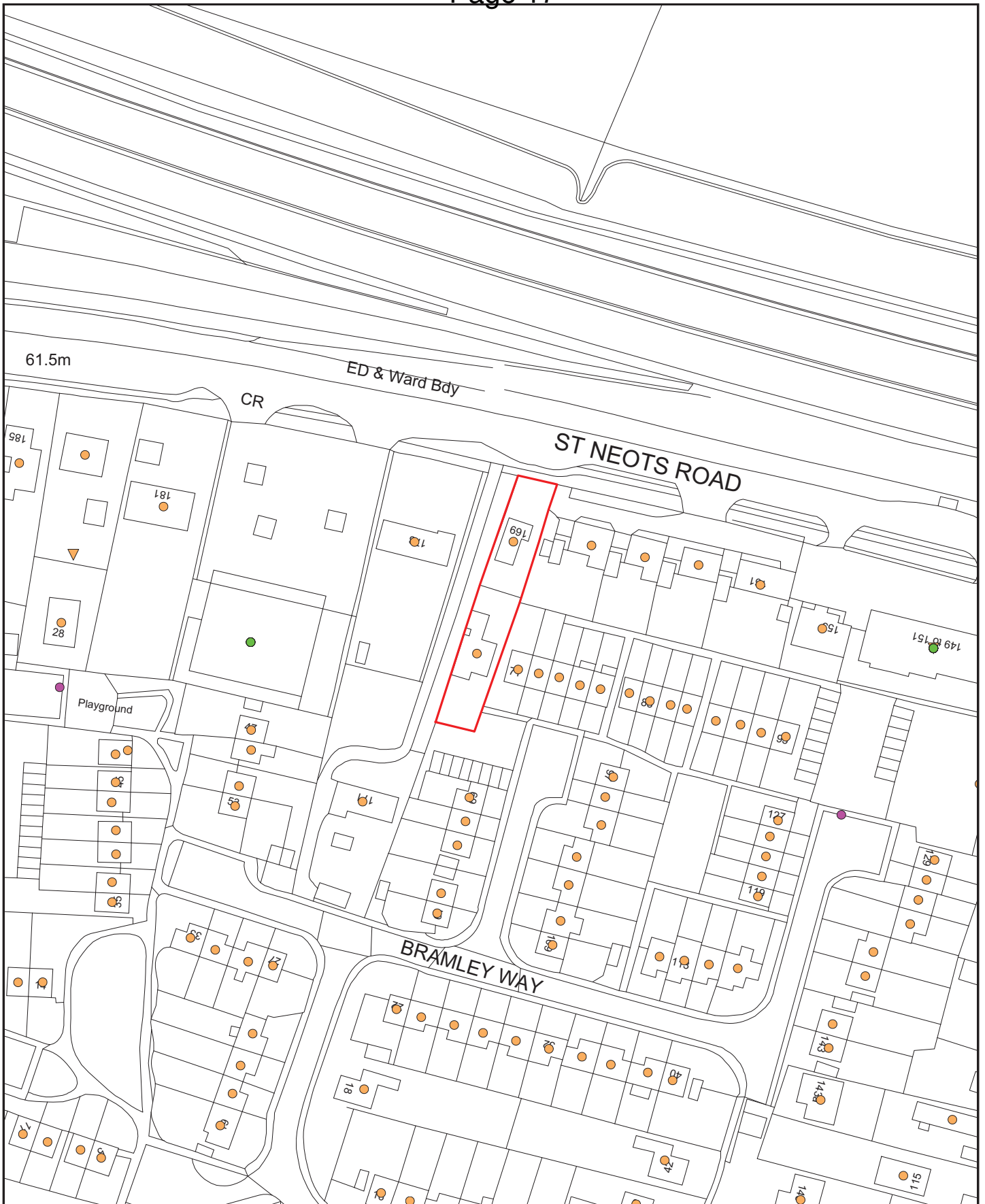
None

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- Planning file refs. S/0315/89/O, S/2193/89/F & S/1130/92/D

**Case Officer:** Matthew Hare – Senior Planning Officer  
Telephone: (01954) 713180

This page is left blank intentionally.



South  
Cambridgeshire  
District Council

© Crown copyright.

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:1250

Time of plot: 12:26

Date of plot: 21/05/2012

This page is left blank intentionally.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

6 June 2012

**AUTHOR/S:** Planning and New Communities Director

---

**S/1490/10 – STEEPLE MORDEN**  
**Land adjacent to 28 Ashwell Road Steeple Morden**  
**Eight affordable Dwellings**  
**Recommendation: Approval**

**Date for Determination: Not applicable**

**Notes:**

**This Application has been reported to the Planning Committee for determination because when the Parish Council were originally consulted they said that the section 106 Agreement should make it clear that all the properties are solely for rent.**

**To be presented to the Committee by Stephen Reid**

**Proposal**

1. Planning permission was granted on 3 November 2011 and includes a condition (condition 14) requiring a scheme for the provision of affordable housing. The scheme proposed by Bedfordshire Pilgrims Housing Association (“BPHA”) is for 6 dwellings to be rented at an affordable rent agreed with the District Council and for 2 dwellings for shared ownership as BPHA have said that delivery of all of the dwellings as social rented units is not a viable option for them and that they need the monies which will be generated by the sale of two affordable Home Ownership houses to provide a cross subsidy into the scheme. In support of their proposal BPHA have provided financial figures as to the scheme in terms of the build costs and the monies expected to be received for the two Home Ownership houses. BPHA have added that Social Housing Grant (SHG) has not been secured to assist in the delivery of this scheme and BPHA have further advised that since the planning permission was granted the HCA funding position has changed and Registered Providers are now required to deliver units for Affordable Rent and Affordable Home Ownership..
2. The proposal under consideration if accepted by the Committee will result in a scheme different to that suggested by the Parish Council in that it will permit the District Council to approve a scheme for 6 rather than 8 rented units with the other two being shared ownership units.

**Planning History**

3. **S/1490/10 – Eight affordable dwellings – Approved subject to conditions including approval of a scheme for the provision of the affordable housing**

**Planning Policy**

4. **South Cambridgeshire**

**Policy HG/5 Exception Sites for Affordable Housing**

Particular reference to meeting identified local housing needs

**Chapter 6 (Rural Exception Sites) of  
Affordable Housing Supplementary Planning Document**

**Consultation by South Cambridgeshire District Council as Local Planning  
Authority**

5. **Steeple Morden Parish Council** – Comments awaited

**Representations by members of the public**

6. None received.

**Material Planning Considerations**

7. Policy HG/5 (1a) requires that affordable housing on rural exception sites is provided in perpetuity. The Policy says that to ensure this is the case, delivery should be facilitated through a Registered Social Landlord rental scheme or shared ownership scheme and secured through legal agreement. Although the proposal for only 6 rather than 8 rented units (with the other 2 units being for shared ownership) does not accord with the original wishes of the Parish Council the proposal is not contrary to policy and there are 23 people with a local connection with Steeple Morden who are registered on the housing list.

**Recommendation**

8. It is recommended that the Planning Committee approves the proposal

**Conditions**

None

**Informatives**

None

**Case Officer:** Paul Derry – Senior Planning Officer  
Telephone: (01954) 713180



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

6 June 2012

**AUTHOR/S:** Planning and New Communities Director

---

**Ref. S/2559/11 – ORCHARD PARK**

**Erection of 112 Dwellings, including Vehicular Access and Mixed Use Building/ this is a hybrid application part outline and part full involving 7 Retail Units (840sqm) and 28 Flats (2-1 bed and 26-2 bed) including Landscaping and Open Space and involves two separate land parcels**

**Site A (Formerly Q & HRCC) Land Off Ringfort Road, and Site B (Formerly E3, Comm2A, Comm2B & E4) Land off Chieftain Way,  
For Gallagher Estates Ltd**

**Recommendation: Approve Subject to Planning Conditions and S106  
Date of Determination: 6<sup>th</sup> June 2012**

**Notes:**

**This Application has been reported to the Planning Committee for determination because the recommendation of planning officers conflicts with material considerations raised by the Community Council.**

**Members will visit this site on 1<sup>st</sup> June 2012**

**To be presented to the Committee by Julie Ayre**

**Site and Proposal**

1. The northern edge of Orchard Park is bounded by the A14 embankment, with a noise barrier on top of it, the southern edge Kings Hedges Road, eastern edge by the B1049, Cambridge Road and to the western edge the former railway line and Cambridge Regional College.
2. The application is located on two sites:-
  - (i) Site A (1.97 hectares (ha)) was formerly known as Q/HRCC site. It is located on the corner of Ringfort Road/Cambridge Road. The application seeks outline permission for 79 dwellings. The site is generally flat and open in character. It is located to the western end of Orchard Park. It is bounded to the north by sports pitches and the Orchard Park Primary School, to the east by Ring Fort Road, to the south by Kings Hedges Road and the Cambridgeshire Guided Bus (CGB) and to the west by Cambridge Road. The main access to the site will be off Ringfort Road.
  - (ii) Site B (1.43 ha), was formerly known as the COM2A, COM2B, E3 and E4, parcels located off Chieftain Way. The application seeks to accommodate on it a further 61 dwellings and the retail units. 28 flats will be located above the 7 retail units (6 retail units of 70sqm and a larger convenience store of 420sqm (net)). The site is generally flat and open in character. It lies to the south of the A14 adjacent to the elevated

embankment and acoustic fencing of the road. The site is accessed from the northern end of the Boulevard, off Chieftain Way. To the west lies the Travelodge Hotel and to the south of that are affordable homes in four storey apartments (parcel E1). To the east is the Premier Inn Hotel with a further four-storey apartment block E2 to its south. The main vehicular access to the site will be from Chieftain Way.

3. Orchard Park currently comprises 761 built homes, 2 hotels, a primary school, 1 community centre and several areas of public open space which are both formally and informally laid out. Currently two further permissions are being built out by Persimmon Homes for 36 dwellings (site H1) and 16 dwellings (site G).
4. The planning application, registered on 9<sup>th</sup> January 2012, is a hybrid application, totalling 140 dwellings and 964sqm (gross) of retail floor space (840sqm net).
5. Full permission is sought for a mixed- use block. This comprises of 7 shops, including one key anchor convenience store with 28 flats above (2, one bedroom and 26, 2 bedroom)
6. Outline detailed permission is sought for all 79 units on the corner site, and 33 units on either side of the local centre in addition detailed permission is sought for:
  - i. The main access road and footpath.
7. The proposed density is 41.13 dwellings per hectare, plus 964sqm gross retail floor space.
8. The application has been accompanied by a number of supporting documents. These include:
  - Design and Access Statement, Planning Statement,
  - Affordable Housing Statement,
  - Ecological Method Statement,
  - Archaeological Management Plan,
  - Foul Drainage Statement,
  - Health Impact Assessment,
  - Air Quality Assessment (both sites)
  - Renewable Energy Statement,
  - Retail Market Assessment,
  - Statement of Community Involvement (2 documents)
  - Noise Mitigation Reports (both sites),
  - Transport Statement,
  - Waste Management Strategy,
  - Water Conservation Strategy and Flood Risk Assessment.
9. The application was amended on the 5<sup>th</sup> April 2012

### **Planning History**

10. Orchard Park, is an urban extension to Cambridge located adjacent to the A14. It was allocated for mixed use development in the South Cambridgeshire Local Plan 2004.

11. Planning permission was granted in June 2005 (**S/2379/01/O**), subject to a legal agreement for a mixed development including 900 dwellings, 761 of which have been constructed to date and a further 52 dwellings have planning permission. The outline planning consent **S/2379/01/O** granted permission for a mixed use development comprising of :
  - 900 dwellings (on up to 16.48hectares),
  - up to 18,00sq.m. B1 gross floor space (on up to 3.32 hectares),
  - on up to 1.21 hectares of education facilities
  - 4.86hectares of public open space,
  - up to 0.56 hectares of local centre facilities (A1,A2, A3, A4, A5 and D1 uses),
  - up to 2.07hectares of public transport infrastructure corridor and mixed uses
  - up to 2.87 hectares in five areas to include B1,C1, C2, C3, D1, D2 uses
  - and, car showroom.
12. Condition 5 (**S/2379/O**) limited the submission of reserved matters to 3 years (before 14<sup>th</sup> June 2008). Therefore, all applications since then are required to be outline or full applications rather than reserved matters.
13. In the 2005 permission, Site A was identified for mixed use development involving the development of a Heritage Resource and Conservation Centre (HRCC). Several design layouts have been produced over the last 6 years in order to investigate the development potential of this plot of land; however, ultimately the HRCC centre originally expected on the site is now intended to locate elsewhere in Cambridge, therefore the land remains vacant.
14. Site B was identified as a Local Centre limited to an area of no more than 0.56 ha. This limit was required by the Highway Agency in order to control the extent of all uses on the site so that the A14/Histon Road junction could accommodate the traffic associated with the development. In addition, condition 28 required details of the location of the Local Centre to be submitted within 6 months of the development commencing on site.
15. Site B received planning permission in August 2009 (**S/0622/08/RM**) for the provision of a local centre (retail units), 20 residential flats, additional commercial units (2312sqm) parking, Public Open Space and associated infrastructure. The previous application proposed:
  - 10 ground floor shops of varying sizes (total 1523sq.m. gross) arranged in three blocks around POS2,
  - offices totalling 1254sqm gross would be provided in two floors above the central retail block,
  - 20 residential flats on the three floors above the shops in the side blocks.
  - To the rear a loop enabled the provision of a separate service area for the largest retail shop.
  - Servicing of the other shops would be from both the front and the rear of the access roads.
  - 2313sqm gross of B1 commercial /office was proposed in three separate two-storey blocks to the rear of the site adjacent to the A14.
  - 187 car parking spaces, 240 cycle parking spaces and POS2 (subject to further details being supplied). This application was a reserved matters application as it was submitted in March 2008 and could, therefore, be considered within the original outline permission (**S/2379/01/O**).

16. In 2011 an additional supplementary planning document (Orchard Park Design Guide, SPD, March 2011) was adopted in order to revised the design principles associated with the remaining undeveloped land parcels within Orchard Park this application site was included.

**Planning Policy**

17. **National Planning Policy Framework (NPPF)**
18. **Cambridgeshire County Council LDF Supplementary Planning Documents (SPD):**  
RECAP Waste Management Design Guide – February 2012
19. **South Cambridgeshire Local Development Framework (LDF) Core Strategy DPD, adopted January 2007:**  
  
ST/2: Housing Provision  
ST/9: Retail Hierarchy  
ST/10: Phasing of Housing Land
20. **South Cambridgeshire Site Specific (LDF)Policies DPD, 2007:**  
  
SP/1: Cambridge Northern Fringe (Orchard Park)  
SP/16: Cambridge Guided Bus  
SP/19: Cambridge Airport Safety Zone
21. **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/5: Cumulative Development  
DP/6: Construction Methods  
DP/7: Development Frameworks  
HG/1: Housing Density  
HG/2: Housing Mix  
HG/3: Affordable Housing  
HG/4: Affordable Housing Subsidy  
SF/2: Applications for New Retail Development  
SF/3: Retail Development on Land Allocated for Other Uses  
SF/6: Public Art and New Development  
SF/8: Lord's Bridge Radio Telescope  
SF/10: Outdoor Playspace, Informal Open Space, and New Developments  
SF/11: Open Space Standards  
NE/1: Energy Efficiency  
NE/3: Renewable Energy Technologies in New Development  
NE/4: Landscape Character Areas  
NE/6: Biodiversity  
NE/9: Water and Drainage Infrastructure  
NE/10: Foul Drainage – Alternative Drainage Systems  
NE/11: Flood Risk  
NE/12: Water Conservation  
NE/14: Lighting Proposals

**NE/15:** Noise Pollution  
**NE/16:** Emissions  
**CH/2:** Archaeological Sites  
**CH/9:** Shop Fronts  
**TR/1:** Planning for More Sustainable Travel  
**TR/2:** Car and Cycle Parking Standards  
**TR/3:** Mitigating Travel Impact  
**TR/4:** Non-motorised Modes

22. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
Open Space in New Developments – Adopted January 2009  
Public Art – 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  
Health Impact Assessment – Adopted March 2011  
Orchard Park Design Guide- Adopted March 2011
23. **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.

**Consultation by South Cambridgeshire District Council as Local Planning Authority**

24. **Orchard Park Community Council (OPCC)** – Recommends refusal of the application on the following grounds:
- a) The inclusion of just a ‘top up’ store will result in more trips out of the settlement resulting in increased pressure on the A14 and surrounding roads.
  - b) Due to the changing government policies and the recent retail study conclusions that the Northwest of Cambridge is poorly served by the main foodstores,(Cambridge Sub-Regional Retail Study 2008, updated August 2009) indicate that a larger anchor store and more variety of small shops are needed to better meet the diverse shopping needs of the Orchard Park residents.
  - c) Lack of adequate cycle provision for the local retail centre.
  - d) The public open space identified within the application is insufficient in size and location. Small buffer strips alongside the busy main roads should not be identified as usable green spaces for residents.
  - e) The planning obligations are inadequate and do not mitigate the impacts of the development on the community. The affordable housing is being delivered first in front of the market housing, which creates an unbalanced community. In addition, the amount of affordable homes is below the policy requirement (not less than 40%).
  - f) The design of the main mixed use block is stark and unattractive in contrast to surrounding streets.
  - g) The application fails to comply with SCDC’s standards on public art; several plans were discussed regarding Unwin Square on the previous applications such as a water fall and a clock to make an exciting arts project.

These comments are based on the original proposals no further comments have been received in relation to the amendment of the 5<sup>th</sup> April 2012. Any further comments will be reported verbally to committee.

25. **Histon & Impington Parish Council** – Recommends refusal of the application on the following grounds:

- a) Inadequate delivery area, especially to the west end of the retail site causing vehicles to reverse out.
- b) Insufficient disabled parking. Site A requires a sound barrier.
- c) The five storey flats overlook the primary school.
- d) No visual idea of what the 5 storey proposal looks like, only height details.
- e) No indication of compliance with the SPD requirements for a Gateway Feature; the proposal shown is not what the Committee would interpret as a gateway.
- f) Harsh view from Green Belt land on the other side of the B1049.

In addition, it recommends that should the application be considered acceptable that:

- a) The Police Architectural Liaison Officer's comments are sought.
- b) Not more than one hot food take away be considered to avoid the congregation of youths within the area.
- c) Consideration should be given to conditioning the use of balconies to avoid visually harmful practices being carried out
- d) Rendered surfaces should have acoustic qualities.

26. **Environment Agency** – Raises no objection subject to conditions and confirm the scheme is acceptable, but recommends that the ownership and maintenance of the SuDS systems be confirmed for all areas of the development.

27. **Middle Level Commissioners** – Raises no objection to the proposal.

28. **Anglian Water** – Raises no objections subject to a condition ensuring that the surface water strategy is implemented before residents move in.

29. **Disability Forum** – Raise no objection to the scheme subject to:-

- a) The times of deliveries to the shops being restricted,
- b) That the public open space (POS2) is lit,
- c) POS2 is provided with a yellow strip on the footpath to ensure partially sighted people are able to navigate the site efficiently,
- d) All door openings are a minimum of 900mm and no gradient to the shops is more than 1:12 – 1:20, and
- e) The local authority should encourage one of the shops to be a post office and investigate if the four ground floor shops could be fully wheelchair accessible.

30. **Cambridge Cycling Campaign** – Raises concerns regarding the application on the following grounds:

- a) It has insufficient cycle parking associated with the apartments on site B,
- b) The retail units have insufficient parking for shoppers, residents and employees, there is little detail regarding the spacing and design of the cycle parking.
- c) There are insufficient linkages between Histon, Impington the A14 and Orchard Park, therefore, it is recommended that the application provide "Ringfort Path" to link from the A14/Histon Road roundabout to Ringfort Road adjacent to the Premier Inn and that it be a condition of any approval that the path should be installed prior to the occupation of any of the dwellings. This

footpath project is supported by 400 signatures petition given to Cllr Bates (August 2011) from local residents.

31. **Sustrans** – Recommends refusal of the application for the following reasons:-

Site A

- a) The proposed cycle parking is not acceptable as the spaces are not conveniently located, cycles should not share space with bins,
- b) No cycle parking has been provided to the east of the site,
- c) Occupants may choose to park on-street.

Site B

- d) No details of the construction of houses 55- 61 which appear to face the A14 embankment, though their car parking is within the full application site,
- e) No cycle parking has been specified for the houses or the 28 flats which are part of the full application, and
- f) Occupants should be able to leave the front of their homes with their bikes, and not the rear, which is not overlooked, unattractive and where there is potential conflict with car and delivery vehicle movements.

In addition it raises concern regarding the abandonment of the previous application, as the consequent reduction in employment provided on the site reduces the possibility for future residents to work on site, and thus would generate longer, so probably less-sustainable, journeys.

These comments are based on the original proposals no further comments have been received in relation to the amendment of the 5<sup>th</sup> April 2012. Any further comments will be reported verbally to committee

32. **Cambridgeshire Police Architectural Liaison Officer** – No objection to the scheme in principle but raises the following minor concerns regarding:

Site A

- a) The car parking courts should be gated appropriately.

Site B

- b) The trees around the central public open space may need to be restricted as they may in time restrict the views from homes.

33. **Cambridgeshire Fire & Rescue Services** – Recommends approval subject to the installation of fire hydrants within the development.

34. **Cambridgeshire Past, Present & Future** – Raise the following concerns:

- a) The proposed green space is inadequate, as some of the space identified as open space is within the verges of the B1049 which is clearly not acceptable and others are located in areas which are not overlooked (adjacent to the A14 embankment on site B. The reduction in open space will only be mitigated by off-site compensation. The overall high quality of any new open space must be ensured and to date the details seen are both unconvincing and not in accordance with local guidance and policies.
- b) Gates leading north to completed green spaces (playing fields) need to be properly assessed to avoid desire lines or pedestrian ruts appearing, this may

be used as a direct route to the shopping area as well as the hotel/bar. Careful siting of the gates is essential.

- c) The noise and other pollution from the elevated road (A14) will have a detrimental impact on the enjoyment of the residential areas below as well as the nearby open space. This is particularly a problem in relation to Site A, where the verge adjacent to the B1049 will be adversely affected. Developers should demonstrate that their design processes have led to the submission of proposals comprising uses and the orientation of building appropriate to a plot this close to the A14 and B1049.
- d) The garages to the east and west of the square should be overlooked to avoid any opportunities for anti-social behaviour to occur.
- e) It is unclear what additional public art, if any, is being provided. Well integrated public art would enliven the area and its green spaces, squares and other public spaces.
- f) The provision of retail floor space is too small and in the wrong location. In contradiction to the approved PPG, Foodstore Provision for the North West Area of Cambridge 2010, as well as earlier outline planning permission, the current detailed application proposes 50% less than the original approved in 2009. This is unacceptable and will result in residents travelling by car or public transport to obtain day-to-day necessities.
- g) It queries who will manage and control the Square (Unwin) in front of the retail units?
- h) The affordable housing statement indicates that there may be a reduction in the policy requirements of this site from 40% to approximately 30%, which is unacceptable as there is a huge under provision of affordable housing within the area. It is essential that 40% minimum coverage is obtained in accordance with policy. In addition, a proper mix of affordable housing with market housing should be provided and affordable housing not just allocated the worst sites.
- i) A significant reduction from the amount expected in planning obligations has been proposed by the developers, it is clear from speaking to the community that more facilities are needed such as enhanced child and teenager play facilities, more allotment space, enhanced playing fields, increased path and cycle routes.

These comments are based on the original proposals no further comments have been received in relation to the amendment of the 5<sup>th</sup> April 2012. Any further comments will be reported verbally to committee.

- 35. **Natural England** - Recommends approval of the scheme in principle subject to the submission of a Construction Management Plan and the development being carried out in accordance with the submitted Ecology report.
- 36. **Cambridge Group Ramblers Association** - Recommend the construction of a "Ringfort Path" to link from the A14/Histon Road roundabout to Ringfort Road adjacent to the Premier Inn.
- 37. **Highway Agency** – No response received.
- 38. **Civic Aviation Authority** – Has no objection to the application, as no associated structure would exceed 50m in height, however, it recommends a consultation be sent to the operating airport (Cambridge Airport was consulted on 10<sup>th</sup> May 2012).
- 39. **Cambridge Airport** –No response received.



40. **Cambridgeshire County Council (Local Highway Authority)** – Recommends approval subject to conditions regarding surfacing, gates, construction in accordance with County Council's standards Manual for Streets, no overhang of the public highway and all manoeuvring areas kept obstruction free.
41. **Cambridgeshire County Council (New Communities)** – No objection subject to the agreement in relation to planning obligations for the delivery of services/infrastructure within Orchard Park. Which include contributions to the NCATP in accordance with the adopted policy, pre-school, primary school, secondary school and a waste recycling contribution.
42. **Cambridgeshire County Council (Archaeology)** – No comments
43. **Housing Partnership Project Officer** – Recommends approval in principle but comments that the policy of not less than 40% affordable homes should be delivered as part of this scheme, however as the viability work provides evidence indicating that the scheme has difficulty in affording that level, after discussions with the RS, Bedfordshire Pilgrims Housing Association, recommends that of the two options submitted by the developer Option 1 (29.29% affordable 28 flats and 13, 3 bedroom homes) or Option 2 (36.43 % affordable homes 2, 1 bed flats, 42, 2 bed flats and 7, 3 bed houses) the preferred option is option 2, 36.43%.
44. **Landscape Design Officer** – Recommends approval in principle subject to conditions concerning: Site A - Additional landscaping to the central part of the scheme where houses look out over the access road/ Guided Bus track/Kings Hedges Road, the internal layout to the west where three parking courts joined together is improved, landscape treatment on the north-east boundary where it adjoins the school is improved. Site B: concern is raised regarding the general layout of all open spaces within the site, additional landscaping is required to the southern boundary of open space to ensure that there is no sense of clashing boundaries and land uses, additional landscape treatment is required to the west and east boundaries. Unwin Square/Public Open Space 2 (POS2) : requires greater spacing between trees and a change of tree species to ensure the trees will thrive in that location, the trees in the centre should be removed to create a strong centre axis so the space feels more enclosed and is not connected to Kings Hedges Road, the hedge planting type should be replaced with a stronger form more in scale with the space.
45. **Trees and Landscape Officer** – No comment
46. **Ecology Officer** – Recommends approval of the scheme subject to conditions concerning removal of vegetation outside of bird breeding period, lizard survey on site B (lizards were found on the A14 embankment), protection of flowers on the embankment in site A, requirement for scheme of ecological enhancement for both land parcels.
47. **Health and Environmental Services**– Recommends approval of the scheme in principle subject to various conditions. They considered the proposals against a broad range of environmental health considerations, including, construction phase noise/dust, traffic noise impact of Kings Hedges Road, the A14 and the Cambridgeshire Guided Bus on residents, Parcel B-operational noise from retail units/outlets and fixed plant noise, air quality, artificial lighting, contaminated land, Health Impact Assessment, operational odour generation and control –only Parcel B.

48. **Waste Management Section** - Recommends approval but raises concern regarding the bins stores associated with the mixed use building and suggests the amendment of the bin store layout to ensure that the proposals comply with the requirements of Recap. In addition as part of the proposals requires an obligation to be made towards the provision on bins on site in accordance with current policy.
49. **Development Officer** – Notes that POS2 is a key public art spaces and although the plans show 4 alternative designs for the ‘market area’, none of those designs have been subject to detailed public consultation. Gallaghers are advised to ensure their lead artist Patricia Mackinnon Day is aware of the project and invited to participate. In addition it is considered that the development of such an art scheme should be subject to a planning condition.
50. **Urban Design** – Recommends approval in principle but make the following comments:
- Site A
- a. Recommends that the frontage of the main focal building needs careful design. It is highly visible and forms a gateway to the development and hence high quality elevation design and materials are required.
- Site B
- b. The mixed use retails block: There are concerns regarding the lack of high quality design detail with corresponding material. The building should be simplified by removing the excess clutter materials such as Juliet Balconies and inserting much simpler projecting/recess boxes where appropriate.
- c. The proposed colour pallet for the “coloured glass panels” is confusing and does not convey a coherent façade. A detailed colour scheme is required to understand the palette better.
- d. There is concern regarding the location of the communal bin store on Chieftain Way.
- e. On-going concern regarding materials to be used in the mixed use block.
51. **Section 106 Officer** - No response received to date. Any comments received will be reported to members in an update prior to the Committee meeting.
52. **Team Leader (Sustainability Officer)** – Raises no object to the application subject to:
- a. A clear demonstration that the full effective use of solar panel capacity on the site is exhausted before other less efficient technologies are considered.
- b. In relation to air source heat pumps - full details of the units to be installed and assurances regarding the predicted coefficient of performance, quality of installation, householders’ liaison and the availability of repair and maintenance services, a specific period of performance monitoring is carried out to ensure the ASHP are working at the predicted levels.

### **Representations by Members of the Public**

53. **Public Consultation Event** (28<sup>th</sup> January 2012) – Attended by 46 residents  
The main issues raised were as follows:
- a) Cycle parking; one resident felt there was too much cycle parking at the front of the store, another felt that there should be more parking within POS2.

- b) The amount of retail floorspace; three people thought it was about the right amount and one felt that there should be a larger store but welcomed the shops being delivered as soon as possible.
  - c) One resident raised concern regarding traffic flows as they considered that a simple one way system would encourage residents to park their cars at the front of their property causing issues for cyclists.
  - d) One resident felt that the deliveries to all the retail premises should be from the rear to avoid delivery lorries parking at the front of the units and causing subsequent obstruction.
54. 12 Site Notices were posted around the site on 19<sup>th</sup> January 2012 and a further 12 notices posted on the 20<sup>th</sup> April, 2012 following the submission of amendment.
55. Press Notice was posted in the Cambridge Evening News on 27<sup>th</sup> January, 2012
56. 404 Neighbours were notified on 20<sup>th</sup> January 2012 and on the amendment on 5<sup>th</sup> April, 2012.
57. 5 Neighbours commented on the application raising the following concerns:
- a) Disappointed that the shops will not be open until late 2013, but consider they are the appropriate size.
  - b) Very little cycle parking in the original scheme.
  - c) Deliveries to all the units should be from the rear.
  - d) Concern that Orchard Park is overcrowded already and the Local Planning Authority should consider the 300 rooms within the Premier Inn and Travelodge.
  - e) Shops and 28 social housing units close to the A14 will create a ghetto and result in anti-social behaviour problems in the area.
  - f) Could sites E3 and E4 contain office space, as many entrepreneurs work from home?

### **Material Planning Considerations**

58. This is a key development within Orchard Park, as it will provide the only retail services within the settlement. It is vital that the application proposals are deliverable, viable and create an attractive centre. The key issues to be judged in the determination of this planning application are:
- The principles of development;
  - Design, appearance, built form, scale and massing of the mixed use building;
  - Retail, Size and Location;
  - Public Open Space;
  - Open Space and Landscaping;
  - Layout, Access, Highway and servicing requirements;
  - Transport- Car and Cycling;
  - Public Art;
  - Affordable Housing;
  - Sustainability and Energy Efficiency;
  - Water Conservation;
  - Drainage;
  - Ecology;
  - Noise Attenuation;
  - Air Quality;
  - Security and Surveillance;

- Disability;
- Other Issues; and
- Planning Obligations/Section 106

*Principles of Development*

59. This application is for 5 of the remaining land parcels (Comm2, Comm2a, E3, E4 and HRCC/Q), originally identified for the construction as mixed use development within the Arbury Park Design Guide, adopted March 2007 and amended in the Orchard Park Design Guidance, adopted March 2011. The original outline application (S/2379/O) has expired and all subsequent applications for Orchard Park are required to be either full or outline applications supported by S106 legal agreements.
60. The Orchard Park Design Guidance SPD (adopted March 2011) provides design direction that is not land use specific. It is based on the requirements of the Site Specific DPD adopted January 2010 (SP/1) and good practice design principles which indicate that the future development of Orchard Park represents an opportunity to:
- a) Assist in meeting the demand for housing within the district;
  - b) Integrate new development with the existing community;
  - c) Introduce sustainable design solutions to address the social, economic, transportation, construction and landscaping issues associated with Orchard Park; and
  - d) Create high quality development ensuring viable and vibrant buildings and spaces.
61. Accordingly the principle of development of these sites for mixed use development is deemed acceptable, subject to all other material considerations being satisfied.
62. As noted above in the background section, this scheme follows on from an earlier proposal for a larger retail/employment development on site B (**S/0622/08/RM**) the implementation of any permission is market lead and the applicants consider that the size of the scheme can't be sustained in today's climate, therefore, they have proposed this alternative scheme.

*Design of Site A/B (outline)*

63. The layout of the outline parts of site A and B has been the subject to several draft design layouts, which have followed significant changes in the land use of the site as detailed above.

Site A

64. The general design layout provides a strong frontage to Ringfort Road and Cambridge Road. The new homes will be set behind a low rise bund representing the archaeological interest below ground and creates a run of 2-storey properties rising upto 3 and eventually, on the corner, 5 storeys. Mindful that this is an outline application, there are still issues concerning the design of the 5-storey landmark building located on the corner of Kings Hedges Road and Cambridge Road that need to be resolved. Careful design of that building frontage, as it will be highly visible and forms a gateway to the development of Orchard Park, is essential and in addition to overlooking and orientation, can all be dealt with in a future reserved matters application for the site.

65. To the north- west, the dwellings back onto the adjacent school and provide protection and privacy for the amenities of the school and the new residents. Where the site borders the playing fields the properties will be 2.5 storeys and be set back by a new road, allowing natural surveillance of POS1.

Site B

66. The outline permission relates to the dwellings to the east, backing onto the A14 and the two terraces of properties (2x10 dwellings) flanking POS2. The design of the 7 no., 3 bedroom dwellings located closest to the A14 are critical, as they are within a sensitive area that has significant issues in relation to noise and air quality. Minded again, that this part of the application is for outline permission. The design of the elevation of the dwellings fronting the A14 will be simple with few openings and provide a dual function of noise barrier as well as overlooking of the car parking areas located adjacent to the service road.
67. A further terrace of 7 dwellings fronts onto an area of public open space which provides links to the local centre. The two terraces of 10 dwellings which front POS2 and provided a sense of enclosure to Unwin Square have been revised in the current amendment to delete reference to a terrace of garages. The proposed side access drives will be controlled by a gate system which will restrict access to the rear of the dwellings to occupants only, also providing a sense of closure of the square. On the four corners of the terraces there will be garages which will provide a strong feature within the street scene.
68. In considering the site layout, the scheme suggests a strong building line along the edge of the street fronting Kings Hedges Road and fronting Circus Road. Officers consider that this adequately addresses concerns raised about the principle of the continuation building line and conforms with the Arbury Camp Design Guide (March 2007). The layout is considered to provide better definition to the public realm particularly where the buildings face onto the central open space. This part of the scheme has been reassessed to address the issues of design of this awkward shaped open space and indicative layouts have been produced showing draft layouts.

*Site B Design of Mixed Use Building/Public Open Space 2 (POS2)*

69. The building is to provide such a strong landmark function and give a sense of arrival at the local centre. It will complement a newly created public open space (POS2) and screen the development visually and acoustically from the A14.
70. The mixed use block provides a key landmark building located in front of POS2 (Unwin Square), the block is 60 metres in length and would be a maximum height of 15 metres dropping to 12.9 metres and then 11.5 metres. The building is adjacent to the A14 and rises above the existing acoustic barrier located on the edge of the A14.
71. The central block is rendered with coloured panels, which in principle build on the principles of a public art consultation held by the applicants and championed by Patricia McKinnon- Day a commissioned artist. The building is tiered, the centre part of the building is the highest and is stepped forward from the main brick blocks by 0.5 metres. The main block is brick and 2.1 metres lower than the central block. The building then steps in a further 0.5 metres, reduces in height by a further 1.4 metres and returns to render. The height of the building is similar to the hotel adjacent which abuts the A14 and also has a height of 15 metres. The application creates a quality streetscape and public realm which is appropriate to the existing character of

the area. The varying colours and height differences create a strong sense of arrival to the local centre.

72. The central POS2 green area is flanked by dwellings that will enclose the space giving it a civic atmosphere and the 3 storey dwellings that frame POS2 create a strong sense of enclosure for this key open space. The building provides strong views from as far away as Circus Drive and further, Kings Hedges Road and the physical dominance of the building fulfils the landmark building concept. It is in compliance with essential criteria within the Orchard Park Design Guidance SPD, March 2011. Taking all those matters into account together with the buildings location and surrounding, officers consider that the current proposals are of an appropriate height, scale and massing along this key frontage within Orchard Park and is therefore considered acceptable.
73. As part of the design of the shop fronts, the applicant proposes to include 'Bolton Gate Steel Rolling Grilles' which are designed to provide a high level of security whilst still allowing a high level of vision into the building. The design of the shutters is incorporated into the shop front in order to avoid any unsightly square roller shutter boxes. The grills can be coloured to match the theme of the front façade and details of such colour can be addressed by a planning condition.
74. Considering the comments of the Urban Design Team regarding the level of detail supplied within the application and the materials to be used in the external front façade of the building, the proposal offers an interesting composition of varied sight lines and colours fronting Unwin Square and the height is compliant with the requirements of the Orchard Park Design Guide (adopted 2011). However, noting the concerns expressed regarding the proposed front façade, officers also consider that particular attention should be taken to ensure that the final treatment of those elements does not detract from the overall quality of the scheme or result in elements of the scheme being incongruous in the street scene. Given the range of materials and colours being used on the building to create a strong and interesting frontage, officers consider that this needs to be carefully executed and therefore propose that a condition of consent requiring specific additional details of external materials, removal of the Juliette balconies and the re-designing of the window casements be submitted for approval prior to development commencing on site.
75. The rear elevation of the mixed use block is critical as motorists will get a clear view of the building from the A14 major road artery. The design of the rear elevation is broken up by a mixture of brick, coloured render and the use of subtle stepping and window recess giving a sense of interest to what would otherwise be a 60 metre expanse of solid brickwork. This provides both a varied and interesting view into this part of the site. The changes in height add to the interest but do not compromise the effectiveness of the acoustic qualities of the building.
76. POS2 is surrounded on both sides by a terrace of 10 dwellings. The design layout option was subject to public consultation prior to submission and the scheme amended where possible to take into account public opinion. The resulting design layout is a quality flexible and functional space which could potentially provide an income to the Orchard Park Community Council.
77. Taking all the matters into account the principle layout associated with Sites A and B is acceptable and in accordance with policies SP/1 (Site Specific DPD, adopted, 2007) DP/2, DP/3 and DP/4 (Development Control (LDF) adopted 2007) and the Orchard Park Design Guide 2011.

*Retail/Local Centre*

78. The application is supported by a retail statement and on 18<sup>th</sup> April 2012 the applicant submitted further retail evidence to support their current proposal. The proposal is significantly less than that proposed in the previous application (ref. S/0622/08), which offered a 1,523sq.m. (gross) retail floor space in 10 units of varying sizes and the original outline planning application indicated a total of 1,341.5sq.m. This application proposes 964sq.m. (gross) retail floor space which has been market tested. Since the previous application the applicant has sought to release the site to the market without success. The changing market has resulted in a downturn of economic activity in this area and consequently the site has remained undeveloped.
79. The retail assessment submitted with the application discusses several matters which would assist in bringing retail development forward on a development site such as Orchard Park. One such matter being the physical location of the retail development closer towards the major infrastructure as being the most appropriate location as it attracts a greater footfall. However, it is not appropriate as part of this application to discuss relocating the retail to the front of the site as it would not then comply with the Orchard Park Design Guidance.
80. Officers have discussed with the applicant the possibility of a larger retail store on Site A but there are significant highway and location difficulties, such as its very close proximity to the school, which are not easy to resolve. In addition, the Arbury Park Design Guide 2007, Orchard Park Design Guide 2011, and original outline planning permission have all indicated that Site B is the appropriate location for the retail element.
81. A significant issue is the size of the retail centre located towards the rear of the site. Concern has been raised by the Orchard Park Community Council that limiting the floor space will limit opportunities for eventual occupiers and they believe that Orchard Park residents would be best served by a wider and greater range of retailers. Evidence exists within the Cambridge Sub-Region Retail Study (commissioned by Cambridge City Council and South Cambridgeshire District Council) to suggest that the retail provision across the North West of Cambridge is poorly served. However, market research carried out by the applicant indicates that a large store in what is a 'secondary' location would need to attract customers from a wider area than Orchard Park, resulting in additional vehicles travelling through the site to the store. Whilst this was assessed within the previous application, the market seems unconvinced that this is the right location for such a large store. In addition, retail evidence suggests that when a major retailer is attracted to a site it is difficult to lease adjacent smaller shops as they feel squeezed out by the larger store. Consequently, the new application proposes a more modest convenience store, which has been designed to a size that is not bound by the Sunday licencing restrictions applied to larger retail outlets. It can offer residents a convenience retail store which will carry the large range of essential goods needed day-to-day.
82. The applicant has confirmed that they now have an anchor tenant for the main retail unit, who are keen to occupy the building once completed. The main mixed use block is being delivered by the BPHA as Registered Provider (RP) to ensure early delivery of the local centre.
83. Concern has been raised by Histon and Impington Parish Council regarding the allocation of uses within the proposed retail block. The application, in the retail report, suggests a range of business types to occupy the smaller units. However, to ensure an appropriate mix is achieved, officers consider that a condition could be

used to specify that the maximum number of takeaway units within the centre be limited to two.

*Public Open Space 2*

84. There are five principal areas of open space within Orchard Park, four have been developed and the fifth, Public Open Space 2 (POS2) is located within the local centre and is anticipated to be the civic/formal space, as identified within the Arbury Park Design Guide 2007. The area was included within the earlier **S/0622/08** application for the retail, but has been re-designed within this application following consultation with the local community.
85. Discussion concerning POS 2 has centred around the flexibility of the space, public art, and landscaping. The area is to be split into two sections, one which is hard landscaped and can accommodate a market, with water and electricity being part of the scheme, and one which is generally a much softer landscape with trees and a central grassed area with benches surrounding it allowing visitors to the local centre to rest in a calmer area. This will create a high quality civic space as a focal area for day to day community life, in accordance with the Orchard Park Design Guide (2011). Discussions regarding a public art project for the hard landscaped areas are on-going.
86. Since submission of the Landscape Design Officer's comments the application has been amended to include all the recommendations raised in the original consultation. The Landscape Design Officer's further comments recommend that there are improvements to the design of the open spaces submitted and the choice of trees associated with POS2. However, agrees that these matters can be ensured by the imposition of a condition.

*Open space/ Landscaping*

87. The assessment of open space can be split into two issues; the amount of open space on the site and the quality of the spaces. Concerns have been raised by the OPCC, Cambridgeshire Past, Present and Future and the Landscape Design Officer regarding the number of public open spaces, the quality and the design of the four key areas identified within this application. Although part of this application is for outline planning permission, officers have requested sketch layouts of the four significant open spaces in order to provide consultees with the confidence that areas of land can be laid out and constructed in a well-designed and usable manner in accordance with the Orchard Park Design Guide SPD, (2011) and DP/2 and NE/6 of the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007.
88. The amount of public open space associated with this development are below those specified in the South Cambridgeshire LDF Supplementary Planning Documents (SPD): Open Space in New Developments (2009), and in such circumstances the developers can and have offered to provide an off-site contribution to improving facilities within the locality, details of which are contained below in the *Planning Obligations/S106* section.
89. Considering the comments of Cambridge Past, Present and Future regarding the gates leading north to the completed green spaces, officers have discussed the possibility of opening these gates to create a more direct route to the shops. However, the developer and OPCC consider that whilst it may be beneficial to keep these gates for access associated with maintenance of POS1, a significant amount of



traffic walking through the playing fields on the way to the shops may cause damage to the pitches.

*Off Site Linkages*

90. As part of the consultation responses, the Cambridge Cycling Campaign and the Cambridgeshire Ramblers have both suggested the construction of an off-site link known as the "Ringfort Path" be provided as part of this application. This would link Histon, Impington and Orchard Park by providing a cycleway from the A14 roundabout down the A14 embankment and continuing to the rear of the Premier Inn hotel. Officers have carried out extensive investigation into this project and, whilst the project has local support, there are significant issues with providing such a link:
- a) The embankment is at least 5 metres in height and in order to comply with the Equality Act 2010 (EA) the cycle/footpath would need to be approximately 250 metres in length with a gradient of 1 in 20, which would remove a significant amount of landscaping.
  - b) The land is in the ownership of Gallagher Estates, but has been leased long term by the Highway Agency as part of the A14 infrastructure and as such is controlled by the Highway Agency.
  - c) Proof of the stability of the embankment for any type of traffic would be required before the scheme can be costed. The financial cost of this infrastructure is estimated in the region of £200,000, but officers believe this is an over optimistic figure due to the amount of work required and that the cost would likely be much higher.
  - d) The number of dwellings generated by this development does not justify the requirement for this link. The imposition of a condition would fail the test of reasonableness within Circular 11/95 (The Use of Conditions in Planning Permissions).
  - e) Future improvements of the A14 may reveal other opportunities of linkages which are more cost effective.
91. Taking all these issue into account, officers do not recommend the imposition of a condition or a planning obligation in order to deliver this project.
92. However, a pedestrian and cycle connection will be provided between the junction of Kings Hedges Road and Cambridge Road and the south western corner of site A, to allow residents of the site a more direct route to the A14 roundabout which avoids them needing to go through the main Orchard Park settlement in accordance with policy TR/4 South Cambridgeshire (LDF) Development Control Policies DPD (2007). This link would be hard surface and is shown on the sketch layout submitted 5<sup>th</sup> April 2012 and could be secured by a condition.

*Sustainability, Energy Efficiency and Water Conservation*

93. Policy NE/1 requires new development proposals to demonstrate how a high degree of measures in order to increase energy efficiency within a new development will be achieved. This application suggests that it is reasonable to take a four step approach:
- a) Reduce energy demand via passive measures - encourage residents to use less energy.
  - b) Reduce energy demands through the implementation of low cost energy efficiency measures. Install energy saving technologies within the dwelling/buildings such as selecting boilers with an A rating, optimising

thermal controls, using passive design to encourage daylight and reduce use of artificial light, and low energy lighting throughout.

- c) Install source of renewable energy including: wind turbines, solar power (electricity (photovoltaic) and hot water), biomass (combine heating) ground pump heat sources, and air pump heat sources.
- d) Constraints on tenant energy use, possibly through a green leases. Although, this is difficult to control and deliver as they impact on deeds and can impact on sales.

94. The application proposed a mix of these options (a-c, outlined above) and the applicant has explored how best to meet the policy requirement of achieving a reduction in the amount of CO<sub>2</sub> m<sup>3</sup>/year emitted by 10% compared to the minimum Building Regulation requirements when calculated by the 'Elemental Method'. They have suggested a range of energy saving technologies that could be included in the fabric of developments such as:

- a) Photovoltaic Panels - these could be investigated further in relation to the mixed use block and the dwelling. This technology is recommended for these sites.
- b) Solar Thermal - solar hot water systems - This technology is recommended for this site.
- c) Ground Source Heat Pumps (GSHPs) - could potentially provide a significant amount of heating demand for the site.
- d) Air Source Heat and Cooling Pumps - these could provide an efficient way to extract heat from ambient air, however, officers have concern that this type of energy is not as 'green' as the other technologies mentioned above and would recommend that all opportunities to use solar solutions are exhausted before this technology is considered.

95. Other technologies including wind turbines, biomass heating and biomass combined heat and power have been ruled out as unsuitable for the site.

96. As technologies are being refined and this is both an outline and full application, the applicant does not specify the exact type of energy saving technologies which will be included within every dwelling/building. The mixed use building provides an opportunity for the applicant together with the Registered Provider, BPHA, to develop an energy saving project and officers have begun discussions to explore the possibility of installing solar panels on the roof. Consequently, should planning permission be granted, a condition is recommended to ensure all opportunities are investigated.

#### *Water Conservation*

97. Policy NE/12 requires the submission of a Water Conservation Strategy for major planning applications. The strategy submitted with the application seeks to achieve a water demand for the sites of less than 105 litres/day per person; a level equivalent to the Code for Sustainable Homes' level 3, through various methods. The dwellings will all include water saving fittings, a water bull will be installed in all gardens and educational packs on water conservation ideas and the benefits they provide given to every new household. In addition, notices will be discreetly located within the new dwellings to remind users to save water.

98. The Water Conservation Strategy also provide details on the future benefits of rain water harvesting or grey water recycling which, whilst not included within the main

development of the land parcels, could be delivered as part of a show home project which forms part of the planning obligations recommended.

*Ecology*

99. The application was supported by a comprehensive Ecological Appraisal which showed that no significant harm to ecology would arise from the development. It accords, as a consequence, with policy NE/6 of the South Cambridgeshire (SPD) Development Control Policies (DPD) 2007. However, in order to ensure the scheme delivers protection to vulnerable species it is recommended that conditions be applied:
- a) Ensure vegetation associated with the development is managed outside of bird breeding periods.
  - b) Undertake a comprehensive lizard survey to ensure that the appropriate protection is provided.
  - c) Protect the wild flower embankment on Site A, as this provides a valuable wildlife habitat.
  - d) Secure ecological enhancement of both land parcels in order to ensure the development contributes positively to the ecological environment.

*Transport- Car and Cycling*

100. The application site has been subject to a number of transport modelling exercises since the submission of the original outline planning application in 2000. This application has been transport-modelled using the Cambridgeshire County Council, Cambridgeshire Sub Regional Model (CSRM) with reference to the Colin Buchanan and Partners model (CBP). The CBP model was produced for a forecast year of 2021 and the CSRM has forecast years of 2016, 2021 and 2026. The application was submitted in 2011 and, in accordance with the Department of Transport (DfT) guidance on Transport Assessment, it is appropriate that all forecasting is undertaken using the forecast year 2021 given the potential impact on the A14.
101. The Transport Assessment (TA) submitted with the application indicates the number of trip generations expected in and out of the development at peak times. The results indicated that there is a reduction in the number of trip generations based on the land uses proposed in the original outline application as indicated in figure 1.

Figure 1: Changes in Traffic Generations

Use	AM Peak Hour IN	AM Peak Hour OUT	PM Peak Hour IN	PM Peak Hour OUT
<b>Site A</b>				
HRCC removed	-20	-2	-2	-25
0.84 ha Mixed Use (car sales) removed	-55	-20	-23	-38
79 additional residential dwellings	5	32	28	14
<b>Net Change in Site A generation</b>	<b>-70</b>	<b>10</b>	<b>3</b>	<b>-49</b>
<b>Site B</b>				

4,606sq.m. B1 Employment Removed	-58	-8	-7	-38
41 Net increase in residential (20 dwellings were given consent in S/0622/08.)	3	17	15	7
Gross reduction in retail from 1,523 sq.m (S/0622/08) to 964Sq.m.	0	0	0	0
<b>Net Change in Site B Generation</b>	<b>-55</b>	<b>9</b>	<b>8</b>	<b>-31</b>
<b>Total Change in Traffic Generation</b>	<b>-125</b>	<b>19</b>	<b>11</b>	<b>-80</b>

(Orchard Park, Cambridge Parcels A & B Transport Statement Gallagher (WSP Oct 11 amended May 2012)

102. Members will note that the retail trips within the development are identified as zero because all trips associated with the retail are expected to be internal to Orchard Park, and therefore there is no expected increase in traffic movement.
103. Compared to the original outline application and the approved S/0622/08 application above table, there is a general expected significant reduction in trip generation, therefore it is anticipated that there will be very little impact on road traffic movements based on the changes in land uses contained within this application compared to the existing permitted land uses of each of the sites and therefore no material adverse impact on the highway network in accordance with policy TR/3 of the South Cambridgeshire District (SDP) Development Control Policies (2007). On this basis no further transport obligations are sought.
104. The road layout associated with the development has been designed to manage traffic at 20mph and to ensure that refuse vehicles can be accommodated and can manoeuvre safely through the site without detracting from the quality of Orchard Park in accordance with policy TR/1 of the South Cambridgeshire District (SDP) Development Control Policies (2007).

#### *Car Parking Design*

105. 263 car parking spaces are being provided over the two land parcels. Twenty-six are to the front of the retail store, two of which are identified as disabled car parking and one which could potentially be used by a car club. Eight are associated with the retail staff parking and are located to the rear of the mixed use building, and a further 229 are associated with the 140 homes, providing an average of 1.6 spaces per dwelling. This provision meets the Council's adopted parking standard in accordance with policy TR/2 of the South Cambridgeshire Development Control (DPD) 2007..

## Site A

106. As part of the indicative layout the applicants have provided details of the car parking bays to the rear of both the apartments and homes; these indicate the provision of 6 parking spaces in each of the bays, which is in accordance with the essential criteria within the adopted Orchard Park Design Guide (2011).

## Site B

107. The design of the car parking associated with the central block allows access to the shops directly from POS2. It is intended to change the surface material of this area to create a crossing in order to give priority to pedestrians and cyclists. The disabled parking will be located closest to that crossing, with the remaining 12 spaces being provided directly outside the retail units. A further 12 parking spaces surround POS2 and are designed in bays of three with emphasis being given to landscaping rather than parking.
108. The design of the parking to the rear of the mixed-use block is arranged into three distinct areas: parking for the apartments to the left of the anchor store, parking for the commercial and parking for the apartments to the right of the anchor store. All of these parking areas have been designed in accordance with the Cambridgeshire County Council's Manual for Streets Guide.
109. Noting the comments of the Cambridgeshire Cycling Campaign and Sustrans, the application has been amended to increase the number of cycling parking spaces within the local centre. The application now proposes 20 'Sheffield hoop' design cycle racks which provide spaces for 40 cycles located to the front of the retail centre and a further 8 wall mounted canopies located on the rear wall of the mixed use. Cycle storage for the flats will be provided on the bases of one bedroom, one space provided in covered/secure blocks.

## *Access and Servicing*

### Site A

110. Access to the site will be via Ringfort Road. The Local Highway Authority has recommended conditions regarding visibility splays into the site, surfacing all of which could be subject to conditions.

### Site B

111. The service roads around the front of the local centre surrounding POS2 have been the subject of concern by local residents, due to the fear of there being a conflict between cars, pedestrians and cycles. The scheme has been designed with a one-way system, and, by using differing surfacing materials, will naturally slow vehicles down within the area, significantly reducing the possibility of conflict.
112. Noting that additional concern has been raised by the Disability Forum, local residents and Histon and Impington Parish Council in respect of deliveries, all major deliveries to the central convenience store will be from the rear of the premises and the deliveries to the smaller retail units will be from the front. It is anticipated that, due to the size of the 7 smaller units, delivery vehicles visiting those premises will not be of a significant size. Due to the design of the local centre, large articulated vehicles will find it very difficult to manoeuvre around the square, such that it would be far easier for them to access the building from the rear. In order to ensure any

deliveries to the premises do not have an adverse impact on the residential amenities of the nearby properties, it is recommended that a condition is considered in relation to delivery times.

113. All of the roads included within the development have been 'tracked' to ensure that refuse and emergency vehicles can manoeuvre around the site.

*Security and Surveillance*

114. Mindful of the Orchard Park Community Council's and the Police Architectural Liaison Officer's concern regarding secure parking to the rear of the flats on Site A, the applicant has confirmed that the parking area will be gated and controlled by a 'key fob' system in order to avoid any opportunity for people to use the car park inappropriately.
115. Officers have also considered the comments of Cambridge Past, Present and Futures in respect of the garages to the east and west of the square as creating an opportunity for anti-social behaviour. Due to issues concerning the size of these garages and these comments the applicant has amended the application to show only four garages, located on the four corners of the two blocks. The remaining 16 houses will be served by uncovered parking and access to these parking areas to the rear will be controlled by gates, which will open inward. This will restrict access to residents only and avoid potentially anti-social behaviour occurring.
116. Concern has also been raised by the Police Architectural Liaison Officer regarding the potential for trees to grow and obscure views from homes surrounding the retail units and POS2. Consequently the application has been amended so as to include trees which will provide a quality landscape view and, with maintenance, will allow clear views of POS2.

*Public art*

117. The central market area associated with POS2 offers a unique opportunity to include public art in the fabric of the development and within a key public area. The previous application (S/0622/08) suggested a scheme to develop a major public art project around the Unwin Square area. Four draft alternative designs for a project associated with the market area were submitted with the application and show suggestions which could be developed further. OPCC is keen to develop public art projects and policy SF/6 of the LDF (2007) supports the generation of projects within new developments. Accordingly, officers consider that such a public art project would benefit from extensive public consultation and a condition requiring a scheme to be submitted and approved prior to the occupation of the mixed use building is appropriate.

*Housing Mix*

118. The scheme proposes the full permission of 2 no. one bedroom flats, and 26 no. two bedroom flats and outline permission for 16 no. two bedroom flats and 96 no. 3 bedroom houses. No provision is made on site for larger (4 or 5 bedroom) accommodation. Whilst such a mix, taken in isolation, would not typically accord with the mix standards set out in policy HG/2 of the LDF, it is important to consider that the site in terms of the wider Orchard Park development.. At the time of considering the original outline consent for Orchard park, the Planning Inspector considered how residential development should be apportioned across the site so as to achieve a mixed and balanced community, whilst achieving deliverability for

individual land parcels. This approach has been followed in considering what an appropriate mix for the sites now under consideration would be and officers are satisfied that the aim of policy HG/2 has been met across Orchard Park as a whole.

#### *Affordable Housing*

119. In respect of the provision of affordable housing on the site, Policy HG/3 of the LDF provides the policy format for determining planning applications for dwellings. It specifies that the amount of affordable housing sought on all sites of two or more dwellings will be 40% or more of the dwellings to be provided. However, development can take into account any abnormal costs associated with the development, such as infrastructure costs and other viability considerations. This current application offers 36.4% affordable housing and these are to be split over the two sites, (Site A) 16 no., two bedroom flats and (Site B ) 2 no., one bedroom flats, 26 no., two bedroom flats of which 28 are located above the mixed use block, and 7 no., three bedroom houses,. Whilst this is not meet 40% set out in the policy, it is compliant with policy HG/2 as the application has been subject to viability testing. This testing took into consideration the planning obligations package and indicates that this scheme would be unviable should it meet that 40% level. Officers have discussed this issue with the Council's partners, BPHA, who are fully supportive of this approach. Therefore, on balance, the amount of affordable homes delivered on the site is considered acceptable.

#### *Environmental Health Issues*

120. The following environmental health issues need to be considered and controlled effectively in order to minimise potential adverse impacts on existing and future residents:

- Construction Phase: Noise/Dust;
- Traffic noise impact of Kings Hedges Road, the A14 and the Cambridgeshire Guided Bus on residents;
- Air Quality;
- Artificial lighting;
- Contaminated Land;
- Health Impact Assessment;
- Operational Residential Waste/Recycling Provision; and
- Potential Operational Odour Generation and Control –Site B only.

#### *Noise*

121. The current proposals are located close to the B1049 and A14, where there is noise pollution caused by traffic. The applicant has provided two comprehensive noise assessment reports (Site A and B). The reports were revised following comments of the Environmental Health Officer. The revised reports make reference to the National Planning Policy Framework, March 2012, which replaced PPG24. The report for Site A, presents the outcome of an assessment of the future ambient noise levels within rear gardens and outside residential habitable rooms in order to meet the required targets. These appear to be acceptable subject to additional monitoring and assessment. However, in respect of Site B, further detailed design information is required and, as further quantitative noise assessment with details of noise data/specifications will only be available at the details design stages, a noise insulation condition is recommended for both the buildings and the plant. In addition,

a Noise Management Strategy condition is recommended in order to ensure that the amenity of nearby residents is protected

122. Policy NE/15 seeks to ensure that any planning application granted would not be subject to unacceptable noise levels from existing noise sources. Whilst it is agreed that nearby residents will be exposed to construction noise, that will be transitory in nature and the impact could be controlled by the imposition of a condition. In addition, officers suggest that a condition requiring a Construction Environmental Management Plan (CEMP) and a phased Construction Method Statement/Strategy (CMS) are added to provide control measures to ensure the development does not adversely impact on nearby residents, residential amenity.

*Air Quality*

123. Air quality assessments have been made for this development both for during construction of the development and on completion. For both phases the type, source and significant potential impact are identified, and measures employed to minimise impacts. Environmental Health Officers report that the assessment of air quality on both Site A and B is robust and acceptable in accordance with policy NE/16 of the LDF.

Site A

124. Further detailed air quality work is required in respect of Site A to prevent any prolonged exposure to potential poor air quality. It is recommended that, as part of the final layout (reserved matters), external private amenity areas such as private gardens and balconies and informal/formal opens spaces should not be located towards Cambridge Road. Officers recommend that mitigation of air quality issues be secured by condition.

Site B

125. It is agreed that, providing the proposed mitigation measures are implemented during the construction and operational stages; the impact on air quality during construction is likely to be minor adverse to negligible and during operational phases (upon completion) negligible to neutral. In addition, due to the separation distances between transport sources of air pollution and the location of future receptors, occupiers are unlikely to be exposed to significant concentrations of pollutants.

*Artificial Lighting*

126. Artificial lighting can have a significant impact on residential amenity by causing nuisance. No detailed proposals were submitted with this application therefore, it is recommended that a condition is added in order to ensure existing and future residents are protected from light pollution in accordance with policy NE/14 of the LDF.

*Contaminated Land*

127. The Council's records show that part of this development site was originally part of the former Carzone garage and bus depot site. Condition no. 21 of the original outline planning permission for the site (ref. S/2379/01) required the site to be investigated for contamination. Contamination was identified and subsequent risk assessment and remediation works were carried out where required (ref. S/0320/04). The conclusion and recommendations of the remediation report findings advise



additional work in order to make the site suitable for a proposed residential use. As only the eastern portion of Site A is affected by this potential contamination, it is recommended that construction measures to protect residential amenity are imposed by the imposition of a condition.

*Health Impact Assessment (HIA)*

128. The application is supported by a comprehensive HIA which clearly assesses the impact of the development on the health and well-being of existing residents and future residents of Orchard Park. To ensure that the development develops health benefits it advocates:
- Providing opportunities for Healthy exercise such as, through the provision of facilities for cyclist and an initiative to encourage cycling;
  - Potential health benefits associated with suitable employment opportunities.
  - Efforts to reduce the number of single occupancy car journeys;
  - Incorporation of a number of water efficiency measures to minimise demands on the natural water supply;
  - A broad range of measures to conserve and enhance on site biodiversity; and
  - Opportunities to minimise resource use, during both the construction and operational stage, including production of renewable energy on site.
129. Officers confirm that the proposals contained in the HIA are acceptable and that sufficient information has been provided to ensure that the development is in accordance with South Cambridgeshire Health Impact Assessment (SPD) 2011 and is, therefore, acceptable.

*Waste Management*

130. The RECAP design guide provides guidance to developers on both the design and management of waste infrastructure for both residential and commercial. On balance the application meets aims and objectives identified within the design guide, however, it appears that there are deficiencies regarding waste management design associated with Site B, as the locations of the refuse/bin store for the retail units 1-3 are not acceptable since they require manual handling of waste over a distance of more than 30 metres and are also directly across a residential car park. Officers have recommended to the applicant that they revise these areas in order to ensure the development conforms with the RECAP design requirements and should propose an alternative position in relation to bin storage serving units 1-3.
131. In addition, concern is raised regarding the suggestion of shared waste storage areas for commercial units, as this is not permitted by the guide. The applicant has subsequently agreed to revise the bin storage units for each of the retail units to ensure the bins stores are large enough to accommodate the required number of bins and will provide a waste storage compound in association with Unit 4, as recommended.
132. The applicant has advised officers that subject to minor amendments in the design layout at the rear of the retail premises the bin stores can be successfully located in accordance with the RECAP Design guidance and has forwarded a sketch layout, which could be secured by condition.

*Other Issues*

133. Previous experience of mud being deposited on road surfaces during construction works, which this is not normally an issue for development, It is worth noting that the application sites are in sensitive locations, e.g. close to the school, which will need to be maintained free from obstruction during development works for the benefit of existing local residents. Accordingly, it is considered reasonable to impose a condition that requires a construction management plan to be submitted and subsequently adhered to, to ensure all construction / logistical issues are identified before they occur and a suitable plan is in place to resolve them, to the satisfaction of all affected parties.

*Section 106*

134. Discussion regarding Section 106 obligations, have been on-going since May 2011, officers have been working with partners to bring together a list of requirements necessary to mitigate the development. The applicant raised concern that the list of obligations would result in the proposed scheme being unviable. Consequently, the application has been subject to a viability assessment, which has been carried out by independent consultants on behalf of South Cambridgeshire District Council with consultants working on behalf of the applicant. The results show that planning obligations are limited by the viability of the scheme. The list of planning obligations necessary included:

- a) Pre-school,
- b) Primary school,
- c) Secondary school
- d) The maintenance of open space,
- e) Off-site open space
- f) Community facilities,
- g) Community development worker,
- h) Public Art
- i) Household waste receptacles,
- j) Air quality, and
- k) Monitoring.

A full breakdown of the Section 106 obligations is attached as appendix 1.

135. As part of the Section 106 assessment for this development officers and partners have had to consider the extant planning permission which exists for Site B (S/0622/08), as that application was determined under the original Section 106 obligations and contributions associated with that application are deemed to have been paid, therefore all planning obligations associated with this development are required to credit the obligation requirements of that earlier application from this current application.
136. The application is supported by a Planning Statement in which it is indicated that the development is unviable and identifies the planning obligation requirement for this development as the reason for this the Heads of Terms which accompanied the application totalled £1 million. This is confirmed by the Council's viability consultant. Through discussion with service providers the Section 106 obligations have been negotiated to a total contribution of £1.353 million. Whilst this is a higher figure than the viability assessment indicates can be afforded, the applicant is willing to accept this sum to bring forward the site at this time. A summary of the Section 106 obligations is attached (appendix 1).

137. The OPCC has raised concern regarding the total amount of contributions being secured in respect of this application. The contributions being sought have been carefully scrutinised and are considered to meet the tests for S106 contributions.
138. Concern has been raised by Cambridge Past, Present and Future and the OPCC that the planning obligations associated with this application will be insufficient to fully mitigate the impact of this development on Orchard Park. However, the whole development has, as stated above, been carefully tested for CIL compliance and has been the subject of viability testing by independent consultants. The discussions associated with the obligations have been carried out with the clerk of the OPCC as part of the working group. The group has considered the impact of delivery of the development and consider that the contributions are now considered sufficient to adequately mitigate the development and accord sufficiently with policy.

### **Recommendation**

139. It is recommended that the Planning Committee approves the application as amended subject to the following:
- a) Section 106 requirements
  - b) The following Conditions and Informatives

### **Conditions**

#### **Time (Site A and B)**

1. The development shown hatched red on the attached plan, hereby permitted shall be begun before the expiration of 3 years from the date of this permission. In addition the development, shown hatched blue on the attached plan, 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: In relation to the area hatched red, 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; and, in relation to the area hatched blue, as the application is outline only.)

#### **Reserved Matters (Site A and B)**

2. In relation to the area shown hatched blue on the attached plan, approval of the details of the layout of the site, the scale and appearance of buildings, the means of access and landscaping (hereinafter called "the reserved matters" shall be obtained from the Local Planning Authority in writing before any development of this area is commenced.  
(Reason: As the application is partly outline only).

#### **Plans (Site A and B)**

3. The development hereby permitted shall be carried out in accordance with the following approved plans: GE.OP- Site Plan, Figure 1, GE.OP - Proposal Boundaries Figure 2, GE.OP- Plot A Development Zones Figure 3, GE.OP-Plot B Development Zones Figure 4, 021-Plot A Parameter Plans Figure 5 revision B, 022-Plot B Parameter Plans Figure 6 revision B, 023-Plot A Indicative Layout Figure 7 revision B, 024-Plot B Indicative Layout Figure 8 revision B, 1050/135 Concept Site Layout, 1608/SK/001 revision A, 1608/SK/002 revision A, 1608/SK/003 revision A,

1608/SK/004 revision A, 21106-001 revision E, 21106/002 revision A, 21106-004 revision A, GE.532.PO1 revision D, GE.532.PO2 revision C, GE 532 (22<sup>nd</sup> May 2012), GE.532.PO3, GE.532.PO4, GE.532.PO5. Details of perforated lath roller shutters date 5<sup>th</sup> April 2012.

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

### **Materials (Site B)**

4. No development shall commence until detail of the materials to be used in the construction of the external surfaces including windows and joinery 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 those details.  
Reason: To ensure the appearance of the development is satisfactory in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy DP/2).
5. Notwithstanding the submitted drawing GE.532.PO2 revision C, received 5<sup>th</sup> April 2012 and GE.532. received 22<sup>nd</sup> May 2012, further revised details of the front elevation are required to show the removal and replacement of the cedar wood balconies with glass and alterations to the front fenestration, such details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development on site.  
Reason: To ensure the appearance of the development is satisfactory in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy DP/2).
6. Prior to occupation of each retail unit the premises shall be fitted with perforated lath roller shutters the colour, of which shall first be submitted to, and approved in writing by the Local Planning Authority.  
Reason: To ensure the appearance of the development is satisfactory in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy DP/2).

### **Permitted Uses of the Mixed Use Commercial Block (Site B)**

7. Notwithstanding the provisions of the Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the mixed use block of retail premises shall be used for A5, A2 and three A1 uses and for no other purposes (including any other purposes in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or within modification). Not more than two units within the building shall be used for A5 uses at any time.  
Reason: a) To protect the amenities of adjoining residents in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/3. b) To safeguard the character of the area in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/3.
8. No individual unit on site shall be occupied until a scheme for the provision of CCTV has been submitted to and approved in writing by the Local Planning Authority, and has been subsequently installed in accordance with that approved scheme thereafter be retained and maintained in strict accordance with the approved plans in perpetuity and not be altered without the prior written approval of the Local Planning Authority.

Reason: To ensure adequate surveillance of the car parking areas in the interest of amenity, security and the quality of the development in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy DP/2 and DP/3.

9. No individual unit on site shall be occupied until the cycle parking to serve that unit has been provided on site and made available for use. The cycle parking shall not thereafter be used for any purpose other than parking of cycles.

Reason: To ensure adequate provision of cycle parking for the development in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy TR/1 and TR/3.

10. Notwithstanding the submitted drawing 21106-001 revision E, a schedule for the provision of delivery of cycle parking to both Site A and Site B shall be submitted to and approved in writing by the Local Planning Authority. The schedule will then be implemented in strict accordance with that delivery plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure adequate provision of cycle parking for the development in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy TR/1 and TR/3.

#### **Construction Noise & Vibration (Site A & B)**

11. No construction work and or construction related collection from or deliveries to the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday, 08.00 to 13.00 on Saturdays and no construction works or collection/deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To protect the amenities of nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies NE/15, NE/16 and DP6.)

12. In the event of the foundations from the proposed development requiring piling, prior to the development taking place the applicant shall provide the Local Planning Authority, with a report/method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with provision of BS5528,2009 - Code for Noise and Vibration Control of Construction and Open Sites Part 1 - Noise and 2- Vibration Control on Development shall be carried out in accordance with the approved details.

Reason:- To protect the amenities of nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies NE/15, NE/16 and DP6.)

13. No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site during the construction period of development has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details/scheme unless the Local Planning Authority agrees to the variation of any detail in advance and in writing.

Reason:- To protect the amenities of nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policies NE/15, NE/16 and DP6.

14. Prior to the development commencing on site a Construction Environmental Management Plan and a phased Construction Method Statement/Strategy shall be submitted to and approved in writing by the Local Planning Authority. Construction on site shall be strictly in accordance with those agreed documents unless otherwise agreed in writing by the Local Planning Authority.  
Reason:- To protect the amenities of nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policies NE/15, NE/16 and DP6.)
15. No power operated machinery (or other specified machinery) shall be operated on the premises before 08:00 on weekdays and 09:00 on Saturdays or after 18:00 weekdays and 13:00 on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions.  
Reason: To minimize noise disturbance to adjoining residents in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy NE/15.

#### **Operational Noise Impact- (Site B)**

16. Before the retail uses hereby permitted are commenced, a noise assessment and a scheme for the insulation of the building and associated plant/equipment, in order to minimise the level of noise emanating from the building and a plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details.  
Reason: To protect the amenity of nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies NE/15, NE/16 and DP6.
17. No development shall commence until full details of a scheme of sound insulation standard between any retail, food or commercial (any premises class use other than residential) and residential uses within the same building has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed before the units hereby permitted are occupied and measures permanently retained thereafter.  
Reason: In the interests of the amenities of permitted residential units close to non-residential premises in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies NE/15, NE/16 and DP6.
18. No vehicles associated with any retail, food or commercial units shall be loaded or unloaded within the application site outside the hours of 07.00 and 23.00hrs on Monday to Saturday and not at all on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To avoid unreasonable disturbance outside normal working hours to nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policies NE/15, NE/16 and DP6.
19. 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 for fumes from the building but excluding office equipment an vehicles and the location of the outlet from the building of such plan or equipment shall be submitted to and approved in writing by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions.

Reason: To protect the occupiers of adjoining dwellings from the effect of odour, dust or fumes in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy NE/16.

#### **Air Quality Mitigation (Site A)**

20. The approved development and uses shall be constructed and maintained in accordance with the mitigation measures as detailed in the submitted WSP Environmental Air Quality Assessment Report, Orchard Park, Plot A, Gallagher UK, May 2011 and as part of the air quality mitigation scheme no development on any individual phase shall commence until approval of the details of the design, layout and scale, including the location of external amenity areas and formal/informal open space within the phase has been obtained from the Local Planning Authority in writing. The development shall be carried out strictly as approved.

Reason: To safeguard the amenity and health of future residents in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies NE/16 accordance and the South Cambridgeshire (SPD) Design Guide 2010.

#### **Artificial Lighting (Site A & B)**

21. Prior to the commencement of the development an artificial lighting scheme, to include detail of any external lighting of the site such as street lighting, floodlighting, security/residential lighting and an assessment of impact on any sensitive residential premises on and off the site, shall be submitted to and approved in writing by, the Local Planning Authority. The scheme shall include layout plans/elevations with luminaire locations annotated, full vertical and horizontal isolux contour maps, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type/profiles, mounting height, aiming angles/orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals' "Guidance Notes for the Reduction of Obtrusive Light GN01:2011". The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details/measures unless the Local Planning Authority gives its written consent to any variation.

Reason: To protect/safeguard the amenities of nearby residential properties from light pollution/nuisance in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy NE/14.

#### **Contaminated Land (Site A)**

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

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

Reason: to protect the amenities of future residents from contamination in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy DP/1.

**Waste (Site A & B)**

23. Prior to commencement of development on site of Site B and any reserved matters application associated with Site A and B, shall include full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the Local Planning Authority. Such details shall identify the specific positions of where facilities for trade waste, domestic bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. Details shall also be included on how this complies with any approved design code for domestic waste. The approved facilities shall be retained thereafter unless alternative arrangements are agreed in writing by the Local Planning Authority.

Reason: To ensure the efficient management of waste recycling facilities in accordance with Cambridgeshire Council Councils RECAP Guidance (SPD) 2012.

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

Reason: In the interest of visual/residential amenity in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy DP/1.

25. Notwithstanding the submitted drawings, no development shall take place until a scheme for the siting and design of the screened storage of refuse, in relation to site B, has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage for the site shall be completed before the mixed use building is occupied in accordance with the approved scheme and shall thereafter be retained.

Reason: To provide for the screened storage of refuse in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policy DP/3.

26. Notwithstanding the submitted plan ref: GE.532.PO1 revision D, further details of the exact location of the retail bins shall be submitted to and approved in writing by the Local Planning Authority. Any bin location scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.

**Renewable Energy (Site A & B)**

27. No development shall commence within the site for which full approval is being sought until such time as a renewable energy statement for the site, which demonstrates that at least 10% of the building's total predicted energy requirements will be from on-site renewable energy sources, has been submitted to and approved in writing by the Local Planning Authority. The statement shall include the total predicted energy requirement in the form of an Energy Statement of the development and shall set out a schedule of the proposed on-site renewable energy technologies, their respective energy contributions, location, design and a maintenance programme.

The approved renewable energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained and remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the Local Planning Authority

Reason : In the interest of reducing carbon dioxide emissions, in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policy NE/1, NE/2 and NE/3.



28. No development shall commence within the site for which outline approval is being sought until such time as a renewable energy statement for the site, which demonstrates that at least 10% of the site's total predicted energy requirements will be from on-site renewable energy sources, has been submitted to and approved in writing by the Local Planning Authority. The statement shall include the total predicted energy requirement in the form of an Energy Statement of the development and shall set out a schedule of the proposed on-site renewable energy technologies, their respective energy contributions, location, design and a maintenance programme.

The approved renewable energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained and remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the Local Planning Authority  
Reason : In the interest of reducing carbon dioxide emissions, in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policy NE/1, NE/2 and NE/3.

29. Before development /uses hereby permitted is commenced, an assessment of the noise impact of plant and or equipment including any renewable energy provision sources such as any air source heat pumps, wind turbines on the proposed and existing residential premises and a scheme for insulation as necessary, in order to minimise the level of noise emanating from the said plant and or equipment shall be submitted to and approved in writing with the Local Planning Authority. Any noise insulation scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.

Reason: To protect the amenities of nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy NE/15).

### **Odour (Site B)**

30. Before the commencement of retail uses hereby permitted are commenced, details of equipment for the purpose of extraction and/or filtration and/or abatement of fumes and or odours related to non-residential uses which are not residential premises including the operation of any in vessel composting, shall be submitted to and approved in writing by the Local Planning Authority. The approved extraction/filtration/abatement scheme/s shall be installed before the use hereby permitted is commenced and shall be retained thereafter. Any approved scheme/system shall not be altered without prior approval.

Reason: To protect the future amenity of future residential premises in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policies NE/15, NE/16 and DP6.

31. Any approved fume filtration/extraction system installed, shall be regularly maintained in accordance with the manufactures specification to ensure it continues satisfactory operation to the satisfaction of the Local Planning Authority. Documented evidence including receipts, invoices and copies of any service contracts in connection with the maintenance of the extraction equipment, shall be kept for inspection by officers of the Local Planning Authority.

Reason: To protect the future amenity of future residential premises in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policies NE/15, NE/16 and DP6.

**Transport (Site A and B)**

32. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary, or the boundary of any land intended to be dedicated as public highway.

Reason: To avoid displacement of loose material onto the highway in the interest of highway safety, in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy TR/3.

33. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved accesses unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy TR/3.

34. Prior to the commencement of the first use the vehicular accesses where they cross the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interest of highway safety, in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy TR/3.

35. No part of any structure shall overhang or encroach under or upon the public highway and no gate/door/ground floor window shall open outwards over the public highway.

Reason: In the interest of highway safety, in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy TR/3.

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

Reason: To prevent surface water discharging to the highway, in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy TR/3.

37. The manoeuvring areas and accesses shall be provided as shown on the drawings and retained free of obstruction.

Reason: In the interest of highway safety, in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy TR/3.

38. The uses, hereby permitted, shall not commence until parking, turning, loading and unloading spaces have been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy DP/2.

39. The flats above the mixed use block, hereby permitted, shall not be occupied until covered and secure cycle parking has been provided within the site in accordance with the approved scheme.

Reason: To ensure the provision of covered and secure cycle parking in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy TR/2.

40. No building shall be occupied until a Travel Plan for staff, residents and visitors has been submitted to and approved in writing by the Local Planning Authority. The plan shall include marketing, incentive schemes, monitoring and review process as well as mechanisms for its implementation and shall be implemented in accordance with the approved details.

Reason: To reduce car dependency and to promote alternative modes of travel in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy TR/3.

### **Landscaping (Site A and B)**

41. 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 detail 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 detail of species, density and size of stock.

Reason: To ensure that development is satisfactorily assimilated into the area and enhances biodiversity in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies DP/2 and NE/6.

42. 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 ten 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 give its written consent to any variation.

Reason: To ensure that development is satisfactorily assimilated into the area and enhances biodiversity in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies DP/2 and NE/6.

43. No development shall take place until full details of the public open space (POS2) have been submitted to and approved by the Local Planning Authority, including details of both hard and soft landscape works, provision of water supply, drainage, power points, refuse bins, cycle racks and seating. The development shall subsequently be implemented in accordance with the approved details prior to the first occupation of any individual unit on the site, apart from the soft landscaping works, which shall be carried out within the first planning season following the first 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 of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree 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 that development is satisfactorily assimilated into the area and enhances biodiversity in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies DP/2 and NE/6.

44. No development of any reserved matters consent shall be commenced on Site A until a pedestrian and cycle connection has been provided between the junction of Kings Hedges Road and Cambridge Road and the south western corner of Site A, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation on site, this connection will be retained in perpetuity

**Drainage (Site A and B)**

45. No dwellings/premises shall be occupied until the works have been carried out in accordance with the approved Surface Water Strategy, unless otherwise approved in writing with 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 programmed agreed in writing with the Local Planning Authority  
Reason: To prevent amenity problems and arising from flooding, in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/1 and NE/11 .

46. Prior to the commencement of any part of the 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 implementation programme agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of pollution of the water environment and to ensure a satisfactory method of foul water drainage in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/1 and NE/10 .

**Public Art (Site B)**

47. Notwithstanding the submitted details, no development shall begin until details of a scheme for the provision of public art has been submitted to and approved in writing by the Local Planning Authority. The implementation of such as scheme shall be prior to the occupation of the mixed use block unless otherwise agreed in writing by the Local Planning Authority.

Reason Insufficient details were submitted with the application in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policy SF/6.

**Ecology (Site A and B)**

48. No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for specified of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme waghered in writing with the Local Planning Authority.

Reason: To enhance ecological interest in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/1, DP/3 and NE/6.

49. No development shall commence on site until a comprehensive Lizard survey has been carried out and the results of which have been documented in accordance with a scheme which shall first have been agreed in writing by the Local Planning Authority. Such protection measures as agreed shall be implemented prior to

development commencing on site and shall be maintained throughout the construction period, any alteration to the approved scheme shall first be submitted to and agreed in writing with the Local Planning Authority.

Reason: To enhance ecological interest in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/1, DP/3 and NE/6.

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

Reason: To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/1, DP/3 and NE/6.

51. No development shall begin until a scheme for the provision of bird nest boxes has been submitted to and approved in writing by the Local Planning Authority: the mixed use building 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 Sustainability with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/1, DP/3 and NE/6.

#### **Construction management (Site A and B)**

52. 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 compound(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 South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/3 and DP/6.

#### **Fire Hydrants (Site A and B)**

53. No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.

Reason: To ensure an adequate water supply is available for emergency use.

#### **Informatives**

##### *Environmental Health*

- i. To satisfy the noise insulation scheme condition for the residential building envelope and traffic noise, the applicant / developer must ensure that the residential units at are acoustically protected by a noise insulation scheme, to ensure the internal noise level within the habitable rooms, and especially bedrooms comply with British Standard 8233:1999 "Sound Insulation and noise reduction for buildings-Code of Practice" derived from the World Health Organisation Guidelines for Community

Noise: 2000. The code recommends that a scheme of sound insulation should provide internal design noise levels of 30  $L_{Aeq}$  (Good) and 40  $L_{Aeq}$  (Reasonable) for living rooms and 30  $L_{Aeq}$  (Good) and 35  $L_{Aeq}$  (Reasonable) for bedrooms. Where sound insulation requirements preclude the opening of windows for rapid ventilation and thermal comfort / summer cooling, acoustically treated mechanical ventilation may also need to be considered within the context of this internal design noise criteria. Compliance with Building Regulations Approved Document F 2006: Ventilation will also need consideration.

Parcel B

- i. To satisfy the Retail Units Operational Noise Impact / Insulation condition, the noise level from all powered plant, vents and equipment, associated with this application that may operate collectively and having regard to a worst case operational scenario (operating under full power / load), should not raise the existing lowest representative background level  $\text{dB } L_{A90,1\text{hr}}$  ( $L_{90}$ ) during the day between 0700 to 2300 hrs over any 1 hour period and the existing lowest background level  $\text{dB } L_{A90,5\text{mins}}$  ( $L_{90}$ ) during night time between 2300 to 0700 hrs over any one 5 minute period by more than 3 dB(A) respectively (i.e. the rating level of the plant needs to match the existing background level), at the boundary of the premises subject to this application (or if not practicable at a measurement reference position / or positions in agreement with the LPA) and having particular regard to noise sensitive premises. Noticeable acoustic features and in particular tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and to protect the amenity of the area, preventing unreasonable noise disturbance to other premises.

To demonstrate this requirement it is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 "Method for rating industrial noise affecting mixed residential and industrial areas" or similar. In addition to validate /verify any measured noise rating levels, noise levels should be collectively predicted at the boundary of the site having regard to neighbouring residential premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring noise sensitive premises; with noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations (background  $L_{90}$ ) and hours of operation. Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked. Any ventilation system with associated ducting should have anti vibration mountings.

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

- National Planning Policy Framework
- Cambridgeshire County Council Local Development Framework Supplementary Planning Document;
- RECAP Waste Management Design Guide (February 2012)

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- South Cambridgeshire Local Development Framework Site Specific DPD (adopted January 2010)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents:
  - Public Art (adopted January 2009)
  - Open Space in New Developments (adopted January 2009)
  - Trees and Development Sites (adopted January 2009)
  - Biodiversity (adopted July 2009)
  - Landscape in New Development (adopted March 2010)
  - District Design Guide (adopted March 2010)
  - Affordable Housing (adopted March 2010)
  - Health Impact Assessment (adopted March 2011)
  - Orchard Park Design Guide (adopted March 2011)
- Planning Files Ref: S/2379//01/O, S/0622/08 and S/2559/11
- Documents referred to in the report including appendices on the website only and reports to previous meetings

**Case Officer:** Julie Ayre –Principal Planning Officer  
Telephone: (01954) 713313

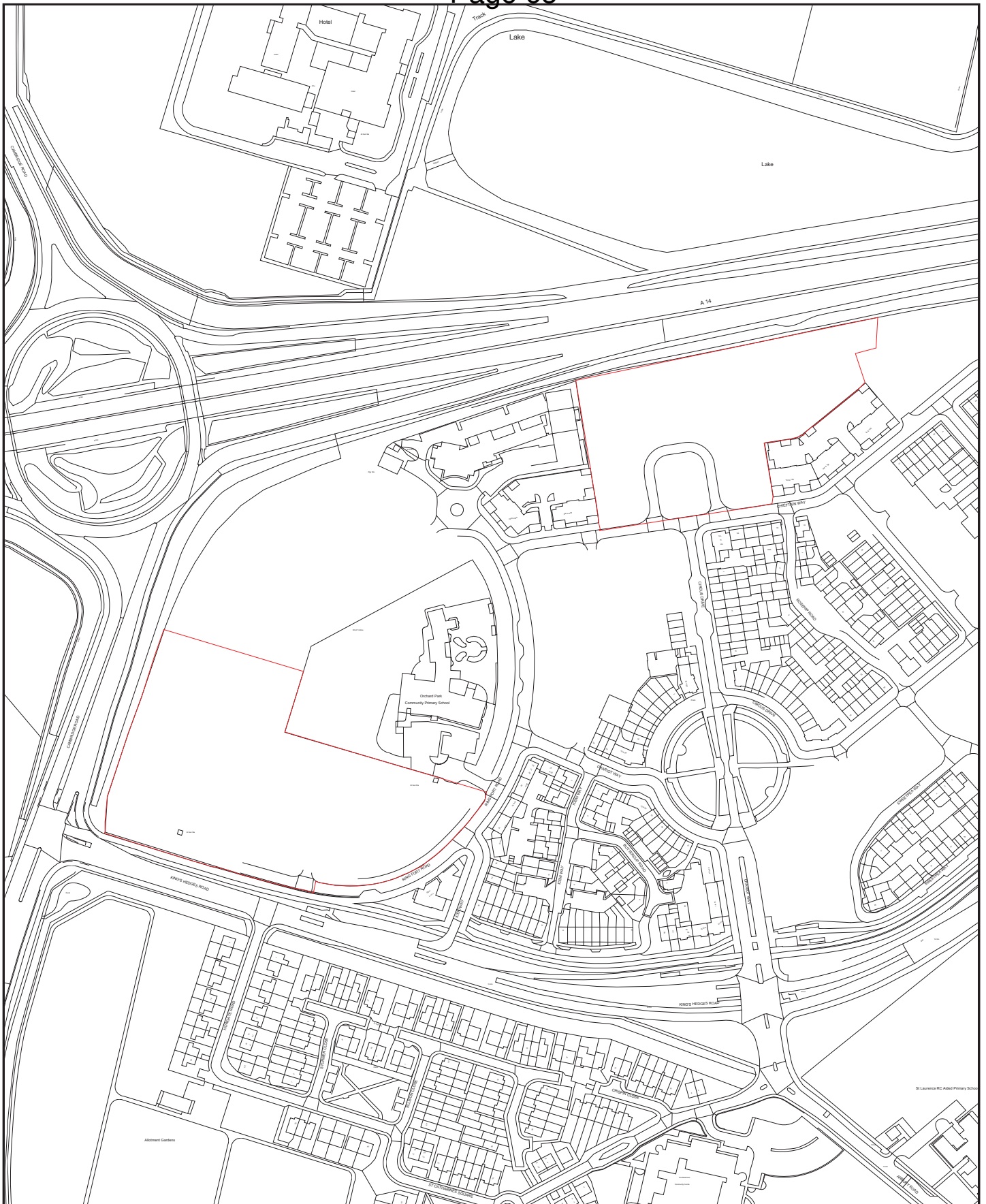
This page is left blank intentionally.



**Appendix 1 – Draft Section 106 Obligations**

<b>Section 106 Obligation</b>		<b>Cost</b>
Transport		£00.00(trips internal)
Education	Pre-school	£47,040
	Primary School	£636,480
	Secondary School	£237,500
Community	Community Access Agreement	£36,000
	Community Development Worker	£30,000
Public Art		To be a delivered by the applicant as a project.
Open Space/Arts		£314,000
Waste/Bins		£21,000
Air Quality		£26,000
Waste Recycling		£00.00
Monitoring		£5,000
<b>Total</b>		<b>£1,353,020</b>

This page is left blank intentionally.



**South  
Cambridgeshire  
District Council**

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:3216  
Time of plot: 17:08

Date of plot: 08/05/2012

This page is left blank intentionally.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

6 June 2012

**AUTHOR/S:** Planning and New Communities Director

---

**S/2587/11 – GREAT SHELFORD**  
**Extension to Seasonal Opening Times of Camping and Caravan Site,**  
**Extension to Reception Block, Internal Access Roads and Hardstandings,**  
**Entrance and Exit Barriers, and Motorhome Service Point**  
**at 19 Cabbage Moor**  
**for The Camping and Caravanning Club**

**Recommendation: Approval**

**Date for Determination: 9 May 2012**

**Notes:**

**This application has been reported to the Planning Committee for determination as it is a major application and Great Shelford Parish Council has concerns on material planning grounds.**

**To be presented to the Committee by Karen Pell-Coggins**

**Site and Proposal**

1. The site is located outside the Great Shelford village framework and within the Green Belt and countryside. It measures 5.9 hectares in area and is currently used as a touring caravan and camp site (120 pitches). There is reception block and car park to the west of the site at the entrance from Cabbage Moor. Two caravans are situated on hardstandings adjacent and surrounded by post and rail fencing. A central hard surfaced access leads to an amenity and facilities building to the east. A small play area lies to the north. There are five gravel hardstandings to the south of the access. The remaining area comprises open grassland. The boundaries of the site have a mixture of trees, hedges and high fences. There is no limit imposed by planning condition on the number of pitches, the site having been established as a touring site in excess of 10 years. The site lies within flood zones 2 and 3 (medium and high risk).
2. Cabbage Moor is a narrow private road off Cambridge Road (A1301) that has a speed limit of 40 miles per hour. It serves the site and residential development that is situated to the west. Hobson's Brook runs along the eastern boundary with open agricultural land beyond. The Clay Farm development is located to the north. Open meadow land lies to the south.
3. This full planning application, received 16 January 2012, as amended, proposes an extension to the seasonal opening times for the caravan and camp site from 16<sup>th</sup> February in one year until the 5<sup>th</sup> January the following year, the provision of internal access roads and 65 additional hardstandings, the installation of new site access and egress barriers, the provision of a motorhome service point, and an extension to the reception block.

### **Planning History**

4. **S/1485/05/F** Appeal dismissed for change of use of land for siting of 15 static caravans on the grounds of inappropriate development in the Green Belt as a result of encroachment into the countryside and a loss of openness.
5. **S/1991/88/O** Planning permission refused for offices for the national headquarters of The Camping and Caravan Club on the grounds of the location of the site in the countryside, the offices not being used as a local service, and neighbour amenity due to the increase in traffic generation.
6. **S/0432/78/F** Planning permission granted for construction of a lavatory building, warden's office/shop, 5 service points and access road.
7. **S/1174/74/F** Temporary planning permission for three years granted for siting of 50 touring caravans. The consent was limited to seasonal use between 1<sup>st</sup> April and 31<sup>st</sup> October in the year.
8. **S/0847/74/D** Planning permission refused for use of land for overnight parking of 5 touring caravans on the grounds of neighbour amenity due to the increase in traffic generation.
9. **S/1338/73/D** Temporary planning permission for one year granted for extension of caravan site for 25 extra caravans. The consent was limited to seasonal use between 1<sup>st</sup> April and 31<sup>st</sup> October in the year.
10. **S/0411/73/D** Planning permission refused for increase of site for 20 additional touring caravans on the grounds of neighbour amenity due to the increase in traffic generation.
11. **S/0809/72/D** Temporary planning permission granted for two years for continued use of land as caravan site. The number of caravans was limited to three.
12. **S/0887/71/D** Temporary planning permission granted for two years for a caravan site for 15 touring caravans over the winter months (November to March).
13. **S/0667/69/D** Temporary planning permission granted for five years for use of land for touring caravans and camping. The consent was limited to seasonal use between 1<sup>st</sup> April and 31<sup>st</sup> October in the year.
14. **S/0120/64/D** Planning permission refused for use as a camping and caravan site on the grounds of the location of the site in the Green Belt.

### **Planning Policy**

15. National Planning Policy Framework (NPPF), 2012

#### **South Cambridgeshire Local Development Framework (LDF) Core Strategy DPD, adopted 2007:**

ST/1 Green Belt  
ST/4 Rural Centre

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

DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria

DP/7 Development Frameworks  
GB/1 Development in the Green Belt  
GB/2 Mitigating the Impact of Development in the Green Belt  
GB/5 Recreation in the Green Belt  
ET/10 Tourist Facilities and Visitor Accommodation  
NE/1 Energy Efficiency  
NE/4 Landscape Character Areas  
NE/6 Biodiversity  
NE/11 Flood Risk  
CH/2 Archaeological Sites  
TR/1 Planning for More Sustainable Travel  
TR/2 Car and Cycle Parking Standards

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

Landscape in New Developments SPD - Adopted March 2010

Trees & Development Sites SPD - Adopted January 2009

District Design Guide SPD - Adopted March 2010

**Consultation by South Cambridgeshire District Council as Local Planning Authority**

Responses to Original Application and Additional Information

16. **Great Shelford Parish Council** – Makes no recommendation but has the following comments: -  
“We can understand why the applicants should wish to install hardstandings and improve facilities to cater for motorhomes as compared to campers but we do have concerns that the hardstandings may allow permanent residential use on the site and as the site will only be closed for 6 weeks it will be difficult to police. If the application is approved, conditions in accordance with ET/10(2) should be imposed and enforced so that the site is solely for recreation/holiday use. The views of the existing residents of Cabbage Moor who will be affected by more than 4 months of additional traffic in what is a very narrow road should be taken into account and considerable weight should be given to their views with regard to the proposed increase in opening hours.”
17. **Local Highways Authority** – Comments that the proposal would not have a significant adverse effect upon the public highway.
18. **Environment Agency** – Comments that the Flood Risk Assessment (FRA) has been reviewed and the topographic survey used as the basis for the assessment is to an arbitrary datum and the flood level for the site has been interpolated from our indicative flood zone maps that in normal circumstances would not be appropriate to use in such a way. However, the information used in the best available and does provide a relative assessment of flood risk from Hobson’s Brook. Therefore, the FRA is considered acceptable subject to conditions in relation to the development being carried out in accordance with the FRA including specific mitigation measures and a scheme for the provision and implementation of foul water drainage as no details have been submitted to date. Also requests various informatives.
19. **Environmental Health Officer** – Has no adverse comments in relation to noise and environmental pollution but suggests that the applicant is reminded that if planning permission were granted, then an application for the amendment of the site license will be required with all new hardstandings and associated touring units requiring compliance with the accompanying site license conditions.
20. **Conservation Officer** – Comments that the development would not affect the setting of a Listed Building or Conservation Area but would affect the setting of a Scheduled

Ancient Monument and defers to English Heritage and County Archaeology for guidance.

21. **English Heritage** – Comments that the site is adjacent land designated as a Scheduled Ancient Monument and that the proposal would not have a direct impact upon the heritage asset or be unduly harmful to its setting. Advises that the development may have an impact upon non- designated assets and advises that County Archaeology should be consulted as a condition may be required in relation to the recording of impact upon the non-designated assets.
22. **County Archaeology** – Comments that it is unlikely that the proposed development would have a significant impact on sub surface archaeological remains. We would have no objection to the proposed development and do not consider archaeological works to be necessary in response to the proposals. Recommends that the views of English Heritage are sought regarding the impact of the proposed development on the setting of this designated heritage asset.
23. **Trees and Landscapes Officer** – Has no objections. The trees are on the boundary and are not afforded any statutory protection. The proposal should not compromise the trees.
24. **Landscape Design Officer** – Comments are awaited.

#### **Representations by members of the public**

25. Six letters of representation have been received from residents of Cabbage Moor that object to the application on the following grounds: -
  - i) Highway safety- increase in traffic from increased opening hours, narrow access with inadequate space for two large vehicles to pass, greater risk of accidents when slow moving large vehicles enter/exit the busy and fast moving Cambridge Road, unadopted private road with no lighting, pavements or drainage that is not designed for such use, damage to road.
  - ii) Use- inappropriate development in the Green Belt, loss of openness, visual impact, change to rural nature of area, more permanent use over the majority of the year, use for residential purposes rather than leisure use, density of site, scale of extension to reception block, need for the hardstandings, precedent.
  - iii) Neighbour amenity- noise and disturbance, overlooking from higher vehicles, closer proximity to residential properties, odour from vehicle fumes, seasonal screening, views.
  - iv) Other matters- No consultation with residents, not a local business.

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

26. The key issues to consider in the determination of this application are whether the proposal would represent appropriate development in the Green Belt, whether the proposal would cause any other harm in terms of its impact upon the character and appearance of the area, highway safety, the amenities of neighbours, flood risk, tree and landscaping, the setting of the adjacent ancient monument, and a site of archaeological interest.

#### ***Principle of Development in Green Belt***

27. Paragraph 87 of the National Planning Policy Framework states that inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances.



28. Paragraph 89 states that new buildings are regarded as inappropriate development. However, exceptions to this are the provision of appropriate facilities for outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it and the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
29. Paragraph 90 further states that certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include uses and engineering operations.
30. The site is an established touring caravan and camp site. The proposed extension to the current seasonal opening times of the site from 1<sup>st</sup> March to 31<sup>st</sup> October in the same year (9 months) to 16<sup>th</sup> February in one year until the 5<sup>th</sup> January the following year (10.5 months) is not considered to represent inappropriate development in the Green Belt. The proposal would not result in further encroachment to the Green Belt given that the site is already used for such purposes and the siting of the caravans and tents on the land for a further 2½ months is not considered to harm the openness of the Green Belt given the likely low key use of the site over the winter months for recreational purposes.
31. The proposed addition to the reception block is not considered to represent inappropriate development in the Green Belt given it would provide essential facilities in connection with the outdoor recreational use of the surrounding land as a touring caravan and camp site. The proposal would not result in further encroachment to the Green Belt given that the site is already used for such purposes and the extension is not considered result in disproportionate additions to the original building that would harm the openness or rural character of the Green Belt given the limited footprint, subservient scale, and single storey height.
32. The proposed engineering and other works in terms of the internal access roads, hardstandings, barriers and motor home service point are not considered to represent inappropriate development in the Green Belt. These developments would not result in further encroachment to the Green Belt given that the site is already used for such purposes and ancillary structures and engineering works would not harm the openness or rural character of the Green Belt given their limited scale.

#### ***Character and Appearance of the Area***

33. The proposal is not considered to result in other harm to the visual amenity of the Green Belt given the existing use of the land, the scale of the proposals, the limited visibility of the works from public viewpoints, and the presence of built development on two sides of the site.

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

34. The development is not considered to be detrimental to highway safety. Whilst it is acknowledged that the traffic generated from the extension to the seasonal opening times would increase the use of Cabbage Moor to access the site during the winter months, this is likely to be either lower in number or the same as the traffic generation from the existing use of the site during the summer months. The Local Highways Authority has not therefore raised an objection. It should be noted that there would be no increase in the number of pitches that would result in an increase in traffic generation or different sized vehicles using the narrow access via Cabbage Moor to the existing situation in the summer months.

***Neighbour Amenity***

35. The nearest residential properties to the site are located within Cabbage Moor. The proposal is not considered to result in an unacceptable rise in the level of noise and disturbance in the area that would adversely affect the amenities of neighbours as the nature of the use would not change, the number of pitches on the site would not increase, and there is likely to be a lower level of occupancy than in the summer months. The formalisation of the layout through the introduction of hardstandings is not considered to increase noise levels or overlooking to the neighbor at No. 17 Cabbage Moor as the nearest plot is situated 15 metres from the boundary of that property and 20 metres from the dwelling. This is considered an acceptable relationship. It should also be noted that the existing informal layout could result in vehicles being located at a closer proximity to neighbors during the summer months.

***Flood Risk***

36. Potential sources of flooding that may affect the site are from Hobson's Brook along the eastern boundary, a drainage channel on the northern boundary, and surface water on the site during periods of high rainfall. The site has not flooded historically and only a small proportion of the site (0.82 of a hectare) would be susceptible to a water depth of 2500mm during a 1 in 100 year flood event from Hobson's Brook. The remainder of the land (5.1 hectares) that is above 49.25 metres AOD would remain dry. The development is not therefore considered to increase the risk of flooding to the site and surrounding area subject to a condition to ensure that the development is carried out in accordance with the Flood Risk Assessment dated March 2012 and the mitigation measures outlined within that document.

***Trees and Landscaping***

37. The proposal would retain all existing trees and landscaping on the site. This would protect the rural character and appearance of the area.

***Ancient Monument***

38. The proposal is not considered to harm the setting of the adjacent ancient monument due to the existing use of the site, the limited scale of the development, and the location of the development a significant distance from the heritage asset beyond Hobson's Brook and established landscaping belts along the eastern and southern site boundaries.

***Other Matters***

39. A condition would be attached to any consent to agree the method of foul water drainage.
40. Whether the campsite is a local business is not a planning consideration in the determination of this application.
41. Damage to the road is a legal matter between the parties that have ownership and use of the road.

***Conclusion***

42. 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

43. Approval as amended by additional information and Flood Risk Assessment dated 5 April 2012. The following conditions and informatives are suggested: -

### Conditions

- i) 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.)
- ii) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers CAM 010, CAM 012, CAM 013 Revision A, CAM 014, STAND 013, STAND 015, and STAND 017.  
(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990)
- iii) The site shall not be used other than as a touring caravan and camp site and shall not be occupied by caravans used either for seasonal use or permanent residential accommodation.  
(Reason - To ensure the development is appropriate in the Green Belt and to minimise the visual impact upon the area of permanently stationed caravans or mobile homes in accordance with Policy ET/10 of the adopted Local Development Framework 2007.)
- iv) No caravan shall remain on the site between 5<sup>th</sup> January and 16<sup>th</sup> February in any year.  
(Reason - To ensure that the site is retained for tourist use only in accordance with Policy ET/10 of the adopted Local Development Framework 2007.)
- v) Details of the materials to be used in the external construction of the development, hereby permitted, shall follow the specifications as stated on the planning application form and shown on the approved drawings unless otherwise approved in writing by the Local Planning Authority.  
(Reason - To ensure the development is in keeping with the character and appearance of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- vi) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) compiled by Enzygo Ltd, dated March 2012, entitled Cabbage Moor Holiday Park and the following mitigation measures detailed within the FRA:  
*Limiting the surface water run-off generated by the 1 in 100 year critical storm including a 30% allowance for climate change so that it will not exceed the run-off from the existing site and not increase the risk of flooding off-site.*  
(Reason -To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy NE/11 of the adopted Local Development Framework 2007.)
- vii) Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.

(Reason - To prevent the increased 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.)

- viii) 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 before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.  
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- viii) 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.)

### **Informatives**

- i) An application for an amendment to the site license may be required with all new hardstandings and associated touring units requiring compliance with the site licensing conditions.
- ii) The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.
- iii) The Technical Guide to the National Planning Policy Framework (paragraph 9) states that those proposing developments should take advice from the emergency services when producing an evacuation plan for the development.
- iv) In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.
- v) Hobson's Brook at this location is 'Awarded' to South Cambridgeshire District Council for maintenance. We strongly recommend that you discuss any buffer distance that they may require with the SCDC's Drainage Engineer Mr. Pat Matthews. Direct e-mail [pat.matthews@scambs.gov.uk](mailto:pat.matthews@scambs.gov.uk)
- vi) The applicant's attention is drawn to DETR Circular 03/99 which requires an applicant to demonstrate that a connection to the public foul sewer is not available. In the eventuality of a connection to the public foul water sewer not being available, the suitability of any non-mains sewerage systems, particularly those incorporating septic tanks, must be effectively demonstrated by the applicant to the satisfaction of the Local Planning Authority.
- vii) The above detail must be submitted with any subsequent foul water drainage submission.

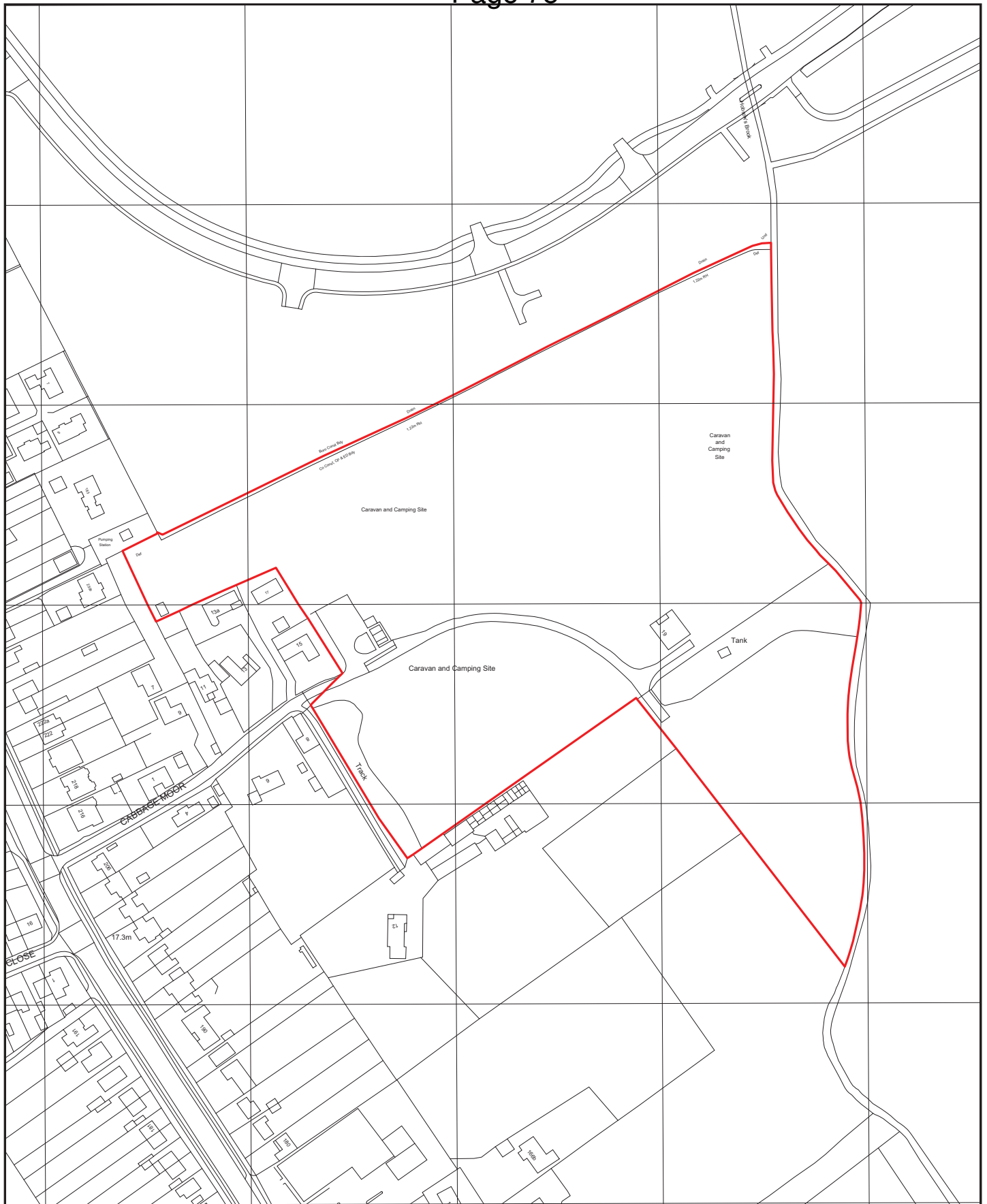
- viii) Any 'non mains' foul water drainage system may require the prior written Consent of the Agency under the term of the Water Resources Act 1991. Such consent may not be forthcoming.
- ix) Foul drainage from the proposed development should be discharged to the public foul sewer unless it can be satisfactorily demonstrated that a connection is not reasonably available.
- x) Anglian Water Services Ltd. should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution or flooding. If there is not capacity in either of the sewers, the Agency must be reconsulted with alternative methods of disposal.
- xi) All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
- xii) Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
- xiii) Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

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

- 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: Trees & Development Sites, Landscape in New Developments, and District Design Guide
- National Planning Policy Framework
- Planning File References: S/2587/11, S/1485/05/F, S/1991/88/O, S/0432/78/F, S/1174/74/F, S/0847/74/D, S/1338/73/D, S/0411/73/D, S/0809/72/D, S/0887/71/D, S/0667/69/D, and S/0120/64/D

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

This page is left blank intentionally.



**South  
Cambridgeshire  
District Council**

© Crown copyright.

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2500  
Time of plot: 11:45

Date of plot: 22/05/2012

This page is left blank intentionally.



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

6 June 2012

**AUTHOR/S:** Planning and New Communities Director

---

**S/2509/11 - STAPLEFORD**

**Change of use of existing buildings from agricultural use to a community study centre for arts and business (use class D1 & D2) in association with the previously consented office use, together with the erection of a single storey extension, external fire escape and associated works – Bury Farm, Bury Road for The Ace Foundation**

**Recommendation: Approval****Date for Determination: 13 February 2012****Notes:**

**This application has been reported to the Planning Committee for determination because the Officer recommendation is contrary to the response of Stapleford Parish Council, and at the request of District Councillor Nightingale and District Councillor Shelton**

**Members of Committee will visit the site on Friday 1 June 2012**

**To be presented to the Committee by Kate Wood**

**Site and Proposal**

1. Bury Farm is located on the south-east side of Bury Road, outside the Stapleford village framework and within the countryside and Green Belt. The site comprises a range of redundant agricultural buildings. A two-storey brick building, formerly used as a granary, is situated on the west side of the range of buildings and has consent for conversion to offices. These works are being undertaken at present. Attached to the northern end of this building, and running at right angles to it, is a single-storey brick range. To the south of the eastern end of this is a detached timber outbuilding and further to the south of this is a single-storey timber range of outbuildings. These structures enclose a predominantly paved central courtyard area. Immediately to the south of the buildings is land that falls within an area of medium and high flood risk, whilst a public right of way and bridleway is sited on the north side of the barns. To the west of the site is a residential cul-de-sac, Joscelynes, within which there are four dwellings (Nos. 11, 13, 15, and 22) whose boundaries directly abut the land. To the east is Bury Farmhouse whilst agricultural buildings lie beyond the bridleway to the north. Vehicular access to the site is obtained via Bury Road and is situated on the south side of a sharp bend in the road joining Haverhill Road to the north and Bury Road to the west. The access consists of two arms separated by a grassed island and mature tree. The entrance to Joscelynes lies some 60 metres to the west, and approximately 27 metres away on the opposite side of the road is the entrance to Greenfield Close.

2. The application, as amended, proposes to change the use of the existing buildings from agricultural use to a community study centre for the arts and business (Use Classes D1 and D2) in association with the previously consented office use, together with the erection of a single-storey extension, external fire escape and associated works. The supporting statements explain that it is intended Bury Farm would become the base for The ACE Foundation, a local educational charity based in Babraham that aims to promote cultural and international understanding through education. There is already consent to convert the main granary building to offices. These works are presently being implemented, and the ground floor of the granary would be used as the company's offices. The application proposes to convert the first floor of the granary building to a performance space, and to convert the adjoining farm buildings to classrooms/meeting rooms, WC facilities, and a further performance space within part of the barn on the east side of the courtyard. It is proposed to demolish a 56m<sup>2</sup> single-storey extension on the east side of the granary building. In lieu of this, the application proposes the construction of an infill extension to connect the detached barn on the east side of the site with the main single-storey range of buildings to the north, a new single-storey glazed link to the rear/south side of the northern range, and a new external fire escape to the eastern courtyard elevation of the former granary building. The proposed additional floorspace amounts to 122m<sup>2</sup> and a net gain of 66m<sup>2</sup>, and is required to ensure the public has full access to the development and that the facility complies with Building Regulations.
3. The development would employ 15-20 people, with the proposed opening hours being Monday-Saturday 8am-10pm, and Sundays and Bank Holidays 10am-7pm. The scheme initially proposed the provision of 41 parking spaces (including 5 disabled spaces on the north side of the buildings) and 20 cycle spaces, but has since been amended to provide 35 car parking spaces within the courtyard area and 63 cycle spaces within an open sided former agricultural building on the south side of the courtyard.
4. The application also includes the upgrading of the existing two-way entrance/exit to the site. At present, there are two tracks to either side of a tree that measure 3.2m and 4m in width on the south and north arms respectively. It is proposed to widen the south arm to 5m and to divert the entry slightly to the south, and to retain and slightly realign the north arm. In addition, it is proposed to separate the vehicular access and bridleway/footpath.

### **Planning History**

5. **S/1526/00/F** – Planning permission granted for the conversion of the barn into offices.
6. **S/1578/06/F** – Planning permission granted for conversion of barn into offices (renewal of planning permission S/1526/00/F). The works approved under this permission commenced within the three-year timescale specified within condition 1, but the building has not been occupied as offices to date. This was subject to conditions and a S106 restricting the number of employees to no more than 20.
7. **S/0995/11** – Planning permission granted for the change of use and alteration of part of the adjacent outbuildings from agricultural workshop to musical instrument making workshop and offices.

### **Planning Policy**

8. South Cambridgeshire LDF Core Strategy DPD, 2007:  
ST/1: Green Belt

9. South Cambridgeshire LDF Development Control Policies DPD 2007:
  - DP/1: Sustainable Development
  - DP/2: Design of New Development
  - DP/3: Development Criteria
  - DP/7: Development Frameworks
  - GB/1: Development in the Green Belt
  - GB/2: Mitigating the Impact of Development in the Green Belt
  - ET/7: Conversion of Rural Buildings for Employment
  - ET/8: Replacement Buildings in the Countryside
  - 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/11: Flood Risk
  - NE/14: Lighting Proposals
  - NE/15: Noise Pollution
  - TR/1: Planning for More Sustainable Travel
  - TR/2: Car and Cycle Parking Standards
  - TR/3: Mitigating Travel Impact
10. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
  - Public Art – Adopted January 2009
  - Biodiversity – Adopted July 2009
  - District Design Guide – Adopted March 2010
  - Landscape in New Developments – Adopted March 2010
11. Circular 11/95 (The Use of Conditions in Planning Permissions) - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
12. National Planning Policy Framework (NPPF), 2012.

**Consultation by South Cambridgeshire District Council as Local Planning Authority**

13. **Stapleford Parish Council** – Initially recommended approval, subject to application of normal working conditions, to consideration of limitations of access, and to any required S106 payments being put towards traffic calming measures.

The Parish Council later commented that the activities allowed should comply with the original D1 application – eg – no bingo, that restrictions need to be placed on the use of amplified sound, that the proposed D2 use covers a wide range of uses, and that the use should potentially be restricted to ACE only.

Following clarification from the applicant's agent regarding the intended usage of the site, the Parish Council recommends approval, but emphasises to the Council the genuine concerns of the residents in seeking further clarification of the proposed events as insufficient data was available to make an evaluation. The concerns were about events and especially those that require specific licences or have amplified sound. The proposed changes to the access are supported, but there is concern about the dangers that arise from farm vehicles leaving mud on the road, as well as posing a risk to pedestrians, especially school children. Also concerns about the reduction of parking spaces on the site, and the potential for off-site parking must be

referred to the County Highways department. It is requested the application be scrutinised by planning committee.

14. **The Environmental Health Officer** – Expresses concern that problems could arise from noise, and requests that appropriate conditions be added to any consent. Due to the proximity of dwellings and the current building construction, the submitted report only contains recommendations and certain assumptions such as keeping all windows and doors closed during performances. Further information is needed to ensure the recommendations are carried out.
  - Construction and noise attenuation of buildings to comply with the submitted acoustic report. Use of any music performance space not to commence until details of the sound insulation performance standard/specification of the external building including measures to ensure windows and doors to external spaces are not opened during use, and a ventilation strategy to include acoustic mitigation to control noise breakout through any ventilation to be submitted and agreed in writing. The attenuation//insulation scheme should be implemented and a post construction/installation testing and performance completion report submitted and approved in writing. The rating level of any noise generated by the use and plant and equipment shall be at least 5dB below the pre-existing background noise level.
  - Musical events to only take place between the hours of 9am-10pm Mondays-Saturdays, and 9am-7pm on Sundays.
  - Hours of use of power operated machinery during the construction period to be limited to 8am-6pm on weekdays, 8am-1pm on Saturdays, and not at any time on Sundays or Bank Holidays.
  - Details of any external lighting.
15. **The Environmental Health Officer (Contaminated Land)** – States that the area of land was formerly of industrial/agricultural use. A condition should be added to any consent requiring further investigation of any previously unidentified contamination.
16. **The Ecology Officer** – No comments received.
17. **The Landscape Design Officer** – No comments received.
18. **The Arts Officer** – No comments received.
19. **The Drainage Manager** – No comments received.
20. **The Local Highways Authority** – Initially objected to the application, on the basis that the application was supported by insufficient highways/transport information to demonstrate that the proposed development would not be prejudicial to highway safety. The LHA requested the provision of volume data of existing movements, and tracking details for an HCV and large farm vehicles within the amended entrance to the site to demonstrate that these vehicles can enter and leave in forward gear. In addition, the full required cycle provision of 63 spaces should be provided, and relocated so that it is at least as accessible as the car parking, and data on the proposed events needs to be provided, as it appears the applicant is aware of how many on-street spaces will be required as a result of these events.
21. **The Environment Agency** – Raises no objections providing a condition is attached to any planning permission stating that the development shall only be carried out in accordance with the submitted Flood Risk Assessment and the mitigation measures contained therein.

22. **Anglian Water** – No comments received.
23. **The County Council Rights of Way & Access Team** – Raises no objections, welcoming the fact that the applicant is proposing to separate the vehicular entrance from the public footpath. This footpath is subject to a claim to update its status to a bridleway, with a public inquiry due to take place in Spring 2012. Points of law relating to the right of way should be added as informatives to any planning permission.

Following a representation from the local Bridleway association, the Team states this raises a legitimate concern over the application's depiction of the footpath/bridleway through the site. The order to upgrade the route to bridleway records the width as 2.5m. However, the section of path that runs through the farmyard is wider than this. It would be more appropriate if the route through the farmyard was set out at 4m wide to enable horse riders, pedestrians and cyclists to pass with ease. It is unclear from the application whether there is an intention to fence the footpath/bridleway but, if this is the case, a wider width is imperative.

Further to clarification that no works will go ahead to restrict the width of the route, the Rights of Way & Access Team has confirmed it has no objections to the proposal.

24. **The Ramblers Association** – States that during the alterations and construction, it is vital that the existing path be maintained, in terms of signage, surface and accessibility, and that walkers be well protected from the traffic coming to the site.
25. **Cambridge Past, Present & Future** – Welcomes the farm buildings being brought back into alternative use, and an additional cultural facility being created. The buildings are considered to be an important heritage asset and a visible record of the involvement of University colleges in local farming. The layout of the farmstead is based on an 18<sup>th</sup>/19<sup>th</sup> century model. Liaison with the Council's Historic Building Officers is strongly suggested to ensure the character of the buildings are well preserved. The site is considered to be of sufficient quality to add to the Conservation Area and perhaps to be listed. The site would not just be used as a study centre and office complex, but as a major concert/recital/conference venue. There will therefore be heavy usage with many groups coming and going and overlap of sessions. A ratio of 1 space per 22m<sup>2</sup> is not considered adequate for such a use. The siting of any parking on the track is not considered appropriate to the setting of the lane. The wildflower meadow to the west of the building could be relocated to the north to retain the rural character of the footpath. Disabled parking spaces should be provided to the west of the building. Visibility along Bury Road is already reduced due to high volume of parked cars and the proposed use would exacerbate this issue. Relocating the bin store to the west would enhance the setting of the site. The detailing of the windows and doors should be of high quality. The integration of a hedge to the western boundary, orchard trees and wildflower meadows is welcomed. Contributions should be required towards: the upkeep of the bridleway network, the upkeep of local recreational areas, implementation of traffic calming along Bury Road, and ensuring use of the buildings for the local community.
26. **The Shelford and District Bridleways Group** – Expresses concern that it is unclear how the specified route for the right of way would be defined. The TA seems to indicate the route will be divided in two, half for the footpath and half for the bridleway. Will there be a physical division between the two? The access track is proposed to be between 2 and 2.5m wide and, if it is a shared fenced access route, footpath users may feel intimidated by horses, and there may be conflict between dogs and horses. 1-1.5m is too narrow for a horse and rider to use.

**Representations by members of the public**

27. 23 letters of objection have been received, predominantly from residents within Joscelynes, Haverhill Road and Greenfield Close. The main points raised are:
- A D2 use is not in keeping with the D1 use (educational and cultural use) originally discussed and presented to local residents by ACE.
  - A blanket D2 use raises strong concerns – eg – cinemas, discos etc. Such uses would result in more people and traffic than claimed, resulting in obstruction of surrounding streets. If a D2 use is permitted, it should be restricted to: no more than 6 events per year, 9pm finish time so that movement has stopped by 10pm, and a maximum of 50 people (performers and audiences combined) for the events.
  - The development would harm the rural character of the area.
  - White uPVC windows have been inserted in the former granary building, and these are very different in appearance to the former russet coloured small multi-paned windows.
  - The access to the site is on a sharp dangerous 90-degree bend on a busy through road.
  - The proposal includes insufficient parking to meet the needs of the use. Cars would therefore park in adjacent streets, such as Bury Road, Haverhill Road and Greenfield Close, exacerbating existing highway safety problems, obstructing access for emergency vehicles and disrupting the amenities of local residents. Yellow lines should be required for all roadsides within 100m of Bury Farm.
  - The proposals make unrealistic assumptions about the number of car movements. The site is on the edge of the village and the number of people in walking/cycling range is limited. For most, car travel will be a necessity.
  - The site access is shared with farm traffic, residential traffic for Bury Farmhouse, and walkers, cyclists and horseriders. It would result in danger to pedestrians and horses using the right of way. There would also be conflict between pedestrians and vehicles within the site. The width and alignment of the access road to the yard for parking from the entrance gate are limited, and the corner of the granary building restricts visibility.
  - Potential noise pollution from music performances, some of which would be amplified, till 10pm 6 days a week. The noise assessment is only applicable to low amplification classical music. The measures may not be suitable for all possible uses of the site. There is also the possibility of outdoor music events that would negate the internal measures. Extractors would result in generator noise.
  - The noise assessment doesn't consider the impact on Haverhill Road residents.
  - The proposed operating time limit of 10pm would not signify the end of all activities on the site, and would result in unacceptable disturbance to surrounding residents. Vehicles and visitors are noisier than the proposed events and are likely to continue beyond 10pm.

- The performance space should be for people learning to play instruments to perform before a live audience. These could take place during normal working hours. Evening hours implies a commercial concert venue. A 9am-6pm restriction should be imposed.
  - Audiences for evening concerts are more likely to come by car and to be from outside the village. As a charity, ACE are probably seeking to maximise their revenue, and events are therefore likely to be frequent. A condition should be added restricting performances to no more than 1 per month.
  - Is the proposed soundproofing adequate?
  - Bats are present in the buildings and the development would impact on biodiversity.
  - The proposal to break up the existing concrete and replace with bound gravel represents unnecessary production of waste material, dust, noise and traffic.
  - The proposed screening of the site with hornbeam trees is inadequate. They would be planted next to residents fences, making repair and replacement difficult. A 2m high fence/wall would be the only effective form of screening.
  - Bury Farm is affected by covenants preventing any development or car parking on the north side of the buildings.
  - There is no requirement for community use of these facilities. A pavilion is nearing completion on the recreation ground and there are other facilities available locally for community groups.
28. 39 letters of support have been received from residents of Great Shelford, Stapleford and Little Shelford, as well as from Sawston Village College, Hills Road Sixth Form College and the Stapleford Umbrella Association which includes groups with active participation in the arts. The key points raised are:
- The proposal study centre for arts and music is a very exciting project that would be a valuable addition to local amenities, would be of great benefit to the village and area, and would enhance the life of the local community.
  - The development would provide much needed capacity for classroom and workshop space, and as an exhibition facility.
  - There is a very strong tradition of music in local schools in Shelford, Stapleford and Sawston, and schools would benefit from the experience and resources of ACE.
  - Sawston Village College would be interested in developing the courses proposed for the project, either in partnership or as potential customers. The study centre would offer workshops that would help enhance educational outcomes for a wide range of local people and children, within walking and cycling distance of the school and local community.

- The existing buildings are derelict and neglected, and an eyesore in the landscape. The proposal would represent a sympathetic redevelopment of the buildings, to the benefit of the rural character of the surroundings.
  - The facility would be ideally placed for maximum use to people who can walk or cycle to the venue. The location also has good public transport links, close to Shelford train station and to the Citi 7 bus service.
  - The proposal would avoid the need for local residents to travel into Cambridge to alternative facilities of this nature.
  - The facility would encourage local artists to use it for creative workshops, courses and exhibition space, and would also provide a better venue than local school spaces.
  - The proposal is in line with SCDC's objectives to promote the arts in local communities.
  - The barns would be sound proofed to a high standard.
  - The development would provide further employment in the village.
29. District Councillor Nightingale requests that the D2 element of the use be restricted to assembly and leisure for music and concerts related to educational projects only. He also requests that the application be referred to Committee with a site visit, for parking and access reasons.
30. District Councillor Shelton states that he has been contacted by several residents, all with concerns relating to excess car parking and noise. The application should be refused. If not, at least the D2 use should be heavily conditioned – eg – any musical events to be related to educational use.

### **Material Planning Considerations**

#### ***Principle of the development in the Green Belt***

31. The proposals relate to the two-storey brick barn, for which planning permission has previously been granted for change of use to offices, together with a range of other predominantly single-storey barns to the east side of the main barn. The proposals seek to convert the buildings in order to form a study centre for music and the arts for The ACE Foundation, a local educational charity. The first floor of the grain store would provide a space for recitals, exhibitions and seminars, whilst another multifunction space would be provided in the existing detached barn to the east and used for rehearsals and arts workshop activities, with smaller rooms designed for meeting and seminar use and small class activities. The organisation's offices would be on the ground floor of the main building.
32. Policy ET/7 of the Local Development Framework states that the change of use or adaptation of buildings in the countryside for employment use will be permitted provided the buildings are structurally sound and are capable of re-use without materially changing their existing character or impact upon the surrounding countryside. This policy also states that any increase in floor area will be strictly controlled and must be for the benefit of the design, in order to better integrate the development with its surroundings. Incidental uses such as car parking and storage



should be accommodated within the group of buildings, or on well related land where landscaping can reduce the visual impact. Finally, developments resulting in significant numbers of employees or visitors must only be located near to larger settlements or accessible by public transport, cycling or walking. Policies relating to development in the Green Belt echo these requirements.

33. Policy ET/8 supports the replacement of buildings of permanent design and construction in the countryside, but states any increase in floor area must be for the benefit of the design, bring about environmental improvement or result in a more sustainable development.
34. The former granary/main two-storey brick building has the benefit of planning permission for conversion to offices, and the principle of its conversion has already been deemed acceptable. The application has been accompanied by a structural appraisal demonstrating that the remaining buildings proposed for conversion are structurally sound and capable of conversion without altering their character. The proposal would involve the erection of two extensions, following the demolition of an existing extension on the east side of the granary building, resulting in a net gain of an additional 66m<sup>2</sup>. The new build consists of a small area of infill between the northern range and the existing detached barn, the construction of a glazed link on the south/courtyard side of the northern buildings, and an external fire escape on the eastern side of the granary building. These additions are designed to provide secure, covered access for all, and to ensure the development is fully compliant with Building Regulations. Other than the fire escape, the new build elements would be single-storey, of lightweight construction and located on the courtyard side of the buildings. The additions would enable access for all to the proposed facility in a way that involves minimal disruption to the fabric and character of the existing buildings, and due to their siting on the courtyard side of the development, are considered to have an acceptable impact on the surrounding countryside and openness of the Green Belt. The principle of converting and extending the buildings is therefore considered to be acceptable. It is next necessary to consider the proposed usage of the building, and whether it is appropriate in this location.

### ***Proposed use***

35. The application proposes to use the site for a study centre for the arts and music in association with the previously consented office use. This has generated a significant level of concern regarding the potential range of activities that could be carried out on the site under the D1 and D2 use classes applied for, as a result of which the applicant and applicant's agent have provided further information regarding the nature and intended use of the proposed development:
  - Music courses: this may consist of 30-40 students playing acoustic instruments. The day (normally Saturday or Sunday) would begin at 9.30 and end at 5.30pm with an end of course concert lasting for 30 minutes. For adult concerts, there would not normally be an audience but, for junior age groups, parents/family members would normally attend. The students would study and rehearse as a single ensemble and in smaller units, hence the need for more than one performance space. For week-day events, many people would only be able to attend after school or work, hence the need for evening activities.
  - Other uses: Art, speech and drama, natural history, instrument making, and literature courses. These would normally be smaller in scale. The performance spaces would also be used, at times, to display local artists' work, and local

interest groups may use the space for weekly meetings/small scale events, or for local keep fit groups.

- Concert performances (other than those associated with the training events/courses) would occasionally be held on the premises. These will be ticket events and relate to the performance of a professional orchestra/music group. The applicants would have no objection to the number of specifically arranged concerts to be held at the premises being limited to no more than 12 in any one calendar year.
  - The proposal is not seeking an open ended D1 and D2 consent. Uses such as health centres, day nurseries, places of worship etc that fall within a D1 use class could be excluded such that the permitted D1 uses would relate to the proposed non-residential education and training facility, and art gallery use only. The only use that could be argued to fall within a D2 class would be the aforementioned concert performances. There is no intention to use the site for other D2 uses such as cinemas, bingo halls, sports halls etc.
  - The proposed opening hours represent a worst-case scenario, and provide the level of flexibility required to cater for the occasional event/performance that may occur.
36. The use of the buildings by local keep-fit/yoga groups or for dance classes etc is considered to be very much ancillary to the overall proposed use of the site, and to fall within the overall D1 usage. As a result, the applicant's agent has proposed that the description of the application be amended to propose a community study centre for the arts and music (use class D1), together with the use of identified performance spaces for concert use no more than 12 times per calendar year. Officers would recommend that the description of the application be amended accordingly and that conditions be added to any consent requiring the buildings to be used for the purposes specified in the application only, and restricting the number of concerts (other than those associated with the training events/courses) to a maximum of 12 per year.

### ***Residential amenity***

37. The site lies in close proximity to residential properties to the west (Joscelynes) and east (Bury Farmhouse). Significant concerns have been raised by local residents in relation to the scale of the use, and disturbance arising from noise breakout from the buildings and from vehicles entering and leaving the site. The proposed cutoff time of 10pm is considered by local residents to be too late and, whilst activities may finish at this time, it may be some time after this before all people and vehicles have left the site.
38. Due to the proximity of the site to residential properties, the application has been accompanied by a noise impact assessment. The proposal includes two performance spaces, one at first floor level in the granary building and the other within the barn to the east, which would be used at times for live music performances. The noise assessment states that music activities are intended to be mainly classical in nature, with the largest groups using the performance space being chamber ensembles of 30-40 players, and possibly small jazz groups. The report outlines improvements that need to be carried out to the fabric of both the buildings to ensure that a satisfactory level of noise attenuation is provided. This includes, amongst other measures, a requirement for first floor windows in the granary building facing the dwellings in Joscelynes to be non-openable.

39. The Environmental Health Officer has been consulted on the proposals and, whilst raising no in principle objections to the use, has recommended that a number of conditions be added to any consent in order to protect the amenities of nearby residents. In particular, the EHO recommends that a condition requiring further information of the sound insulation performance standard/specification of the external buildings be submitted and agreed prior to the use of any music performance space.
40. The EHO has not raised any specific objections to noise and disturbance associated with vehicle movements. However, in response to concerns raised by local residents and to ensure the cessation of all activity by 10pm on evenings before normal working days, the applicant has agreed to the opening hours being restricted to 8am-9.30pm on Mondays-Thursdays.
41. The applicant's agent has confirmed that any proposed lighting to the car park would be low level and discrete. A condition requesting further details of any lighting should be added to any consent.

### ***Highway Safety***

42. Significant concerns have been raised regarding the low level of parking provision proposed within the application and the likelihood of vehicles parking on nearby roads, resulting in highway safety problems and disturbance to nearby residents particularly within Joscelynes and Greenfield Close.
43. During pre-application discussions, Officers suggested that the following ratio be used to calculate the parking requirement. In accordance with Policy TR/2, the applicants were advised that parking should be provided at a ratio of 1 space per 25 square metres for the offices then, for the remainder of the development, 1 space per 22 square metres. The consented office space amounts to 328m<sup>2</sup>, and the proposed non-office space is 781m<sup>2</sup>, resulting in a requirement for 49 parking spaces and 63 cycle spaces. The application initially proposed to provide 41 parking spaces, (including 5 disabled spaces on the north side of the buildings adjacent to the footpaths) and 20 cycle spaces. Following the information provided by Bury Farmhouse in respect of covenants relating to the land on the north side of the buildings, the application has been amended to remove the disabled spaces from this area and to relocate them in the courtyard to the rear, resulting in a reduction in the total number of proposed spaces to 35.
44. Whilst the applicant states that the proposal results in a requirement for 49 parking spaces, the calculations have not taken into account the consent granted under planning permission reference S/0995/11 for an instrument making workshop in part of the adjacent outbuilding to the south (which is not within the current site area). This permission was subject to the provision of 4 parking spaces, which overlap with the parking provision shown within the current application, resulting in a total requirement for 53 spaces. The application, as amended, therefore results in a total shortfall of 18 parking spaces.
45. The Local Highways Authority has been consulted on the proposals and, following its initial response, the scheme has been amended to increase the number of cycle spaces from 20 to the required 63 spaces. The applicant's agent has clarified that reference to the potential for cars parking on the highway relates to the concerts that would only occur a maximum of 12 times per year. In addition, the applicant's agent has submitted the requested swept path analysis data to the LHA. In light of these

amendments and additional information, the LHA has removed its objection to the proposal.

46. Whilst the proposal would provide fewer parking spaces than required, Stapleford, together with Great Shelford, is identified in the Local Development Framework as a Rural Centre. These are the larger more sustainable villages that have good access to contain a range of services and facilities, and have good public transport facilities. Great Shelford has a railway station whilst the Citi 7 bus stops at the end of Bury Road, and both of these are within walking/cycling distance of the site. The site is also within walking and cycling distance of residents within Great Shelford and Stapleford. In view of the sustainable location of the site, that the scheme has been amended to provide the required number of cycle spaces, and that there are alternatives other than the car to access the site, the proposed use is considered to be acceptable in this respect.

#### ***Footpath***

47. There is a public right of way on the north side of the buildings. It is proposed to widen the access to the site in order to better accommodate shared public/vehicular use, and to physically separate footpath no.2 from the vehicular track in order to ensure public safety/prevent increased vehicle movements causing a nuisance to members of the public using the right of way. The Rights of Way and Access Team has been consulted and, following clarification that there would be no intention to fence off the right of way, has raised no objections to the proposal.

#### ***Flood Risk***

48. Part of the site lies within Flood Zone 2, an area of medium flood risk. The application has been accompanied by a Flood Risk Assessment, to which the Environment Agency has raised no objections subject to a condition requiring compliance with the submitted FRA.

#### ***Ecology***

49. In accordance with Policy NE/6 and the Biodiversity SPD, a bat survey of the buildings has been submitted with the application. This has concluded that the buildings have some potential for use by bats. 3 bat species were found to have used the area for feeding but no evidence was found of bats using the buildings for roosting and breeding. Whilst no formal response has been received from the Ecology Officer, a reply was received in respect of the recent application for an instrument making workshop, subject to a condition requiring a scheme for ecological enhancements (bird and bat boxes).

#### **Recommendation**

50. It is recommended that Planning Committee approves the application as amended subject to the following conditions:
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 170-PA-01, 02, 03, 04, 05, 07, 08 and 06 Rev A date stamped 15<sup>th</sup> February 2012  
(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. The development, hereby permitted, shall not commence until details of all materials and joinery, including colour of stain of finish, have been submitted to and approved in writing by the LPA. The joinery shall thereafter be maintained in accordance with these details.  
(Reason – To ensure the appearance of the development is satisfactory and does not detract from the rural character of the area and the openness of the Green Belt, in accordance with Policies GB/1 and DP/2 of the adopted South Cambridgeshire Local Development Framework 2007.)
4. The permanent space to be reserved on the site for car and cycle parking, as shown within drawing number 170-PA-05 shall be provided before the use commences, and maintained in accordance with the approved details thereafter.  
(Reason – In the interests of highway safety, and to ensure the provision of car and cycle parking spaces on the site, in accordance with Policies DP/3 and TR/2 of the adopted Local Development Framework 2007.)
5. No parking of vehicles shall take place on the site or on land under the control of the applicant except within the area designated for parking within drawing number 170-PA-06 Rev A. (Reason – To minimise the impact on the Green Belt and adjoining residents, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. Before the use commences, the access from the existing highway shall be laid in accordance with the approved drawings. (Reason – In the interests of highway safety, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority. (Reason – To prevent surface water discharging to the highway in the interests of highway safety, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
8. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site. (Reason – To avoid displacement of loose material onto the highway in the interests of highway safety, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
9. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) prepared by Andre Graham (MSc) dated November 2011 and the following mitigation measures detailed within the FRA:
  - a) A scheme for surface water drainage shall be submitted and agreed in writing with the Local Planning Authority to ensure that existing runoff rates will not be exceeded as a result of the redevelopment of the site.

- b) Finished floor levels are set no lower than 16.95m above Ordnance Datum (AOD) as per section 1.7 (proposed development) of the FRA.  
(Reason – To prevent flooding by ensuring the satisfactory management of surface water on the site, and to reduce the risk and impact of flooding on the proposed development and future occupants, in accordance with Policy NE/11 of the adopted South Cambridgeshire Local Development Framework 2007)
10. If, during development, contamination not previously identified is found to be present on 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. (Reason – To protect the quality of inland fresh waters and groundwaters in accordance with Policy 9-6 of the Groundwater Protection: Policy and Practice (GP3) document and PPS23)
11. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details. (Reason – To protect the quality of inland fresh waters and groundwaters in accordance with Policies P9-6 and P4-1 to P4-12 of the Groundwater Protection: Policy and Practice (GP3) document and PPS23.)
12. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the Local Planning Authority.  
(Reason - To reduce the risk of pollution to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)
13. During the period of conversion and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007)
14. 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.  
(Reason - To protect the occupiers of adjoining buildings (dwellings) from the effect of odour, dust or fumes in accordance with Policy NE/16 of the adopted Local Development Framework 2007.)
15. The approved use shall be constructed and operated in accordance with the noise insulation/attenuation scheme recommendations and principles as detailed in the submitted Acoustic Report dated 25<sup>th</sup> March 2011 provided by Matthew Sweet of Walker Beak Mason and entitled 'Proposed Study Centre for Arts and Music, Bury

Farm, Stapleford' Ref 3966, and in particular as part of a noise insulation scheme, the use of any music performance rooms/spaces shall not commence until details of the following have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter maintained in accordance with the approved details and a noise insulation scheme post construction/installation testing and performance completion report submitted to and approved in writing by the Local Planning Authority:

- Details of the sound insulation performance standard/specification of the external building/structural elements including: Measures to ensure that external windows and doors to performance spaces are not opened during use; and a ventilation strategy to include acoustic mitigation to control noise break-out through any ventilation system

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

16. The rating level of any noise generated by the use of the music performance spaces and all plant and equipment operating collectively as part of the development shall be at least 5dB below the pre-existing background level as determined by BS4142: 1997: 'Method of rating industrial noise affecting mixed residential and industrial areas' or per acoustic report.

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

17. The use hereby permitted shall not operate on the site, other than between the hours of 8am-9.30pm on Mondays to Thursdays, 8am-10pm on Fridays and Saturdays, and 9am-7pm on Sundays and Bank Holidays. (Reason – To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007)

18. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the premises shall be used as a community study centre for arts and music and exhibition space, together with the use of the performance spaces indicated in the approved plans for no more than 12 times per calendar year, and for no other purpose (including any other purposes in Classes D1 and D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

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

19. 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.)

20. No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

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

21. 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.)

22. 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.

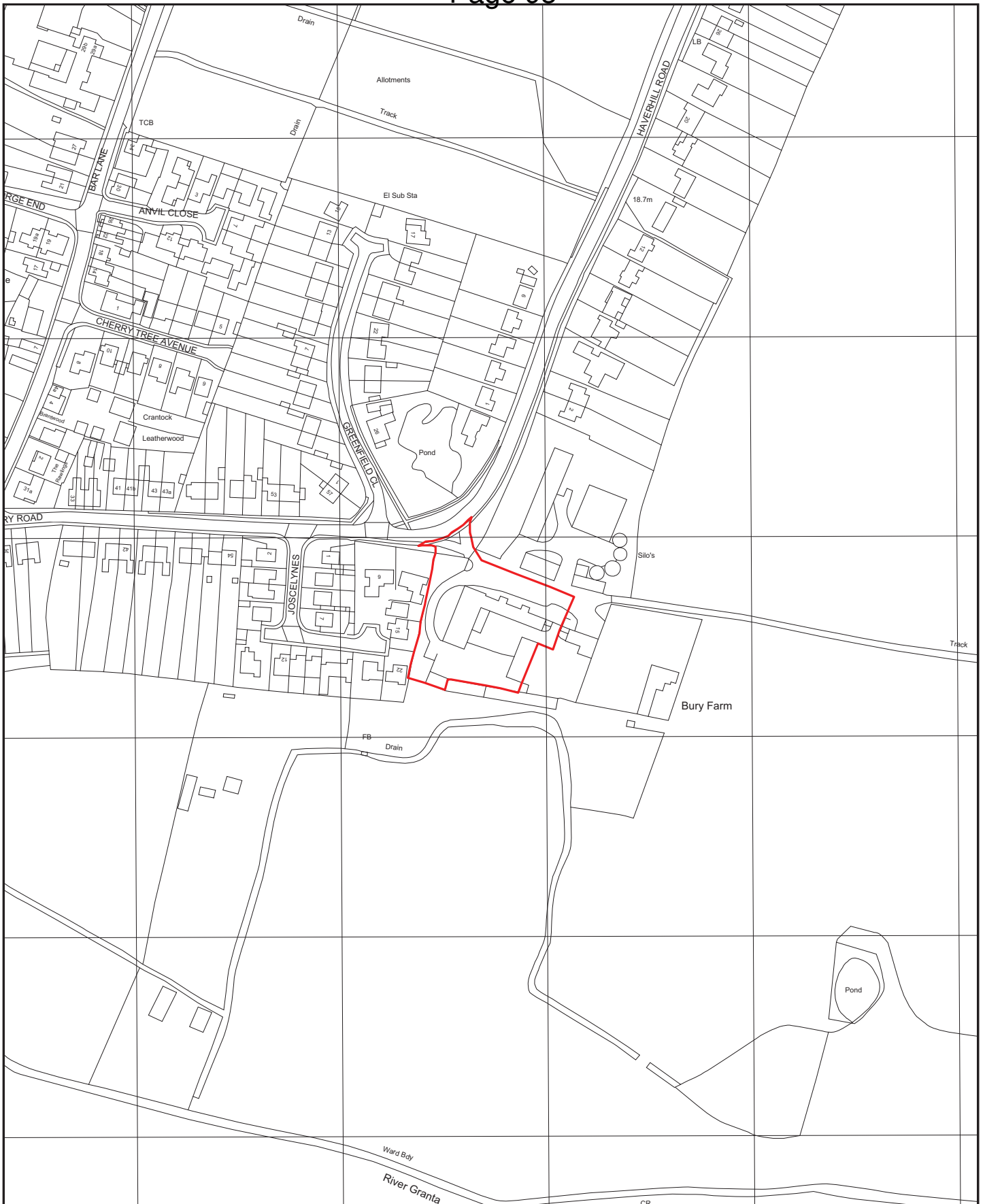
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

**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: Development Affecting Conservation Areas, Trees and Development Sites, District Design Guide, Landscape in New Developments
- Circular 11/95 and 05/2005
- Planning File References: S/2509/11, S/0995/11, S/1578/06/F and S/1526/00/F

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





**South  
Cambridgeshire  
District Council**

© Crown copyright.

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2500  
Time of plot: 14:06

Date of plot: 22/05/2012

This page is left blank intentionally.

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 June 2012

AUTHOR/S: Planning and New Communities Director

## APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

1. To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as at 21 May 2012. Summaries of recent decisions of importance are also reported, for information.
2. **Decisions Notified By The Secretary of State**

Ref.no	Details	Decision	Decision Date
S/2141/11/F	Mrs S Grove Ilex House Glebe Road Barrington Extension	Allowed  Delegated Refusal	09/05/12
S/2361/07/LDC	Mr A Jakes The Conifers Long Drove Gamlingay	Dismissed	10/05/12
S/2216/11/F	Mr & Mrs P Smith 10 Main Street Caldecote Two & Single storey extension and Front Porch	Delegated Refusal  Dismissed  Allowed	11/05/12
Plaenf.4816	Mr E Wells The Scholars Rectory Farm Road Little Wilbraham Operational Development	Dismissed  Enforcement Notice Upheld	15/05/12
Plaenf.4817	Mr E Wells The Scholars Rectory Farm Road Little Wilbraham Installation of a lantern roof-light. Installation of extraction flue and Air conditioning units	Allowed  Dismissed  Enforcement Notice Upheld	15/05/12
S/0828/11/F	MPM Properties Ltd The Plough High Street Shepreth C of U from	Dismissed  Delegated Refusal	16/05/12

	Restaurant to Dwelling House		
--	------------------------------	--	--

### 3. Appeals received

Ref. no.	Details	Decision	Decision Date
S/0220/12/F	Lightwood Property 10 Burton End West Wickham Dwelling and new vehicular access	Delegated Refusal	25/04/12

### 4. Local Inquiry and Informal Hearing dates scheduled before the next meeting on 4 July 2012.

Ref. no.	Name	Address	Hearing
S/0010/11/F	Mr Walls	Plot 4 & 5 Pine Lane Smithy Fen Cottenham	Confirmed 20/06/12
S/1805/11	Van Stomp Ltd	Dernford Barn Sawston Road Stapleford	Confirmed 26/06/12

### 5 Summaries of recent decisions

#### **MPM Properties (Royston) Ltd – Change of use from restaurant to dwelling – The Plough, High Street, Shepreth – Appeal dismissed**

1. This appeal decision is important when considering the “Localism” agenda and the support for the involvement of all sections of the community in planning decisions which directly affect them. It followed the refusal of a planning application which would have seen the permanent loss of the former public house and its conversion into a dwelling. The main issue was the effect this would have on the provision of community services and facilities in the village.
2. The appeal was conducted by way of a hearing and held in the packed local village hall, attended by around 100 people. Representatives from the parish council, and local action group known as ‘Shepreth Ploughshare’ were among those who spoke at the hearing.
3. The Plough is centrally situated within the village and within the Shepreth Conservation Area. It has historically been used as a public house (Use Class A4) and more recently as a bar/restaurant (use Class A3). However, the property is currently vacant. Policy SF/1 of the Local Development Framework aims to protect village services and facilities where their loss would cause an unacceptable reduction in the level of community or service provision in the locality. The policy requires a number of matters to be considered in determining the significance of any loss including the established use, its existing and *potential*

contribution to the social amenity of the local population, the presence of other village services and facilities and the future economic viability of the use including, where appropriate, financial and marketing information.

4. It was accepted that the established use is that of a restaurant and that planning permission would be required to revert to pub use. Whilst local residents stated that they were able to use the bar without dining in the restaurant, the bar use was still ancillary to that of the restaurant. This use ceased in December 2010 and liquidators have removed the restaurant's fixtures and fittings - including the kitchen equipment. Thus the premises have not functioned in the manner normally expected of a public house for something in excess of seven years.
5. The Appellant suggested that The Plough should be regarded as a facility within a village rather than a village facility. As a restaurant, it had not functioned as a social hub for the village in the way that might normally be expected of a traditional pub. Nevertheless, the inspector opined that looking solely at the last use of the premises took a view which is rather too narrow and simplistic. Indeed, if the last use was taken as the sole determinative criterion, changing a pub to Use Class to A3 through permitted development would be a way of circumventing policy restrictions seeking to prevent the loss of pubs as community facilities. Regard must also be had to its potential contribution to the social amenity of the local population.
6. Although Shepreth does have a number of other services and facilities these are clearly limited. The only facility which can be regarded as providing a realistic alternative to the potential use of The Plough as a public house is the 'Green Man' pub. However, the inspector accepted that it is a considerable distance from the village centre and lies on the opposite side of the busy and fast A10 road. As such, the Green Man is unlikely to appeal to villagers, other than perhaps those prepared to travel by car. Its location would act against it becoming a social hub for the village and would not provide a comparable alternative to a pub sited in the village centre. The loss of a potential facility in a small village such as this would be acutely felt.
7. Both parties provided information on viability. The inspector concluded that The Plough is reasonably well located and with its garden and car park has appropriate facilities. Despite the need to re-equip the kitchens, he saw no reason to demur from the view that a viable business could be created. Policy SF/1 requires that consideration be given to the results of any efforts to market the premises for a minimum of 12 months at a realistic price. In the Council's view the initial asking price was somewhat ambitious and is likely to have discouraged serious applicants. It was also argued that it was surprising that no further reductions were made in light of the subsequent economic decline. Whilst the inspector was content that the property has been offered to the market for a reasonable period he was less convinced that the offer price was realistic throughout that period. In his view the marketing of the property cannot be without some criticism.
8. It was made clear at the hearing that there was considerable local opposition to the proposal. A number of local residents have formed a group known as 'Shepreth Ploughshare' with the intention of returning The Plough to a community-owned public house. However, as the 'Shepreth Ploughshare' does not appear to have passed much beyond its formative stages and does not appear to have sufficient funds in place with which to achieve its objective of purchasing The

Plough the inspector gave little weight to its intentions. Nevertheless, there was a strong local desire for The Plough to once again become a community facility.

9. The inspector confirmed that the recently published National Planning Policy Framework (NPPF) is clear that part of promoting a strong rural economy is the retention and development of local services and community facilities in villages, including public houses. The planning system can play an important role in facilitating social interaction and creating healthy and inclusive communities. Policies and decisions should plan positively for the provision of community facilities and a need for different land uses to support sustainable local communities.
10. Ultimately, the inspector saw the determination as being finely balanced. It was obvious that a substantial part of the community sees The Plough as a potentially valuable community facility and he felt approving the proposal was likely to result in the loss of that potential facility forever. He was also conscious of the weighty support offered by the NPPF to the retention and development of community facilities. Taking these considerations into account led him to conclude that the loss of The Plough as a potential contributor to the social amenity of the village would be unacceptable.

**Background Papers: the following background papers were used in the preparation of this report:** None

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