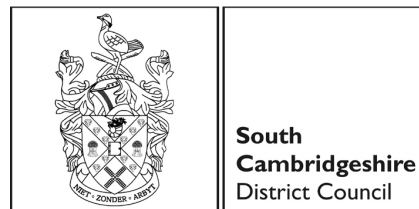


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26 June 2012

To: Chairman – Councillor Robert Turner  
Vice-Chairman – Councillor Mervyn Loynes  
All Members of the Planning Committee - Councillors David Bard, Val Barrett,  
Brian Burling, Lynda Harford, Tumi Hawkins, Sebastian Kindersley,  
David McCraith, Charles Nightingale, Deborah Roberts, Hazel Smith and  
Nick Wright

Quorum: 4

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 4 JULY 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.**

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## 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** 5 - 6
3. **Minutes of Previous Meeting** 7 - 10  
To authorise the Chairman to sign the Minutes of the meeting held on 6 June 2012 as a correct record. The minutes are available by

following [www.scambs.gov.uk](http://www.scambs.gov.uk) and then Planning Committee 4 July 2012.

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

4.	<b>S/0809/12/FL - Impington (SAICA Premises, Villa Road)</b>	<b>11 - 30</b>
5.	<b>S/0507/12/DC - Papworth Everard (Land West of the Ermine Street South)</b>	<b>31 - 38</b>
6.	<b>S/0820/12/FL - Papworth Everard (Macfarlane Grieve House, Church Lane)</b>	<b>39 - 58</b>
7.	<b>S/0836/12/FL - Foxton (Land adj 7 Station Road)</b>	<b>59 - 66</b>
8.	<b>S/0594/12/FL - Fowlmere (Land to the rear of 80-86 Chapel Lane)</b>	<b>67 - 76</b>
9.	<b>S/0968/12/FL - Caldecote (Plot 7 The Willows)</b>	<b>77 - 84</b>
10.	<b>S/0380/12/VC - Gamlingay (Woodland View, Meadow Bank)</b>	<b>85 - 92</b>
11.	<b>S/1733/11 - Gamlingay (Meadow Banks, Potton Road, Mill Hill)</b>	<b>93 - 100</b>
12.	<b>S/0571/12/FL - Melbourn (Police Station Site, High Street)</b>	<b>101 - 122</b>
13.	<b>S/0819/12/RM - Cambourne (Land Parcel UC09, Upper Cambourne)</b>	<b>123 - 130</b>

#### **INFORMATION ITEMS**

14.	<b>Appeals against Planning Decisions and Enforcement Action</b>	<b>131 - 132</b>
15.	<b>Enforcement Action</b>	<b>133 - 148</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'.



# **Public Speaking at meetings of the Planning Committee**

April 2011  
(Amended October 2011)

<sup>1</sup> Start time changed from 2.00pm to 10.00am with effect from October 2011

## When and where do Planning Committee meetings take place?

The Planning Committee meets in the Council Chamber at South Cambs Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA at 10.00am<sup>1</sup> on a Wednesday, which is usually the first Wednesday each month. Further details, including contacts, directions, and variations to dates are available on the Council's website or by phoning Democratic Services on 03450 450 500.

## Can members of the public attend Planning Committee meetings?

Yes. The vast majority of agenda items will be considered in public. However, the law does allow Councils to consider a limited range of issues in private session without members of the Press and public being present. An example would be a planning issue in which sensitive personal or commercial matters are discussed, or options, which, if publicised, could prejudice the Council's position. 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.

## Can members of the public speak at Planning Committee meetings?

Yes. However, because agendas are fairly long and there is a need to manage the meeting effectively, only one person can speak in opposition to each application and only one can speak in support (If there is more than one person interested in speaking for or against, they need to come to an agreement between themselves as to what issues need to be covered). Elected or co-opted members of parish councils (who are not also district Councillors) and local district Councillors also have speaking rights. Those wishing to speak must register with Democratic Services by 12 o'clock noon on the Monday immediately before the meeting. Speaking to a Planning Officer will not register someone to speak at the meeting; they must register with Democratic Services. Members of the public and parish councils are not allowed to ask questions of each other, officers or the Committee once the meeting has started. Further details are available on the Council's website or from Democratic Services.

At the sole discretion of the Committee Chairman, up to one objector, one supporter, the Parish Council and local Member(s) from adjacent parishes to the parish containing the relevant application site may be granted speaking rights. The Committee Chairman may also allow a local Member from a single-Member ward and unable to attend in person to appoint another Member of South Cambridgeshire District Council, with appropriate knowledge of the site and other issues, to speak on his or her behalf.

## What can people say and for how long can they speak?

Each speech is limited to three minutes. Speakers must restrict themselves to material planning considerations such as:

- Design, appearance, layout, scale and landscaping
- Environmental health issues such as noise, smells and general disturbance
- Highway safety and traffic issues
- Impact on trees, listed buildings, conservation areas and other designated sites.
- Loss of an important view from **public** land that compromises the local character
- Planning law and previous decisions
- Planning Policy Guidance
- South Cambridgeshire Local Development Framework
- Visual and residential amenity

<sup>1</sup> Start time changed from 2.00pm to 10.00am with effect from October 2011

Councillors will **not** be able to take into account issues such as:

- boundary and area disputes
- perceived morals or motives of a developer
- the effect on the value of property
- loss of a **private** view over adjoining land (unless there is a parallel loss of an important view from public land)
- matters not covered by planning, highway or environmental health law
- covenants and private rights of access
- suspected future development,
- processing of the application.

Speakers should be careful not to say anything derogatory or inflammatory, which could expose them to the risk of legal action. After the objector and applicant (or agent or supporter) have spoken, Committee members may ask speakers to clarify matters relating to their presentation. If those registered to speak are not present in the meeting room by the time the relevant item is considered, the Committee won't be able to wait, and will determine the application – officers will be able to say whether a particular item is at the beginning, middle or end of the agenda, but cannot give an accurate idea of when it will be considered.

### **Can public speakers give Committee members written information or photographs relating to an application or objection?**

Yes, but **not** at the meeting itself. Councillors will be given lots of information to read and digest before the meeting, so need to be given as much time as possible to read or view the information.

Please send such information, preferably by e-mail, to Democratic Services, who will circulate the information for you. In practical terms, such information will not be distributed earlier than seven days or later than two days before the meeting.

Projection equipment operated by Council officers is available in the Council Chamber.

### **How are applications considered?**

The appropriate planning officer will introduce the item. Councillors will then hear any speakers' presentations. The order of speaking will be (1) One Objector, (2) The Applicant or the agent or one supporter (3) Parish Council (4) local Councillor(s). The Committee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made and seconded by members of the Committee. Should the Committee propose to follow a course of action different to officer recommendation, Councillors must give sound planning reasons for doing so.

**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.**

Further information is available from Democratic Services, South Cambridgeshire District Council, South Cambs Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA – Telephone 03450 450 500.  
[democratic.services@scambs.gov.uk](mailto:democratic.services@scambs.gov.uk)

<sup>1</sup> Start time changed from 2.00pm to 10.00am with effect from October 2011

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South Cambridgeshire District Council

Planning Committee – 4 July 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**

Minutes of a meeting of the Planning Committee held on  
Wednesday, 6 June 2012 at 10.00 a.m.

PRESENT: Councillor Robert Turner – Chairman  
Councillor David Bard – Vice-Chairman

Councillors:	Val Barrett	Trisha Bear (substitute)
	Brian Burling	Tumi Hawkins
	Sebastian Kindersley	Raymond Matthews (substitute)
	David McCraith	Charles Nightingale
	Deborah Roberts	Hazel Smith
	Nick Wright	

Officers in attendance for all or part of the meeting:

Julie Ayre (Principal Planning Officer (Major Developments)), Nigel Blazeby (Development Control Manager), Chris Collison (Interim Head of Planning), Gary Duthie (Senior Lawyer), Matthew Hare (Senior Planning Officer), Karen Pell-Coggins (Senior Planning Assistant), Stephen Reid (Senior Planning Lawyer), Ian Senior (Democratic Services Officer) and Kate Wood (Planning Team Leader (East))

Apologies for absence were received from Councillors Lynda Harford and Mervyn Loynes.

**1. GENERAL DECLARATIONS OF INTEREST**

Councillor Sebastian Kindersley declared a personal interest as an elected Member of Cambridgeshire County Council, a statutory consultee for all planning applications on the agenda

**2. MINUTES OF PREVIOUS MEETING**

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 9 May 2012.

The Committee agreed correct the wording of Minute 162 (S/2317/11 – Cottenham (Beach Road)), from the meeting held on 4 April 2012, so as to read as follows:

“Mr Biggs (for the applicant) addressed the meeting.

Prior to considering this application, the Committee viewed the site on 3 April 2012. The Committee **gave officers delegated powers to refuse** the application for the reason set out in the report from the Corporate Manager (Planning and New Communities) and including wider sustainability and affordable housing issues, subject to clarification of the proposed visibility splays on the existing hedgerow fronting Beach Road.

Councillor Lynda Harford declared a personal interest as a member of Cottenham Parish Council. She had attended the Planning Sub-Committee meeting at which this application had been discussed, provided information during the course of the debate, but did not vote.”

**3. S/0534/12/VC - CAMBOURNE (WM MORRISONS, BROAD STREET) - WITHDRAWN FROM AGENDA**

The Committee noted that this application had been **withdrawn** from the agenda. However, Committee members viewed the site on 1 June 2012.

**4. S/0821/12/PO - HARDWICK (196 ST NEOTS ROAD)**

The Committee **approved** the application to remove the occupation tie by modifying the Planning Obligation associated with Planning Permission S/0315/89/F.

**5. S/1490/10 - STEEPLE MORDEN (LAND ADJACENT TO 28 ASHWELL ROAD)**

Christine Steele, representative of Bedford Pilgrims Housing Association (supporter) addressed the meeting.

The Committee gave officers **delegated powers to approve** the application, subject to further consultation with Steeple Morden Parish Council and liaison with the Planning Committee Chairman, with a view to agreeing an Affordable Housing Scheme whereby (i) dwellings would be offered to Qualifying Persons with a local connection to the nearest Parishes to the Site should there be nobody with a local connection to Steeple Morden and then cascading out to those with a local connection to other villages within a 15 mile radius and (ii) because of this site being an "Rural Exception Site" there being suitable wording to reduce the chances that the dwellings would not remain as affordable units in perpetuity because of mortgagee exclusion provisions.

**6. S/2559/11 - ORCHARD PARK (SITE A (FORMERLY Q & HRCC) LAND OFF RINGFORT ROAD, AND SITE B (FORMERLY E3, COMM2A, COMM2B & E4) LAND OFF CHIEFTAIN WAY)**

Colin Campbell (applicant's agent) and Yemi Macauley (Orchard Park Community Council) addressed the meeting.

Prior to considering this application, the Committee viewed the site on 1 June 2012. The Committee **deferred** the application.

**7. S/2587/11- GREAT SHELFORD (CAMPING AND CARAVAN SITE, CABBAGE MOOR)**

Andrew Harper (objector) addressed the meeting.

The Committee **approved** the application as amended by additional information and Flood risk Assessment dated 5 April 2012, subject to the Conditions and Informatives set out in the report from the Planning and New Communities Director.

Councillor Charles Nightingale declared a personal interest as a member of Great Shelford Parish Council. He had attended the meeting at which this application had been discussed but was now considering the matter afresh.

**8. S/2509/11 - STAPLEFORD (BURY FARM, BURY ROAD)**

Christopher Wright (objector) and Paul Barnes (on behalf of the applicant) addressed the meeting.

Prior to considering this application, the Committee viewed the site on 1 June 2012. The Committee **approved** the application as amended, subject to its description being

changed to ‘...community study and education 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’, the Conditions set out in the report from the Planning and New Communities Director, and additional conditions to restrict the potential for overlooking and to agree the location of contractors’ storage and parking during the building works.

Councillor Charles Nightingale declared a personal interest as a member of Stapleford Parish Council. He had attended the meeting at which this application had been discussed but was now considering the matter afresh.

**9. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

The Committee **received and noted** a report on Appeals against planning decisions and enforcement action.

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**The Meeting ended at 11.40 a.m.**

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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

4 July 2012

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

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**S/0809/12/FL – IMPINGTON****Erection of 72 Dwellings (Including 29 Affordable Dwellings), Vehicular Access, Public Open Space, Car Parking, Associated Landscaping and Infrastructure for Bellway Homes Ltd.****Recommendation: Approval****Date for Determination: 13<sup>th</sup> July 2012****Notes:**

**This application has been reported to the Planning Committee for determination as it is a major application and the recommendation of Histon and Impington Parish Council conflicts with the officer recommendation.**

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

**Site and Proposal**

1. The site is located within the Impington village framework. It measures 2.44 hectares in area and is a brownfield site that formerly comprised the SAICA cardboard packaging factory but is now vacant land. The buildings that have recently been demolished consisted of a 10,400 square metres production facility building and a 1,400 square metres storage warehouse. The buildings were surrounded by hard landscaping and there were also a number of tanks. There are currently three vehicular access points off a private right of way to the south. A hedge, trees, and an awarded watercourse run along the western boundary of the site. A leylandii hedge, ditch, and a private access road run along the southern boundary of the site.
2. Open Green Belt land lies to the south and west. A residential development lies to the south east. An electricity substation is located to the east with residential development beyond. A bridleway and the Cambridge Guided Busway run along the northern boundary with an office development beyond.
3. This full planning application, received 13<sup>th</sup> April 2012, proposes the erection of 72 dwellings together with an area of public open space. The residential development would be situated on the eastern section of the site (1.7 hectares) and the public open space would be situated on the western side of the site (0.5 hectares). The density would equate to 42 dwellings per hectare.
4. 29 of the 72 dwellings would be affordable and located on the north western and south eastern sections of the residential development. The mix would be 10 x 1 bedroom dwellings, 13 x 2 bedroom dwellings, 5 x 3 bedroom dwellings, and 1 x 4 bedroom dwelling. The remaining 43 of the 72 dwellings would be available on the open market and located on the western and southern areas of the residential development. The mix would be 17 x 2 bedroom dwellings (40%), 11 x 3 bedroom

dwellings (26%), 12 x 4 bedroom dwellings (28%), and 3 x 5 bedroom dwellings (6%).

5. The dwellings would range from two storeys in height (8 metres) to two and a half storeys in height)10.3 metres. The two and a half storey dwellings would be located to the west facing the public open space and the two storey dwellings would be located mainly to the south, north and east facing the roadways. There would be 13 different house types. The design of the dwellings would reflect traditional Victorian dwellings in the surrounding area with features such as bay windows, door canopies, and decorative brick arches above windows. The materials for construction would be buff bricks (two types) with red brick detailing or render for the walls and artificial slates for the roofs. The developments would have small groups of dwellings with the same materials.
6. A total of 126 parking spaces would be provided for the whole development that includes 111 allocated spaces and 15 visitor parking spaces. Some parking spaces are on plot and some parking spaces are in parking courts. A shed would be provided within the rear garden of each single dwelling for cycle parking and each dwelling within the blocks of flats would have a cycle space within a cycle store that would be provided within the communal garden area.
7. Each single dwelling would have three bins with a storage area within the private rear garden. Each dwelling within the blocks of flats would have at least two bins with a storage area provided within the communal garden.
8. Villa Road would be widened to 5 metres within the site area and there would be a central access point to the residential development off that would measure 5.5 metres wide with 1.8 metre wide footpaths each side. There would also be a shared private driveway to the western end adjacent the public open space. A new 1.8 metre wide footpath would be provided along the northern side of Villa Road that links to a new footpath to the southern side and a footpath link to the Guided Busway and bridleway through the development. A two metre high acoustic fence is proposed along the northern boundary adjacent the Guided Busway.
9. The public open space would provide a Local Equipped Area of Play (LEAP) together with informal children's playspace and informal open space. A belt of trees and a hedge would be planted along the eastern boundary adjacent the residential development and the hedge and tree along the western boundary would be retained.
10. The existing ditch along the site frontage would be culverted and a new swale would be provided in its place with a hedge behind. A swale would also be provided within the public open space and link with the awarded watercourse along the western boundary.

### **Planning History**

11. **S/2530/11** - Demolition of Existing Factory Buildings and Hard Landscaping - Approved
12. **S/2456/11** - Erection of 68 Dwellings (Including 27 Affordable Dwellings), Vehicular Access, Public Open Space, Car Parking, Associated Landscaping and Infrastructure following Demolition of Existing Factory Buildings and Hard Landscaping - Withdrawn
13. A number of applications have been submitted over the past 20 years for extensions and outbuildings in connection with the former factory at the site.



**Planning Policy**

14. **South Cambridgeshire LDF Core Strategy DPD, 2007:**  
ST/4 Rural Centres
  
15. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Development Frameworks  
GB/3 Mitigating the Impact of Development Adjoining the Green Belt  
HG/1 Housing Density  
HG/2 Housing Mix  
HG/3 Affordable Housing  
ET/6 Loss of Rural Employment to Non-Employment Uses  
NE/1 Energy Efficiency  
NE/3 Renewable Energy Technologies in New Development  
NE/6 Biodiversity  
NE/11 Flood Risk  
NE/12 Water Conservation  
NE/14 Lighting Proposals  
NE/15 Noise Pollution  
NE/11 Flood Risk  
SF/6 Public Art  
SF/10 Outdoor Playspace, Informal Open Space, and New Developments  
SF/11 Open Space Standards  
TR/1 Planning for More Sustainable Travel  
TR/2 Car and Cycle Parking Standards  
TR/3 Mitigating Travel Impact
  
16. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
Open Space in New Developments SPD - Adopted January 2009  
Trees & Development Sites SPD - Adopted January 2009  
Landscape in New Developments SPD - Adopted March 2010  
Biodiversity SPD - Adopted July 2009  
District Design Guide SPD - Adopted March 2010  
Affordable Housing SPD- Adopted March 2010  
Public Art SPD - Adopted January 2009

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

17. **Histon and Impington Parish Council** – Has the following comments: -  
  
“The joint response from Histon & Impington Parish Councils dated 17<sup>th</sup> January 2012 to the initial application and the discussions held with the developers since, have only resulted in one minor alteration that we view as an improvement. The overall application still has many flaws, weaknesses and shortfalls. Therefore, Histon & Impington Parish Council cannot support awarding planning permission at this stage.  
  
HIPC recommends refusal of this planning application, notwithstanding that there are some welcome details in the application for these much needed residences.

HIPC finds that the detail of the flooding prevention and drainage proposals are incomplete and give cause for concern, the pollution has not been measured under the former concrete slabs and further pollution has been created by the means of demolition, the guided bus access is not shown as being agreed by CCC and the design unsafe, aspects of the design are contrary to the recommendations of the police, the proposed footpath on the Villa road access requires a double crossing of the road, the proposed open area being subject to water-logging and not being an all year round facility, the LEAP is undefined, the lack of competition in high speed internet provision, the reduction of car parking provision to the extent that the amenity of the site will be severely affected (like Orchard Park), the important landscaping for this site is undefined, the noise barrier proposed has many issues, there is no indication of a prior on site archaeological inspection, and the facing of the tallest buildings on slightly elevated land onto the green belt (contrary to SCDC policy). Together these points convinces HIPC to recommend refusal.

#### Employment

HIPC would wish the site to be retained for commercial use but understand from discussions with SCDC Planning Officers that under current LDF policies such a position is not defensible. We require that the new LDF defends the need for an appropriate commercial/residential mix or else ditches the concept of Rural Centres and abandons further housing development in our community.

#### Flooding and drainage

HIPC notes there is no intention to develop on the lands designated within the Flood Zones by the Environment Agency. There are however consequential issues arising from their plans.

The ditch alongside the site on the north side of Villa Road (designated by the applicant as "Saica Ditch") is outside the red line on the planning application map in the Design and Access Statement. HIPC is concerned about the lack of arrangements for the maintenance of this ditch, especially as:-

- The ditch is to be faced with a newly proposed hedge (admirable in itself) which will inevitably lead to leaf fall and debris accumulating in the ditch
- The V section will initially enable increase in capacity during peak flow, but the ditch is to be culverted under the road access to the site (and for shorter lengths under the footpath access)

The Environment Agency report (copied in the appendix to the Flood Risk Assessment) stresses that the run off from the site will inevitably exceed that of the current situation.

The culvert into the Award Drain 172 is in poor condition and needs attention.

The water table recorded during a drought period showed the table within 1.3m of the surface. At such depths the open areas will puddle and be wet after every significant rainfall. [See also comments below on the open space].

#### Pollution

The geo-environmental survey has not been updated since the previous application. The applicants were also informed about HIPC's local knowledge that in its early commercial use there were fewer regulations and even less care taken on this site. HIPC would expect that if SCDC were minded to grant planning permission, given

the flagrant disregard for the imposed conditions under which demolition was agreed to be carried out, that it should be a condition that a further survey of the site as is now undertaken to determine the extent of the additional pollution created from this source, which included the breaking up of asbestos based cement, and continuous burning of materials on site.

HIPC notes that a new document "Remediation Action Plan" was included with the amended application. The intention is admirable but, given the experience of the applicant not following the Demolition Method that they filed (detailed in the report to be prepared by HIPC with the assistance of many residents), HIPC would anticipate closer supervision being undertaken by SCDC to ensure compliance.

HIPC notes that the plan refers to removal of existing (that is pre-demolition) asbestos contamination in the soil.

HIPC would expect SCDC to condition the commencement of residential development on successful soil tests indicating the ability to remove the previous proposed restrictions on householders growing vegetables for consumption, and the advice to wash children's hands immediately after contact with the soil.

To achieve this, SCDC will probably need to engage external consultants. HIPC would expect the developer to fund these resources.

It is noted that in the Environment Agency letter copied as Appendix C to the Flood Risk Assessment states that SUDS and soakaways cannot be installed on the polluted site. This could have serious ramifications. Unless the pollution is cleared to at least the depth of the soakaways, the rain water from the site would need to be removed via the foul water sewer. The foul water sewer and the pumping arrangements at Home Close are already close to maximum capacity. The same foul water sewer at Kay Hitch Way, as SCDC well knows, backs up on moderate rainfall. HIPC is convinced that Anglia Water Authority would not permit extra rain water discharge to this sewer. This reinforces the extent of the requirement to clean the site and for this to being dependently certified as being successfully completed.

Furthermore, HIPC requires SCDC to include notification of the previous pollution on all house purchase searches submitted for this site.

### Guided Bus Way Access

HIPC have not seen any documentation showing that the County Council has agreed to this access. Indeed, HIPC note that during the construction of the guide way that extra access points were vigorously resisted, including a match day access from Histon FC ground to facilitate spectators using the Guided Bus to access the ground.

Assuming the access is permitted, HIPC note:-

- The guide way is used extensively by pedestrians and cyclists, many of the latter at significant speed
- The mixed traffic along the 3m wide maintenance track requires careful and considerate use to avoid accidents: "there are no rules of the road" and cyclists find they need to adjust their line of travel to avoid pedestrians.
- The proposed access is at an acute angle of approach effectively through a narrow 2m wide gap in the proposed noise barrier: there are no sight lines

The design makes HIPC question whether this would be a safe route for children going to school. HIPC supports SCDC's efforts to encourage sustainable transport use but feel that any predictions of walking and cycling use involving junior members of the community must assume that they will use the Villa Road access to the site.

Furthermore, in our last comments we noted that the car park provisions (numbered 23 and 24 on the amended plans and the two adjacent visitor spaces) on the site (placed over the 6m wide easement for the foul water sewer) are vulnerable to planned and opportunistic crime. Previously, HIPC had assumed some protection from the CCTV cameras on the nearby Histon and Impington Guided Bus stop, but are now aware that the registration of these facilities permits their use solely for surveillance and evidence provision on the guide way facilities and any crime committed thereon.

HIPC would expect SCDC to have consulted the Police Architectural Liaison Officer on this specific point as well as on the proposed development in general.

### Villa Road access

Villa Road currently has no pedestrian (or cycle-path for that matter) separation from vehicular traffic. HIPC notes that the developer is proposing a new footpath on the South side of this part of Villa Road. Given the previously noted unsuitability for use by younger residents of the guide way access (even if granted), HIPC considers the proposal to be unsafe, requiring as it does two crossings of Villa Road. Only a footpath on the Northern side of Villa Road would be acceptable.

HIPC, as mentioned elsewhere strongly supports SCDC efforts for sustainable transport but notes that the developer reckons that the nearest bus stop is 550m from the site (and much further for those houses within the site). It is of interest that SCDC policy on affordable homes on exception sites (ref: HG5) requires a maximum distance to a bus stop of 400m.

The road access into the site will only be used from the easterly direction. HIPC considers that it is inevitable that cars will cut this corner and therefore a small traffic island be inserted to reduce the clear accident risk: there is sufficient space to splay the entrance a little to facilitate this. A consequence of such an island would be to slow the incoming vehicles, a safety improvement that HIPC would welcome.

The junction with South Road needs consideration before planning is approved. This is outside the site, but the development will change considerably the vehicular flows at this junction. It also urges SCDC to produce its own transport analysis given the County Council's unwillingness/inability to review the effects of new development on anything less than substantial new developments. Trip generation of 1200 weekly vehicle movements at peak times onto the B1049, the majority of which would trigger the lights at the Cambridge Road junction with the B1049 and cause further bottlenecks to the traffic passing through the settlement from the North in the morning peak period.

### Open Space

The applicant considers this to be suitable as public open space. HIPC completely rejects this assertion. The land may not be flooded often (it is according to the quoted letter from the Environment Agency in the Flood Risk Assessment a flood attenuation site) but with the high water table the land will inevitably be often too wet for use. HIPC is expecting that the developer will make a contribution under the

terms of the SCDC Supplementary Planning Documents for Open Space, Recreation and Community Facilities to the Parish Council for proper provision.

HIPC notes a precedent that for a similar situation in Impington at the former Unwins site the developer accepted that a grassed area would not be available for periods of the year and did make a full SPD contribution.

### LEAP

The developer has not indicated the use and scale of the facility to be provided, and or arranged for on-going maintenance. The indicative placement does mean access is across the often water logged area. HIPC would expect this to be changed to an elevated section (perhaps using re-use of material from the site during development) that is contiguous with the developed section.

HIPC notes that the original proposal for steps into the open area have been replaced with a wheelchair and child transport friendly ramp: this appears to have been the only amendment made in respect of the joint Parish Councils' submission and discussions with the developer to the previous application.

### BT Only

HIPC notes that with the reduction in employment within the village, the trend for working within the dwellings should be encouraged. This would help reduce travel to work volumes. Whether working at home, or the more facility intensive working from home, the incorporation of future proof arrangements are to be welcomed. As the area is already being fitted for high speed broadband, HIPC considers that not only should the dwellings be connected to the fibre optic networks but, because wi-fi operates at significantly lower speeds than the new connections, that the houses should include some high speed wiring. The cost is minimal but the marketing advantage would distinguish these dwellings from others.

### Housing mix

HIPC notes the change from last time. No comment is made on changing from 6 three bedded to five bedded and one six bedded dwelling. The provision of many two bedded dwellings is applauded but, on the advice received from those allocating affordable social rented houses in the area question the desirability of having so many single bedded properties. HIPC recommends reconsideration to allow more two bedded and fewer single bedded dwellings.

### Car Parking Provision

HIPC noted that the previous application did include the maximum car parking space under current SCDC policy. The experience of Orchard Park demonstrates that not providing sufficient spaces considerably reduces all residents' amenity. The new application has reduced the parking provision. HIPC finds this unacceptable. SCDC are reminded that the policy is to reduce car usage (a policy strongly supported by HIPC which notes the aspects of this application towards this objective) not to reduce car ownership. HIPC can not support this application on this aspect alone.

### Layout

HIPC notes the additional, admittedly small, green space within the development which is appreciated.

The affordable homes are still over the most polluted parts of the site: this provides even more reason for the strict oversight of the clean-up programme.

## Landscaping

The Councils have not received a landscaping proposal for the site. The site plans do have indicators of trees (e.g. on the western boundary of the built development) but the effectiveness of these will be very dependent on variety selected. As the site is adjacent to the green belt, the guide way and is relatively dense, HIPC would expect to be consulted. Any planning permission granted should be conditional on an agreed landscaping plan. Planting next to the guide way will need the approval of the Guided Bus Operators (the County Council).

The location (and contents) of the wild flower area needs further consideration. HIPC notes that the wild flower area agreed as part of the guided bus development near Gatehouse Lane has already fallen into disuse and dilapidation: maintenance responsibilities and funding need to be agreed.

Landscaping of a site such as this is a critical planning issue, not an afterthought.

## Noise Barrier

The developers have proposed a noise barrier along the Guided Busway. It is noted that the noise readings submitted do show peak values after 22.00 hours of more than 70db. This was the World Health Organisation level prescribed by the Planning Inspector in his deliberations on the guided bus project. It is not clear to HIPC whether his prognostications related to housing by the guide way needs also to be applied to new development.

It is noted that these 2m high barriers at their westerly end will be protecting houses which are on land which is 1m below the level of the guide way, making a 3m barrier in total. Given the small size of the gardens backing onto the guide way this will effectively box in the small area, making plant growth challenging and leading to further coverage of the land (increasing speed of rainwater run off) and a poorer environment for the residents. HIPC invites SCDC to consider how this can be improved. A suggestion is that instead of a timber based noise barrier a green barrier is used incorporating climbing or trailing plants. HIPC can provide more detail if required.

Regardless of design, these noise barriers will be on the land within the site (probably on the immediate boundary). Maintenance arrangements (including access on the maintenance track of the guide way) need to be clarified.

## Archaeological Survey

HIPC continues to press for a full archaeological survey. The applicant's desk top survey indicates sufficient cause, supported by local information from the history section of the Village Society, for this to be required.

## Renewable energy

The applicant proposes solar panels on all houses. It is clearly in the interests of the market house residents for these houses to be to the same energy standards as the affordable homes.

View from the Green Belt

The original application was in contravention of SCDC policy (GB/2 and GB/3) on both the southern and westerly edges with the maximum height building facing the green belt. The current application has addressed the southerly edge into the green belt, but the two and half story (aka three storey houses) still face westwards over a land which is lower than the development site.

If only for this reason the plans should not be approved.

Location

The site is located within the Parish of Impington. The applicants were informed at the public consultation and in our meeting with them. However, many of the documents are still labelled "Histon".

Construction

If planning permission is granted, HIPC would expect the following conditions on the construction

- ⤴ Construction and disturbance limited to working hours Monday to Friday
- ⤴ Deliveries from the B1049 to be only through Chequers Road ( in line with the existing restrictions in the area on all goods vehicles)
- ⤴ Deliveries to avoid travel to and from school times."

18. **Local Highways Authority (Development Control)** – Comments that the dimensions shown on drawing number BW109-010 Revision C are acceptable except that a maintenance strip should be shown to the shared surface between Plots 57/59. Further comments in relation to drawing number BW109-002 Revision N that block paving is not acceptable for the footways adjacent to the raised table between plots 69/69 and 59/72.
19. **Local Highways Authority (New Communities)** – Commented on the previous application that a transport statement is appropriate for this size of development and considers that the site is well located with respect to local amenities, is accessible by non-car modes of transport and particularly public transport, that the traffic generated would be commensurate with the level of traffic associated with the existing use, that the impact on the local highway network is acceptable, that the development would remove significant levels of goods vehicles from the highway network, and that the parking would be consistent with the District Council's standards. The Guided Bus Team has requested a contribution but this is not considered CIL compliant. Requests a condition in relation to the implementation of the Travel Plan.
20. **Housing Enabling Manager** – Comments that 40% of the dwellings would be affordable which is in accordance with Policy HG/3. There is a good mix of different sized affordable houses and the tenure mix of 50% social rented and 50% intermediate is acceptable in terms of the viability of the scheme. All homes need to meet the Homes and Communities Agency design and quality standards that include lifetime homes and a minimum sustainable code level 3. Notes that some of the dwellings are located on private roads that would require extra charges for households on low incomes.
21. **Environmental Health Officer** – Comments that the acoustic report submitted with the application identifies the dominant noise sources affecting the site as the Cambridgeshire Guided Busway, the Premier Foods industrial unit, and the road

traffic along Villa Road and the A14. Future noise levels have been predicted at the facades of the dwellings and the amenity areas and noise mitigation and insulation measures in the form of an acoustic fence and glazing and mechanical ventilation strategy are recommended. These measures are considered to provide an adequate level of protection against noise and a reasonable level of amenity and quality environment for future residents. Requires condition in relation to the details and implementation of the noise attenuation measures, times of use of power operated machinery, and external lighting. Also request informative with regards to the burning of waste on site and pile driven foundations.

22. **Contaminated Land Officer** – Requests a condition in relation to a detailed scheme for the investigation and recording of contamination and remediation measures.
23. **Environment Agency** – Comments that the development is only acceptable providing conditions are attached to any consent in relation to flood risk mitigation measures in accordance with the principles set out in the Flood Risk Assessment, and surface water drainage. Considers that the Groundwater Risk Assessment in relation to contamination is acceptable providing conditions are attached to any consent to ensure that the contamination remediation works are completed in accordance with the Action Plan and work shall stop if any contamination is found that has not previously been identified on the site. Also requests various informatives.
24. **Land Drainage Manager** – Has no objections subject to conditions in relation to the full detailed design of the drainage, investigation and improvement of the adjacent piped watercourse alongside Villa Road at the junction with South Road, and a commuted sum towards the future maintenance of the award drain. Also requests informatives in relation to Land Drainage Byelaw Consent for connection to the award drain and Cambridgeshire County Council consent for piping of the watercourse.
25. **Anglian Water** – Comments that foul drainage from the development is to the Cambridge STW that has adequate capacity for these flows. Considers the surface water strategy/ flood Risk assessment submitted with the application acceptable.
26. **Building Control** – The access is acceptable for emergency vehicles.
27. **Trees and Landscapes Officer** – Has no objections. Comments that there are no significant trees on site but the tree protection details submitted should be installed prior to development. Requests a robust landscaping scheme to include larger scale trees with planting pits to be agreed to allow adequate rooting volume. Whilst the trees off-site at the entrance to South Road could provide a landscape feature, they are not considered worthy of preservation due to the nature of the trees and replacements being acceptable if lost.
28. **Landscape Design Officer** – Has concerns in relation to the levels of the public open space in relation to flooding and states that there should be a dry route to the LEAP. and the access ramp should have higher sides for safety purposes. The LEAP should not be enclosed with the equipment in a compound and should be spread out. The current planting along the drain on the western side and the cypress hedge along the frontage is high maintenance and incongruous. New planting suitable for this edge of countryside location should be incorporated. There is scope for large trees to be planted within the public open space. There are too many dwellings on the site that gives a lack of space for significant planting along the Villa Road frontage that may cause maintenance issues with the swale and impact upon the dwellings. Requires conditions in relation to landscaping. Also has



concerns in relation to the tapering of driveways and security of cycle stores within the rear amenity spaces to the communal gardens.

29. **Ecology Officer** – Has concerns in relation to the layout and considers that too many dwellings are being placed on the site and opportunities for quality environmental enhancements are being missed. However, no objections are raised subject to conditions to agree a habitat link from the new ditch on the public open space to the public drain and landscape measures for the banking facing the public drain. Comments that the proposed shallow swale above a box culvert and link from the ditch in the public open space would not form a satisfactory habitat link between the drains. Further details are required in relation to the ditch within the public open space to demonstrate that it compensates for the loss of the SAICA ditch. The public drain could be enhanced so that it is an attractive feature. Also comments that although water voles are not on the site, the development ignores the opportunity to improve the ecology potential of the public drain. Accepts that reptiles are not on the site but if left undeveloped there could be potential given the site being close to an existing pond and drains that accommodate frogs and toads.
30. **Archaeological Team** – Comments that the site lies in an area of high archaeological potential and requests a condition in relation to an archaeological investigation of the site.
31. **Urban Design Team** – Supports the application and comments that the layout creates a successful sense of place in relation to its surroundings, distinct public and private spaces, massing that reflects the local context, focal buildings that improve legibility, well defined streets with appropriate structured built form active frontages, integrated parking, and appropriate local architecture and materials.
32. **Police Architectural Liaison Officer** – Comments that the site has a low crime risk and that the layout is generally acceptable.
33. **Cambridgeshire Fire and Rescue Service** – Requests a condition in relation to the adequate provision of fire hydrants.
34. **Rights of Way and Access Team** – Welcomes the provision of a pedestrian/cycle link to the bridleway that runs alongside Guided Busway to enable easy access to this area and the network beyond but also suggests an additional link from the public open space.
35. **Section 106 Officer** – Comments that the proposal has satisfied the need for the provision of onsite public open space with an Local Equipped Area of Play but requests contributions towards the off-site provision of outdoor sports space, the provision and maintenance of community facilities, the provision of waste receptacles, and the provision of public art together with a monitoring fee.
36. **Arts Development Officer** – Comments that a public art plan for the development (as per SCDC SPD on Public Art) should have been explored at pre-application stage and Section 106 agreement submitted with the application.
37. **County Education and Waste** – Requests contributions towards secondary education places and waste.

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

38. Six letters of representation have been received from nearby residents that raise the following issues: -

- i) Overdevelopment
- ii) Increase in traffic especially in rush hours
- iii) Flooding of the site
- iv) Poor drainage
- v) Bring a disused and unattractive site back into use
- vi) Much needed housing
- vii) Pressure on facilities
- viii) Access and highway safety
- ix) Parking
- x) Education contributions
- xi) Footpath links
- xii) Cycle storage
- xiii) Scale of dwellings
- xiv) Loss of commercial site
- xv) Light pollution

### **Representations by the Applicant's Agent**

39. A letter has been submitted that addresses issues raised during the consultation process. This agrees to conditions with regards to archaeology, acoustic measures, contamination, finished floor levels, ground levels, and materials. A tenure mix for the affordable housing of 50% social rented and 50% intermediate is agreed along with the dwellings being lifetime homes standards and a sustainable code level 3. The public art contribution is not agreed. In response to the Parish Council comments, it is noted that the Environment Agency and Drainage Officer have not objected, one footpath link is considered acceptable by the Rights of Way Officer, the Local Highway Authority has accepted a new footway to the south of Villa Road, the open space on the western side of the site is compatible with the floodplain, the Leap will be subject to conditions, IT facilities will be facilitated where possible so residents can work from home, the housing mix and car parking provision is appropriate with regards to local policies, and the site is not within the Green Belt itself so there can be no objection in principle to the loss of the Green Belt or the general impact upon the Green Belt.
40. The applicant's agent has submitted a water vole survey that concluded there was no historic evidence or recent activity of water voles in the public drain adjacent the site. However, water voles were found 120 metres from the site and it is recommended that the drain is surveyed immediately prior to commencement of works and if water voles are found, mitigation measures submitted.
41. A site plan has been submitted that shows the layout of the public and private open spaces and the approach in relation to ecology issues and landscaping. The applicant's do not consider that further information is necessary at this stage and the details can be agreed by condition.

### **Material Planning Considerations**

42. The key issues to consider in the determination of this application are the principle of residential development on the site particularly with reference to a loss of employment, density, housing mix and affordable housing, developer contributions, and the impacts of the development upon the character and appearance of the area, neighbour amenity, highway safety, flood risk, contamination, ecology, and trees and landscaping.

### **Principle of Development**

43. The site is located within the village framework of a 'Rural Centre' as identified under Policy ST/4 of LDF. These villages are sustainable in nature as they have a good level of services and facilities and residential developments with no limit on size are considered acceptable in principle. The scale of the proposal is therefore considered appropriate.

### **Loss of Employment**

44. The use of the site for non-employment purposes is only supported if it complies with one of the following criteria set out under Policy ET/6 of the LDF (i) it is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. Applications will need to be accompanied by documentary evidence that the site is not suitable or capable of being made suitable for continued employment use. Evidence would be required that the property has been adequately marketed for a period of not less than twelve months on terms that reflect the lawful use and condition of the premises; or (ii) the overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises; or (iii) the existing use is generating environmental problems such as noise, pollution, or unacceptable levels of traffic and any alternative employment use would continue to generate similar environmental problems.
45. The employment site has been marketed by Bidwells for sale and for let for commercial uses since September 2010. It has been advertised by a board on site, a brochure, mailings to local and national commercial agents, a press release, local newspapers, the estate agents website, and the EGI website. During the period between September 2010 and August 2011, there was interest in the site from 9 different parties. Only one of the 9 interested parties was looking to use the site for commercial purposes and this did not lead an offer. Seven of the other eight parties made offers on unconditional basis (four) or a conditional basis (three) on securing the use of the site for residential development. The site was sold to Bellway Homes Ltd. In August 2011 but remains on the market to date.
46. From the marketing of the site, it shows that there was a severe lack of interest in the site for commercial purposes. The agent considers that the main reasons for this poor level of attraction were the limited demand for large scale industrial units particularly over 10,000 square feet in area, the requirement for more modern units without poor specifications and dimensions and ongoing costs of maintenance and repair, the requirement for good accessibility to the site from further afield close to major roads without access via narrow roads, the proximity of the site to a residential area, the image of the buildings, and the density of the buildings and lack of manoeuvrability for large vehicles.
47. Given the above marketing campaign and apparent lack of commercial interest in the premises, the use of the site for residential purposes is considered acceptable. It should be noted that there are a number of other employment sites within the village namely at the Vision Park and Chivers factory. These issues were considered as part of application reference S/2530/11 which was approved and the buildings have now been demolished.

### **Density**

48. The net site area excluding the open space measures 1.7 hectares in area. The erection of 72 dwellings on the site would equate to a density of 42 dwellings per hectare. This would comply with the density requirement of at least 40 dwellings per

hectare that should be achieved in sustainable villages as set out under Policy HG/1 of the LDF, and make the most efficient use of previously developed land.

### **Affordable Housing**

49. 29 of the 72 dwellings would be affordable in nature. This would represent 40% of the total number of dwellings of the proposed development and be in accordance with Policy HG/3 of the LDF. There would be a range of sizes and a mix of tenures that would meet local needs. A condition would be attached to any consent to secure the dwellings as affordable in perpetuity.

### **Housing Mix**

50. The housing mix of the 43 market dwellings would provide accommodation in a range of types, sizes and affordability to meet local needs. 40% of the total number of dwellings of the proposed development would be two bedroom units and comply with Policy HG/2 of the LDF.

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

51. The layout, scale, form, design, details, and materials of the development are considered to preserve the character and appearance of the area in accordance with Policy DP/2 of the LDF. The layout creates a successful sense of place in relation to its surroundings, distinct public and private spaces, massing and heights that reflect the local context, focal buildings that improve legibility, well defined streets with appropriate structured built form, active frontages, integrated parking, and appropriate local architecture and materials.
52. The two and half storey dwellings that front the public open space are not considered to harm the visual amenity or openness of the Green Belt as they would be located a distance of at least 25 metres from its nearest boundary and screened by dwellings of a lower height and/or significant landscaping.

### **Neighbour Amenity**

53. The location of the development site adjacent to the Cambridgeshire Guided Busway, the Premier Foods industrial unit, and the A14 and Villa Road is not considered to result in an unacceptable level of noise and disturbance that would harm the amenities of residents of the new dwellings subject to the erection of an acoustic fence and glazing and mechanical ventilation strategy to be agreed by a condition of any consent.
54. The siting and design of the dwellings are considered to lead to an acceptable relationship to neighbours and between the properties in terms of massing, light and privacy with regards to the recommendations set out in the District Design Guide SPD.

### **Highway Safety**

55. The traffic generation from the proposal is not considered to result in a significant increase in the level of traffic from the existing lawful use. The level of traffic from the existing lawful use is estimated at 522 two-way trips daily including 417 vehicle trips compared to 616 two-way trips daily including 432 vehicle trips in relation to the proposal. The development would also reduce the number of Heavy Goods Vehicles using the roads in the long term. In addition, a residential Travel Plan has been submitted to outline methods of communication to the new residents in order to encourage single occupancy car trips and promote car sharing and the use of

alternative modes of transport as well as home working. The access widths and visibility splays comply with the Local Highways Authority standards. Materials would be a condition of any consent. The development is not therefore considered to be detrimental to highway safety and would improve pedestrian safety through the provision of a new footpath leading from the site to Villa Road.

56. 126 vehicle parking spaces have been provided on the site. This is calculated at 1.75 spaces per dwelling and would be in accordance with the Council's maximum parking standards that seek to reduce over reliance on the car and promote more sustainable forms of transport as set out under Policy TR/2 of the LDF.
57. At least one secure cycle space would be provided within a shed or cycle store for each dwelling that would comply with the Council's cycle parking standards.

### **Trees and Landscaping**

58. The proposal would not result in the loss of any important trees that are important to the visual amenity of the area. Tree protection details have been submitted in relation to the tree on the western boundary to be retained. A landscaping condition would be attached to any consent to agree a planting scheme that would be in keeping with the landscape character of the area and enhance the development.

### **Ecology**

59. The proposal would not result in the loss of any protected species. However, it is not considered to maintain or enhance biodiversity in accordance with Policy NE/6 of the LDF. There are opportunities to improve the ecological potential of the public drain and enhance the quality of the environment. Further consideration is required. A condition would be attached to any consent to maintain existing biodiversity and secure ecological enhancements.

### **Flood Risk**

60. The site lies partly within flood zones 1, 2 and 3. The public open space would be situated within flood zones 2 and 3 (medium and high risk) and the dwellings would be situated within flood zone 1 (low risk). A Flood Risk Assessment has been submitted with the application that identifies a number of watercourses adjacent to the site that provide potential sources of flooding. These are the Awarded watercourse (public drain) along the western boundary, the culvert and SAICA ditch along the southern boundary, the culvert underneath the eastern end of Villa Road, and the private drain to the south of Villa Road. The existing site is completely non permeable whereas the proposed development would comprise dwellings and gardens within the low risk flood zone and public open space within the high risk zone, both of which would be compatible with its location and would result in a decrease in the rate and volume of surface water run-off and an increase the volume of the available floodplain. The LEAP is considered acceptable given that it would be accessible for the majority of the year. The dwellings would have a height of 11.80 AOD that would be 300mm above the 1 in 100 year plus climate change level of 11.48 AOD. This would give adequate protection to the dwellings from flood risk. In addition, mitigation measures such as the provision of a new ditch and a swale would compensate for the culverting of the SAICA ditch. Conditions would be attached to any consent to ensure compliance with the Flood Risk Assessment in terms of mitigation measures, ground raising, and floor levels.
61. Given the improved permeability of the site from that existing, surface water drainage has been calculated to be reduced from 308 l/s to 154 l/s for a 1 in 100 year storm event as a result of the implementation of a SUDS strategy. The details

of this would be agreed through a condition of any consent through the submission of a scheme for surface water drainage.

### **Contamination**

62. A Geo-Environmental Site Assessment, Remediation Action Plan and Quantitative Risk Assessment have been submitted. The detailed groundwater risk assessment demonstrates that groundwater remediation is not required but soil remediation may be required following removal of the soil from around the former heating oil and diesel tanks areas. A condition would be attached to any consent to ensure that remediation works is carried out in accordance with the Remediation Action Plan, the collection of soil samples following removal of the tanks, and works to stop if any further contamination is identified.

### **Developer Contributions**

63. Developer contributions towards the provision and maintenance of off-site outdoor sport space, community facilities, waste receptacles, education, waste, maintenance of the awarded watercourse and monitoring are required to comply with Policies DP/4, SF/10 and SF/11 of the LDF. A condition would be attached to any consent to secure these contributions if not already agreed through a legal agreement. A contribution towards public art is not required given that it is not a requirement under Policy SF/6 of the LDF.

### **Other Matters**

64. A Refuse Strategy has been submitted that shows at least three bins would be provided within the rear garden for each standalone dwelling and two bins with a refuse store for dwelling within a block. Bin collection points would be adjacent to the roadside to allow easy access for refuse vehicles on collection day.
65. An Energy Statement has been submitted that demonstrates that the solar panels or photovoltaic panels proposed to each dwelling would contribute towards the 10% predicted renewable energy requirements as set out under Policy NE/3 of the LDF.
66. A Water Conservation Strategy would be a condition of any consent to ensure the conservation and re-use of water as a scarce natural resource.
67. The request for a new policy from the Parish Council in relation to mixed commercial and residential developments is not a matter for consideration under this application. The new Local Plan Issues and Options report is currently available for consultation.
68. The 'greening' of the noise barrier could be achieved by a landscaping condition attached to any consent.
69. The Council encourages working from home and therefore the provision of appropriate technology within dwellings but cannot insist on these facilities.
70. The site is in a sustainable location with very good access to public transport links (Guided Bus) and within walking and cycling distance from the centre of the village.
71. Cambridgeshire County Council Rights of Way Team supports the pedestrian/cycle link to the bridleway that runs alongside the Guided Busway and also suggests an additional link from the public open space. There would be a gate at the entrance to the footpath link to allow safer access for pedestrians and cyclists.

72. The junction of South Road and Villa Road is not required to be improved by the Local Highways Authority. It is not reasonable to restrict deliveries to the site at specific times or to use a certain route to get to and from the site on highway safety grounds.

**Conclusion**

73. 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**

73. Approval subject to resolution of the Ecology issues.  
The following conditions and informatives are suggested: -

**Conditions**

- i) Time Limit
- ii) Approved Plans
- iii) Boundary Treatment
- iv) Tree Protection
- v) Hard and Soft Landscaping Scheme
- vi) Landscaping Implementation
- vii) Levels
- viii) Refuse Storage
- ix) Cycle Storage
- x) Local Equipped Area of Play Details
- xi) Ecological Enhancement
- xii) Ecological Mitigation Measures
- xiii) Acoustic Scheme
- xiv) Hours of Operation of Power Operated Machinery During Construction
- xv) External Lighting
- xvi) Archaeological Investigation
- xvii) Contamination Investigation
- xviii) Flood Risk Mitigation Measure
- xix) Surface Water Drainage Scheme
- xx) Improvement of Piped Watercourse
- xxi) Water Conservation Strategy
- xxii) Fire Hydrants
- xxiii) Implementation of Travel Plan
- xxiv) Affordable Housing
- xxv) Developer Contributions- Open Space & LEAP, Community Facilities, Waste Receptacles, Education, Award Drain, Waste

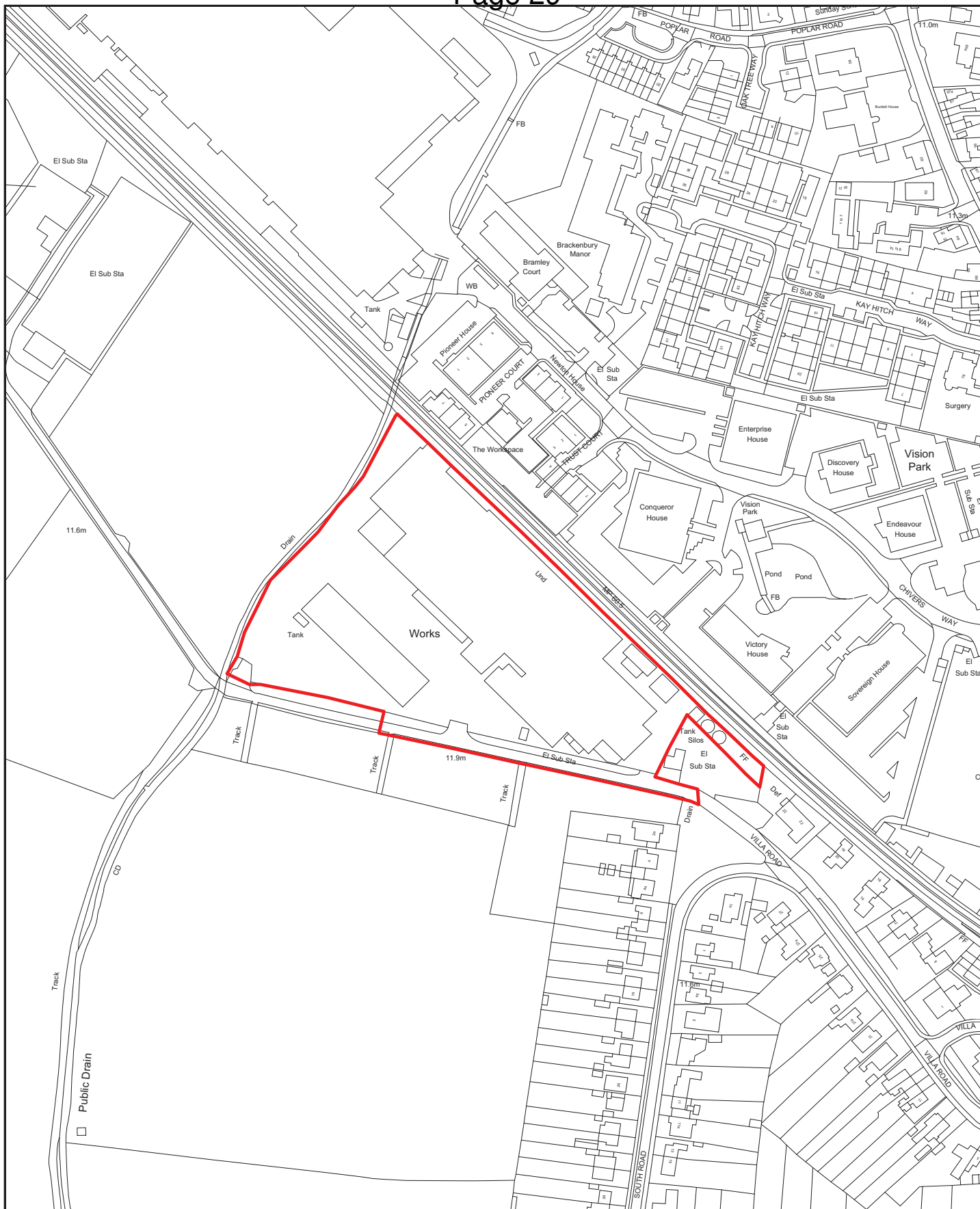
**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents: Open Space in New Developments, Trees & Development Sites, Landscape in New Developments, Biodiversity, Affordable Housing, Public Art, and District Design Guide.
- National Planning Policy Framework

- Planning File References: S/0809/12/FL, S/2456/11, and S/2530/11

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





**South  
Cambridgeshire  
District Council**

**Planning Dept - South Cambridgeshire DC**



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

4 July 2012

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

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**S/0507/12/DC – PAPWORTH EVERARD****Discharge of Condition 23 of Planning Permission S/1101/10 at land west of Ermine Street South for Mr Patrick MacCarthy (David Wilson Homes)****Recommendation: Delegated Approval****Date for Determination: 4 May 2012****Notes:**

**This Application has been reported to the Planning Committee for determination because the Parish Council's recommendation of refusal conflicts with Officers' recommendation and the current design of the proposed dwellings is significantly different to that previously considered.**

**Conservation Area****To be presented to the Committee by Andrew Phillips****Site and Proposal**

1. The site is located within the village framework and conservation area. The public highway defines the eastern boundary. To the south and north are the existing residential properties of Ermine Street South. To the west is the main section of the Summersfield Development.
2. The approval for Plot 160, which faces Ermine Street South, under Planning Permission S/1101/10 had proposed a very modern design with an L-Shape footprint. This modern design was discounted by the Local Planning Authority, due mainly to the likely extension of the Papworth Everard Conservation Area. It was considered that this design would not be in keeping within a Conservation Area and the design was dropped from consideration. Conditions 22 and 23 from planning permission S/1688/08/RM were carried forward on the decision notice of planning permission S/1101/10 as conditions 23 and 24. These required the details of the dwellings of plots 160 + 161 to be the subject of further approval.
3. The proposal is seeking to confirm the design and layout of plots 160 and 161 in order to discharge condition 23. The application was amended on the 14 June 2012, which changed the number of dwellings being proposed from three to two. The single proposed dwelling facing Ermine Street South (Plot 160) has been designed in order to more actively reflect the adjacent existing dwellings. The developer has provided a new site layout in order to reflect the Local Highways Authority comments and a landscaping scheme on the 15 June 2012. The comments from consultees and adjacent residential properties regarding these amendments will form part of an update to Planning Committee.

### **Planning History**

4. **S/1101/10** – Variation of Condition 12 and 26 of Planning Application S/1688/08/RM was approved.
5. **S/1688/08/RM** – Siting, design and external appearance of 166 dwellings was approved.

### **Planning Policy**

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

**ST/5** – Minor Rural Centres

7. **South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007**

**DP/1** - Sustainable Development

**DP/2** - Design of New Development

**DP/3** - Development Criteria

**DP/6** - Construction Methods

**HG/1** - Housing Density

**HG/2** - Housing Mix

**SF/6** - Public Art and New Development

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

**SF/11** - Open Space Standards

**NE/1** - Energy Efficiency

**NE/3** - Renewable Energy Technologies in New Development

**NE/6** - Biodiversity

**CH/2** - Archaeological Sites

**CH/5** - Conservation Areas

**TR/2** - Car and Cycle Parking Standards

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

8. **Papworth Everard Parish Council** – The Parish Council state that the condition requires that plot 160 requires a “special treatment consistent with their prominence and importance on the streetscene”. However, the developer is emphasising their similarity with the existing houses on Ermine Street South.
9. The Parish Council continues to state that the intention, ever since Supplementary Planning Guidance on the design of the Summersfield development was adopted by the planning authority is that the houses on Plot 160 and 161 should be of high quality, special character and individually (i.e architect) designed. They should have some architectural relationship to the apartment block that is to be placed at the southern entrance to the Summersfield.
10. The Parish Council conclude that the developer is not responding to the prominence and importance of the plots. The intention was that this should be a significant gateway, inviting pedestrians through the Summersfield estate and into the public

open space to the west, whereas the current proposal downgrades the path to a mere alleyway through a row of houses fronting Ermine Street South.

11. **Conservation** – The Conservation Manager states that the design of the entrance from Ermine Street, including the frontage building, presents a particular challenge. The argument has been made that the entrance should be marked by a feature building, and this approach would often be correct. However, in this case the advantages would be outweighed by a clash with the uniformity and relative simplicity of the Interwar houses along this side of Ermine Street South. The approach should, therefore, be to give a higher priority to reflecting the character of the existing houses and their relationships than to making a strong gateway feature to the new estate.
12. The Conservation Manager goes on to state that in their view the proposals go a little way to reflecting the existing character, but fall short of what is necessary. The front elevation is less simple than that of the neighbouring houses and loses their rhythm and relationship of openings, the block is deeper and the roof has a steeper pitch and lacks a chimney.
13. In addition linked to the inadequate response to the neighbouring houses is the pressure put on the design by making the block two dwellings rather than one. This has led to the deeper plan and higher roof. It also means that a major part of the front garden is taken up with hardstanding, including next to the path to the estate. This detracts from the new building, the conservation area and estate approach.
14. The Conservation Manager concluded that while therefore I support a design approach which responds to the character and uniformity of the neighbouring houses, I do not think that it has been adequately reflected in these proposals and cannot support this application without revision.
15. **Local Highways Authority** – (15<sup>th</sup> June 2012) The Highways Authority states that conditions are required in order to secure two 2.0 x 2.0 metre visibility splays, control of water drainage, creating a bound surface up to 5 metres back from the public highway and condition that the manoeuvring area is kept free of obstruction. These conditions are to ensure highway safety. The Local Highways Authority also requests an informative to ensure that the developer understands highway legislation.
16. **Urban Design** – (15<sup>th</sup> June 2012) The overall design proposed for Plot 160 is considered satisfactory. The architect should modify the roof form to create two gable ends to complement the Georgian architecture, which is characterized by its proportion and balance. Whilst no.s 56 & 58 and no.s 48 & 50 both have hipped roofs, their built form and overall elevation treatment are non-distinctive and the introduction of a gable roof to Plot 160 would create a more varied and interesting streetscene. The design of the proposed garage to Plot 160 is considered to be satisfactory.
17. The design of the proposed elevations for Plot 161 is considered of a good quality. The fenestration on the south elevation is well designed and would provide overlooking onto the public footpaths.
18. The rationale of incorporating chamfered brick walls (brick colour to match plots 160 and 161) to maximise natural surveillance over the public footpath is strongly supported.
19. Lighting should be installed along the public footpath to prevent crime and to improve public safety.

**Representations by members of the public**

20. No representations currently received

**Material Planning Considerations**

21. The key issues to consider in this instance are:
- Visual Impact
  - Residential Amenity
  - Highway and Pedestrian Safety

***Principle of Development***

22. The principle of the development has been defined within planning application S/1101/10. Planning permission S/1101/10 also defines the contributions that the development needs to provide to the local area.

***Visual Impact***

23. Plot 160 in particular has the constraints of both having to create an entrance into Summersfield, while preserving and enhancing the newly adopted Conservation Area. The west side of Ermine Street South has a uniform streetscene being made up of the semi-detached 1920/30s dwellings. It also needs to be noted that Plot 160 will never be viewed in connection with the proposed contemporary flat block on the southern entrance to the site, due to the distance (approximately 220 metres) between the two parts of the development. The developer has followed advice provided by the Conservation Manager in order to try and seek a design that preserves the character of the local area. It is considered that the proposed development is of similar form and design to the existing adjacent properties. It is considered that the current proposed dwelling is of an appropriate design for this location that meets the needs of both preserving the Conservation Area and being of an appropriate building to one of the entrances into the Summersfield Development. Officers will require at a later date to agree an appropriate materials pallet for this dwelling.
24. The aim for Plot 161 is to create an aesthetically pleasing design when being viewed from the Summersfield Green and the public footpath that is located to the south of the plot. The further towards Ermine Street South from Summersfield Green the more traditional in appearance the approved dwellings become. The proposed dwelling has a traditional "Georgian" style, which is a similar style to Plot 112 located approximately 11 metres to the southwest. The proposed design is considered to be in keeping within the context of the development, both when looking eastwards from Summersfield Green and for pedestrians using the footpath that connects to Ermine Street South.

***Residential Amenity***

25. Plot 160 will have two first floor windows (En-suite and Bedroom) facing 50 Ermine Street South but both these windows will be overlooking the front garden space of No.50. It is, therefore, considered that the proposal will not cause a significant loss of privacy to 50 Ermine Street South. It is not considered that the proposed property is going to cause any significant increase in loss of light or increase in undue overbearing than the previous dwellings on site. There will be no detrimental harm to the residential amenity of 50 Ermine Street South.

26. Plot 160 has no first floor windows facing 55 Ermine Street South and is set 8 metres to the north of the boundary line of No.55. It is considered that the proposed dwelling on Plot 160 will not have any detrimental impact upon the residential amenity of 56 Ermine Street South.
27. The dwelling on Plot 161 by virtue of its layout and siting will not have any detrimental impact upon the residential amenity of 50 Ermine Street South. The proposed dwelling has three first floor windows (two bedroom windows and one En-Suite window) facing 56 Ermine Street South. These windows will create some overlooking over the most rear section of the rear garden 56 Ermine Street South. However, the level of overlooking is not considered to be significant enough to warrant refusal. The proposed dwelling is set approximately 8.6 metres to the north of the boundary line of 56 Ermine Street and for this reason there is no concern over loss of light or undue overbearing.
28. The submitted landscaping scheme is still under consideration by the Landscape Officer. The Landscape Officers comments will form part of an update to Planning Committee.

#### **Highway and Pedestrian Safety**

29. The path that will run to the south of Plots 160 and 161 will be surveyed by three ground floor windows and three first floor windows from the proposed two dwellings. In addition the existing property of 56 Ermine Street South has two first floor windows that will provide overlooking of the public footpath. It is considered that the amount of natural surveillance should ensure that the users of the proposed footpath remain feeling safe.
30. Drawing labelled 'Site Extraction Plots 160 & 161' dated 15 June 2012 shows the driveway with two 2.0 x 2.0 metre visibility splays. The submitted landscaping scheme will need to be checked to ensure that the proposed planting is unlikely to grow over 0.6 of a metre. Officers will at a later date seek assurance that the driveway will be constructed with a bound material and that water will not drain onto the public highway.
31. It is not considered reasonable to add a condition requiring the manoeuvring area to be permanently maintained and kept free of obstruction, as this would in fact add an additional condition to the approved development retrospectively.

#### **Recommendation**

32. It is recommended that the Planning Committee give officers delegated powers to approve the application as amended. With the proposal being for a discharge of an existing condition, no conditions or informatives will be added, but the Case Officer will continue to seek appropriate details as defined above.

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

- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007

**Case Officer:** Andrew Phillips – Planning Officer  
Telephone: (01954) 713169



Everard



South  
Cambridgeshire  
District Council

Planning Dept - South Cambridgeshire DC



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

4 July 2012

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

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**S/0820/12/FL – PAPWORTH EVERARD****Refurbishment of existing buildings to create 24 self contained flats and demolition of existing structures before erection of a new building housing 11 self contained flats for assisted living (C2 Use) at Macfarlane Grieve House, Church Lane for Papworth Trust****Recommendation: Approval****Date for Determination: 20 July 2012****Notes:****This Application has been reported to the Planning Committee, as the Parish Council's recommendation of refusal conflicts with Officers' recommendation.****Members will visit this site on 3 July 2012****To be presented to the Committee by Andrew Phillips****Site and Proposal**

1. The site is located within the village framework. Approximately 50 metres to the east and 96 metres to the west are Conservation Areas. Immediately adjacent to the east boundary are four protected trees (Tree Preservation Orders).
2. The public highway defines the southern boundary. To the west and north are the roads of Short Lane and St Marys Terrace. The residential properties of St Marys Terrace are located to the northwest. The residential property of 6 Church Lane is located 18 metres to the east.
3. The proposal is to refurbish the two existing two storey buildings on site and the erection of a new two storey building following the demolition of the front single storey building.
4. The new two storey building seeks the creation of 9 single bedroom properties and 2 two bedroom properties; all these properties are fully self-contained. A communal room will be included at ground floor level. The entire building still falls within the use as a residential institution (C2 Use). The two existing buildings that are being refurbishment will have 24 self-contained flats (C2 Use) and will have a communal kitchen in the western building. The proposal will increase the total number of units on site by three.

**Planning History**

5. The following planning history is considered to be relevant.

**S/1848/94/F** – The redevelopment to provide 32 flat units for the disabled was approved.

**S/1988/01/F** – Extension and alterations to car park was approved.

### **Planning Policy**

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

**ST/5** – Minor Rural Centres

7. **South Cambridgeshire Local Development Framework (LDF) Site Specific Policies DPD, adopted January 2010**

**SP/10** – Papworth Everard Village Development

8. **South Cambridgeshire Local Development Framework (LDF) Development Control Policies DPD, adopted July 2007**

**DP/1** – Sustainable Development

**DP/2** – Design of New Development

**DP/3** – Development Criteria

**DP/4** – Infrastructure and New Developments

**DP/5** – Cumulative Development

**HG/1** – Housing Density

**HG/2** – Housing Mix

**SF/6** – Public Art and New Developments

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

**SF/11** – Open Space Standards

**NE/1** – Energy Efficiency

**NE/3** – Renewable Energy Technologies in New Development

**NE/6** – Biodiversity

**NE/12** – Water Conservation

**NE/15** – Noise Pollution

**CH/5** – Conservation Areas

**TR/1** – Planning for More Sustainable Travel

**TR/2** - Car and Cycle Parking Standards

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

9. **Papworth Everard Parish Council** - The Parish Council recommends refusal of the application. Please see appendix 1.

The Parish Council has subsequently updated these comments to add that following the additional information from the developer it still has concerns over the lack of remediation following the discovery of benzo(a)pyrene. In addition the Parish Council expresses its concern over the lack of consultation in regards to the contributions of public open space and community space provision. The Parish Council states it would have preferred a land allocation.

10. **Environment Health (Contaminated Land Officer)** – The Contaminated Land Officer states that they have received Phase 1 Desk Stud Report December 2011, the Phase 2 Site Investigation Report February 2012 and the Addendum Letter dated

11 May 2012 all by Ground Engineering Ltd, and has considered the implications of the proposals. The Contaminated Land Officer states that they are satisfied that a condition relating to further contaminated land investigation is not required.

11. **Conservation** – The Conservation Manager states that the proposals have largely addressed the design and conservation concerns that they had raised in the past, or justified where an alternative approach has been taken. The improvements include breaking up elevations to reduce the sense and impact of monolithic blocks, and in reconciling, as far as it is possible, the need to reflect visually the fall of Church Lane while keeping consistent floor levels inside.
12. The Conservation Manager considers that the palette of materials chosen, in so far as these are specified, are acceptable. However, would like the later approval of materials and typical details covered by conditions including sample panels of brickwork and render.
13. The Conservation Manager is unsure if the composition of the left hand bay of the north east elevation is successful, though it is understood the need for the high cill height of the small window because of the kitchen units behind. The Conservation Manager suggests that the treatment of this bay is conditioned so that the composition can be improved, but would not object to the scheme if this condition was not possible.
14. **Urban Design** – The Principal Urban Design Officer considers that with the proposal impacting on two conservation areas it is right for the Conservation Manager to take the lead in addressing the details of the proposed design.
15. The Principal Urban Design Officer agrees with the Conservation Manager that a condition is required for final approval of materials, especially as the proposals contain some subtle variations and it is imperative that the appropriate materials are agreed to ensure they deliver the design intention. However, it is considered that concrete roof tiles are not appropriate in this location and suggest that clay tiles or natural slate is used.
16. The Principal Urban Design Officer states that the proposed development will not provide a difficult design precedent that would hinder the production of acceptable design solutions for the vacant land on the opposite, southern side, of Church Lane.
17. **Architectural Liaison Officer (Police)** – The Architectural Liaison Officer states that in terms of crime risk, analysis shows that there have been five recorded crimes for Church Lane in the last 12 months. These crimes have all been at the Papworth Trust Staff Accommodation and no crimes have been reported at Macfarlane Grieve House.
18. The submitted plans shows there is a lack of surveillance from active rooms (living or kitchen) of the car parking spaces, especially 10 – 15. However, car crime in the area appears low so maybe this is not such a concern as in higher crime areas.
19. **Planning Policy** – Planning Policy states that on the basis that this is largely a replacement of existing supporting housing with a similar number of supported units, it is not considered that it falls within the intents and purposes of the West Central Policy.
20. The scale of net increase in residential units also lies within the scale of development permitted under the Minor Rural Centre Policy. As such, it is not considered that the



proposal would be subject to the terms of Policy SP/10, particularly in terms of securing the mix of land uses, including financial contributions. However, the design of any proposals should have regard to the wider policy objectives that any development should respect the character of Papworth Everard village centre and this proposal provides an important opportunity to address townscape issues in Church Lane in an holistic way and improve the setting of two parts of the Conservation Area that it lies between.

21. **Tree Officer** – The Tree Officer states that the important trees on this site are located to the north east of the building and protected by Tree Preservation Order reference 01/10/SC. The trees are located on a grassed area separated from the building by a road access therefore should not be compromised by the refurbishment. Drawing A100 rev PA11 identifies the Root Protection areas for the trees but it is advised that protective fencing is installed along the kerb edging.
22. **Waste Recycling** – (12/06/2012) The Waste Recycling Officer stated that looking at their data MacFarlane Grieve House already has adequate bin provision for 35 properties that will mostly be lived in by single occupants.
23. **Contracts Officer (Waste Management & Street Cleansing)** - (18/06/2012) The Contracts Officer states that the proposed development requires four additional 1100 litre bins and the developer would need to finance these waste receptacles.
24. The Contracts Officer also states it is unclear on where the collection point is on site and expresses concern over how staff will move the large 4 wheeler bins to this location.
25. Finally there is concern over the proposed materials of the bin store and the Contracts Officer wants to ensure they are built with fire resistant materials.
26. (19/06/2012) The Contracts Officer explained that the additional increase in required bin provision is primarily due to the significant increase in two bedroom properties. The collection point, where the developer's staff would have to move the bins to, must be within 10 metres of a public highway.
27. The Contracts Officer also provided a breakdown of how the waste receptacle amount is calculated.
28. **Local Highways Authority** – The Local Highways Authority requests conditions to control visibility splays of 2.4 metres x 43 metres, no water to drain onto the public highway, bound material for the driveway to prevent debris spreading onto the public highway, close the existing link between Elm Way and Church Lane and to require the developer to provide a construction traffic management plan.
29. The Local Highways Authority also point out that it would be seeking the provision of a footway link from the existing highway footway on the western side of the site to be terminated at car parking space number 1.
30. The Local Highways Authority raises concern over the proposed location of the bin store and requests an informative relating to highway legislation.
31. **Landscape Officer** – The Landscape Officer states that it is disappointing to see so much of the central 'open space' devoted to car parking and circulation of cars and almost nothing to any kind of external sitting out/garden space. Cars going to the car park on the Elm Way side of the development will have to cross the central area with

no clear separation of circulation needs. The Landscape Officer states that they are concerned that the cars parked in front of Block A will be reversing out onto the path leading to Block B. It is a pity that the car parking could not have been kept on the outside of the site and a lot of rooms will look out on a central area devoted to the car.

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

32. No representations have been received

## **Material Planning Considerations**

33. The key issues to consider in this instance are:
- Principle of Development
  - Visual Impact
  - Residential Amenity
  - Highway Safety
  - Parking Provision
  - Contaminated Land
  - Waste and Recycling Management

### ***Principle of Development***

34. The site is located within the village framework and the development area known as Papworth West Central (Policy SP/10). The creation of three additional residential properties is an appropriate development size within a Minor Rural Centre (Policy ST/5).
35. Policy SP/10 is seeking in the entirety of Papworth West Central to create a mix of community uses, employment and housing development. If this application was approved it would not prejudice the other development sites that would lead to this mixed use development, in particular the housing site to the south of Church Lane or the site adjacent the Bernard Sunley Centre.
36. The Parish of Papworth Everard currently has an overprovision of informal open spaces and for this reason the developer has not been asked to contribute towards additional provision. The developer has agreed to contributions towards the provision and maintenance of formal outdoor sport space and formal children's play space. While the proposed development is not for dwellings (C3 Use) it is considered reasonable to require a contribution, as the contributions could be used for instance in order to improve access to sports facilities.
37. In response to one of the Parish Council's concerns it must also be noted that the creation of three dwellings does not require any on site formal play space. The developer has shown on drawing A100 PA11 that there will be some informal outdoor spaces within the development. It is not considered reasonable to require the developer to make on site provision when general practice does not require this.
38. The developer has also agreed to provide the usual contributions in regard to Community Space provision. This contribution is considered reasonable as there is no reason why future residents of the development would not want to make use of the Village Hall. In response to one of the Parish Council's concerns the proposal for three C2 Use properties is not of sufficient size in order for it to be reasonable to require an onsite communal use. It is also not reasonable to require higher financial contributions when there is no evidence to support this.

39. The developer has submitted a S106 Agreement covering provision of outdoor playspace and community space but this has not yet been agreed by the Council's Legal Officer. Conditions covering the above requirements will be added but can be discharged once the legal agreement is signed.
40. The proposed development has a density of 90 residential units per hectare. This is a high density but it must be noted that the proposal is only leading to 3 additional properties on site. The density of the proposed development is not considered to be a significant issue in determining this application.
41. With the proposed development not being for individual dwellings Policy HG/2 is considered not to hold any weight in determining this application.
42. The proposal involves a solar collector array on the west side of the road and the developer is confident that this will provide at least 10% of the development predicted energy requirements from a renewable source. The Case Officer is still awaiting confirmation from the Team Leader of Sustainable Communities that the technical information that the developer has submitted shows the provision of 10% renewable energy. A condition will be added until the Team Leader of Sustainable Communities confirms that the submitted information gives a realistic chance of the renewable energy on site providing 10% of the predicted energy requirements.
43. The developer states that during the refurbishment and construction of the new building it will have efficient appliances and water butts to be located to collect rainwater from bin store roofs. The developer has provided a statement explaining that providing Rainwater Harvesting and Grey Water Recycling on the new build will cost in the region of £65,000. It is considered that with this cost it is not reasonable to require the developer to provide these additional water conservation methods when the proposed development will only lead to 3 additional residential units. A condition will be added to ensure that the developer complies with the Water Conservation Strategy within the Design and Access Statement.

### ***Visual Impact***

44. The proposed new building has to be designed to ensure that future residents' lives are not made unnecessary difficult, while protecting the visual appearance of the local area.
45. The proposed new building will bring a stronger building line on Church Lane and the design of the building has a contemporary style. This building is also in line with the existing two storey building that is being refurbished (Block A).
46. Church Lane has a mix of single storey and two storey properties facing the road, thus the creation of a new two storey property will not be an alien feature within this streetscene.
47. The proposed development seeks to use both brickwork and render in order to break up the mass of the building, as well as to provide visual interest. The Case Officer has a similar concern over the materials as the Principal Urban Designer and Conservation Manager, as the quality of the materials will play an important role in defining if the site has a positive impact on the surrounding area. In particular there is concern over the description of the proposed material being a plain tile on the submitted plans. The developer does state within the Design and Access Statement that they are considering having a Sandtoft Britlock slate (80% recycled slate) roof.



This new building requires a strong dark roof material in order to provide the contrast with the proposed light render and brickwork. It is considered that the Ibstock Ivanhoe Cream and Sandtoft Britlock slate should work on site but conditions should be added to both agree materials and to require sample panels on site in order to ensure that this development is of a high quality.

48. The Parish Council states that the proposed development if approved would set a poor precedent to the future development on the south side of Church Lane. However, the comments of the Principal Urban Design Officer are noted and accepted. This development will not cause any difficulty for officers seeking an appropriate high quality design on the other side of Church Lane.
49. The comments of the Tree Officer are noted and accepted. A condition can be added to seek details of tree protection measures before development commences.
50. The proposed development at the current time does not have a detailed landscaping scheme. However, this concern can be overcome by the addition of the standard landscaping conditions.
51. The developer has stated that they have not yet resolved their proposed public art scheme and request that a condition is added. It is considered that this is reasonable and a condition can be duly added.
52. The proposed design of the development is considered to be acceptable, subject to conditions.

### ***Residential Amenity***

53. The Parish Council's and Landscape Officer comments of unattractive views are not a material consideration. In addition the smallest distance between the refurbished buildings and the new proposed building is approximately 9 metres, this distance is similar to properties found either side of a road and for this reason it is not considered that the developers are creating properties with low residential amenity for occupants. It should also be noted that most of the rooms that will be facing onto the parking area are through the refurbishment of the existing blocks, which is outside of the control of the Local Planning Authority.
54. The proposed development would provide very limited garden space within the site and no sit on balconies are proposed. While this would be unacceptable for individual dwellings (C3 Use), the developer has explained that the development has been led in improving the indoor quality of life following consultation with the existing residents. The developer also explains that it is very unlikely that young children will be living on site, who would need to have garden space in order to play in.
55. The only residential property that this development is likely to affect is 6 Church Lane, which is set approximately 20 metres away and the 1<sup>st</sup> floor windows are approximately 25 metres from the proposed new two storey building. It is considered that because of this distance between the development and the existing property of 6 Church Lane that the proposal will not have any detrimental undue overbearing or loss of privacy.
56. The Design and Access Statement shows that the proposed development will only have a significant impact on the amount of sunlight the property of 6 Church Lane receives during the afternoons of the winter months. This loss of light is mainly to the rear garden of 6 Church Lane, which is unlikely to be significantly used during these

winter months. It is considered that the proposed development will not cause a significant loss of light to 6 Church Lane.

57. The proposal does not give rise to any other residential amenity concerns.

***Highway Safety***

58. The comments from the Local Highways Authority are noted and accepted in part. It is considered that the requested condition relating to the driveway will already be controlled under the landscaping scheme. The remaining conditions and informative will be duly added.

***Parking Provision***

59. There are currently 32 residential properties (C2 Use) on site with 7 parking spaces. This gives an average of 1 parking space for every 4.5 residential properties. The proposal increases the number of residential properties to 35 and the number of parking spaces to 15, thus providing 2.3 parking spaces per residential property.
60. The developer has also stated that due to the nature of the development car ownership should be low. The developer continues to state that it is unlikely that all the staff will be on the site and that cycling is strongly encouraged (six bicycle spaces provided). The developer also makes the point of other parking facilities owned by Papworth Trust in the locality but this is not being granted any weight, as the proposed C3 land use development could be sold to a different care home company without requiring the Council's consent.
61. It is considered that other uses falling within a C2 Use Class may have a significantly different requirement on parking provision. It is, therefore, considered reasonable to limit the use of the proposed development to what has been applied for.
62. It is considered that the location of the proposed car parking should not give rise to any increase in car related crime, as mentioned by the Architectural Liaison Officer.
63. The proposed development significantly improves the parking provision on site, which should lessen the pressure of on street parking along Church Lane.

***Contaminated Land***

64. The comments from the Contaminated Land Officer are noted and accepted, no conditions are considered necessary in order to continue investigating and cleaning the site.

***Waste and Recycling Management***

65. There is some conflict in comments from the Waste and Recycling Officer and the Contracts Officer (Waste Management & Street Cleansing). It is considered that it is likely that the current bin provision shown on drawing number A100 PA11 will not be sufficient for the additional amount of people that could live on site. However, the additional requirement for bin provision comes primarily from the refurbishment works. The internal refurbishment of Blocks A and B is leading to fewer but larger residential units; this does not require planning permission. In discussions with the developer it has been agreed that a condition be added to the consent to enlarge the northwest bin store. With the primary reason for the requirement of additional bins

being from works that do not require planning permission, it is not considered reasonable to charge the developer for any additional bins.

66. The developer has stated it is the duty of their staff to transport the bins to the appropriate location for pick up by the Council. It is considered appropriate to add an informative to ensure that future users of the site understand that the Council is not responsible for the collection of the waste from the bin stores (in particular the one adjacent to Block C). In the interests of clarity a condition will be added to ensure that a collection point for waste is identified before occupation of Block C.
67. The developer has not provided the elevation details for the bin store located between Blocks A and B; this can be reasonably dealt with by condition.

### **Other Matters**

68. The Papworth Everard Parish Council has mentioned insufficient consultation during the pre application process from the developer and considers that its pre application comments did not inform the submitted application. This is a matter between the Parish Council and the developer, for this reason it is not considered to be material in the determination of this application.

### **Recommendation**

69. It is recommended that the Planning Committee approves the application subject to The following Conditions and Informatives

#### **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: A100 PA11, A130 PA11, A131 PA11, A102 PA11, A112 PA11, A122 PA11 and A200 PA11.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the premises shall be used for Supported Independent Living accommodation and for no other purpose (including any other purposes in Class C2 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 ensure that the development does not require a greater parking provision under different uses falling with the C2 Use Class in accordance with Policies TR/1 and TR/2 of the adopted Local Development Framework 2007.)
4. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have

been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

5. No development shall commence until a sample panel of the proposed materials shall be constructed on site, to a specification previously agreed with the Local Planning Authority, to enable the Local Planning Authority to agree the materials including the joint detail and the mortar mix. Development shall commence in accordance with the agreed details. (Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
6. Prior to the commencement of use of Block C (see drawing number A100), hereby permitted, a renewable energy strategy shall be submitted to the Local Planning Authority. The scheme should include technology for renewable energy to provide at least 10% of the predicted energy requirements for the development and shall include timescales for its implementation. The development shall be carried out, and maintained in perpetuity, in accordance with the approved details including the timescale therein. (Reason – To comply with the aims of Policy NE/3 of the South Cambridgeshire Local Development Framework, Development Control Policies 2007)
7. No development shall begin until details of a scheme for the provision of Outdoor Playspace Space to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 and SF/11 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details. (Reason - To ensure that the development contributes towards Outdoor Playspace and Informal Open Space in accordance with Policies DP/4, SF/10 and SF/11 of the adopted Local Development Framework 2007.)
8. No development shall begin until details of a scheme for the provision of Community Space in accordance with adopted Local Development Framework DP/4 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details. (Reason - To ensure that the development contributes towards Community Space Provision in accordance with Policy DP/4 of the adopted Local Development Framework 2007.)
9. The occupation of Block C shall not commence until the water conservation scheme defined within the Design and Access Statement has been implemented, unless otherwise agreed in writing with the Local Planning Authority. (Reason - To ensure that a suitable water conservation scheme is implemented in accordance with Policy NE/12 of the adopted Local Development Framework 2007.)

10. No development shall commence until a detailed timetable for the design and implementation for the provision of public art, has been submitted to and agreed in writing by the Local Planning Authority. The public art shall be installed in accordance with the approved scheme and within the time periods specified within that scheme unless otherwise agreed by the Local Planning Authority.  
(Reason - To ensure the design of the development reaches a high standard in accordance with Policy SF/6 of the adopted Local Development Framework 2007.)
11. No development shall commence until details of the detached bin store located in the northwest corner of the site have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.  
(Reason - Insufficient information was submitted with the application in regards to the design of this bin store to assure the Local Planning Authority that the development will comply with Policies DP/2 of the adopted Local Development Framework 2007.)
12. Before the occupation of Block C a scheme for the suitable provision of waste receptacles on site, including a timetable and details of the collection point shall be submitted to and agreed in writing with the Local Planning. The development shall commence in accordance with the agreed details.  
(Reason - To ensure that there is sufficient waste receptacles on site and that the Council has sufficient information in order to collect the waste.)
13. Prior to the first occupation of the development visibility splays of 2.4m x 43m shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan within the Design and Access Statement. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.  
(Reason - In the interests of highway Safety.)
14. The proposed driveway must be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.  
(Reason - For the safe and effective operation of the highway.)
15. The existing access that links between Elm Way and Church Lane within the site shall be permanently and effectively closed and the footway/highway verge shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority within 28 days of the bringing into use of the new access, unless otherwise agreed in writing with the Local Planning Authority.  
(Reason - In the interests of highway safety.)
16. No demolition or construction shall commence until a traffic management plan has been agreed with the Local Planning Authority. The following points shall be addressed:
  - i) Movements and control of muck away lorries (all loading and unloading should be undertaken of the adopted public highway).
  - ii) Contractor parking, that shall be fully within the curtilage of the site.
  - iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway).

iv) Control of dust, mud and debris (please note that it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway).  
(Reason - In the interests of highway safety.)

17. No development shall commence until a plan is submitted showing the public footpath to the west of the vehicular access is connected to parking space 1, as shown on drawing A100 PA1. The path shall be built in accordance with the agreed details, including timeframe, in writing with the Local Planning Authority.  
(Reason - To ensure pedestrian safety.)

18. 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 accordance with BS5837 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/1, DP/2 and NE/6 of the adopted Local Development Framework 2007.)

19. 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.)

### **Informatives**

- (a) The Council's refuse team will only transport four wheeler bins up to 10 metres. For this reason any collection point on site should be within 10 metres of an adopted public highway.
- (b) The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

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

- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- South Cambridgeshire Local Development Framework (LDF) Site Specific Policies DPD, adopted January 2010
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies DPD, adopted July 2007

**Case Officer:** Andrew Phillips – Planning Officer  
Telephone: (01954) 713169

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**PAPWORTH EVERARD PARISH COUNCIL**

Response to application no. **S/0820/12/FL**

**Refurbishment of existing buildings to create 24 self-contained flats and demolition of existing structures before erection of a new building housing 11 self-contained flats for assisted living (C2 Use). Location: Macfarlane Grieve House, Church Lane, Papworth Everard, Cambridge, Cambridgeshire, CB23 3QW. Applicant: Mr Guy Marsden, Bidwells LLP**

Papworth Everard Parish Council recommends **refusal** of the application for the following reasons:

**1. POLICY** The proposed re-development of Macfarlane Grieve House involves a net increase of three residential units and an increase of approximately 550sqm in floor area. The application site lies within the Papworth West Central area for which a 'site specific policy' exists (SCDC LDF Site Specific Policies: Papworth Everard SP/10 (Site 2), and inset map 83). However, there is no clarification or explanation within the application of how the development will meet the requirements of the policy for a mixed development within the Papworth West Central area in order to maintain the vitality and viability of the village centre – for employment and community uses, as well as residential. The lack of a more detailed document (SPD) setting a planning framework for the Papworth West Central area does not mean that the site specific policy can be ignored.

The draft S106 Agreement submitted by the applicant (dated 15.5.12) does not adequately address the need for an adequate response to the site specific policy as it goes no further in providing funding in lieu of open space and community provision, than would be required of a residential development in any area *without* a special policy provision.

The parish council reserves the right to submit further, detailed comments on policy matters.

**2. LACK OF PROVISION OF GARDENS** There is inadequate provision of private gardens and private recreational/play space within the development. If parents and young children were to be housed in Mcfarlane Grieve House, there is very limited enclosed outside space attached to the flats. (Disabled residents in other Papworth Trust Sheltered accommodation (bungalows) on Church Lane have had children and the young families have greatly benefited from enclosed rear gardens and front hard surfaced areas).

The presence of relatively high levels of benzopyrene in the soil and the probable requirement for remediation if the area were used for gardens (letter J Davis of Ground Engineering to B Heath, Bidwells LLP, 11.5.12), is insufficient reason to deny residents adequate outside space attached to their dwellings.



**3. UNATTRACTIVE VIEWS** The central court of the new complex – the so called ‘heart’ of the development (see Design and Access Statement – ‘Layout’) - will essentially be a car park. This will offer a potentially depressing view for the flats in the buildings to be retained on site. It is particularly disappointing as many of the residents will have limited mobility and reduced opportunities to spend time away from their flats. Such a restricted internal space and limited views are unacceptable and unnecessary within a village environment.

**4. INADEQUATE PARKING PROVISION** Parking provision is inadequate. Only 15 spaces have been provided for the resident of 24 flats. This will be particularly unacceptable, if, as is possible, the flats move to private ownership in future. Also, if the six ‘care and support staff’, who live in Papworth and are expected to cycle to work, actually use their cars this immediately creates an under-provision of car parking. To expect all these staff to use bicycles is naive. (For example it is known that Papworth-based hospital staff who use their cars to travel to work account for a proportion of the parked cars that currently restrict the main road (Ermine Street) at the front of the hospital to a single lane). Parking on Church Lane is to be avoided as this would add to the present problem caused by hospital parking, and would conflict, in future, with any development which takes place on the former Robert Ellis House site, to the south of Church Lane).

**5. POOR DESIGN** The massing and bulk of the new buildings will appear considerably greater than the buildings currently on site. Great play is made in the Design and Access Statement of the benefits of creating a sense of enclosure with the new layout; however, externally, this will have a negative impact. Approaching from the east along Church Lane the present single storey elements of Macfarlane Grieve House, set behind a landscaped parking area, will be replaced by a two story block much closer to both Church Lane and to the road leading north to Elm Way. The block will appear particularly dominant as the site has already been levelled-up at this eastern edge, which is emphasised by a retaining wall on the proposed north-east elevation. (The accuracy of the drawing of the red dotted line showing the profile of the gradient of Church Lane in the section on ‘Scale’ in the Design and Access Statement is doubted).

Externally the new block has an institutional – not a domestic - appearance. This could be reduced to some extent by adding apparent doorway features to the north-eastern and south-eastern elevations. (Elsewhere in the village (Jubilee Green), it is now regretted that large blocks of apartments were constructed without any apparent doorways at ground floor level).

The large featureless area of brickwork on the south side of the vehicular access to the development off Church Lane is unsatisfactory. (The inward-facing elevation of the new block – south-west elevation - is much more interesting and imaginative than the external elevations).

The architect has accepted that there was no reference to the District Design Code when designing the new part of the proposed building. The site lies close to the Papworth Everard Conservation Area and near to the Methodist Church, which is considered to make a “positive townscape/visual contribution to the buildings of the Conservation Area” (Map 6: Appraisal map). There is no recognition of the proposed building’s relationship to the Conservation Area in the proposed design. While the Design and Access Statement includes a small photograph of the Methodist Church, there appears to be no reference to any role it has played in influencing the design of the new building.

It is proposed that dark mortar with the buff brick can be used to add contrast to a building that is proposed to be largely buff brick and buff pointing. However, the use of dark mortar with buff brick has been considered to be unsuccessful in the village centre at Pendrill Court (c 10 years old), where in some places the walls have been re-pointed with a lighter mortar.

The parish council considers the design of the proposed Macfarlane Grieve House redevelopment to be a poor precedent for the development that will take place on the south side of Church Lane, on the former Robert Ellis House site.

**6. INADEQUATE PRE-APPLICATION CONSULTATION** The design and access statement records that the district council was consulted on the proposed development on 20<sup>th</sup> February 2012. The applicant subsequently provided further information.

The parish council was not ‘consulted’ until 27<sup>th</sup> March 2012. Just over a fortnight later - on 13<sup>th</sup> April - the LPA received the full application. It is clear that by the time the parish was ‘consulted’, the development proposal had to all intents and purposes been finalised and there was no realistic prospect of the application being changed in response to any substantive recommendations made by the parish council. Indeed, the parish council believes that by the time it was consulted the so-called ‘consultation process’ had become merely a public relations, box-ticking exercise, in which the council and others were merely being shown the finished plans before their submission as a full planning application. Many of the concerns raised in this application consultation response were raised at the parish’s ‘pre-application consultation meeting’, but have not informed the design. The ‘Conclusion’ of the Design and Access Statement does not represent the situation accurately.

(It is also noted that this application does not appear on the SCDC planning portal, making satisfactory public consultation unlikely.)



Papworth Everard Parish Council  
Upper Pendrill Court  
Papworth Everard  
Cambridge  
CB2



South  
Cambridgeshire  
District Council

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Date of plot: 15/06/2012

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

4 July 2012

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

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**S/0836/12/FL - FOXTON  
Dwelling - Land Adjacent to 7 Station Road  
for Mr Paul Ridgeon, Goreway Holdings**

**Recommendation: Delegated Approval**

**Date for Determination: 20 June 2012**

**This Application has been reported to the Planning Committee for determination because the recommendation of the Parish Council differs to that of the case officer.**

**To be presented to the Committee by Paul Derry**

**Site and Proposal**

1. The site is an area of land laid to grass within the designated Foxton village framework. It also includes a parking area that serves approximately 4 vehicles relating to the Burlington Press to the south. The southern boundary of the site is open. There are residential properties to the east and north. The horse chestnut tree to the east of the site is protected by an individual Tree Preservation Order.
2. The full application, received on 25<sup>th</sup> April 2012, seeks the erection of a single dwelling on the plot. The dwelling would be a detached two-storey unit containing four bedrooms and an integral single garage. It would have a forward projecting gable with hipped roofs within the design. The application is accompanied by a Design and Access Statement and Tree Protection details. An amended plan showing a revised block plan was submitted dated 7<sup>th</sup> June 2012.

**Site History**

3. Planning application **S/1284/11** was refused and dismissed at appeal for a dwelling at the site. The application was refused for three reasons, those being impact upon the street scene, impact upon the amenity of the occupiers of 7 Station Road, and impact upon the future occupiers of the property given overlooking from 7 Station Road. The Inspector only dismissed the appeal on the last of these three concerns.
4. The application site also has a long planning history given its link to the Burlington Press. However, none of these applications are considered relevant to the determination of this application.

### **Planning Policy**

5. **Local Development Framework Core Strategy (LDF CS) 2007 – ST/6**  
Group Villages
6. **Local Development Framework Development Control Policies (LDF DCP) 2007 - DP/1** Sustainable Development, **DP/2** Design of New Development, **DP/3** Development Criteria, **DP/4** Infrastructure and New Developments, **DP/7** Development Frameworks, **HG/1** Housing Density, **SF/10** Outdoor Playspace, Informal Open Space, and New Developments, **SF/11** Open Space Standards, **NE/1** Energy Efficiency, **NE/6** Biodiversity, **NE/15** Noise Pollution & **TR/2** Car and Cycle Parking Standards.
7. **Open Space in New Developments SPD** – Adopted January 2009, **Trees and Development Sites SPD** – Adopted January 2009 & **District Design Guide SPD** – Adopted March 2010.
8. **National Planning Policy Framework:** Advises that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. It adds planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects.

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

9. **Foxton Parish Council** recommends refusal on grounds of the serious detrimental impact on the adjoining property at 7 Station Road.
10. The **Council's Trees Officer** notes the submitted plan provides tree protection required by the British Standard. There are no objections provided the foundations are constructed in accordance with Building Regulations to ensure the tree is not compromised in the future, and that all tree protection measures are installed prior to development.
11. The **Council's Environmental Health Officer** notes concerns could arise from noise and suggests conditions regarding a scheme for protecting the dwelling from noise from the industrial premises, a restriction on the time of use of power operated machinery during construction, and controls of driven pile foundations. An informative regarding bonfires and burning of waste is also suggested.
12. The **Local Highways Authority** recommends refusal in its current form given the close proximity of the access to Station Road. If approved, conditions regarding the retention of parking and manoeuvring space, materials for the access and access drainage are proposed. An informative regarding works to the public highway is also suggested.

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

13. A letter received on behalf of the occupiers of **7 Station Road** object to the proposal on grounds of impact upon the side facing windows and loss of light to no. 7. Concerns regarding the exact location of no. 7 on the submitted block plan are raised, as are concerns about the size of the boundary hedge



and its future maintenance. In addition, concerns regarding impact upon the proposed dwelling from the roadway and the overbearing nature of development are also raised.

14. The amended plan dated 8<sup>th</sup> June 2012 seeks to address the concerns regarding the block plan, and shows a reduced gap between dwellings. Members will be consulted on any further comments received from the occupiers of 7 Station Road, the closing date which will be 21<sup>st</sup> June 2012.

### **Planning Comments**

15. The key considerations in the determination of this application are impact upon the street scene, impact upon the amenity of the occupiers of the neighbouring property, impact upon the amenity of future occupiers of the dwelling, and highway safety. The principle for a single dwelling was established through the original application and appeal process.

#### *Impact upon the Street Scene*

16. The proposed dwelling is set in the same location as that previously dismissed at appeal. The only external change is the additional of a single storey element to the rear. One of the reasons for refusal of application S/1284/11 was the impact upon the street scene given the green gap between residential dwellings and the industrial buildings at Burlington Press. In dismissing the appeal, the Inspector stated "*the set back of the proposed dwelling, whilst not as great as that of the adjacent terrace, would be sufficient to maintain the overall spaciousness of the area and the tree would be retained. The development would also help to screen the more utilitarian development of the industrial area from Station Road. Against the background it is my view that the development would not result in material harm to the character and appearance of the area and in this respect I see no conflict with the development plan*".
17. The single storey addition to the rear would be visible from the public domain between the properties and along the road to the south. However, it is not considered that this addition would alter the Inspectors view above. The proposal is therefore not considered to cause any serious harm to the street scene.

#### *Impact upon the Amenity of the Occupiers of the Neighbouring Property*

18. The proposal is located to the southeast of the neighbouring property of 7 Station Road, a two-storey end of terrace property. This property has a number of ground and first floor windows in its facing side elevation. The separation between 7 Station Road and the proposed dwelling scales on the plan as 6.3m (although this distance is queried by the occupier of 7 Station Road). The proposal would clearly be visible from the side facing windows and the rear and front garden of 7 Station Road.
19. Application S/1284/11 was refused on grounds of the serious harm caused to the outlook of these windows from the proposed dwelling being overbearing. The Inspector noted the location of windows and concluded "*even if taken cumulatively, I do not consider that the harm to the living conditions of the residents of no. 7 through the loss of outlook and sunlight would be so severe as to warrant dismissal of the appeal on these grounds alone*".

20. The additional single storey element continues along the side elevation of the main two storey bulk of the dwelling, and would be located 2m from the shared boundary with no. 7. It measures 5.4m in length, with a height of 2.5m and 3.7m to the eaves and ridge respectively. This single storey element would therefore again be visible from the side windows at no. 7. However, its relatively low height and the distance between the properties should ensure it does not cause any serious loss of light, and would not be viewed as overbearing. As a result, no serious harm should result to the occupiers of 7 Station Road.
21. Comments from the occupiers of 7 Station Road are noted. There is some concern that the footprint of 7 Station Road is not shown correctly. The application has compared the originally submitted plan to the topographical survey and the amended plan shows the gap between dwellings reduced by 0.4m to 6.3m. The Inspector was also made aware of the potential inaccuracies. The amended plan therefore would not seriously affect the Inspector's original decision. The matter of the future maintenance of the hedge would be, as is now, a civil matter between relevant parties.
22. Conditions can also be added to the consent to ensure no windows are added at first floor level to the northwest elevation facing 7 Station Road, and the en-suite window to be obscure glazed.

*Impact upon the Amenity of Future Occupiers of the Dwelling*

23. Application S/1284/11 was also refused on the impact of overlooking from the first floor bedroom windows in the side elevation of 7 Station Road, given the location of the dwelling forward in the building line. The outlook from the windows was considered to overlook the private amenity patio space of the proposed dwelling. The Inspector dismissed the appeal on this issue, stating "*the degree of overlooking likely to be engendered by the proposed arrangements would, notwithstanding the appellants view, be sufficient to cause a material harm to the living conditions of any future occupiers of the proposed development*".
24. The revised application includes the single storey element. Its ridge height of 3.7m will restrict views into the patio areas. The Inspector noted that "*the patio area would normally be regarded as the most private and sensitive area of the garden*". Whilst some more acute views of the proposed rear garden would remain, screening the private sensitive area would ensure future occupiers of the property will have private outdoor space.

*Highway Safety*

25. The comments from the Local Highways Authority are noted with regard to the access. The layout has not changed since application S/1284/11 was determined, for which the Local Highways Authority had no objections. The Inspector also did not note any concerns regarding the proximity of the access to the junction. As a result, the application is not considered to cause any serious highway safety concerns.

*Other Matters*

26. The tree to the front of the site is protected by an individual Tree Protection Order. The comments from the Trees Officer are noted with regard to its

future protection, and a relevant condition can be added for protection during construction in line with the details provided.

27. The comments from the Environmental Health Officer are noted. The issue regarding noise protection from the industrial site was not raised during application S/1284/11, and therefore not commented on by the Inspector. Such a condition can be added to ensure detailing would prevent noise disturbance. The condition regarding pile driven foundations can be added as an informative.
28. The applicant has submitted a draft heads of terms with the application recognising the requirements for contributions towards open space, community infrastructure, provision of waste receptacles and Section 106 monitoring, and this has been forwarded to the Council's Legal Team. The recommendation is for delegated approval until this agreement is completed.

### **Recommendation**

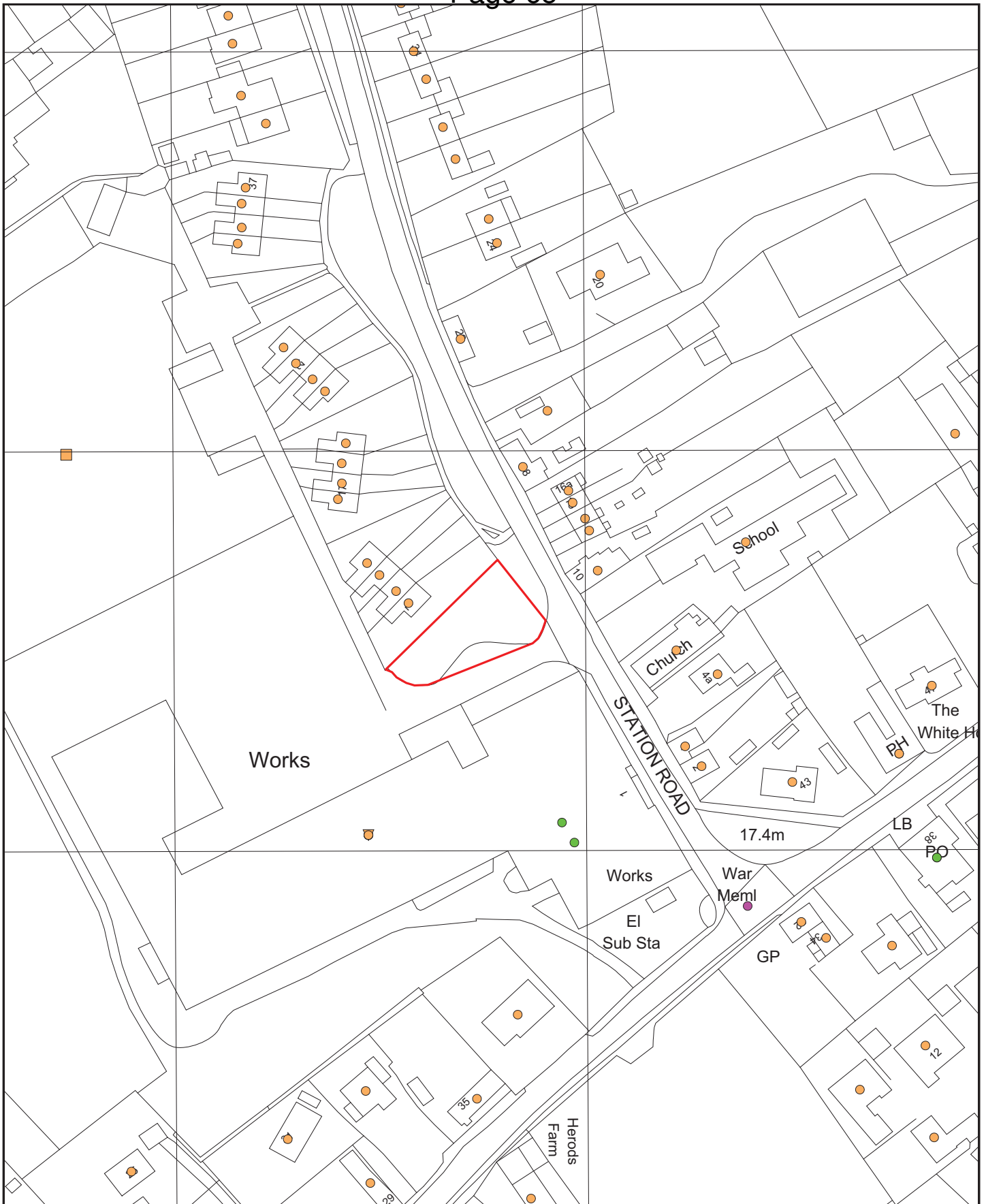
29. Delegated approval (as amended by plan 278-P01 Rev C) subject to the completion of the Section 106 Agreement, and any further comments in response to the amended plan. If approved, conditions are recommended regarding: time implementation, approved plan numbers, materials, landscaping and implementation, boundary details, removal of permitted development rights for windows in the northwest elevation, obscure glazing to the en-suite window in the northwest elevation, implementation of tree protection measures, parking and turning areas to be retained, timings for power operated machinery, and a scheme for noise protection. Informatives can be added regarding works to the public highway, bonfires and burning of waste, and pile driven foundations.

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

- South Cambridgeshire Local Development Framework Core Strategy 2007.
- Local Development Framework Development Control Policies 2007.
- Open Space in New Developments SPD, Trees and Development Sites SPD & District Design Guide SPD.
- National Planning Policy Framework
- Planning File refs: S/0836/12/FL and S/1284/11.

**Contact Officer:** Paul Derry – Senior Planning Officer  
Telephone: (01954) 713159

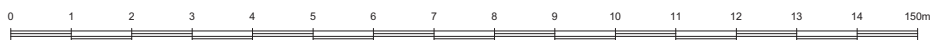
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

4 July 2012

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

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**S/0594/12/FL - FOWLMERE****Erection of single storey dwelling and associated works for Mr Stewart McGinty  
Recommendation: Approval****Date for Determination: 14 May 2012****Notes:**

**This Application has been reported to the Planning Committee for determination due to a difference in recommendation between the Parish Council and Officers**

**Members will visit the site on Tuesday 3 July 2012.**

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

**Site and Proposal**

1. The application site comprises a piece of land sited to the rear of nos 80-86 Chapel Lane. Currently there is a large dilapidated storage shed on the site and this appears to be being used to store building equipment therein, however there is no record of planning permission having been granted for this use.
2. The site is accessed by a long drive that leads from Chapel Lane with a gated entrance at present.
3. The site falls within the Fowlmere Development Framework, the boundary of which runs along the eastern boundary of the site and beyond this is the Cambridge Green Belt and a Scheduled Ancient Monument (ground works). Surrounding development is entirely residential comprising a planned 20<sup>th</sup> century housing estate.
4. The application under consideration proposes a detached flat-roofed dwelling house of broadly linear form, the proposed location being adjacent to the rear boundary line of nos 80-86 Chapel Lane. The proposals have been amended following concerns raised by the local community.

**Planning History**

5. S/2347/89/O – Residential Development – Refused

**6. Planning Policy****South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/4 Infrastructure in New Developments

DP/7 Development Frameworks  
HG/1 Housing Density  
SF/10 Outdoor Playspace, Informal Open Space, and New Developments  
SF/11 Open Space Standards  
NE/1 Energy Efficiency  
NE/2 Renewable energy  
NE/6 Biodiversity  
CH/2 Archaeological sites  
TR/1 Planning for more Sustainable Travel  
TR/2 Car and Cycle Parking Standards

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

**Fowlmere Parish Council** – Advises that it supports the principle of development of the site but recommends refusal of the specific scheme for the following reasons:

*Scale - the overall size and height of the proposed development is excessive in relation to the plot and it is disproportionately large. Also some measurements are incorrect, for example 3 out of 4 neighbouring gardens have a boundary fence height of 1.5m, not 1.8m as reported, which makes a material difference to the extent to which the proposed development would be perceived as overbearing by the existing neighbouring residents. Also the scale on PL(21)01 is not correct (it should be 1:100?) which has implications on the eventual overall height allowed.*

*Position - The proximity of the proposed development, including the overhang of the canopy, to the existing neighbouring boundary fences renders it extremely close (0.6m).*

*Height - The height of the lantern 'light' makes it significantly more intrusive than a standard single storey building would be. The lantern is specified to have glass sides which will reflect the sun on the adjoining properties for a significant part of the day.*

*Access - The design appears to encroach on the access to the scheduled ancient monument at the rear of the site (and appears to be the only access.)*

Following amendment to the scheme the Parish Council upholds its recommendation of refusal.

**Local Highways Authority** - Recommends standard conditional requirements regarding: Pedestrian visibility, Drainage and Bound driveway material

**English Heritage** – No objection in principle. Suggests potential for archaeological interest within the site. Advises that The County Archaeology Team should comment on proposals.

**County Archaeology Team** – No comments received.

**Environmental Health Officer** – Recommends standard conditions for working hours during construction and pile driven foundations.

**Scientific Officer** – Recommends standard contaminated land condition.

**Tree Officer** – No objections – providing tree protection details in the arboricultural report are implemented.

**Ecology Officer** – No comments received.



## 8. Representations by members of the public

Three letters of representation received from the occupants of nos 74, 80, 82, 84 and 86 Chapel Lane supporting the principle of development but raising the following concerns for the specific design proposed:

- Harm to residential amenity through overbearing
- Sunlight glare from proposed lantern rooflight
- Maintenance of common boundary

Following amendment to the scheme residents uphold the above concerns with the omission of sunlight glare impact and the addition of concern for the increase in height proposed to the common boundary treatment with the site and nos 80-86 and access to the scheduled ancient monument beyond.

## 9. Material Planning Considerations

10. The key issues to consider in this instance are the principle of development, the impact upon residential amenity, character and appearance, archaeology and highway safety.

### ***Principle of Development and Efficient use of land***

11. The site is considered to meet the definition of 'green field land' and as such, in accordance with the guidance set out in the NPPF it is important to make an initial assessment of the impact that residential development would have upon the character and appearance of the area. In this case surrounding development is predominantly residential and a new dwelling in the location proposed would not appear overly cramped when viewed from the public realm. To this end it is considered that the principle of residential development of the site in question would not be detrimentally uncharacteristic to the character and appearance of the area in this instance.
12. The application site is approximately 0.58ha in area and a single dwelling is proposed. Thus the resultant density of development would be approximately 17dph which is short of the LPA's housing density policy HG/1 which seeks 30dph. However in reality it would not be possible to develop the site to a greater density due to access restrictions and amenity and green belt impacts, hence the proposals are considered to constitute an efficient use of land.

### ***Residential Amenity***

13. The proposed dwelling is sited to the rear of the rear gardens that serve nos.82, 84 & 86 Chapel Lane. A joint letter of representation has been received from the occupants of all three of these properties. The chief material concern raised by this representation is the potential overbearing impact that the dwelling would have upon the rear garden areas of these properties.
14. In response to these concerns the applicant has made amendment to the proposed dwelling to set it approximately 200mm lower into the ground, reduce its footprint (thus increasing the separation from adjacent dwellings), omit the proposed lantern rooflight and reduce the overhang of the eaves.

15. The proposed dwelling does lie close to the rear boundaries of nos. 82, 84 & 86. However the structure comprises a single-storey flat roofed building, which would be set slightly into the ground resulting in a scale of approx. 3.1m relative to the approximate garden level of nos 82-86. The development proposes a common boundary treatment to comprise a 1.8m high closed-boarded fence with 0.6m high trellis above. Thus the projection above this boundary treatment would be approximately 0.7m. having regard to all of the above overbearance is, on balance, not considered to be a sustainable reason for the refusal of the application.
16. The proposed dwelling lies to the east of the rear gardens serving nos 82-86 and taking this orientation and the low scale of the structure into consideration it is not considered that there would be any overshadowing impact sufficient to materially harm the residential amenity of these adjacent properties.
17. All windows in the proposed dwelling are ground floor only and thus do not provide any elevated view of adjacent sites. Notwithstanding this, those windows that do face nos.82-86 are proposed to be obscure glazed. Given the proximity to the rear gardens this is sensible and it is considered reasonable to condition such treatment in perpetuity.
18. Sunlight glare is cited as a concern both by residents and the Parish Council. It is difficult for officers to substantiate these concerns but none-the-less the amended design omits the lantern rooflight from proposals and thus alleviates this concern.

#### ***Character and appearance***

19. The proposed dwelling comprises an interesting flat roofed design that has been largely informed by the need to minimise the impact upon those adjacent dwellings to the west. Whilst the design proposed represents a departure from the prevailing architectural trend of the surrounding estate development there would not be prominent views of the dwelling afforded from the public realm of Chapel Lane and thus it is not considered that significant design conflict would arise.
20. When considering the design in the context of the existing grassed site and verdant green belt land to the east it is considered that the use of soft and organic materials such as the timber boarding and sedum roof relate well to these surroundings. To this end there is not considered to be significant adverse visual harm to the surrounding countryside/green belt caused by the proposals.
21. A rudimentary soft landscaped scheme has been submitted to accompany the application, this indicates the retention and protection of most significant trees within and adjacent to the site but suggests that the existing vegetation at the point where the site access meets chapel lane will be removed. Although no comments have been received from the Council's Landscape Design Officer it is considered that a holistic loss of planting from this point of the site would materially harm the character of Chapel Lane. To this end it is considered reasonable to seek a limited landscape scheme by conditional requirement.

#### ***Archaeology***

22. No comments have been received from the County Archaeology Team and this is considered to imply that there are no concerns for the impact of the proposals upon the archaeology of the area. Comments have been received from English Heritage but it raises no specific concerns in this regard.

***Highway Safety***

23. The Local Highways Authority raises no significant concern for the impact of the proposals upon the highway safety of the area. A number of standard conditional requirements regarding retention of visibility splays, drainage and the use of a bound material for the first 6m of the driveway. The application is accompanied by a foul and surface water drainage strategy but this does not assertively conclude how surface water run-off from the access track will be dealt with. Thus these are all considered reasonable and justified in this instance.

***Developer Contributions***

24. A draft heads of terms has been submitted with the application agreeing to pay the Councils standard contribution rates for public open space, community facility and refuse infrastructure provision. In lieu of this a standard Grampian style condition is considered reasonable and justified in this instance.

***Further Considerations***

25. Representations made by both the Parish Council and adjacent land owners raise the issue of access to the adjacent scheduled monument that lies to the east of the site. It is believed that the access to the application site comprises the existing access to the monument site. The monument site is in private ownership and it is not believed to be open to the public, therefore access to this site is a civil matter and not something material to the considerations of this planning application. Regardless it is understood that the scheme does allow for a civil arrangement for access to the monument site.
26. Occupants of adjacent dwellings raise concern for the proposed new common boundary between the site and nos 80-86 Chapel Lane. Due to the fact that no substantive details of the proposed boundary treatment have been submitted it would be reasonable to condition details of the boundary treatment to be agreed.
27. The Council's Contaminated Land Officer advises that there is potential for the site to be contaminated and in this regard recommends a standard contamination investigation condition. This is considered reasonable and justified.

**28. Recommendation**

It is recommended that the Planning Committee approves the application subject to the following conditions.

**29. Conditions**

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

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

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: PL(21)01 Rev A, PL(90)01 Rev**

**A, LD934 (feb '12), Arboricultural Implications Assessment dated February 2012 and Foul and Surface Water Drainage Strategy (dated Dec 2011)**

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

**3. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details:**

- **External materials to be used in construction**
- **A plan indicating the positions, design, materials and type of boundary treatment to be erected**
- **Surface water drainage details for the access way**

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

**4. No development shall begin until details of a scheme for the provision of recreational, community services and refuse infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policies SF/10 & SF/11 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.**

(Reason - To ensure that the development contributes towards public open space, community facilities and refuse in accordance with the above-mentioned Policies SF/10 & SF/11 and Policy DP/4 of the adopted Local Development Framework 2007.)

**5. Notwithstanding the Arboricultural Implications Assessment dated Feb 2012 no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**

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

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

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

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

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

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

8. **Pedestrian visibility splays shall be provided in accordance with plan ref PL(90)01 Rev A shall be thereafter be permanently kept clear of all planting, fencing walls and the like exceeding 600mm in height.**

(Reason – In the interests of highway safety)

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

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

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

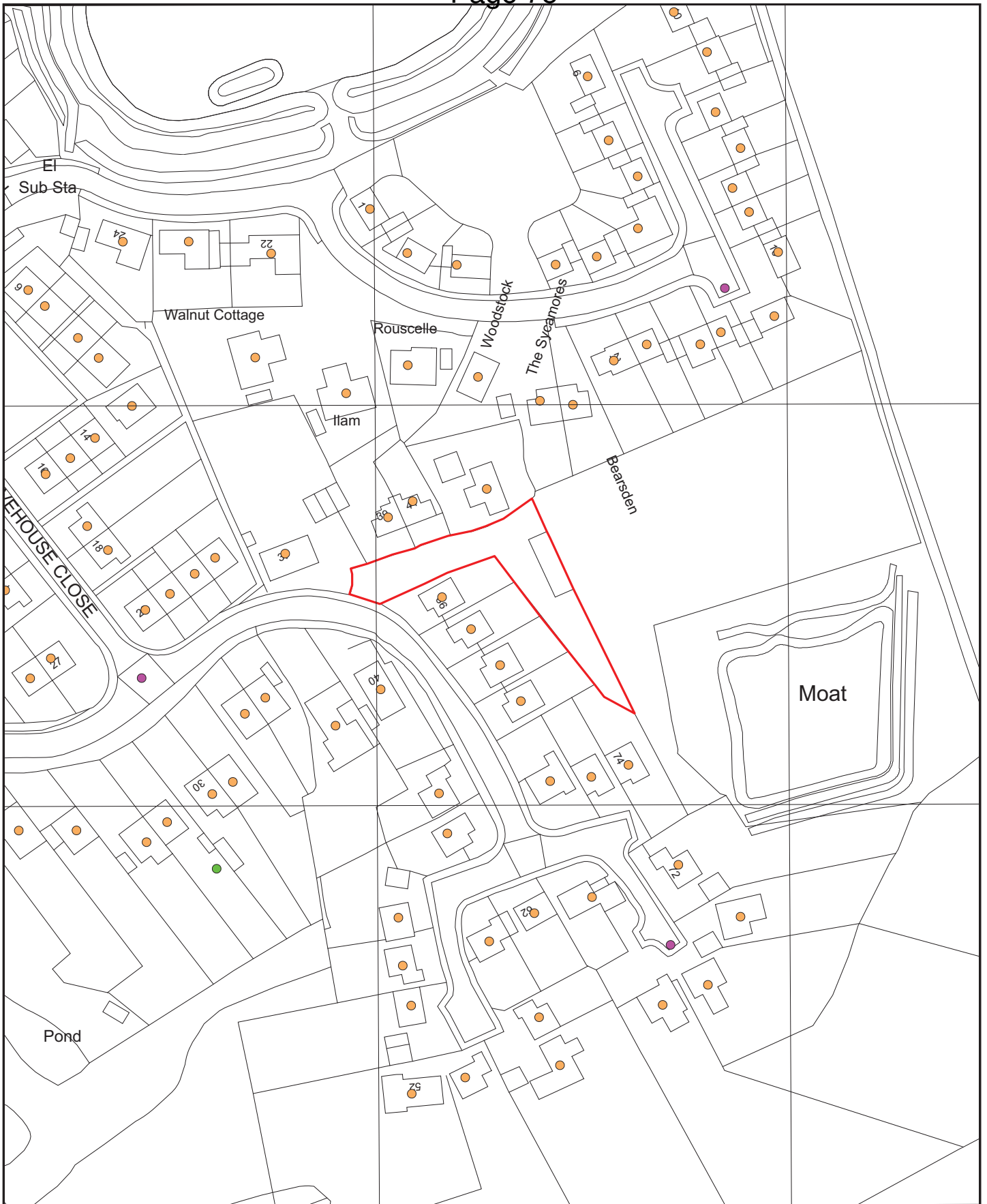
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted January 2007)
- 

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





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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

4 July 2012

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

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**S/0968/12/FL – HIGHFIELDS CALDECOTE  
Dwelling and carport - Land Known as Plot 7, The Willows  
for Jane Jackson, AMA Developments Ltd****Recommendation: Delegated Approval****Date for Determination: 29 June 2012**

**This Application has been reported to the Planning Committee for determination because the recommendation of the Parish Council differs to that of the case officer.**

**To be presented to the Committee by Paul Derry**

**Site and Proposal**

1. The application site consists of an area of grassland within the cul-de-sac of The Willows. This forms part of a recent development of six dwellings, five of which are accessed from The Willows. The dwellings have been erected with a specific character and theme, that being monopitch roofs with areas of buff brickwork, vertical timber cladding and cream rendered sections. The vehicular access continues to serve the land to the west. A trellis fence has been erected along east boundary of the site, and a walnut tree stands towards the centre of the plot. To the south are the bungalows of 12 and 12a West Drive. To the west of the site, approximately 300m from the site are the former hangars of Bourn Airfield, which are now in industrial use.
2. The full application, validated on 4 May 2012, seeks the erection of a single property on the plot. This would be located to the north of the garage to 12a West Drive. The main garden area would be to the east, with a detached carport located close to the east boundary. The application is accompanied by a Design and Access Statement, an Acoustic Statement, a Site Waste Management Plan, a Supporting Planning Statement, draft Heads of Terms, a Tree Report and a RECAP Waste Management Design Toolkit.
3. Amended plans were received dated 1 June and incorporated changes to the site area and fenestration.

**Site History**

4. Application **S/1332/09/F** for a dwelling on the site was refused on grounds of the lack of noise assessment given the proximity of an existing noise source, and was subsequently dismissed at appeal. This followed application **S/1757/07/F** for a dwelling on the plot that was withdrawn.

5. Application **S/0459/02/F** granted planning permission for the erection of six dwellings on the former Grafton Pig Farm. This consent now forms the five properties of The Willows and 8 West Drive.
6. Application **S/1282/08/F** granted approval for a bungalow and garage that now forms 12a West Drive. This follows application **S/1150/05/O** which was refused but allowed at appeal, and subsequent reserved matters application **S/0830/07/RM**.
7. There have been various planning applications relating to the industrial buildings at Bourn Airfield.

### **Planning Policy**

8. **Local Development Framework Core Strategy (LDF CS) 2007 – ST/6**  
Group Villages
9. **Local Development Framework Development Control Policies (LDF DCP) 2007 - DP/1** Sustainable Development, **DP/2** Design of New Development, **DP/3** Development Criteria, **DP/4** Infrastructure and New Developments, **DP/7** Development Frameworks, **HG/1** Housing Density, **SF/10** Outdoor Playspace, Informal Open Space, and New Developments, **SF/11** Open Space Standards, **NE/1** Energy Efficiency, **NE/6** Biodiversity, **NE/15** Noise Pollution & **TR/2** Car and Cycle Parking Standards.
10. **Open Space in New Developments SPD – Adopted January 2009, Trees and Development Sites SPD – Adopted January 2009 & District Design Guide SPD – Adopted March 2010.**
11. **National Planning Policy Framework:** Advises that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. It adds planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects.

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

12. **Caldecote Parish Council** recommends refusal on grounds of overdevelopment of the site, the significant loss of open space, the restrictive access, the junction with West Drive, overlooking towards 12a and the close proximity to properties along The Willows, drainage issues, and concerns regarding the ownership of land. If the application is approved, consideration should be given to community payments, wildlife disturbance, and access safety. Conditions are also recommended regarding timing of works, removal of spoil, the upkeep of the public highway, location of building compounds, landscaping plans, water harvesting, and driveway parking restrictions.
13. The **Council's Trees Officer** notes that while the walnut tree is structurally compromised, it provides a green vista into the site. The car port should be screened by planting to compensate for the loss of the tree.

14. The **Local Highways Authority** notes The Willows is not a public maintainable highway and therefore no significant adverse effect upon the Public Highway should result from the proposal.
15. Comments from the **Council's Environmental Health Officer** have yet to be received, although he has implied verbally that the proposal is considered acceptable. This follows pre-application advice on this matter. Members will be updated on any formal comments received.

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

16. Letters of objection have been received from the occupier of **5 The Willows**. These relate to ownership of land, where the eastern part of the site is considered to be within their ownership. There are also concerns regarding traffic and parking issues in The Willows, the loss of protected walnut tree, flooding concerns, and the need for the dwelling given the amount for sale in the vicinity.

#### **Material Planning Considerations**

17. The key considerations in the determination of this application are impact upon the street scene, impact upon the amenity of the occupiers of the neighbouring properties, impact from the nearby noise source, impact upon trees, and highway safety and parking. The principle for a single dwelling on this area of grassland was established through the previous application and appeal process, and this included the loss of the open space as highlighted by the Parish Council.

##### *Impact upon the Street Scene*

18. As noted above, the existing properties along The Willows are unique in design for the village, given their monopitch and flat roofs and the use of render, buff bricks and timber boarding for the exteriors. The proposed dwelling uses these local features to ensure it will be assimilated into the area. The location of the openings has been dictated by the noise source to the west and the location of the adjacent properties. When viewed directly from the north, there are only two large openings visible. However, the east elevation (visible from West Drive and the entrance into the estate) has a number of openings and would appear as the "front" of the property. The proposal is considered to be in scale and character with the existing dwellings at The Willows.

##### *Impact upon the Amenity of the Occupiers of the Neighbouring Properties*

19. There were concerns from the original plans given the potential for overlooking towards the rear garden of 12 West Drive to the southeast. The amended plans have added a window that extends out from bedroom 3. Whilst the occupiers of 12 West Drive may get the perception of overlooking from this window, in reality the layout would ensure no overlooking results. The eastern window to bedroom 2 is also screened by this feature, so again no serious overlooking would result. The location and orientation should ensure no harm results from any overbearing impact or serious loss of light. The location of the garage against the black side elevation of 12 West Drive ensures a neutral impact to this property.

20. The dwelling would have a similar “building line” to the garage serving the backland plot of 12a West Drive. This garage does provide a good screen from the front of this neighbouring bungalow. The en-suite and bathroom windows that would face 12a are both shown as being obscure glazed. A condition can ensure this is the case. A further condition can prevent further openings to the south and west elevations above first floor level. Again the orientation ensures no light would be lost, and the dwelling would not appear overbearing. No harm would therefore result to the occupiers of 12a West Drive.
21. The proposed unit has a close relationship with the existing properties along The Willows, and in particular with nos. 1, 3 and 4. The west elevation is free from windows serving habitable room and therefore there would be no harm to the occupiers of 1 The Willows from overlooking, the two-storey bulk is 15m from the side windows, which is greater than the minimum distance of 12m within District Design Guide. The dwelling will not appear overbearing when viewed from these windows.
22. The two-storey element is approximately 22m from the two-storey element to 3 The Willows and 21m from 4 The Willows to the north. There are windows at first floor level serving the master bedroom, landing and bedroom 2. Whilst the separation between windows is below the 25m recommended within the design guide, the location of the windows relative to their use should ensure no serious overlooking results. In this instance, the relationship is considered acceptable. A condition should ensure the sedum roof is not used as a balcony, which would reduce the gap and potentially cause overlooking.

*Impact upon the Nearby Noise Source*

23. The formal comments from the Environmental Health Officer have yet to be received. The site is approximately 300m to the east of the known noise source at the former TKA Tallent premises on Bourn Airfield. TKA Tallent has now left the site, and the premises are empty. The planning consent for the site does have unrestricted times of use, and as a result, there is still the potential for noise pollution resulting from the site. An Acoustic Statement has been submitted with the application. This document explains the layout of the dwelling, which attempts to locate the habitable rooms to the eastern part of the site. The master bedroom is in the western part of the dwelling, but its main opening is to the east above the flat roofed section. The main garden area has also been relocated to the eastern side of the property. Given the uncertainty at the Bourn Airfield site and the layout of the dwelling, the application is likely to be acceptable.

*Highway Safety and Parking Provision*

24. There is local concern regarding the junction between The Willows and West Drive. Having driven across this junction, there would appear adequate visibility. However, this can be obscured by parked cars. This application does not have the ability to prevent any parking in this area. The development will create more trips in and out of the cul-de-sac, but this increase is not considered significant enough to cause serious highway dangers. Members should note that in dismissing the appeal for application S/1332/09/F, the Inspector did not object to the access.

25. There is also local concern regarding manoeuvring space along The Willows, with vehicles having to use the land within the application site to access driveways. Given the land is not within their or highways ownership, this should not be taking place, and concerns should have been raised during the original application S/0459/02/F.
26. With regards to parking provision, the proposal includes a carport that would allow the parking of two off-street vehicles. The scheme also includes a more informal block paving area to the frontage. Given concerns regarding parking on The Willows (which may also be prevented through a restrictive covenant), the levels of off-street parking are considered acceptable.

### *Impact upon Trees*

27. A walnut tree sits to the centre of the site. This tree does not benefit from protection from a Tree Protection Order, and therefore can be removed without consent. The applicant has shown two fruit trees to be planted to replace this, and these can be secured through a landscaping scheme. The comments from the Trees Officer are noted with regard to screening the carport. It is located only 0.4m from the boundary of the site, which would not provide adequate space for planting. The applicant has confirmed the carport will be relocated westwards to allow space for such a hedge, and Members will be updated on this matter.

### *Other Matters*

28. The comments from the occupiers of 5 The Willows with regard to ownership is noted. These were passed to the applicant, who notes inaccuracies in the Land Registry details. There is an obvious conflict in beliefs from the parties involved. The red line of the application has been shifted westwards in the amended plans. There is no concrete evidence to state whether this is now incorrect. If it is proven to be incorrect, the applicant could submit a non-material amendment to shift the east boundary and the carport slightly further westwards.
29. The applicant has submitted a draft heads of terms with the application recognising the requirements for contributions towards open space, community infrastructure, provision of waste receptacles and Section 106 monitoring, and this has been forwarded to the Council's Legal Team. The recommendation is for delegated approval until this agreement is completed.
30. There is local concern regarding flooding in the vicinity. The site lies within flood zone 1 and therefore no flood risk assessment has been submitted with the application. The applicant has noted that surface water will be disposed off to a soakaway, which would need to meet Building Control standards. As a result, no serious increase in flooding should result from the proposal. The applicant also notes foul water will be connected to the mains sewer.
31. The Parish Council note a number of potential conditions should the application be approved, and these are listed above. A number of these are not considered to meet the tests of the National Planning Policy Framework given the nature of the application. Conditions regarding timing of use of power operated machinery during construction can be added. The Parish Council note the presence of a covenant stating no vehicles shall park along The Willows. It is not considered possible to add such a condition to this

application given the red line of the site. This matter was not within the S106 Agreement for application S/0459/02/F for the original dwellings at The Willows.

## **Recommendation**

Delegated approval (as amended by drawings OS 01 A, P01 rev A, P02 rev B, and P03 rev A), subject to the completion of the Section 106 Agreement, relocation of the carport and comments from the Council's Environment Health Officer. If approved, conditions are recommended regarding: time implementation, approved plan numbers, materials, landscaping and implementation, boundary details, removal of permitted development rights for windows at first floor level in west, east and south elevations, obscure glazing to the en-suite window in the south elevation and bathroom window to the west elevation, prevention of the use of the sedum roof as a balcony or other uses incidental to the use of the dwellinghouse as such, parking and turning areas to be retained, and timings for power operated machinery.

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

- South Cambridgeshire Local Development Framework Core Strategy 2007.
- Local Development Framework Development Control Policies 2007.
- Open Space in New Developments SPD, Trees and Development Sites SPD & District Design Guide.
- National Planning Policy Framework
- Planning File refs: S/0968/12/FL, S/1332/09/F, S/1757/07/F, S/0459/02/F, S/1282/08/F, S/1150/05/O and S/0830/07/RM.

**Contact Officer:** Paul Derry – Senior Planning Officer  
Telephone: (01954) 713159



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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

4 July 2012

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

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**S/0380/12/VC - GAMLINGAY****Removal of Condition 2 of S/1747/09 to allow for permanent consent for Mr Danny Collins at Woodland View, Meadow Bank, Gamlingay****Recommendation: Approval****Date for Determination: 7 April 2012****Notes:**

**This Application has been reported to the Planning Committee for determination because the site is part of that for application S/1733/11 which is reported elsewhere on the Committee agenda and for which in that case the officer's recommendation of approval differs from that of the Parish Council.**

**To be presented to the Committee by Saffron Garner****Site and Proposal**

1. This full planning application seeks the consent of the Local Planning Authority to remove condition 2 of consent S/1747/09/F that reads as follows:

*The use, hereby permitted, shall be discontinued and the two caravans and garage, hereby permitted, shall be removed and the land restored to its former condition on or before 5<sup>th</sup> February 2013 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority. (Reason – In accordance with the advice in Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites, the Council is preparing a Gypsy and Traveller Development Plan Document, and on without prejudice basis to a permanent consent on this site, a time limited consent will enable the Local Planning Authority to properly assess the impact of traveller development on Gamlingay.*

2. The application site is located to the southwest of Gamlingay and located outside the designated Village Framework and Conservation Area. It is not located close to any Listed Buildings or heritage assets. The site comprises 0.29 hectares and is accessed via a shared access point to the north of the site that links up with Potton Road. The site is bound by mature hedging along the eastern boundaries and predominately laid to lawn and/or gravel. To the north is a commercial Builders yard, to the north east a permanent residential unit, to the south open countryside and to the west other mobile units. The other boundaries within the site comprise a mixture of timber fencing and mature hedge screening. The existing units on site comprise two single storey mobile units and a brick built garage. The density is approximately 7 dwellings per hectare.

### Planning History

3. There is a vast planning history for this site, predominately based around the renewal and siting of caravans on the site over the course of over 40 years. **S/1747/09/F** was for the approval of an application for the 'Replacement of Two Mobile Homes and the Erection of a Garage. This application allowed for the temporary consent of the two mobile units until 5<sup>th</sup> February 2013 and is solely for the benefit of the applicant who is defined as traveller for the purposes of planning policy. A full assessment, appropriate at the time of the application, was carried out to assess the circumstances of the applicant. This showed the applicant had a clear residential need for the site.
4. **S/1733/11/FL** for the permanent siting of an additional mobile home - To be determined alongside this application at the July 2012 Planning Committee.

### National Planning Policy

5. **Planning policy for traveller sites (PPTS)** (March 2012) requires local planning authorities to make their own assessment of need for traveller sites based on fair and effective strategies. Local Plans should include fair, realistic and inclusive policies such that travellers should have suitable accommodation in which to access education, health, welfare and employment infrastructure but for lpa's to have due regard to the protection of local amenity and the local environment. Paragraph 22 states that lpa's should strictly limit new traveller site development in open countryside away from existing settlements or areas allocated in the development plan. Sites should not place an undue pressure on local infrastructure.
6. The former presumption in Circular 01/2006 in respect of temporary permission where there is a shortage of deliverable sites no longer applies at the present time.
7. The **National Planning Policy Framework** promotes a presumption in favour of sustainable development having regard to the soundness of the development plan and the policies therein. It confirms that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms; they directly relate to the development; and are fairly and reasonably related in scale and kind to the development.
8. **East of England Plan 2008 (RSS)**  
**H3** Provision for Gypsies and Travellers
9. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**  
**DP/1** Sustainable Development  
**DP/2** Design of New Development  
**DP/3** Development Criteria  
**DP/4** Infrastructure and New Developments  
**DP/7** Development Frameworks  
**SF/10** Outdoor playspace, Informal Open Space and New Developments
10. **South Cambridgeshire Local Plan 2004 (Saved Policies)**  
**CNF6** Chesterton Fen
11. **Gypsy and Traveller DPD (GTDPD)**  
The site was not identified either as a potential or a rejected site in the "Issues and Options 2 Consultation July 2009". The Council has recently determined through

revisions to the Local Development Scheme that Gypsy and Traveller issues will now be addressed in the emerging single Local Plan review rather than a stand alone DPD. Issues and Options consultation is planned for later this year and will take forward the work that has already been done in assessing potential sites. It is anticipated that the new Plan will not be adopted until 2015.

12. The Council's **Gypsy and Traveller Community Strategy 2010-2013** recognises Gypsies and Travellers as the largest ethnic minority in the district (around 1% of the population). It sets out the Council's responsibilities to eliminate discrimination and promote good community relations.

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

13. **Gamlingay Parish Council** – recommend approval. Comments read as follows: Further delay in Gypsy and Traveller development Plan adoption merits further delay unacceptable.
14. **Environmental Health Officer** – An amended site licence would be required should permanent permission be granted.

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

15. None received

#### **Material Planning Considerations**

16. Having regard to information provided as part of this and the previous application in 2009, the applicants meet the definition of Gypsies and Travellers as set out in the Glossary at appendix 1 of the PPTS. The application therefore falls to be considered against planning policies regarding Gypsy and Traveller sites. The main issues in this case are:
  - The extent to which the application accords with the provisions of the development plan;
  - The general need for, and availability of, additional gypsy sites;
  - The applicants' personal needs and circumstances;
  - The case for a temporary permission should permanent permission not be granted; and
  - Human Rights Issues

#### **The Development Plan**

17. The requirement of RSS Policy H3 to significantly meet demand and provide at least 69 additional (permanent) pitches in the district between 2006 and 2011 was not met and fell short by about 15 pitches. However, while RSS Policy H3 remains part of the development plan, the Secretary of State's intention to revoke this is clearly a material consideration to be taken into account. Thus only very limited weight should be given to Policy H3. In addition PPTS now requires lpa's to make their own assessment of need rather than relying on a regional target.
18. Since the loss of Policy HG23 from the previous 2004 Local Plan, the current development plan does not contain any specific criteria-based policies against which to assess the impact of proposals for gypsy sites. While saved policy CNF6 allocates land for use as gypsy sites at Chesterton Fen, a number of previous appeal decisions

have ruled out the possibility that there is still land that is suitable, available and affordable.

19. The Council therefore relies upon the 'General Principles' policies DP/1 - DP/3, albeit these need to be utilised in accordance with the advice in PPTS. This and numerous appeal decisions confirm that gypsy sites are often located in the countryside and that issues of sustainability should be seen in the round with a more relaxed approach taken to gypsies' normal lifestyle.
20. The application proposes permanent residential development in the countryside. The existing site is an authorised site that has undergone assessment in earlier applications with regard to suitability. The proposal is for permanent consent of the two mobile units and garage building. They will house the existing family residents. The site is not located in the Green Belt and considered to be located in a sustainable location; the distance from the main centre of Gamlingay is 750m and the site easily accessible via foot or by bicycle.
21. The existing plot comprises two existing units, gravel driveways, lawn and mature boundary hedging. It is relatively open and rural in character. From outside of the site the plot sits higher than the adjacent road and visibility into the site from the road and surrounding footpaths is difficult. Other residential units are located to the east and west. A commercial yard is the most prominent sight visually in the area and this is located to the north of the existing access that the units currently use. The existing mobile units on this plot are not considered to adversely impact on the surrounding countryside or do they affect others enjoyment or recreational use of rights of way in the vicinity. The plot is a good size and the mobile units have sufficient space for amenity land and parking provision.
22. The closest neighbours are to the east and west. They are of a suitable distance away from the existing mobile units and there has been no suggestion through the assessment of this application that there are existing neighbour amenity problems. The proposed unit under planning application S/1733/11 is also for a family member. The occupier to the northeast of the application site has not raised any objection. Noise should not exceed that that is normally associated with residential uses and therefore the proposal does not suggest a significant increase in potential noise. The existing units on site are sited far enough away from neighbouring properties not to cause overlooking and the two units are also sited some distance from each other for the same purpose.
23. In accordance with policies DP/4 and SF/11, contributions would be required to meet the demand for public open space, sport and recreation facilities and other community facilities such as community centres and youth facilities. The applicant has agreed to this in the event that the permanent permission is granted.

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

24. In South Cambridgeshire, the number of caravans on authorised or tolerated private sites increased marginally between July 2009 and July 2011. Similarly, the number of caravans without any form of planning permission totalled just 4. For some considerable time now, the two public sites at Milton and Whaddon have remained full and recently there are 25 active applications for pitches. The previous RSS target to provide new sites has not been met and should this application be refused there is no known vacant and deliverable site in the district that the family could occupy.

25. On 13 June 2012 the Housing Portfolio Holder approved an updated Gypsy and Traveller Accommodation Needs Assessment (GTAA) as part of the evidence base to inform the Council's planning framework. The GTAA confirms a total current need (backlog) of 69 pitches which translates to a shortfall of 65 pitches over the period 2011 to 2016.
26. There therefore remains an unmet general need for additional pitches in the district. This unmet need is a material consideration that weighs in favour of this proposal.
27. Whilst a temporary planning permission was previously granted, the reason for the previous consent is no longer valid. Any further search for new sites will now come forward as part of the Local Plan review. It is also significant that in this case the parish council supports the application on the basis that any further delay in adopting a new plan is unacceptable

#### **The applicant's personal needs and circumstances**

28. The two caravans are occupied by Mr Collins and his immediate family. The children are in school locally and the family are registered with a doctor in Potton. The family has a local connection and this is a consideration that carries some weight, together with the educational needs of the respective children.

#### **Conclusion**

29. Officers consider that the applicant's continued use of this site does not give rise to any identified harm or material conflict with the development plan. It is recommended that the Planning Committee grant permanent planning permission and applies the same conditions as before. These will help to ensure the level of development is controlled to ensure its future impact on the surrounding area is no more than exists at present.

#### **The case for a further temporary permission**

30. The case for a further temporary permission only becomes relevant if members consider a permanent permission is inappropriate. Circular 11/95 advises against a temporary condition unless the applicant proposes temporary development, or where a trial run is needed to assess the effect of the development on the area (paragraph 109). The imposition of conditions, including a temporary use, would not make the use any more acceptable. The degree of harm would be the same as if permanent permission had been granted. Nonetheless, there is no presumption that a temporary planning permission should become permanent.
31. Given there is no identified harm, it is recommended that a further temporary planning permission would be inappropriate.

#### **Human Rights Issues**

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

permanent planning permission would be proportionate and justified within Article 8 (2).

**Recommendation**

33. It is recommended that the Planning Committee approves the application as previously approved with all the same conditions except Condition 2 but with an extra condition re the payment of contributions.

**Conditions**

- (a) Restricted to travellers as defined
- (b) Plans
- (c) Restriction on number of caravans
- (d) Restriction on vehicle size
- (e) No commercial activity
- (f) Restriction on external lighting
- (g) Personal consent to applicant.
- (h) Infrastructure Contributions

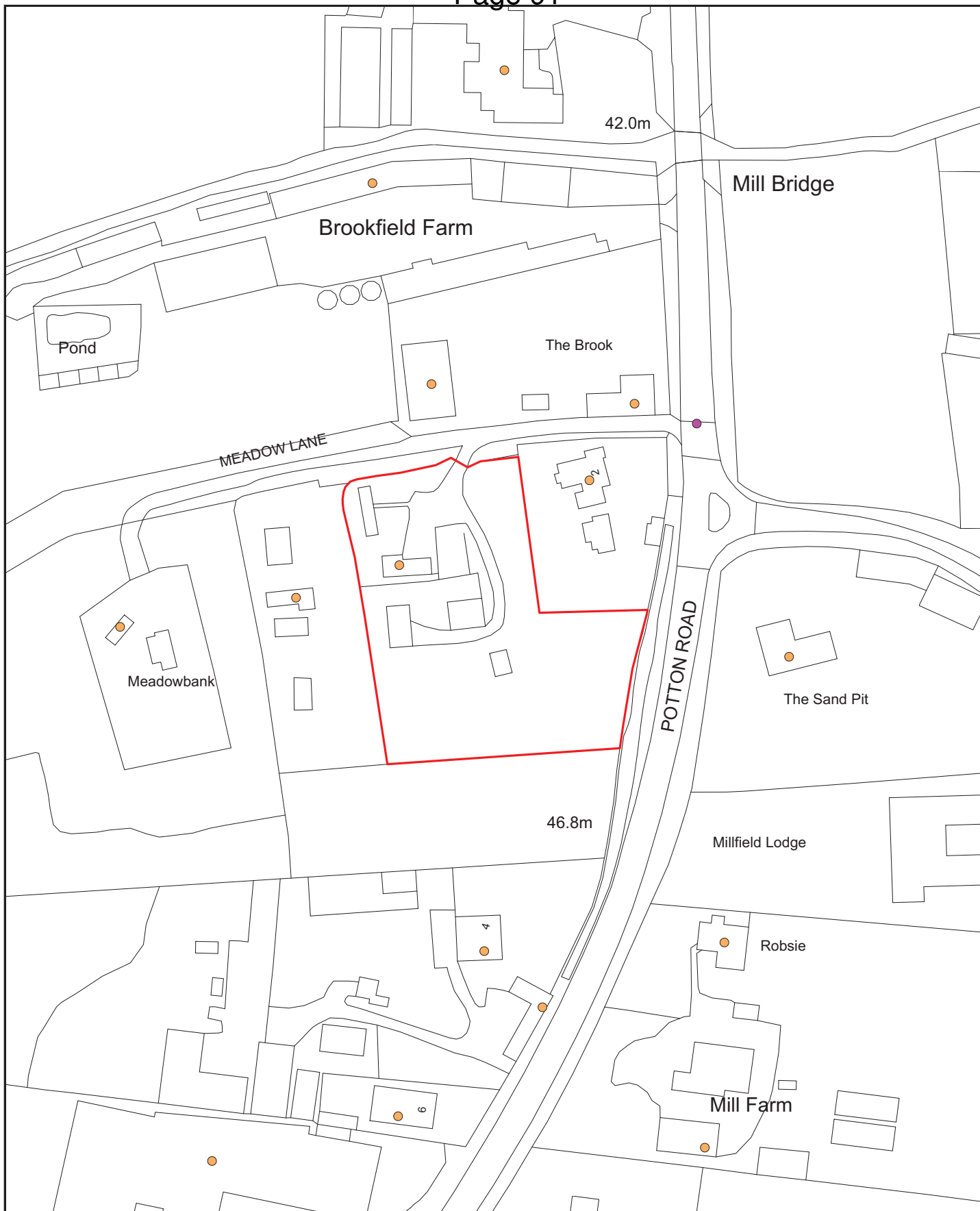
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- (a) Infrastructure informative

**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 Reference: S/1747/09/F, S/1733/11/F and S/0380/12/VC

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



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

4 July 2012

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

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**S/1733/11/FL - GAMLINGAY****New Mobile Home for Mr Danny Collins, Meadow Banks, Potton Road, Mill Hill, Gamlingay****Recommendation: Approval****Date for Determination: 03 November 2011****Notes:**

**This Application has been reported to the Planning Committee for determination because the officer's recommendation of approval differs from that of the Parish Council.**

**To be presented to the Committee by Saffron Garner****Site and Proposal**

1. This full planning application seeks the consent of the Local Planning Authority to erect a permanent mobile home in the countryside for residential use. The site is located to the southwest of Gamlingay and located outside the designated Village Framework and Conservation Area. It is not located close to any Listed Buildings or heritage assets. The site comprises 838m<sup>2</sup> (0.083 hectares) and is accessed via a shared access point to the north of the site that links up with Potton Road. The site is bound by tall mature hedging along the eastern boundary and laid to lawn. To the north, west and northwest are residential units, two of which are already owned and occupied by the applicant. The other boundaries within the site comprise timber fencing. The proposal for an additional unit is to house a local family member. The proposed mobile home is a single storey 3 bedroom unit measuring approximately 14m x 6m. It is simple in form and similar to those already on the applicant's adjoining site.
2. The density is approximately 12 dwellings per hectare and the application was submitted with additional but confidential information regarding the applicant's circumstances.

**Planning History**

3. **S/1747/09/F** was the approval of an application for the 'Replacement of Two Mobile Homes and the Erection of a Garage following on going planning history for the replacement of mobile units as far back as 1970. This application allowed for the temporary consent of the two mobile units until 5<sup>th</sup> February 2013 and is solely for the benefit of the applicant who is defined as traveller for the purposes of planning policy.
4. **S/03830/12/VC** Removal of condition 2 to allow for permanent use - To be determined alongside this application at the July 2012 Planning Committee.

## **National Planning Policy**

5. **Planning policy for traveller sites (PPTS)** (March 2012) requires local planning authorities to make their own assessment of need for traveller sites based on fair and effective strategies. Local Plans should include fair, realistic and inclusive policies such that travellers should have suitable accommodation in which to access education, health, welfare and employment infrastructure but for lpa's to have due regard to the protection of local amenity and the local environment. Paragraph 22 states that lpa's should strictly limit new traveller site development in open countryside away from existing settlements or areas allocated in the development plan. Sites should not place an undue pressure on local infrastructure.
6. The former presumption in Circular 01/2006 in respect of temporary permission where there is a shortage of deliverable sites no longer applies at the present time.
7. The **National Planning Policy Framework** promotes a presumption in favour of sustainable development having regard to the soundness of the development plan and the policies therein. It confirms that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms; they directly relate to the development; and are fairly and reasonably related in scale and kind to the development.
8. **East of England Plan 2008 (RSS)**  
H3 Provision for Gypsies and Travellers
9. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Development Frameworks  
SF/10 Outdoor playspace, Informal Open Space and New Developments
10. **South Cambridgeshire Local Plan 2004 (Saved Policies)**  
CNF6 Chesterton Fen
11. **Gypsy and Traveller DPD (GTDPD)**  
The site was not identified either as a potential or a rejected site in the "Issues and Options 2 Consultation July 2009". The Council has recently determined through revisions to the Local Development Scheme that Gypsy and Traveller issues will now be addressed in the emerging single Local Plan review rather than a stand alone DPD. Issues and Options consultation is planned for later this year and will take forward the work that has already been done in assessing potential sites. It is anticipated that the new Plan will not be adopted until 2015.
12. The Council's **Gypsy and Traveller Community Strategy 2010-2013** recognises Gypsies and Travellers as the largest ethnic minority in the district (around 1% of the population). It sets out the Council's responsibilities to eliminate discrimination and promote good community relations.

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

13. **Gamlingay Parish Council** – recommend refusal. Comments read as follows:  
*Inadequate information in relation to the access arrangements and provision of additional residential accommodation on the form. No reference made to the travellers needs assessment/supporting documentation. Development is outside of the village framework.*
14. **Environment Agency** – No objections subject to drainage conditions being included if minded to approve and standard EA informatives.
15. **Chief Environmental Health Officer** – No objections subject to the applicant having the correct licence for the siting of caravans.
16. **Local Highway Authority** – Members to be updated accordingly.

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

17. None received

#### **Material Planning Considerations**

18. Having regard to information provided as part of this application the applicant meets the definition of Gypsies and Travellers as set out in the Glossary at appendix 1 of the PPTS. The application therefore falls to be considered against planning policies regarding Gypsy and Traveller sites. The main issues in this case are:
  - The extent to which the application accords with the provisions of the development plan;
  - The general need for, and availability of, additional gypsy sites;
  - The applicants' personal needs and circumstances;
  - The case for a temporary permission should permanent permission not be granted; and
  - Human Rights Issues

#### **The Development Plan**

19. The requirement of RSS Policy H3 to significantly meet demand and provide at least 69 additional (permanent) pitches in the district between 2006 and 2011 was not met and fell short by about 15 pitches. However, while RSS Policy H3 remains part of the development plan, the Secretary of State's intention to revoke this is clearly a material consideration to be taken into account. Thus only very limited weight should be given to Policy H3. In addition PPTS now requires lpa's to make their own assessment of need rather than relying on a regional target.
20. Since the loss of Policy HG23 from the previous 2004 Local Plan, the current development plan does not contain any specific criteria-based policies against which to assess the impact of proposals for gypsy sites. While saved policy CNF6 allocates land for use as gypsy sites at Chesterton Fen, a number of previous appeal decisions have ruled out the possibility that there is still land that is suitable, available and affordable.
21. The Council therefore relies upon the 'General Principles' policies DP/1 - DP/3, albeit these need to be utilised in accordance with the advice in PPTS. This and numerous appeal decisions confirm that gypsy sites are often located in the countryside and that issues of sustainability should be seen in the round with a more relaxed approach taken to gypsies' normal lifestyle.

22. The site is not located in the Green Belt and considered to be located in a sustainable location; the distance from the main centre of Gamlingay is approximately 750m and the site easily accessible via foot or by bicycle. The proposal plot is a good size and the mobile unit will have sufficient space for amenity land and parking provision, though this is not shown on any submitted plans. More than one unit on this specific plot may cause overdevelopment based on the existing arrangement of the other two units on the larger site which is the subject of application S/0380/12/VC. The use of the adjoining land already permitted, albeit temporary, as part of the earlier consent mentioned above in the history paragraphs and a mobile home could be located on this plot without further consent until February 2013. The land is currently garden land to the existing mobile units and therefore not considered to be Brownfield.
23. The existing plot comprises lawn and mature boundary hedging. It is predominately empty, open and rural in character. From outside of the site the plot sits higher than the adjacent road and visibility into the site from the road and surrounding footpaths is very difficult. Other residential units are located to the north and south. A commercial yard is the most prominent sight visually in the area and this is located to the north of the existing access that the unit will use. A mobile unit on this plot is not considered to adversely impact on the surrounding countryside or will it affect others enjoyment or recreational use of rights of way in the vicinity.
24. The Local Highway Authority comments were not present at the time of writing the report and Members will be updated accordingly. With regard to highway safety, providing there is adequate turning and parking on site accessibility is likely to be acceptable. Visibility splays are already in place as part of the existing access. The main consideration will be whether a third unit will intensify the use unacceptably. The comments of the Parish Council refer specifically to the access point and lack of information. However clarification informs that the existing access will be used and no new access is proposed onto Potton Road as part of this proposal.
25. The closest neighbour is that of the applicant and the occupiers of No. 2 Potton Road. The proposed unit is for a family member of the applicant. The occupier to the north of the application site has not raised any objection. The proposed unit should be sited so that there is minimal impact on neighbour amenity and this can be conditioned. As a single storey unit there will be limited overlooking, if any. Noise should not exceed that that is normally associated with residential uses and therefore the proposal does not suggest a significant increase in potential noise. Any development works that take place can be appropriately restricted via condition. Boundary treatment can also be conditioned to ensure minimal impact on neighbour amenity as well as on the surrounding countryside
26. In accordance with policies DP/4 and SF/11, contributions would be required to meet the demand for public open space, sport and recreation facilities and other community facilities such as community centres and youth facilities. This application specifically proposes a 3 bed mobile unit. Open space provision would equate to £3104.38, Community Facilities to £513.04 and additionally £69.50 towards waste receptacles, S106 monitoring and £400 towards legal fees. The applicant is aware of these requirements.

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

27. In South Cambridgeshire, the number of caravans on authorised or tolerated private sites increased marginally between July 2009 and July 2011. Similarly, the number of caravans without any form of planning permission totalled just 4. For some considerable time now, the two public sites at Milton and Whaddon have remained

full and recently there are 25 active applications for pitches. The previous RSS target to provide new sites has not been met and should this application be refused there is no known vacant and deliverable site in the district that the family could occupy.

28. On 13 June 2012 the Housing Portfolio Holder approved an updated Gypsy and Traveller Accommodation Needs Assessment (GTAA) as part of the evidence base to inform the Council's planning framework. The GTAA confirms a total current need (backlog) of 69 pitches which translates to a shortfall of 65 pitches over the period 2011 to 2016.
29. There therefore remains an unmet general need for additional pitches in the district. This unmet need is a material consideration that weighs in favour of this proposal.

#### **The applicant's personal needs and circumstances**

30. Discussion with the applicant has aided officers with the assessment of the application and it is confirmed that the occupier meets the statutory definition for 'gypsies and travellers'. The existing site is an authorised site that has undergone assessment in earlier applications with regard to suitability. The proposal is for an additional mobile home for a member of the same family. It will house one adult and, at times, his two children. Personal information about the family member has been obtained and can be made available if required. The children attend local schools and use local facilities, services and amenities. It is likely that if this is refused the applicant will be forced to continue living in family members units which are undersized for the needs of the family and impractical.

#### **The case for a further temporary permission**

31. The case for a further temporary permission only becomes relevant if members consider a permanent permission is inappropriate. Circular 11/95 advises against a temporary condition unless the applicant proposes temporary development, or where a trial run is needed to assess the effect of the development on the area (paragraph 109). The imposition of conditions, including a temporary use, would not make the use any more acceptable. The degree of harm would be the same as if permanent permission had been granted. Nonetheless, there is no presumption that a temporary planning permission should become permanent.
32. Given there is no identified harm, it is recommended that a temporary planning permission would be inappropriate.

#### **Human Rights Issues**

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

**Conclusion**

34. The submitted application is assessed on its merits. It is considered that the applicant needs are fully justified and a full assessment has been carried to determine the application. The proposal is not considered to have an adverse impact on the surrounding countryside by being visually detrimental, the impact on residential amenity to be minimal and that appropriately worded conditions will make the development of this site an acceptable site for development of this kind. Having regard to applicable national and local planning policies and having taken all relevant considerations into account, it is considered planning permission should be granted in this instance.

**Recommendation**

35. It is recommended that the Planning Committee approves the application subject to
- (a) Plans showing the exact layout of the site with regard to location of the mobile home, amenity land and parking area.
  - (b) Section 106 Requirements
  - (c) LHA comments
  - (d) The following Conditions and Informative

**Conditions**

- (a) Time
- (b) Restricted to travellers as defined
- (c) Plans
- (d) Restriction to just one caravan
- (e) Restriction on vehicle size
- (f) No commercial activity
- (g) Restriction on external lighting
- (h) Personal consent to applicant.
- (i) Infrastructure Contributions

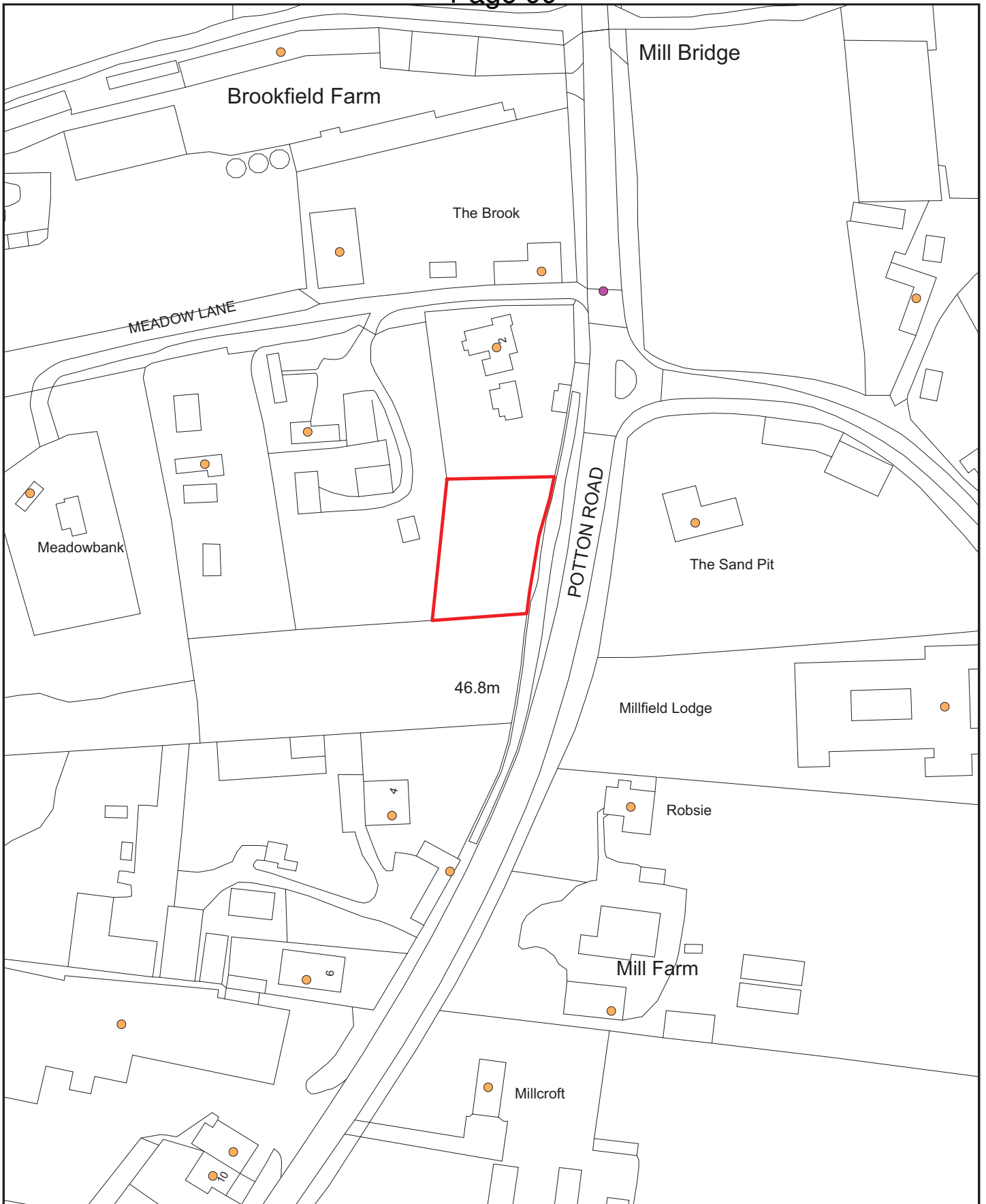
**Informative**

- (a) Infrastructure requirements

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- S/1747/09/F

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



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

4 July 2012

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

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**S/0571/12/FL - MELBOURN****Erection of 13 affordable dwellings and community building following demolition of four existing dwellings, police station and outbuildings (garages), High Street for Hundred Houses Society****Recommendation: Refusal****Date for Determination: 15 June 2012****Notes:**

**This Application has been reported to the Planning Committee for determination because the Head of Planning is of the view that the application should be presented to Committee for decision.**

**Members will visit this site on Tuesday 3 July 2012**

**Conservation Area**

**To be presented to the Committee by Paul Sexton**

**Site and Proposal**

1. This full application, as amended by drawings and additional details received on 19 June 2012, relates to the redevelopment of the former police station site, High Street, Melbourn.
2. The site currently comprises a group of brick built flat roofed police station buildings and detached houses, with central access road and landscaping. The existing buildings are set back a minimum of 12 from High Street behind a banked grassed area.
3. To the south west the site is bounded by Kays Close, which comprises a small development of modern architect designed houses sited behind No 32 High Street, a Grade II listed building. The boundary with Kays Close is formed primarily by a Yew hedge. To the north east is the side garden of 16 High Street, a modern bungalow, the boundary of which is formed by a flint wall, and to the rear are the grounds of Lordship Farm, 12 High Street, a Grade II listed building. To the rear of the site are the grounds of Melbourn Village College. There is existing planting along the south west, north west and north east boundary, with the front boundary being open.
4. Opposite the site is a Grade II listed building, sited gable end on to and abutting High Street, and the front garden of a modern bungalow.
5. The application proposes the demolition of the existing buildings on the site and the erection of 13 affordable dwellings and a community building. The central access

point remains with two pairs of dwellings and a terrace of three dwellings being sited at right angles to High Street in a line to the north east of the access road. The access road forks to the south west, with three pairs of dwellings sited in the north west section of the site, parallel to the road (but in a curved line), with the community building sited at the front of the site in the south west section of the site.

6. The proposed dwellings are all two-storey, with the semi-detached houses having two storey front gabled projections, and a ridge height of 7.8m. The terrace of houses has a ridge height of 8.4m, but no front gables. The amended design of the semi-detached omits lean-to wrap around additions to the front of the dwellings as originally proposed. As amended the materials proposed for the dwellings are natural slates, with render and stained weather boarding.
7. Two car parking spaces are provided at the front of Plots 1 and 2, and Plots 8-13, with one space provided at the front of each of Plots 3-7. Two additional car parking spaces are provided at the end of the roadway. The roadway is not to be offered for adoption.
8. The buildings will achieve Code Level 4 rating of the Code for Sustainable Homes.
9. A strip of land at the rear of the site, varying in depth from 7m to 10m, has been kept clear of built development in recognition of a covenant that exists on the site.
10. The dwellings comprise 4 two-bedroom and 9 three-bedroom units for rent.
11. The community building is two-storey, with a main ridge height of 7.4m and a low eaves, but with a section towards the south west end projecting front and rear with a higher ridge of 8m. It has an overall length of 26m and a depth of 15.3m. As amended materials proposed are natural clay tile roof, with a mix of stained weather boarding and red facing brick.
12. The building will incorporate an entrance porch, main hall area, library, kitchenette, meeting room, store and ancillary facilities at ground floor. There is a void above the main hall area, with a meeting room, clerk's office and storage at first floor above the higher roofed section.
13. Two disabled car parking spaces are provided to the rear of the building. No other car parking is provided on site for the community building and the application refers to the village car park, opposite the site to the south west as providing the parking for the community building. It is the intention of the Parish Council to provide a pedestrian crossing on High Street close to location of the community building.
14. The density is 27 dwellings per hectare, however this calculation is based on the whole site area, and when the area occupied by the community building is taken out the density of housing raises to 32.5 dwellings per hectare.
15. The site is within the village framework, the Conservation Area, and within Flood Zone 1
16. The application, as amended, is accompanied by a Design and Access Statement, Heritage Statement, Tree Survey and Arboricultural Statement, Contamination Investigation Report, Flood Risk Assessment, Initial Bat Survey, Supporting Statement, Numbers/Viability Statement, Ground Investigation Report and Street Elevations

### **Planning History**

17. There is no relevant planning history.

### **Planning Policy**

17. **South Cambridgeshire Local Development Framework Core Strategy Development Plan Document: ST/5 – Minor Rural Centres**
18. **South Cambridgeshire Local Development Framework Development Control Policies adopted July 2007: DP/1 Sustainable Development, DP/2 Design of New Development, DP/3 Development Criteria, DP/4 Infrastructure and New Developments, DP/7 Development Frameworks, HG/1 Housing Density, HG/3 Affordable Housing, 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 Developments, 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, CH/2 Archaeological Sites, CH/4 Development Within the Curtilage or Setting of a Listed Building, CH/5 Conservation Areas, TR/2 Car and Cycle Parking Standards.**
19. **South Cambridgeshire LDF Supplementary Planning Documents (SPD) - Open Space in New Developments - adopted January 2009, Development Affecting Conservation Area – adopted January 2009, Public Art - adopted January 2009, Trees and Development Sites - adopted January 2009, Biodiversity - adopted July 2009, Listed Buildings – adopted July 2009, Landscape in New Developments - adopted March 2010, Affordable Housing – March 2010 and District Design Guide - adopted March 2010**
20. National Planning Framework

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

21. **Melbourn Parish Council** - states that 'following legal advice the Planning Committee for Melbourn Parish Council makes no comment on this application.'
22. The **Local Highway Authority** comments that given the number of units served off this proposed development it would normally seek to adopt the internal roads, paths etc, however the applicant has expressly stated that the roads are to remain private, therefore the Highway Authority will make no official comments on the internal layout.

As certain areas of the proposed inter-visibility splays are outside the adopted public highway it requests that a condition be included in any consent requiring that two 2.4m x 43m splays shown on the submitted drawing are kept clear in perpetuity of all obstructions exceeding 600mm high, and requiring the submission of traffic management plan for the period of demolition and construction.

In the Design and Access Statement the applicant states that 'a zebra crossing could be feasibly installed adjacent to, or close to the proposed site of the Community Building.' The Highway Authority draws the Council's attention to the fact that the installation of a zebra crossing will require a Traffic Regulation Order, a process which is outside the control of the Planning authority. From non-empirical

observations the proposed location of the zebra crossing is unlikely to generate sufficient pedestrian movements to make the installation of any form of controlled crossing acceptable in this location, and under these circumstances it is probable that such a crossing point would be detrimental to highway safety.

23. The **Conservation Manager** comments in respect of the original submission. "The site is within the Melbourn Conservation Area with two listed buildings close by, 32 High Street and 2 Meadow Way, and others a little further away such as 27 High Street (The Old White House), 43-47 High Street, 12 High Street (Lordship Farm) and 38 High Street.

The dominant characteristics of the section of High Street containing the site are the three listed buildings which are on or close to the street, and, alternately, front boundaries formed by hedges and walls with buildings set back some distance behind them. Trees and other vegetation are prominent. There is a low density of development with mostly detached dwellings standing in separate plots. These characteristics are clearly seen in views up and down the High Street, with the white walls of 32 and 27 High Street, and the long brick elevation of 2 Meadow Lane at right angles to the street, prominent. This pattern of buildings, spaces, boundaries and vegetation should be a starting point for the development of the police site.

While there is mix of modern buildings in the area containing the site, these generally have much less impact because they are set back and, to different degrees, screened. Historic buildings are more prominent and contribute more to the character of this part of conservation area and should be the main starting points for the architecture of the police site. Both 32 High Street and 2 Meadow Way have steeply pitched roofs with plain tiles, simple forms and double pitched roofs, and plans which are long in proportion to relatively modest widths. The design of new buildings on the site should respond to the general characteristics of the historic buildings in the area, particularly if they are clearly visible, though this can be in a modern or more traditional style.

The police station site currently has a heritage significance because of the historic interest of the buildings which were part of a programme of police building. It has an attractive quality because of the spaces between the buildings and the view through to the north, the grassed areas, and prominent hedge and trees. The relatively low density of the site and vegetation reflect aspects of the character of this part of the conservation area. However, it lacks others and a successful redevelopment should seek to respond the wider set of characteristics described above.

The supporting information with the application generally fails to identify the important characteristics and significance of this part of the conservation area, which should be the starting point for a new scheme. (I support the comments of David Grech (English Heritage Historic Areas Advisor) of 28 May, 2012 about the weakness of the heritage statement and the drawings and photomontages in the application.) It also does not show how other options, which could be less harmful to the historic environment, have been considered and why they have not been chosen.

This lack of appreciation of the important characteristics is reflected in the design rationale and scheme itself. Where the scheme introduces some elements which respond more to local character, these can seem applied rather than a fundamental part of the design which has different roots and a different aesthetic.

The development fails to respond sufficiently to the pattern of buildings on or very close to the street or set some distance back with say hedges at the front and space

and vegetation between them and the buildings. Some aspects of this pattern are picked up, for example the hedges facing the street, but not enough.

The relatively high density of the scheme also conflicts with local character (and prevents the existing views through the site) and has made it difficult to retain more of the existing trees and 'green spaces'. Connected to the high density and lack of local character are the small spaces between the dwellings and the amount of hard floorscape in the proportion of the site taken up by parking spaces and streets. Lines of parked cars parallel and at right angles to the High Street would be prominent.

The designs of the dwellings reflect little local character apart from the white render finish of parts of the elevations. The depth of the floor plans, more shallow roof pitches, the front extensions and relatively complex plans and forms, and the treatment of the elevations, all contrast with the listed buildings close by.

The design of the community building also reflects little local character in terms of its wide section and low eaves, relatively complex plan and form, and treatment of elevations. I have had concerns that it will detract from views of 32 High Street from the east. The gables facing the High Street will be prominent and I have concerns about the blank elevations seen from the north-west (illustrated in the photomontage).

I believe that more information is required to understand the context for the development and its impact (as noted by English Heritage). For the reasons given above I believe the proposal will not preserve or enhance the character or appearance of the conservation area and will detract from the settings of listed buildings, particularly 32 High Street and 2 Meadow Way. It conflicts with sections 7 and 12 of the National Planning Policy Framework.

The proposals will give important public benefits in terms of affordable housing and the community building. The NPPF says that harm to heritage assets should be weighed against public benefits and that judgement needs to be made here. I believe that this assessment should take into account whether those benefits could be provided in a different way including on other sites.”

The Conservation Manager's full comments in respect of the revised drawings and additional supporting information will be reported at the meeting, however whilst the revisions made to the scheme are positive, they are not considered to be sufficient to overcome the fundamental concerns outlined above.

24. **English Heritage** comments in respect of the original submission “whilst the buildings are of little architectural significance they have some historic interest and the landscaping between the buildings also contributes positively to the character and appearance of this part of the Melbourn Conservation Area. The historic interest of the existing buildings has not been properly assessed, while the layout of the new development will result in the loss of a number of trees and a beech hedge that are important in the streetscape. English Heritage considers the proposals as originally submitted to be contrary to the historic environment policies set out in the new NPPF and will result in harm to the significant number of heritage assets. It is noted that significant public benefit will result from the proposal to off-set that harm but is of the view that revisions are required to secure further mitigation.

The scheme is in two parts; the demolition of the existing buildings together with the felling of a number of trees and grubbing-up hedges, and the construction of replacement structures. The two parts need to be considered sequentially.

Although the applications are accompanied by a Heritage Statement it gives scant consideration to the existing buildings, dismissing them as being 'at odds with the local vernacular, and considered detrimental to the Conservation Area'. English Heritage would not class these buildings as negative or detrimental to the Conservation Area, but are of no great interest and may be regarded as 'neutral' buildings in the Conservation Area. However, they are part of a series of similar developments in the villages of Cambridgeshire constructed in the immediate post-war period by the County Council and, as such, are of some historic interest in the growth and development of Melbourn. English heritage is aware that a similar grouping of police houses in Great Shelford has already be demolished and replaced and the Heritage Statement should have included placing this grouping in the context of the post-war development by the County Council and an assessment of the numbers still surviving. In the event that this grouping is one of the last surviving then its significance will be increased. Surprisingly the Heritage statement also contains no review of historic maps to assess previous uses of the site.

An important component of conservation areas are the spaces between the buildings and the contribution made by trees and hedges to the public realm. The police houses, garages and police station are arranged in a considered manner which is augmented by mature planting to provide a positive contribution to the character and appearance of the Melbourn Conservation Area. Again it is a matter of regret that neither the Heritage Statement nor the Design and Access Statement make any reference to the special qualities of the existing grouping, nor do either document attempt to assess the contribution of the trees and hedgerows to the overall significance of the conservation area.

Paragraph 138 of the new NPPF states:

*'Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance, Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated as either substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.'*

In this instance, without the proper assessment of the existing buildings, it is difficult to assess the extent of harm, but it is likely to be 'less than substantial' and so paragraph 134 will be applicable. This paragraph requires the harm to be weighed against the public benefit of the proposal, and it may be that the LPA will consider that sufficient public benefit will result from the increased amount of affordable housing and provision of a community building to outweigh the harm arising from their loss.

In the event that the LPA is minded to approve the demolition of the existing buildings on the site, English Heritage would request that a condition is included requiring an appropriate assessment of the historic significance of the police houses and police station in the context of the post-war provision by Cambridgeshire County Council in the rural centres, and that a Level 2 or 3 record is made of the existing buildings before they are demolished. The historic assessment and survey record should then be placed in the Historic Environment Record (as set out in paragraph 141 of the NPPF). Furthermore, paragraph 136 of the NPPF states that 'Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.' In light of this requirement a further condition should be included preventing the demolition from taking place until planning permission has been

granted for the replacement development and a contract has been signed for its construction.

#### Redevelopment Proposals

As mentioned above, a number of trees and hedgerows on the site make a positive contribution to the character and appearance of the conservation area and it is therefore a matter of regret that trees T001, T002, T003, T004 and T005, together with hedge H001 are all to be removed in order to allow for the redevelopment. The Arboricultural Report assess that all these trees have between 10 -20 year life expectancy, while the hedge has a 40 year life expectancy. It is again a matter of regret that the Design and Access statement does not include any early site layout studies that might have been undertaken to look at options for retaining some or all of these trees. Looking at the site plan it would appear that only a minor adjustment to the layout would be required to enable trees T004 and T005 together with the eastern half of hedgerow H001 to be retained. Retaining trees T001, T002 and T003 would be more problematic, but it would be helpful to have seen an alternative site layout, with the community building set gable-on to the road, to better understand why these trees must be lost.

The only tree that is to be retained away from the site boundary is T006, and this will now be in the rear garden to one of the new dwellings. As such it will not contribute significantly to the streetscape of the conservation area. Furthermore I note that the drainage plan indicates that a new drain is to be cut right across the roots of this tree, passing close to its trunk, which is likely to prejudice the future wellbeing of this tree.

During the course of my site visit I noted that the north-eastern site boundary is formed by a 2 metre high flint wall. While this is an undesignated heritage asset, it is of some interest and is a surviving remnant of earlier use, though regrettably once again the Heritage Statement is silent on this feature. It is important that this wall is retained, and while the plans are unclear on this point the drainage plan includes a trench soakaway parallel to the line of the wall. Constructing a trench soakaway in such close proximity to the wall may undermine the wall and cause it to fail.

Paragraph 5.1 of the Design and Access Statement states:

*'It is considered important that the site layout should consciously avoid the appearance of a housing estate with wide footpaths, high kerbs and wide radius curves, but should have the appearance and character of vernacular buildings found within close proximity of the site within this traditional village, achieving a comfortable relationship with its rural situation.'*

That may be a laudable aspiration, but I do not believe the design proposal achieves the aim. The vernacular tradition of the area is for houses with wide frontage and narrow plan depth, often sited in close proximity to the road, and sometimes set gable-on to the road. The houses themselves are also often only one-and-a-half storeys in height. The design proposes a series of narrow frontage, deep plan, two storey dwellings that are very much at variance to the vernacular traditions of the area, and the projecting two storey gable on the front of the semi-detached units is again an alien feature. That is not to say the designs are not without their merits, and the recent housing in Kay's Close immediately west of the site is an example of how low key contemporary architecture can be successfully integrated into a historic context, but the design should not claim to have 'vernacular' credentials. The car-dominated front gardens to the development will, unfortunately, reinforce the 'housing estate' appearance that the Design and Access Statement seeks to avoid.

No information is provided within the application on the treatment of the side boundaries to the rear gardens, but those to Units 1, 7 and 8 are particularly

sensitive. As noted above, the southern boundary to Unit 1 should be formed by retaining the existing hedge H001, while if the others are to be formed by close-boarded fencing, then it should include provision for planting a native species hedge to the front side of these fences.

The design of the Community Building suggests an 'agricultural' structure, which may be an appropriate starting point. However the fussiness of the dormer on the north-east elevation and the raised ridge light over the main double-height space detract from the simple, agricultural form. It would be preferable to omit the dormer altogether and light the Clerks office with either a second rooflight coupled with a low, under-eaves window, or a window set in the north-west gable. The raised ridge light to the double height space might be replaced by simple patent glazing to the side.

The Community Building will be prominent in the streetscape, and its overall height will be accentuated by the existing bank. It is therefore important to understand how it will relate to the adjacent existing buildings and in particular those that are listed. To that end the applicant should be asked to supply an overall street elevation, illustrating the new development (both the Community Building and housing) in relation to the adjacent 18th century listed building at No 32 High Street and the bungalow at No 16. This should be at a minimum scale of 1:200. A cross section through site (also at 1:200) and illustrating the Community Building in relation to The Long House on the opposite side of the High Street would also be helpful. This information will better inform an assessment of the impact of the proposals on the setting of the adjacent listed buildings. The assessment undertaken in Section 4 of the Heritage Statement is again inadequate for this purpose. It also completely fails to consider the impact of the development on the moated site that abuts the northeast boundary of the site and includes a former Manor House that is Grade II listed (Lordship Farm, 12 High Street).

I note with concern that the new houses and Community Building are all to be roofed in interlocking concrete tiles. I am aware that over recent years South Cambridgeshire District Council has promoted the use of high quality materials for sites in conservation areas and the use of cheap interlocking concrete tiles at this site could set an unfortunate precedent that would then be difficult to resist elsewhere. If the council is minded to approve this development then better quality roofing materials should be required; these might include clay pan-tiles or natural slate for the Community Building and natural slate for the houses. Where photovoltaic panels are to be installed on the roofs, these should be integrated into the roof coverings and not sited on brackets over the tiles or slates. If a large number of photovoltaic panels are to be located on the street elevation of the Community Building, then it may be preferable for that building to be roofed in natural slate so that the panels are better integrated into the roofing.

## Recommendation

In the view of English Heritage this development will result in harm to a number of heritage assets, both designated and undesignated, though because of inadequate assessment and supporting material it is difficult to properly assess that harm. However the harm is likely to be less than substantial harm as set out in paragraph 138 of the NPPF and therefore the application will need to be assessed in accordance with the requirements of paragraph 134 of the NPPF, and the harm weighed against the wider public benefit that will result from the development. English Heritage acknowledges that the provision of affordable housing and a Community Building will bring significant public benefit, but believes that the resulting harm needs to be better understood and further mitigation sought before the application is approved.



In the event that the Local Planning Authority believes that the public benefit outweighs the harm and is minded to approve the applications then English Heritage recommend that:

- A condition is included requiring an appropriate assessment of the historic significance of the police houses and police station in the context of post-war developments by the County Council in the rural centres, to include a Level 2 or 3 record of the existing building and all to be placed in the County Council Historic Environment Record (in accordance with paragraph 141 of the NPPF).
- A condition is included preventing any demolition of the existing buildings on the site until planning permission is granted for the redevelopment of the site and a contract has been signed for its construction (in accordance with paragraph 136 of the NPPF).
- The site layout is revised so as to allow the retention of trees T004 and T005, together with the eastern half of hedge H001.
- That a condition is included specifically excluding approval for the use of interlocking concrete tiles and requiring approval of samples of roofing materials in writing by the LPA before demolition of the existing buildings is allowed to take place.
- A condition is included requiring approval in writing of details for the integration of photovoltaic panels into the roof finishes before demolition of the existing buildings is allowed to take place.
- A condition is included specifically excluding approval of the drainage layout and that a revised drainage layout is to be submitted and approved in writing by the LPA before demolition of the existing buildings is allowed to take place. The revised drainage layout is to avoid routing any drainage within the protected root zones of retained trees, and all soakaways are to be sited to avoid damage to tree roots and the retained flint wall on the north-east site boundary.
- Consideration is given to modifying the design of the Community Building to omit the dormer on the north-east elevation and simplify the ridge-light to the double height space.”

25. The **Environment Agency** comments that having reviewed the information submitted in respect of contamination investigation the application is acceptable only if conditions are included in any consent that, if during the course of development additional contamination is identified, no further work be undertaken until a remediation strategy has been submitted to and approved by the Local Planning Authority. It has not raised an objection to the proposed surface water drainage but requests that a condition be included requiring the submission and approval of a surface water scheme based on sustainable drainage principles. It sets out a number of informatives which it requests are included in any consent.

26. The **Housing Development and Enabling Manager** confirms the significant level of need for affordable housing in the District. The proposed scheme of 100% affordable housing far exceeds the 40% required by policy on sites such as this. The mix and tenure is supported, and the dwellings will be built to achieve Code Level 4 rating.

There is no requirement for this site to be made available for people with a local connection to Melbourn and dwellings would be open to all applicants who are registered on the Councils Home Link system and the Council has a legal obligation to give reasonable preference to all applicants assessed and placed in the highest housing need.

The scheme is fully supported by the Housing Strategy and Development Team which has been working with Hundred Houses Society on this project for some time.

27. **Cambridgeshire Archaeology** comments that the site lies in an area of high archaeological potential. It is considered likely that important archaeological remains survive on the site and that these would be severely damaged or destroyed by the proposed development. The site is located in the historic core of Melbourn, close to All Saints Church, which dates from the 12th Century (HER No. DCB4531). An archaeological excavation carried out on land adjacent to the site (28-32 High Street) revealed remains of medieval structures and pits used for rubbish disposal (HER No. MCB15383 & ECB1027). Further medieval remains are known to exist in the vicinity, including a medieval moated site to the north-east.

It therefore considers that the site should be subject to a programme of archaeological investigation (Historic Building Recording) and recommends that this work should be commissioned and undertaken at the expense of the developer. This programme of work can be secured through the inclusion of a negative condition.

28. The **Trees and Landscapes Officer** commented in respect of the original submission that there was clearly some ambiguity in relation to the boundary and the Kays Close and that tree T24, Sycamore was shown in the tree report to overhang the site with proposals to reduce the canopy to the boundary, however it is clearly wrongly shown if the beech hedge is the boundary. Given the form of the tree there would be concerns about root pruning. The proposals indicate a storage structure adjacent to Unit 13 within the hedge. This hedge is a significant feature and should not be fragmented. To ensure its retention it should be afforded a clearance of 1.5-2m from any development.

Concerns have been raised by residents about the loss of TT8 and T10 at the rear of the site and these trees do provide good screening from 3 Kays Close, and as a group are a significant screen however being at the rear of the site they are obscured from a wider amenity value. It is not practicable to retain these trees in the proposed layout but they should be replaced along the boundary with a more suitable species.

The Silver birch on site are mature specimens and the original proposals see the loss of all these trees, which only have a possible life expectancy of 5-10 years. Given they are a feature of the site replacement Silver birch along the frontage of the site as part of a landscaping scheme should be considered.

29. The **Corporate Manager Health and Environmental Services** requests conditions restricting the hours of operation of power driven machinery during the period of demolition and construction, requiring the submission of a scheme for external lighting for approval, and controlling any use of driven pile foundations. Informatives should be attached to any consent regarding bonfires and the burning of waste during demolition and construction, and reminding of the need for a demolition notice.
30. The **Contaminated Land Officer – Environmental Health** points out that the PRP Contamination Investigation Report submitted with the application recommends further investigation and therefore a condition should be included in any consent which requires the site to be subject to a detailed scheme for the investigation and recording of contamination and agreement of remediation objectives.
31. The **Architectural Liaison Officer, Cambridgeshire Constabulary** has no particular issues in respect of Secured by Design, but recommends that there should be a lighting scheme to highway standards, and that low lux column mounted lighting to provide a uniform spread of three columns would be sufficient if strategically placed. In respect of the Hub building there would be good surveillance to the side

and rear, whereas views from the front are limited other than to passing traffic. The houses opposite provide poor surveillance mainly due to high hedging at the front. The Hub building has an undercroft, produced by the design of the building and its overhang. Whilst not a problem when the building is in use, it could be a problem out of hours and could provide a potential sheltering/meeting place. The boundary with Kays Close should be secured by a fence or some form of defensible planting. Cycle crime can be a problem and parked cycles will not be visible from the Hub building itself.

For the Hub the use of CCTV is recommended and that main pedestrian access points are protected with doorsets. All glazing should contain at least one pair of attack resistant glass, the posts supporting the overhang could be used to prevent a vehicle attack in place of bollards if reinforced at the base with a brick pier. Overall risk to the building, however, is considered to be low.

32. **Anglian Water** comments that the foul drainage from this development is in the catchment of Melbourn STW that at present has available capacity for these flows. The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer seen as the last option. A condition should be included in any consent requiring the submission of a surface water strategy/flood risk assessment for approval.

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

33. Letters of objection/comment have been received from the occupiers of 14, 14a, 16, 33 35 High Street, Lordship Farm, 1, 2 and 3 Kays Close and 1 The Lawns Close.
- a. Unacceptable increase in traffic, from both houses and the Hub.
  - b. 13 houses is an overdevelopment of the site. 8 houses would be more appropriate with the trees remaining. Spoiling of what is currently a green and open view on the High Street and the loss of a number of significant trees, which would ruin the current look and feel of the area, and giving the village a more suburban town feel.
  - c. The Conservation Area should not be developed any further than it is already is.
  - d. Hub encroaches on the elevated bank along High Street, which serves as an open green space at the heart of the village. The existing police station buildings are flat roofed and set well back from High Street, whereas the Hub is two storey, with a complicated pitched roof and will be sited much closer. Due to the elevated location and volume the building will become a prominent feature detracting from historic views of listed buildings
  - e. The external materials proposed are not good enough for a Conservation Area site. Alien design to Melbourn. Housing layout is car dominated.
  - f. Application is lacking supporting information to justify reasons for approach. It does not comply with the NPPF – does not comply with raft of local plan policies and documents; does not ensure high quality of design, a good standard of amenity for existing and future occupants, does not provide a proper assessment of flood risk associated with the development; does not ensure proper conservation of the natural environment, does not meet high standard of design required in Conservation Area. Any benefits are

outweighed by the harm. Presumption in favour of sustainable development in the NPPF is not to be used by developers to override rules protecting Conservation Areas, especially where there is strong and valid local objection.

- g. Loss of wildlife
- h. Disappointment that 23 trees will be lost, and what is planned is a poor substitute
- i. Two parking spaces per unit are not sufficient.
- j. Destroying already existing excellent housing stock will downgrade the centre of Melbourn, which is bad both environmentally and by adding future costs to the public finances.
- k. Another public building is not needed in the village, as there are many places that can be used for this purpose already.
- l. The site is on a flood plain. This area of High Street is prone to flooding and the drains are unable to cope now. The increase in building will lead to less soakaway areas for heavy rainfall. After a downpour, walls of water flood SW down High Street and pour into the Lordship Farm drive to a depth of 4ft every 4-6 years and from there the polluted water drains into the medieval moat. The proposed soakaway will do nothing to mitigate additional pollution. The water in the moat/drain is at least 6 feet below planned roadway level and there is no provision for trapping impurities before discharge.
- m. All of the roofs, roads and car parking spaces drain into the soakaway system in the corner of the site. The 'system' is adjacent to the drain/river that connects down, the moor' which locals already know has drainage water issues. It is hoped that the system is a storm attenuation system in accordance with BRE Digest 365. It is also questioned, given the known drainage problems in the area, that the size of the attenuation cell indicated is not sufficient to drain the area, and there seems to be no requirement to cover on-going maintenance, which would become a burden on the local community.
- n. The location of the proposed drain close to the flint wall on the north west boundary of the site could undermine the wall, leading to its collapse. Correct rebuilding, which would be insisted upon, is expensive.
- o. The soakaway will lead to pollutants such as diesel fuel, oil etc leeching out of the site.
- p. Although the Parish Council says the Hub has 'overwhelming support', only 8% of the village responded.
- q. The Heritage Statement does not make reference to Lordship Farm, a Grade II Listed Building, the grounds of which border the site. The application was previously part of the kitchen garden to Lordship Farm and was sold to the County Council for use as a police station. Many other heritage assets are omitted.

- r. Where will residents and Hub visitors park? Although there is a car park nearby people will park in High Street, outside the building, which will make access to properties opposite and to Meadow way extremely hazardous.
- s. There should be double red lines along High Street and a Zebra crossing for the school children and elderly, and prevent parking on High Street, which is currently clear with no congestion.
- t. Overlooking of 16 High Street, a bungalow, by the seven houses which are much closer to the boundary and are on higher ground. The lounge, kitchen and garden of No 16 will be overlooked. Mature trees which form a screen on the boundary will be lost
- u. Units 5-7 are too close to the boundary with Lordship Farm, and less than the 15m required by the District Design Guide.
- v. Adverse impact on residential amenity of 3 Kays Close by overlooking, loss of privacy and increased noise disturbance. Units 12 and 13 are too close to boundary, and boundary trees will be lost. Due to pre-existing medical conditions it could be life threatening if emergency vehicles were prevented or delayed from entering Kays Close due to Hub delivery vehicles/visitors. Since a new house was built to the rear of No3 the occupiers chose to sit in front garden area which is not currently overlooked – this privacy will be lost.
- w. The proximity of unit 13 to dwellings in Kays Close is less than the 15m required by the District Design Guide.
- x. Disappointment with applicants assessment of impact on The Longhouse – as windows facing High Street were blocked at time of window tax impact is argued to be minimal.
- y. Concerns that proposed drains will disturb roots of remaining trees and hedges within the site.
- z. In a recent village survey, as part of the Village Plan, nearly 70% were against infill in the centre of the village, yet parts of this document have been used to support development of this site.
- aa. Building line is closer to the footpath, thus reducing the green areas currently enjoyed by local residents. The current site layout nicely contrasts with the stark necessities of the car park, offsetting its bleakness with a spacious green space between the houses and above all by the trees and greenness of the site.
- bb. The Hub will be a 1.5 storey building, which will be significantly higher than the current building, affecting properties opposite.
- cc. The main entrance to the Hub will be directly onto High Street, maximising the noise suffered by nearby residents.
- dd. Deliveries to the building will necessitate parking of vehicles on High Street, as they will not be able to access the site. There is provision for turning within the site. Lack of space on site for delivery vehicles will mean that they will use Kays Close for temporary parking. As a private road this is not acceptable

- ee. Collection of refuse will cause a large volume of noise and necessitate larger vehicle access, potentially at unsociable times.
- ff. Potential disturbance until very late at night and again from early in the morning. As noise travels long distances, particularly at night, properties some distance away may be affected. The design of the building gives the potential for large gatherings
- gg. The application states that public consultation has been conducted, however this was only a presentation of the village plan where the Hub was briefly discussed, and there has been no opportunity to discuss the development as a whole.
- hh. Due to the history of the site it may be rich in archaeology.
- ii. Proposed timber frame construction will deteriorate more rapidly than the police houses, as no steps have been taken to build the houses above flood height. With care the existing houses will last well into the next century and conservation rather than demolition would be greatly beneficial in terms of environmental impact
- jj. Melbourn is a village composed mainly of Tudor and Stuart thatched cottages, to which a healthy number of houses built solidly in the 1950-80 vernacular have been added. The police houses should not be denigrated as they are far from incongruous and certainly more in keeping than the proposed replacements.
- kk. Melbourn will soon become a suburb of Royston
- ll. The Hub will cost money the Council tax payers cannot afford. It will be little used by Melbourn villagers who have been disenfranchised by the very handful of people who will use the building primarily and whom have been conveniently silenced by the developer.
- mm. Concern that the boundary with Kays Close, which is formed by a mature beech hedge, is shown incorrectly, and that the site encroaches on the land of Kays Close, by at least 0.5m. The proposed house on Plot 13 and associated landscaping is therefore closer to Kays Close than shown. The plans need to be drawn to see if development can fit within the site.
- nn. The occupier of 1 Kays Close asks that written assurance should be provided by the applicant that tree T024 will not be harmed or become unstable. The tree survey identifies the need for cyclical maintenance to the tree but this should only be done with permission of SCDC and the owner. The drawing is unclear as to work to be carried out to this tree and the protection measures. This should be clarified.
- oo. The hedge along Kays Close must be protected and this should be part of any planning consent. The boundary should be subject to an independent survey.
- pp. The boundary of the site with Lordship Farm is inaccurately depicted, with a tree being shown within the grounds of Lordship Farm which is within the application site.

- qq. The plans show the bin store for Plot 13 cut into the boundary hedge with Kays Close – this is not acceptable.
  - rr. Existing trees outside of the site in Kays Close, including a large Norway maple in front of No2 are not correctly shown and as a result the work specified to these trees in the Tree Survey and Arboricultural Assessment is inaccurate. There is concern that any work to the Norway Maple will affect its stability. Any works to trees should be undertaken by experts.
  - ss. The Affordable Housing SPD requires affordable housing to be distributed through a residential development in small clusters of typically 6 to 8 units, particularly in rural areas. The number units proposed here is much higher.
  - tt. Object to the manner in which the site was sold.
  - uu. The proposed zebra crossing will do nothing for those needing to cross the High Street at Norgett's Lane to get to the Village College. If there is money for a crossing this is where it should go, to alleviate existing danger.
  - vv. Concerns that Melbourn Parish Council has been silenced on the proposal.
  - ww. There is a covenant on the land which this proposal will breach. It is contended that this not only restricts built development on the strip of land at the rear of the site, as identified on the submitted drawings, but also is the reason why the site was developed with the open space through the middle. With houses being set back to allow clear views to the Ha-Ha at the rear of the site, with one exception which is specifically allowed for in the covenant.
34. In addition a petition with 165 signatures has been received , which recognises need for affordable housing in the village but that the site should only provide housing it can comfortable accommodate. The loss of green space, trees and open views in the Conservation Area is opposed. These are in respect of the application as originally submitted.
35. A letter of support has been received from the occupiers of 5 Chalkhill Barrow stating that Melbourn badly needs new homes for young people, who are currently living with parents or relatives in inappropriate accommodation. The Library access point on The Moor is at the end of its life and urgently needs to find other accommodation. It is currently manned by volunteers which is greatly appreciated by the village. The relocation to the Hub to a more central location, with easy parking nearby is welcomed. An ATM machine is to be installed which will be an asset. The new building housing a coffee shop, meeting rooms, the Library, Parish Council offices, computers for public use etc will revitalise the village.
36. Strong support has been received from the Citizens Advise Bureau, who intend to offer services from the Hub, which will enable it to more easily reach those in need in the area.
37. Letters of support for the provision of the library have been received from Great and Little Chishill, and Heydon Parish Councils, who state that its residents would use that facility.
38. Any comments on the revised details will be reported at the meeting, although officers understand that a tree report commissioned by residents in Kays Close is to be submitted.

### **Applicants Representations**

39. The supporting documents submitted with the revised scheme can be read in full as part of the background papers on the Council's website. These include a document entitled 'Public Opinion to the provision of a Community Hub on the Old Police Station site in Melbourn', which sets out background to the local consultation on the proposal.
40. A statement from John Martin Associates has been submitted, commenting on issues raised by English Heritage. A viability statement has been submitted which addresses the issue of the viability of the development of the site, and that housing units originally envisaged have been lost to incorporate the provision of the hub. Any alteration to the scheme in terms of reducing housing numbers for tenure would result in the loss of a scheme which Hundred Houses and the Parish Council feel is the best solution to the site, to something which both feel is far less beneficial, in particular with addressing two key local and district priorities in the provision of affordable housing and facilities for the local community.

### **Material Planning Considerations**

41. The key issues for Members to consider with this application are the principle of development, impact on the Conservation Area, impact on trees, impact on the setting of listed buildings, residential amenity, highway safety and parking, drainage and other matters.

#### *Principle of Development.*

42. The site is within the village framework of Melbourn where Policy ST/5 permits development of up to 30 houses. As such the scale of development proposed is acceptable in principle, subject to compliance with other policies of the Plan. The normal requirement of Policy HG/3 is to require at least 40% of the total number of houses to be constructed to be affordable dwellings. The proposal for 100% affordable housing is far in excess of that requirement, and is supported by the Council's Housing Development and Enabling Manager.

43. The provision of the community building on the site is acceptable in principle.

#### *Impact on the Conservation Area and Listed Buildings*

44. The Conservation Manager has set out what he considers to be the important aspects of this site in respect of its position in the Conservation Area, and the part it plays in its existing character, and these are not rehearsed here. English Heritage has also set out its concerns. Policy CH/5 sets out the Council's policy in respect of development in Conservation Area with further advice being contained in the Development in Conservation Areas SPD. The NPPF replaces states that in determining planning applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. It goes on to say that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.
45. Officers are of the view that the proposed redevelopment of the site by the number of dwellings proposed and the community building, will materially detract from the Conservation Area for the reasons set out in the comments of the Conservation Manager and English Heritage. The location of the car parking spaces at the front of



the houses will result in an almost unbroken line of cars, when viewed from the High Street and within the site, which will further detract from the appearance of the area.

46. Although the community building has been set further back from the road in the revised plans it will still intrude on views of the listed building at 32 High Street, to the south west ,being significantly further forward on the site that the existing lower key buildings.

*Impact on Trees*

47. The revised tree survey submitted by the applicant seeks to address the inaccuracies of the original document and amends the site boundaries with Kays Close and Lordship Farm. The beech hedge on the boundary with Kays Close is shown as being retained and the outbuilding for Plot 13, which previously cut into the hedge, has been relocated.
48. The Trees and Landscapes Officer has not objected to the application, subject to suitable protection and replacement where appropriate which could be secured by condition of consent, commenting that in her opinion some of the Silver Birch have relatively short remaining lifespan, however officers are of the view that the loss of the significant number of existing trees detracts from the character of the site and adds to the concerns in the previous section.

*Residential amenity*

49. The scheme as amended ensures that development does not encroach into the beech hedge along Kays Close, and it is important to ensure that this feature is retained. Although the proposed house on Plot 13 is close to this boundary it is gable end on, with no first floor windows, and complies with the 12m minimum separation distance from the front of houses in Kays Close required by the District Design Guide (it is not required to be 15m from the boundary as referred to in some of the local representations).
50. Whilst officers note the concerns of the occupiers of 3 Kays Close about possible overlooking of the front garden area of that property, there is a distance in excess of 25m from any rear facing windows in the new development and that part of the garden area, and officers are of the view that there will be no material overlooking.
51. The proposed houses on Plots 1-4 are 15m from the side boundary with No 16 High Street, the main private garden area of which is to the rear rather than the side of the dwelling. Although there are ground floor windows facing the site these are a minimum of 25m from windows of any of the new properties. This part of the layout therefore complies with the suggested minimum distances for such arrangements in the District Design Guide SPD. The revised layout shows additional planting on the boundary with No16.
52. The proposed houses on Plots 5-7 are within 13m of the boundary with 16 High Street and the grounds of Lordship Farm. In respect of 16 High Street, however, it has a garage adjacent to the boundary at this point, which means that the private garden area is set some 20m away from the rear facing windows in these new plots. In respect of Lordship Farm, given the retention of existing trees within the site, and the distance from the house itself officers are of the view that there will not be a material loss of amenity through overlooking

53. Concern has been expressed about the possible impact on residential amenity from noise disturbance as a result of activities in the community building, particularly later at night, and I have asked the Environmental Health Officer to comment on this point.

Highway Safety and Parking

54. No objections have been raised by the Local Highway Authority and the car parking provision for the dwellings, a total of 24 spaces, satisfies the average of 1.5 spaces per dwelling required.
55. Officers are of the view that although the community building has only been provided with two disabled car parking spaces, the proximity of the building to the village car park on the opposite side of High Street, and that as a local facility access by foot and bicycle should be encouraged, that this arrangement is acceptable, but will need to be managed by the Parish Council.
56. Officers note the local concern about the possibility of delivery vehicles choosing not to enter the site, although they could do so and turn, but are of the view that temporary parking of such a vehicle on the High Street at this point would be acceptable, and there has been no comment from the Local Highway Authority on this point.

*Drainage*

57. The site is not identified by the Environment Agency as one that has a high flood risk, and is within Flood Zone 1, although until recently it was shown with a higher category. Officers are aware however of the local concerns regarding flooding in the High Street, and particular just to the north east of this site.
58. The application is accompanied by a Flood Risk Assessment, and neither the Environment Agency nor Anglian Water has raised an objection, although a condition is requested requiring submission of a detailed scheme for surface water drainage based on sustainable drainage principles. Any scheme will need to ensure that existing surface water run-of rates are not exceeded.

*Other matters*

60. The archaeological assessment requested by the County Archaeologist can be secure by condition.
61. The flint wall on the north east boundary of the site should be adequately protected and repaired where appropriate.
62. The homes will achieve Code Level 4 rating of the Code for Sustainable Homes.
63. The existence of a covenant on the site is not a material planning consideration and is a matter to be resolved by the parties involved, although in determining the planning application there may be issues alluded to in the covenant, such as the protection of the character of the area, which Members will need to consider under national and local planning policy.
64. The need for the Hub and its commercial viability are not planning issues, although the potential benefits of the scheme should be weighed against any resultant harm to material planning considerations in determining the application.

65. The applicant has indicated that the financial viability of the scheme as a whole would be prejudiced if the number of houses were to be reduced, given that the site was originally purchased to provide housing only, and some units have already been lost to accommodate the proposed hub. The applicant also stresses that its aim should be to maximise the provision of affordable housing. Reference has been made to 18 houses originally planned for this site, however officers have not indicated that it might have been possible to satisfactorily accommodate this number of units on the site, without compromising issues such as Conservation Area impact, and therefore this figure should not be used as baseline for the development of the site.
66. The applicant has recognised the need to contribute towards public open space, public art etc and these matters could be secured by requiring a scheme through condition of any consent.

*Conclusion*

67. This is a case where a balance needs to be made against any harm identified arising as a result of the proposed development, and the public benefits that the scheme might bring forward if approved. The starting point for decision must be the development plan and a decision should be made in line with its policies unless there are material considerations that indicate otherwise. This approach is reinforced by the NPPF.
68. Officers have identified above what they consider to be the harm that will result to the character and appearance of the Conservation Area if the proposed development were to proceed. In coming to this view officers have recognised the improvements to the design of the houses, the materials proposed, and the setting back of the community building, amongst other matters, as a result of the revised drawings, but are of the view that these are not sufficient to fully address the concerns raised.
69. Set against this concern is the undoubted benefit in the provision of 13 affordable houses, on a site where the Local Planning Authority would normally only be able to secure the 40% of the total number of dwellings approved as affordable units. Although persons with a connection would not get priority of allocation in this case 13 affordable units would be added for those in housing need in the District as a whole.
70. In this case officers are of the view that having balanced these issues the harm to the character of the Conservation Area and setting of listed buildings, of the scheme as currently proposed outweighs the public benefits of the proposal.
71. Officers are of the view that it would be possible to negotiate a more appropriate scheme for the site, including housing and the community building, but to do this would require a reduction in the total number of units proposed, with the probable introduction of some market housing to aid the viability of the scheme. The information submitted by the Housing Association sets out why it would not wish to take this option at this stage and officers understand that position.

**Recommendation**

72. That the application is refused for the following reason:
1. The site in its current form, with a mixture of buildings in a low density setting, with landscaping and open grassed areas either side of the access road, enhances the character and appearance of this part of Melbourn Conservation Area, and forms

part of the setting of adjacent Grade II listed buildings at 32 High Street, The Longhouse, 2 Meadow View, and Lordship Farm.

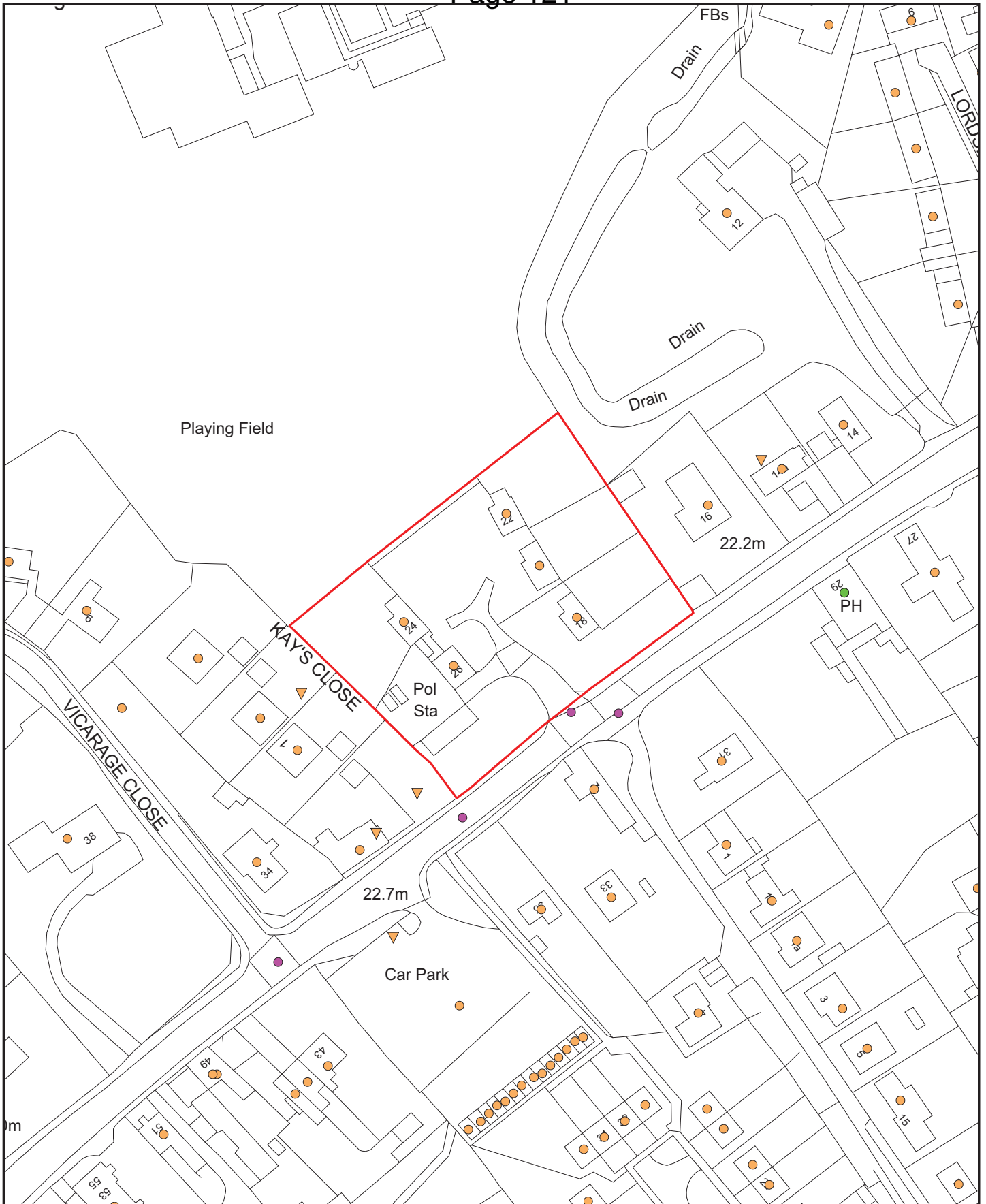
The redevelopment of the site by the number of buildings proposed will result in an increased density of development on the site, bringing development closer to the High Street frontage, leading to the loss of trees and open spaces within the site, and a cramped form of development, which in respect of the housing element, will be dominated by the car parking areas at the front of dwellings. As a result the development will neither preserve or enhance the existing character of the Melbourn Conservation Area, and will detract from the setting of adjacent listed buildings, contrary to the aims of Policies CH/4 and CH/5 of the adopted Local Development Plan Policies 2007 and advice contained in the National Planning Policy Framework.

The Local Planning Authority recognises that the harm identified above needs to be balanced against the public benefits which will accrue from the provision of 13 affordable houses and a community building for the village, however in this case the Local Planning Authority is of the view that these benefits do not outweigh the harm and that the application should be refused.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/0571/12/FL

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

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**REPORT TO:** Planning Committee

4 July 2012

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

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**S/0819/12/RM - CAMBOURNE****Partial Site Replan (plots 19-21 inclusive) of planning permission ref. S/2129/10/RM to accommodate 2 no. additional dwellings and associated works at Land Parcel UC09, Upper Cambourne for Taylor Wimpey East Anglia  
Recommendation: Approval****Date for Determination: 13<sup>th</sup> June 2012****Notes:**

**This Application has been reported to the Planning Committee for determination because Cambourne Parish Council has recommended refusal of the application. To be presented to the Committee by Edward Durrant**

**Site and Proposal**

1. This reserved matters application, received on 16<sup>th</sup> April 2012, seeks approval for a partial amendment of the existing planning permission (reference S/2129/10/RM) to construct 51 dwellings on land parcel UC09, development of which has commenced. The current application seeks to provide a further 2 dwellings in addition to the 51 previously consented through a re-planning of the approved development occupying plots 19, 21 and 22.
2. Land Parcel UC09 is located to the east of Sterling Way, which is one of the spine roads running in a north to south direction through the centre of Upper Cambourne. To the north the site abuts land parcel UC12, which has been built out with two storey properties that are now occupied. To the south the site abuts an old track lined with small trees and bushes, which was initially proposed to be a bus link from Upper Cambourne to the Broadway as part of application reference S/6348/07/O. The land to the east, which is also flat and vacant, forms land now proposed for development as part of Cambourne 950 (ref. S/6348/07/O). Land parcel UC09 has an area of approximately 1.47ha, of which the current application covers an area of 0.13ha.
3. The changes would comprise: (a) replacing approved plot 19, a detached 2-storey 4-bed house, with a pair of 2-storey semi-detached 3-bed houses; and (b) replacing approved plots 21 (a detached 2-storey 4-bed house) and 22 (a detached 2½-storey 5-bed house) with 3 x two-storey 4-bed houses, one of which would be detached and the other two linked detached. Each dwelling will benefit from 2 off-street parking spaces, either in the form of a garage and driveway space or two parking bays. The density for the consented 51 units equates to 34.6 dwellings per hectare (dph). The proposed addition of 2 dwellings would increase the overall density to 36.0 dph.
4. In response to comments received from Cambourne Parish Council with respect to the internal arrangement of doors clashing in house types PA33 and PD42; the applicant has submitted amended plans which move store doors away from dining/living room doors as well as handing them to avoid any immediate clashes.

### **Planning History**

5. **S/1371/92/O** – Outline permission granted for 3300 dwellings in April 1994.
6. Upper Cambourne Development Briefing Document Revision H
7. **S/0012/08/RM** – Planning permission granted for the erection of 51 dwellings and associated infrastructure on land parcel UC09.
8. **S/2129/10/RM** – Planning permission granted on 6<sup>th</sup> May 2011 for the erection of 51 dwellings (amended design) on land parcel UC09.

### **Planning Policy**

9. **South Cambridgeshire Local Plan 2004 saved policies:**  
**Cambourne 2** Development in Accordance with Cambourne Design Guide  
**SE7** New Settlement of Cambourne
10. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007:**  
**STa-k** Objectives arising from the Strategic Vision for South Cambridgeshire  
**ST/4** Rural Growth Centres
11. **South Cambridgeshire Local Development Framework (LDF) Development Control Policies 2007:**  
**DP/1** Sustainable Development  
**DP/2** Design of New Development  
**DP/3** Development Criteria  
**DP/6** Construction Methods  
**HG/1** Housing Density  
**HG/2** Housing Mix  
**SF/10** Outdoor Play Space, Informal Open Space and New Developments  
**NE/6** Biodiversity  
**NE/9** Water and Drainage Infrastructure  
**NE/11** Flood Risk  
**NE/14** Lighting  
**TR/1** Planning for More Sustainable Travel  
**TR/2** Car and Cycle Parking Standards  
**TR/4** Non-motorised Modes
12. **Supplementary Planning Documents**
  - (a) **Landscape in New Development SPD** – adopted 2010
  - (b) **District Design guide SPD** – adopted 2010
  - (c) **Trees and Development Sites SPD** – adopted 2009
  - (d) **Biodiversity SPD** – adopted 2009
  - (e) **Open Space in New Developments SPD** – adopted 2009

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

13. **Cambourne Parish Council** – recommend refusal as the proposal doesn't improve the design of the site.
14. **SCDC Landscape Design Officer** – no comments received.



15. **SCDC Urban Design** – has no objection.
16. **SCDC Environmental Health Officer** – no comments received.
17. **Local Highways Authority** – no comments received.

**Representations by members of the public**

18. None received.

**Material Planning Considerations**

19. This reserved matters application seeks to amend the form of development on a small section of land parcel UC09, situated at its north-eastern extreme, adjacent to the built out land parcel UC12 to the north and future residential development to the east forming part of Cambourne 950.
20. It is considered that the uplift in dwelling numbers by 2, by replacing three larger 4 and 5 bed detached houses, with five smaller 3 and 4 semi-detached, linked and detached units, will not compromise the scheme layout in terms of visual quality, scheme layout and character, or in terms of creating plots of inappropriate size in terms of private amenity space or car parking provision. The overall dwelling mix would remain acceptable, with a good range of small, medium and larger dwellings.
21. The provision of 2 additional units falls within the remit of the permitted 3300 dwellings consented under the outline permission ref. S/1371/92/O, as 3 dwellings remain uncommitted through existing occupations and extant consents. Accordingly, 1 dwelling would remain uncommitted.
22. Land Parcel UC09 is subject of the approved 'Phase 7 Development Briefing Document' and as defined in that document, the "northern area" character zone, which is noted as having a strong association with the boundary woodlands. The Briefing Document requires layouts to allow views through to the woodlands and this has been achieved in the laying out of the approved 51 dwelling scheme (reference S/2129/10/RM) with the creation of a green north-south green corridor which is continued to the woodland through the adjacent parcel (land parcel UC12). The re-planned dwellings, which in part lie adjacent to the green corridor, will not impact on this green corridor, with the green corridor retained; albeit two parking bays will be added within the space at the end of a mews street.

**Recommendation**

23. It is recommended that the Planning Committee APPROVE reserved matters of layout, scale, appearance, and access, as amended by letters and plans date stamped 11 June 2012, subject to the following conditions

**Conditions**

- (a) **The development hereby permitted shall be carried out in accordance with the following approved plans:**
  - Site Location Plan drawing no. 402/RP/LP/01**
  - Proposed Layout (Extract) drawing no. 402/RP/201**
  - Replan Planning Layout drawing no. 402/RP/200**
  - Consented & Proposed Street Scenes drawing no. 402/RP/300**

**Proposed Street Scene Extract drawing no. 402/RP/301**  
**House Type PA33 drawing no. 402/RP/PA33/1 Revision A**  
**House Type PD42 drawing no. 402/RP/PD42/1 Revision A**  
**House Type PD42 drawing no. 402/RP/PD42/2 Revision A**  
**House Type PT43 drawing no. 402/RP/PT43/1**  
**Garage Planning drawing no. 402/RP/G/01**  
**Proposed Materials Layout drawing no. 402/RP/ML/01**  
**Proposed Refuse Strategy drawing no. 402/RP/RS/01**  
**1.8m High Close Boarded Fence drawing no. 402/1800CBF**  
**1.8m High Brick Screen Wall drawing no. 402/1800SW**  
**1.8m High Timber Gate drawing no. 402/1800TG**

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

- (b) **No dwelling shall be occupied until the approved space for the storage and collection of wheeled bins for that dwelling has been made available for use.**  
(Reason – To ensure the provision of appropriate facilities in the interests of visual and residential amenity, and usability, in accordance with Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007.)
- (c) **Meter boxes shall not be installed on any elevation facing a highway other than in accordance with a scheme that shall have previously been submitted to and approved in writing by the Local Planning Authority.**  
(Reason – To avoid visual clutter in the interest of the quality of the development, in accordance with Policies DP/2 and DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007.)
- (d) **The permanent spaces (including garages) to be reserved on the site for parking and turning of vehicles shall be provided before the respective dwellings are occupied and those spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles.**  
(Reason – In the interest of highway safety, in accordance with Policies DP/2 and DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007.)
- (e) **No dwelling shall be occupied until the access road and footways necessary to serve that development have been completed to at least base course level, except with the prior written consent of the Local Planning Authority.**  
(Reason – To protect the safety of users of the access roads and footpaths, and to safeguard the appearance of the built environment in accordance with Policies DP/2 and DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007.)
- (f) **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A of Part 1 of Schedule 2 of the Order (apart from the provision of a shed to secure cycle storage, as shown on drawing no. 402/RP/201) shall take place with respect to Plot 21 unless expressly**

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

(Reason – In the interests of residential amenity by virtue of the relatively small size of private gardens in accordance with Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007.)

- (g) **For the avoidance of doubt, the development hereby permitted shall be implemented in substitution for dwellings approved under planning ref. S/2129/10/RM (namely plots 19, 20, 21 and 22 of that approval) as far as they relate to the current red line application boundary. Under no circumstances shall there be a part implementation of elements of the two approved schemes as far as they relate to the current application site.**

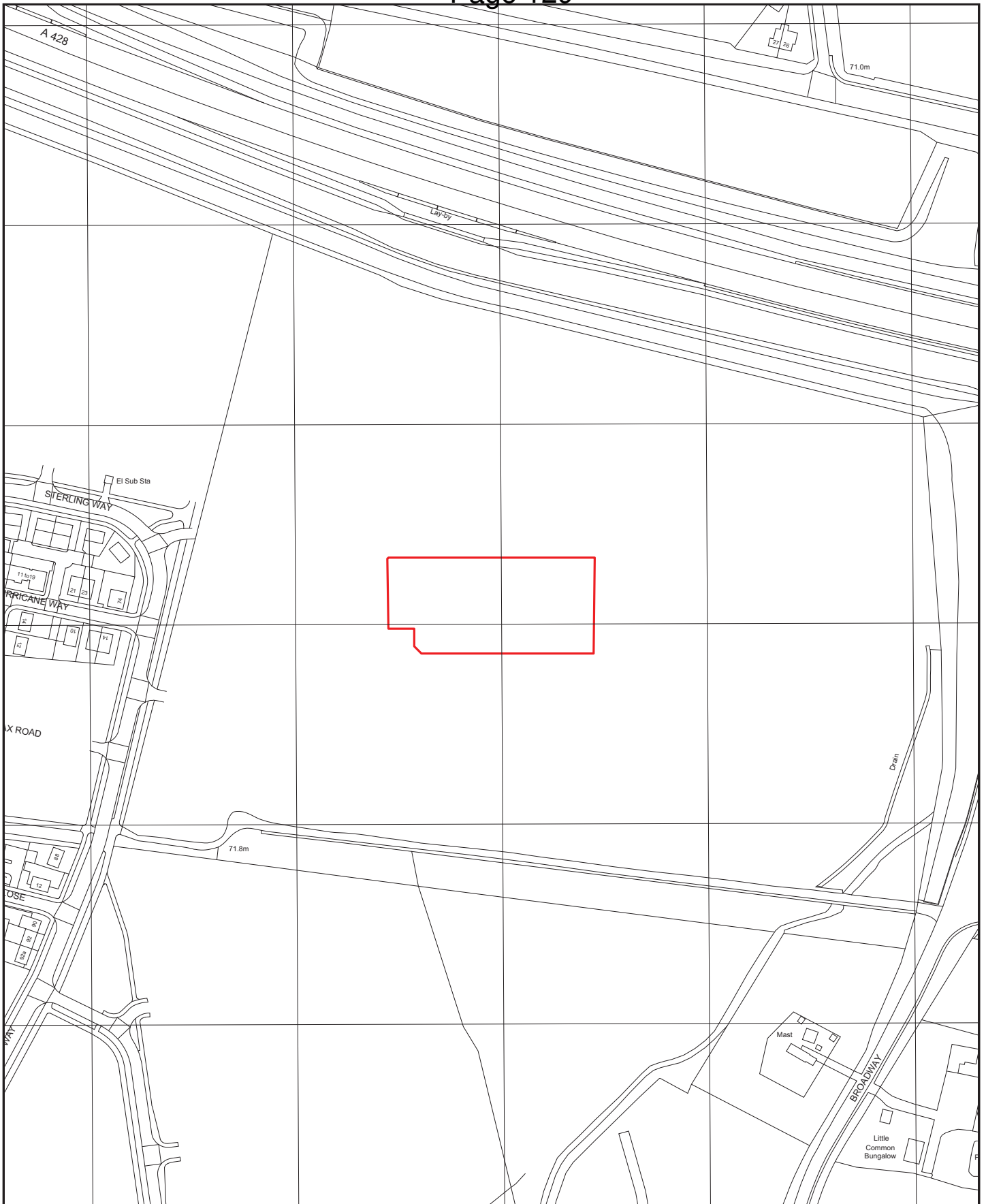
(Reason – To avoid a potentially unacceptable form of development, in the interests of the amenity and quality of the development in accordance with Policies DP/2 and DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007.)

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted 2007)
- Upper Cambourne Design Briefing Document – Revision H
- Open Spaces in New Developments SPD, Biodiversity SPD, Trees and Development Sites SPD, District Design Guide SPD and Landscape in New Development SPD
- Planning File Refs: S/0012/08/RM and S/2129/10/RM

**Case Officer:** Edward Durrant – Principal Planning Officer (Major Developments)  
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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 July 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 25 June 2012.
2. **Decisions Notified By The Secretary of State**

Ref.no	Details	Decision	Decision Date
S/0365/11/F	Mr B Zhimbiev 86 Magdalene Close Longstanton Self contained studio flat	Dismissed  Delegated Refusal	01/06/12
S/2177/11/F	Mr Murphy 9 Chapel Street Duxford First floor & rear extensions and Internal alterations	Allowed  Delegated Refusal	18/06/12

3. **Appeals received**

Ref. no.	Details	Decision	Decision Date
S/0102/12/F	Mr & Mrs J Hammond 53 Cambridge Road Milton Dwelling	Refused	22/06/12

4. **Local Inquiry and Informal Hearing dates scheduled before the next meeting on 04 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**

None

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

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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

**REPORT TO:** Planning Committee

4 July 2012

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

### CURRENT ENFORCEMENT ACTION CASES

#### Purpose

1. To update Members about current enforcement action cases as at 21 June 2012.

Ref No	Village	Location	See Page No for full update	Remarks
18/98	Cottenham	Setchel Drove	1 – 4	Plots 7, 7A and Four Winds continue to be monitored. File to be removed and transferred to main monitoring list
19/03	Histon	Land adjacent to Moor Drove Cottenham Road	5 - 8	Application for injunction refused by the High Court, 5 <sup>th</sup> June 2008 Planning Appeal allowed, planning conditions to be monitored. All schemes required as part of the planning conditions have been submitted within timescale. The planning officer has requested further information in order that the schemes relating to conditions can be discharged.
9/04	Swavesey	Land adjacent to Cow Fen Drove	8 - 12	Monitoring visits have confirmed that the one of the defendants is still residing on site and is therefore in breach of the Injunction Order  High Court date 22 <sup>nd</sup> June 2011  Defendant Steven Cuff found guilty of contempt by the Court and was sentenced to 90 days imprisonment. Monitoring continues

Ref No	Village	Location	See Page No for full update	Remarks
13/05	Cottenham	Plots 5, 5a, 6, 10 & 11 Orchard Drive	12-16	<p>Planning Appeal dismissed. Further report to be considered by Planning Sub Committee.</p> <p>No change - Needs Audits to be carried out</p> <p>The Planning Enforcement Sub-Committee considered a report relating to Plots 12 Victoria View, 15 Water Lane, and 5, 5A, 6, 10 and 11 Orchard Drive, all at Smithy Fen, Cottenham, as they remain either in active residential occupation or developed for residential occupation in breach of planning control, following the Sub-Committee's resolution on 21 July 2010 to enforce against continuing breaches.</p> <p>Planning Enforcement Sub-Committee resolved that SCDC make an application to the High Court for Injunctive relief under section 187B of the Town &amp; Country Planning Act 1990 to remedy and restrain continuing breaches of development control, against those adults identified as being either an owner and /or an occupier of plots 5,5A, 6, 10, 11 Orchard Drive and 15 Water Lane, and against persons unknown in respect of those plots, upon the completion of updated needs audits, and provided these do not indicate any change in personal circumstances requiring further consideration by the sub-committee. Travellers Liaison Officer unable to obtain details relating to personal circumstances requiring consideration by the Sub Committee. Further Needs Assessments carried out - Formal proceedings continue.</p> <p>Further planning application submitted – Reference S/0041/12/FL</p> <p><b>Planning application refused. Formal proceeding to continue</b></p>

Ref No	Village	Location	See Page No for full update	Remarks
4/06	Cottenham	Plot 15 Water Lane Smithy Fen	16 -20	<p>Appeal dismissed on 29<sup>th</sup> January 2007. File submitted for an application for an injunction. Report to be considered by Planning Sub Committee No change - Needs Audits to be carried out</p> <p>Planning Enforcement Sub-Committee resolved that SCDC make an application to the High Court for Injunctive relief under section 187B of the Town &amp; Country Planning Act 1990 to remedy and restrain continuing breaches of development control, against those adults identified as being either an owner and /or an occupier of plots 5,5A, 6, 10, 11 Orchard Drive and 15 Water Lane, and against persons unknown in respect of those plots, upon the completion of updated needs audits, and provided these do not indicate any change in personal circumstances requiring further consideration by the sub-committee. Travellers Liaison Officer unable to obtain details relating to personal circumstances requiring consideration by the Sub Committee. Further Needs Assessment carried out - Formal proceedings continue.</p> <p>Further planning application submitted – Reference S/0041/12/FL</p> <p><b>Planning application refused. Formal proceeding to continue</b></p>

Ref No	Village	Location	See Page No for full update	Remarks
8/06	Melbourn	1 London Way Clunchpits	20 - 22	<p>Appeal allowed in part and dismissed in part.            Partial compliance. Landscaping scheme now approved. Highways &amp; Environmental Health issues reviewed on site. Findings to be published shortly.            No Change – Matter to be referred back to Planning Officer            Institute Occupational Management to undertake a further risk assessment on the right of way / asbestos issue            Multi Agency meeting to be arranged to agree way forward. Meeting held, further information required.</p>
7/07	Barton	The Drift Cambridge Road	22 - 24	<p>Appeal dismissed on the 1<sup>st</sup> April 2008.            Compliance date 1<sup>st</sup> October 2008            Partial compliance. Discussions continue.</p> <p>Matter referred to delegation to consider next steps</p>

Ref No	Village	Location	See Page No for full update	Remarks
16/07	Willingham	38 Silver Street	24 - 26	<p>Enforcement Notice issued 28<sup>th</sup> September 2007 for unauthorised work on Listed building.            At Cambridge Magistrates Court on 10<sup>th</sup> January 2008 the owner was fined £10,000 for unauthorised works.            A Listed building application S/0192/08/LB, approved 19<sup>th</sup> March 2008 complies with first part of the Enforcement Notice. Site is being monitored for compliance.            Owner interviewed regarding failure to instigate remedial works. Timetable agreed.</p> <p>Works commenced</p> <p>Majority of work now complete although minor finishes to be completed. House still unoccupied.</p> <p>Waiting for further instruction from Conservation team</p> <p>Prosecution file submitted to legal</p>
5/08	Milton	27/28 Newfield's Fen Road Chesterton	26- 27	<p>Enforcement Notice appealed. Hearing date to be confirmed.            Fresh application submitted.            Appeal dismissed 6<sup>th</sup> May 2009, four months compliance period. Further planning application received and registered. Application S/1170/09 approved 24<sup>th</sup> November 2009, Conditions to be monitored.            Further planning application submitted – Ref: S/0246/10/F.            Planning permission refused.            File submitted to Legal.            Further information requested, file resubmitted.</p>

Ref No	Village	Location	See Page No for full update	Remarks
6/08	Milton	6 Sunningdale Fen Road Chesterton	28 - 29	<p>Enforcement Notice appealed. Inquiry date 10<sup>th</sup> February 2009 Appeal allowed on ground (a) Conditional planning permission granted. Compliance period six months i.e. by 18<sup>th</sup> August 2009. Planning application received and registered. Application S/1154/09 approved 5<sup>th</sup> October 2009 – Conditions to be monitored. Original building not removed as per condition – File to be submitted to Legal</p> <p>Further information received from the owner, awaiting further instruction from planning officer.</p> <p><b>Compliance/resolved in part. Not expedient to take further action. Remove from active list.</b></p>
12/08	Histon	Plot 4 Moor Drove	29 - 31	<p>Prosecution file submitted to Legal regarding failure to comply with a “Temporary Stop Notice” Enforcement Notice Issued. Retrospective planning application submitted. Approved at Committee 10<sup>th</sup> June 2009 Conditions to be monitored</p>

Ref No	Village	Location	See Page No for full update	Remarks
13/08	Melbourn	49 High Street	31 - 32	<p>Enforcement Notice issued. Prosecution file submitted to Legal for failing to comply with the Enforcement Notice. Defendants found guilty at Cambridge Magistrates Court. Enforcement Notice still not complied with. Further prosecution file submitted Hearing date set for 9<sup>th</sup> July 2009. Male Defendant ejected from court, case adjourned until 23<sup>rd</sup> July 2009. Both Defendants found guilty at Cambridge Magistrates Court, and fined £1000 each with costs totalling £520</p> <p>Enforcement Notice not complied with, Prosecution file submitted, Hearing date set for 17<sup>th</sup> December 2009</p> <p>Both defendants found guilty at Cambridge Magistrates Court and fined £2195 each including costs of £180 each and £15 each victim surcharge. Enforcement Notice still not complied with. File submitted to Legal to instigate formal action.</p> <p>Retrospective planning application submitted. Application refused.</p> <p>Negotiations continue to ensure compliance with the outstanding enforcement notice.</p> <p><b>Remedial work commenced. Further inspection required to ensure compliance.</b></p>

Ref No	Village	Location	See Page No for full update	Remarks
01/09	Great Abington	82 High Street	32 - 34	<p>Listed Building Enforcement Notice no 3342 issued 6<sup>th</sup> January 2009 for unauthorised works on a Listed building. Compliance period 3 months. Appeal submitted out of time – Prosecution file to be submitted to Legal. Discussions continue to resolve. Listed Building Enforcement Notice complied with in part – Negotiations continue.</p> <p>Planning Appeal dismissed 26<sup>th</sup> May 2010.</p> <p>Negotiations continue – Owners currently living abroad.</p> <p>Remedial works commenced, completion due November 2011</p> <p>Majority of works now complete, Further inspection carried out by Conservation team – Works to window still outstanding - Negotiations continue</p>
07/09	Sawston	163 High Street	34 -35	<p>Listed Building Enforcement Notice issued for dismantling and removal works without authorisation</p> <p>Appealed – Hearing date 5<sup>th</sup> January 2010.</p> <p>Appeal withdrawn.</p> <p>Formal discussions with Conservation Team as to next steps.</p>



Ref No	Village	Location	See Page No for full update	Remarks
01/10	Histon	Land at Moor Drove	35 - 36	<p>Enforcement Notice issued – Compliance period to cease the unauthorised use two months i.e. by 15<sup>th</sup> April 2010 – Appeal submitted</p> <p>6<sup>th</sup> December 2010 appeal dismissed, compliance period 6<sup>th</sup> February 2011</p> <p>Further report received that the HGV vehicle previously identified, is continuing to breach the planning enforcement notice. Breach confirmed and formal copy of the appeal decision notice and warning issued to the vehicle operator. Monitoring continues.</p> <p>Enforcement Notice now complied with – Monitoring to continue.</p> <p><b>No Change. Remove from active list</b></p>

Ref No	Village	Location	See Page No for full update	Remarks
02/10	Stapleford	Hill Trees Babraham Road	36 - 37	<p>Enforcement Notice issued – Compliance period to cease the use of the land for motor vehicle sales and repairs one month i.e. by 15<sup>th</sup> April 2010 Appeal submitted.</p> <p>Public Enquiry date 12<sup>th</sup> October 2010</p> <p>Appeal dismissed 4<sup>th</sup> November 2011 partial costs awarded. Application to appeal against the Inspectors decision has been made</p> <p>Appeal registered – Court Hearing Date confirmed as 18<sup>th</sup> October 2011. Application to appeal dismissed.</p> <p>Further site inspections carried out 2nd December 2011 although notice complied with further issues were highlighted relating to the storage of motor vehicles and amenity /waste deposited on the land. Legal file to be prepared.</p> <p>Following Enforcement Sub-Committee approval to instigate direct action, application made to apply for a Judicial Review</p> <p><b>Following initial court hearing and advice from Counsel no action is to be taken in regard to the resolution of the planning enforcement sub-committee dated 15th February 2012. Further information sought and a report to be submitted to the planning committee, with recommendations on how to proceed in this matter.</b></p>

Ref No	Village	Location	See Page No for full update	Remarks
13/10	Whaddon	North Road Farm Ermine Way	37 - 38	<p>Listed Building Enforcement Notice issued – Compliance period one calendar month, i.e. by 22<sup>nd</sup> April 2010</p> <p>Appeal submitted 4<sup>th</sup> March 2010.</p> <p>Appeal dismissed – New planning application (S/0292/10/LB) refused, further appeal lodged.</p> <p>Enforcement Notice withdrawn – Planning and Conservation Officers currently in negotiation with Owner</p> <p>Amended scheme submitted and approved subject to conditions</p>
19/10	Stow-Cum-Quy	Park Farmhouse Station Road	38 - 39	<p>Listed Building Enforcement Notice issued – Compliance period to remove the unauthorised gates three months i.e. by 8 August 2010.</p> <p>Notice Appealed.</p> <p>Listed Building Enforcement Notice withdrawn and reissued – See case 24/10</p>
23/10	Meldreth	Field Gate Nurseries 32 Station Road	39 - 40	<p>Enforcement Notice issued – Compliance period to dismantle or demolish the structure of the extension and remove all resulting materials, rubble and /or spoil from the site, one month i.e. 12<sup>th</sup> August 2010</p> <p>Application submitted – Planning permission granted subject to conditions. Compliance to be monitored.</p> <p><b>Meeting between planning officer and applicant took place end of May 2012. Although signs and parking were agreed conditions C &amp; D (Toilet block and noise management scheme) require further work. Monitoring continues</b></p>

Ref No	Village	Location	See Page No for full update	Remarks
24/10	Stow-Cum-Quy	Park Farm Station Road	40	<p>Enforcement notice issued – Compliance period to remove unauthorised gates, one month i.e. by 6<sup>th</sup> September 2010 Appeal submitted</p> <p>1<sup>st</sup> December 2010 appeal dismissed – Time period to comply extended to 12 months – Revised scheme to be submitted and agreed by SCDC. Revised scheme agreed further application to be submitted.</p> <p>Amended scheme submitted and approved subject to conditions</p> <p><b>Conditions discharged – Remove from active list</b></p>
28/10	Odsey	Odsey Grange Baldock Road	41	<p>Enforcement Notice issued – Compliance period to remove the unauthorised garage, three calendar months i.e. by 21<sup>st</sup> April 2011</p> <p>Appeal submitted</p> <p>Appeal dismissed – Compliance period 3 months i.e. by 9<sup>th</sup> September 2011 Re-Inspection appointment set 28<sup>th</sup> September 2011.</p> <p>Further application submitted S/1942/11 – Negotiations continue.</p>
1/11	Hardwick	The Blue Lion 74 Main Street	41 – 42	<p>Enforcement Notice Issued. Compliance period to remove unauthorised decking structure - One month i.e. by 30<sup>th</sup> September 2011.</p> <p>Appeal submitted - Appeal dismissed. Compliance period extended to two months – 24<sup>th</sup> March 2012</p> <p>Revised scheme S/2082/11, submitted – Refused 13<sup>th</sup> March 2012</p> <p><b>Part compliance, Majority of decking removed. Further application to be submitted for remaining decking</b></p>

Ref No	Village	Location	See Page No for full update	Remarks
6/11	Little Wilbraham	The Scholars Junction of Rectory Farm Road & Great Wilbraham Road	42	<p>Enforcement Notice issued. Owners required to a) Complete remedial works to ensure that no part of the boundary treatment (including piers or other features) exceeds 1 metre in height. b) remove the brick outbuilding and c) remove all scrap or surplus material resulting from compliance with parts a) and b)</p> <p>Compliance period three months. Appeal submitted – 18<sup>th</sup> December 2011</p> <p><b>Appeal dismissed 15th May 2012 Further discussions have taken place as part of a pre-application and a further application with a revised scheme will be submitted shortly.</b></p>
7/11	Little Wilbraham	The Scholars Junction of Rectory Farm Road & Great Wilbraham Road	42 – 43	<p>Enforcement Notice issued. Owners required to:</p> <ul style="list-style-type: none"> <li>a) Remove the stainless steel extraction flue together with all associated exterior brackets and supports.</li> <li>b) Remove the air-conditioning units and all associated exterior cabling and pipe work and</li> <li>c) Remove the unauthorised raised lantern type roof-light structure and replace with a flat profiled roof-light to accord with the details shown in plan 2001-003 revision B, as approved under planning consent S/0797/10/F</li> </ul> <p>Compliance period three months. Appeal submitted – 18<sup>th</sup> December 2011</p> <p><b>The appeal was allowed insofar as it relates to the roof-light and planning permission is granted. The appeal in respect of the remaining development the appeal was dismissed 15th May 2012. Further discussions have taken place as part of a pre-application and a further application with a revised scheme will shortly be submitted</b></p>

Ref No	Village	Location	See Page No for full update	Remarks
8/11	Arrington	a) Leo Autopoint Petrol Filling Station, 11 Ermine Way b) Former Telephone Exchange, Ermine Way	43 - 44	<p>Enforcement Notice issued. Steps to be taken.</p> <ul style="list-style-type: none"> <li>a) Cease the use of Area's A and B for commercial purpose consisting of the repairing, servicing, valeting and sale of motor vehicles.</li> <li>b) Remove all motor vehicles from the affected land that are present in connection with the unauthorised commercial use.</li> </ul> <p>Compliance period three months – 2<sup>nd</sup> April 2012</p> <p><b>Planning application S/0639/12 submitted</b></p>
1/12	Fulbourn	1A Impetts Lane	44	<p>Enforcement Notice issued. Owner required to a) complete remedial works to either remove the entirety of the gates or support piers, or to secure the reduction in height of the structures so that no part of the same exceeds 2 metres in height when measured from the ground.</p> <p>b) Remove from the affected land all scrap or surplus material resulting from compliance with part a)</p> <p>Compliance period three months – 20<sup>th</sup> May 2012</p> <p><b>Inspection carried out revealed that the enforcement notice has not been complied with. Prosecution file to be raised.</b></p>

Ref No	Village	Location	See Page No for full update	Remarks
2/12	Cottenham	Plots 4/5 Pine Lane, Smithy Fen	44 - 45	<p><b>Enforcement Notice issued, Owner/occupier to:</b></p> <p>a) Cease the use of the affected land for the stationing and residential occupation of the caravans and motor homes</p> <p>b) Remove from the affected land all caravans, motor homes and ancillary domestic paraphernalia associated with the residential occupation of the same.</p> <p>c) Restore and thereafter maintain the affected land as being available for use by the occupiers of and visitors to plots 1-3 and 6 Pine Lane as a turning, parking, and amenity area to facilitate the pre-established residential occupation of those plots.</p> <p><b>Notice Appealed – Hearing date 21st June 2012. Waiting outcome.</b></p>
3/12	Histon	Land to the rear of plot 4 Moor Drove	45	<p><b>Enforcement Notice issued, Owner/occupier to</b></p> <p>a) Cease the unauthorised use of any part of the affected land for the commercial storage, sorting, or processing of scrap materials and return the full extent of the same to the authorised use as agricultural land.</p> <p>b) Remove the shipping container including all its contents, and all tools, equipment, plant and machinery for materials sorting and processing from the affected land</p> <p>c) Remove the hard-surfacing, including hoggin, planning's, sand and gravel comprising the same from the affected</p> <p>d) Remove all scrap materials and general rubbish from the affected land</p> <p>e) Restore the cleared area to a condition and standard that enables resumption of the authorised agricultural user.</p>

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

- Enforcement Action Progress Report as at 21<sup>st</sup> June 2012 (attached to the electronic version of the agenda on the Council's website)

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