

South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

t: 03450 450 500  
f: 01954 713149  
dx: DX 729500 Cambridge 15  
minicom: 01480 376743  
[www.scambs.gov.uk](http://www.scambs.gov.uk)



30 October 2012

To: Chairman – Councillor Robert Turner  
Vice-Chairman – Councillor  
All Members of the Planning Committee - Councillors David Bard, Val Barrett,  
Brian Burling, Lynda Harford, Sally Hatton, 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, 7 NOVEMBER 2012 at 10.00 a.m.**

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

Yours faithfully  
**JEAN HUNTER**  
Chief Executive

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

---

## AGENDA

## PAGES

### **PUBLIC SEATING AND SPEAKING**

Public seating is available both in the Council Chamber (First Floor) and the Public Gallery / Balcony (Second Floor). Those not on the Committee but wishing to speak at the meeting should first read the Public Speaking Protocol.

### **PROCEDURAL ITEMS**

**1. Apologies**

To receive apologies for absence from committee members. Councillor Val Barrett has sent apologies.

**2. Declarations of Interest**

**1 - 2**

**3. Minutes of Previous Meeting**

To authorise the Chairman to sign the Minutes of the meeting held

on 3 October 2012 as a correct record. The Minutes are on the Council's website at [www.scambs.gov.uk/meetings](http://www.scambs.gov.uk/meetings)

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

<b>4.</b>	<b>S/1656/12/FL - Over (Chain Farm, Overcote Road)</b>	<b>3 - 12</b>
<b>5.</b>	<b>S/1963/12/VC - Willingham (3 Longacre, Meadow Road)</b>	<b>13 - 22</b>
<b>6.</b>	<b>S/1465/12/FL - Willingham (Foxes Meadow)</b>	<b>23 - 32</b>
<b>7.</b>	<b>S/2020/12/FL - Willingham (37a Cadwin Nurseries, Rampton Road)</b>	<b>33 - 38</b>
<b>8.</b>	<b>S/1611/12/FL - Bourn (Land south of Cambourne)</b>	<b>39 - 50</b>
<b>9.</b>	<b>S/1666/12/FL - Cambourne (Sites at High Street and Back Lane)</b>	<b>51 - 64</b>
<b>10.</b>	<b>S/0534/12/VC - Cambourne (Morrisons, Broad Street)</b>	<b>65 - 78</b>
<b>11.</b>	<b>S/1693/12/FL - Caldecote (101A West Drive)</b>	<b>79 - 90</b>
<b>12.</b>	<b>S/0699/11/OL - Caldecote (Site adj. 6 Main Street)</b>	<b>91 - 106</b>
<b>13.</b>	<b>S/0798/12/FL - Bar Hill (15 Viking Way)</b>	<b>107 - 114</b>
<b>14.</b>	<b>S/0702/12/FL - Litlington (Horse &amp; Groom, Baldock Road)</b>	<b>115 - 130</b>
<b>15.</b>	<b>S/1814/12/FL - Kingston (Summerhill, Tinkers Lane)</b>	<b>131 - 140</b>
<b>16.</b>	<b>S/1463/12/FL and S/1631/12/LB - Great Eversden (Merrys Farm, Wimpole Road)</b>	<b>141 - 150</b>
<b>17.</b>	<b>S/1809/12/FL - Impington (2 Hereward Close)</b>	<b>151 - 160</b>
<b>18.</b>	<b>S/1892/12/FL - Waterbeach (41 Rosemary Road)</b>	<b>161 - 170</b>
<b>19.</b>	<b>S/2029/12/FL - Orwell (36 Town Green Road)</b>	<b>171 - 178</b>
<b>20.</b>	<b>S/1937/12/VC - Boxworth (Site near to Highbarn Cottages, Battlegate Road)</b>	<b>179 - 186</b>
<b>21.</b>	<b>S/1509/12/VC - Papworth Everard (Summersfield, Ermine Street South)</b>	<b>187 - 198</b>

#### **INFORMATION ITEMS**

<b>22.</b>	<b>Appeals against Planning Decisions and Enforcement Action</b>	<b>199 - 200</b>
<b>23.</b>	<b>Enforcement Action Update</b>	<b>201 - 204</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'.

This page is left blank intentionally.

**Planning Committee**

**Declarations of Interest**

**1. Disclosable pecuniary interests (“DPI”)**

A DPI is where a committee member or his/her spouse or partner has any kind of beneficial interest in the land under consideration at the meeting.

**2. Non-disclosable pecuniary interests**

These are interests that are pecuniary involving a personal financial benefit or detriment but do not come within the definition of a DPI. An example would be where a member of their family/close friend (who is not their spouse or partner) has such an interest.

**3. Non-pecuniary interests**

Where the interest is not one which involves any personal financial benefit or detriment to the Councillor but arises out of a close connection with someone or some body /association. An example would be membership of a sports committee/ membership of another council which is involved in the matter under consideration.

I have the following interest(s) (\* delete where inapplicable) as follows:

Agenda no.	Application Ref.	Village	Interest type	Nature of Interest
	S/		1* 2* 3*	
	S/		1* 2* 3*	
	S/		1* 2* 3*	

Address/ Location of land where applicable

Signature: .....

Name ..... Date .....

This page is left blank intentionally.



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/1656/12/FL - OVER****Agricultural workers dwelling at Chain Farm, Overcote Road  
for Mr Dan Burling, Burling Brothers Ltd****Recommendation: Approval****Date for Determination: 31 October 2012****This application has been reported to the Planning Committee for  
determination because the applicant is a relative of a Local Member****Site and Proposal**

1. The site is located to the north of the village framework of Over, and therefore lies in the countryside in policy terms. Overcote Road is a narrow road but does easily allow the passage of two vehicles. The farm has a number of agricultural buildings on site, from animal shelters to a grain store, and runs both arable and livestock units. The main farmhouse is set to the east of the site, and has a detached garage. There is also a furniture company established on site. The site lies entirely within flood zone 3.
2. The land to the north is open agricultural land. The Chain ditch does run to the north of the site, and there are some individual trees along this ditch that creates some screening. A public byway runs to the north of this ditch. The land to the east beyond a further ditch is further grazing land. To the west is the dwelling of Chain House, which does not form part of the farm. Between it and the proposed site is an informal open machinery store and further grazing land. There would be views of the proposed dwelling from Overcote Road and the rear of Chain House.
3. The full application, validated on 5 September 2012, seeks the erection of a further dwelling for the farm to be occupied by a farm worker. This would be located to the north side of the plot, in an area of grazing land. Access to the dwelling would be through the main farmyard along an existing hardstanding until entering the field, where a new vehicular access would be required.
4. The application is accompanied by an Agricultural Report, a Design and Access Statement, a Flood Risk Assessment, and a draft Heads of Terms.

**Planning History**

5. An outline application for an agricultural workers dwelling (**S/1714/09/O**) was approved by Members at Planning Committee on 3 March 2012. This application allows the submission of a reserved matters application until 9 March 2013.

6. A house and garage were granted consent on the site through application **S/0357/90/F**. This followed a previous outline approval through application **S/0213/87/O**. A further application for a dwelling and annexe was refused and dismissed at appeal (**S/1333/90/O**) dated 5<sup>th</sup> April 1991. During this application, the Inspector noted that further accommodation for the farm would have a noticeable impact upon the rural character of the area, and would only be acceptable if it could be justified in connection with agriculture. The Inspector concluded this had not happened during that application.
7. There have been further planning applications made on the site, although these are not considered relevant to the determination of this planning application.

### **Planning Policy**

8. Over is defined as a Group Village under **Policy ST/6 of the Local Development Framework Core Strategy**, adopted January 2007.
9. The relevant policies within the **Local Development Framework Development Control Policies 2007** are **DP/1** - Sustainable Development, **DP/2** - Design of New Development, **DP/3** – Development Criteria, **DP/4** – Infrastructure and New Development, **DP/7** – Development Frameworks, **HG/9** – Dwelling to Support a Rural-based Enterprise, **SF/10** – Outdoor Playspace, Informal Open Space, and New Developments, **SF/11** – Open Space Standards, **NE/1** Energy Efficiency, **NE/6** – Biodiversity, **NE/10** – Foul Drainage – Alternative Drainage Systems, **NE/11** – Flood Risk, **NE/14** – Lighting Proposals, and **NE/15** – Noise Pollution.
10. **Open Space in New Developments 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.

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

12. **Over Parish Council** makes no recommendation.
13. The **Environment Agency** has made no further comments than those from the original application and the subsequent discharge of condition.
14. The **Council's Scientific Officer** has considered the proposals in line with contaminated land, and seeks a condition seeking remediation if any contaminants are found during works.
15. The **Local Highways Authority** requests a condition tying the dwelling to the existing dwelling.

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

16. None were received.

### **Material Planning Considerations**

17. The key issues in the determination of this application are the justification and need for a dwelling in this location, impact upon the surrounding countryside, impact upon the amenity of the occupier of the adjacent property, flood risk, infrastructure contributions, and land contamination.

#### *Justification and Need for a Dwelling in this Location*

18. The site lies outside the Over village framework and therefore in policy terms is within the countryside. The site already has one farm dwelling, where the applicant currently resides. This is shared with a fellow worker. The original outline application was submitted with an Agricultural Report dated August 2009. This has been resubmitted with up-to-date figures. The applicant currently resides in the main dwelling, and this is not considered practical in the long term. The company have been operating since 1966 and are considered a well established agricultural unit run on a sound financial basis. There appears no obvious redundant buildings that could be converted to provide accommodation. No accommodation has been sold off from the site in the past.
19. Previously, the Agricultural Report was assessed by an independent body, who concluded there was an essential functional need for two workers to live on site for reasons of animal welfare, health and safety, security and the ability to deal with farming emergencies. The updated information concludes there is further evidence to demonstrate the need for a further property on the site given an increase in farming practices. The proposal is therefore considered to meet the aims of Policy HG/9 and is therefore considered acceptable subject to an agricultural occupancy condition.
20. There is a slight concern with regard to the size of the dwelling and its future use. It is relatively large and it is unlikely that if the applicant were to move from the site, a farm worker would be able to purchase the dwelling outright. However, the condition would ensure it remains for occupation by an agricultural worker and controlled as such by the District Council.

#### *Impact upon the Surrounding Countryside*

21. The previous application S/1714/09/F granted outline consent for a dwelling. Whilst no elevations were provided as part of the scheme, scale parameters were provided binding the application to those parameters at application stage. The parameters agreed at outline stage were considered to ensure there would be minimal impact upon the surrounding countryside. The site lies in open countryside, although there is some screening from trees and the existing farm buildings.
22. The full application does seek the proposed dwelling to be in excess of those previously agreed outline parameters. The height has been increased from a maximum of 7m to 8m to the highest roof ridge. The proposed dwelling has a width of 14m, within the agreed parameters, and a depth of 19.4m. This is beyond the agreed 8-12m, but members should be aware that the two-storey

element measures 10.4m in depth. The remaining part is therefore single storey.

23. Despite the additional height and depth created by the single storey element, the proposed is not considered to create any serious harm to the surrounding countryside. However, it is considered necessary to provide further planting to ensure further screening is put in place. This would require either planting to the front of the site along Overcote Road, or the southern boundary of the newly created residential curtilage. Subject to the use of appropriate materials, the proposal is therefore considered acceptable.

*Impact upon the Amenity of the Occupier of the Adjacent Property*

24. The dwelling to the west, Chain House, is not within the ownership of the farm. The proposed dwelling would be visible from the rear facing windows and garden of this property. However, the curtilage of the dwelling would be located 25m from the rear garden boundary of Chain House. At such a distance, the proposal would not harm the occupiers of this existing property.

*Flood Risk*

25. The Environment Agency has referred back to their previous advice in the outline application, and their input in the discharge of conditions for this application. With regard to the outline, they considered the Flood Risk Assessment to be acceptable and recommended a number of conditions and informatives be added. Of the conditions recommended, the Environment Agency have agreed details in principle regarding flood resilience measures and foul water drainage. Conditions can ensure that these matters are completed in relation with the agreed detail. A condition regarding floor levels can again be added.

*Infrastructure Contributions*

26. The applicant has confirmed their willingness to contribute towards provision of public open space, community facilities and waste receptacles, and the Section 106 monitoring fee. A draft Agreement has been sent to the applicant for checking and signing. Members will be updated on any progress in this regard.

*Land Contamination*

27. The comments from the Council's Scientific Officer are noted. They recommend a condition regarding remediation works if contaminants are found during construction. Such a condition can be added to the consent.

**Recommendation**

28. Approve, subject to the following conditions

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

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

**2. The development hereby permitted shall be carried out in accordance with the following approved plans: CFO-01, CFO-02, CFO-03 and CFO-04 date stamped 13 June 2012.**

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

**3. The development shall commence in line with the previously agreed details submitted pursuant to planning permission S/1714/09/O and related application S/1269/12/DC as stated within the confirmation letter dated 22 October 2012, unless agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details:**

**a) The foul water drainage shall be as per the letter dated 8 June 2012.**

**b) Flood Resilience Measures shall be as per the letter dated 8 June 2012.**

**c) Materials to be used for the external surfaces of the building shall be as per the schedule within the letter dated 8 June 2012.**

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

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

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

**5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a 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.)

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

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

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

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

**8. Floor levels of any part of the dwelling shall be set no lower than 3.80 metres above Ordnance Datum Newlyn (ODN).**

(Reason – To protect the development from flooding in extreme circumstances in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

**9. If, during the development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority.**

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

**10. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working in the locality in agriculture, forestry, or a widow or widower of such a person, and to any resident dependants.**

(Reason - The dwelling is situated in a rural area outside any established settlement where the Local Planning Authority would not normally grant permission for such development and this permission is granted solely in order to fulfil a need to satisfy the requirement of Local Development Framework Policy HG/9 adopted 2007.)

*A further condition and appropriate informative regarding infrastructure contributions may be required if this matter is not resolved prior to the meeting.*

### **Informatives**

Please note the following comments from the Environment Agency.

The Environment Agency will be pleased to assist in the assessment of proposals submitted by the applicant to meet the relevant flooding conditions.

Foul drainage from the proposed development should be discharged to the public foul sewer unless it can be satisfactorily demonstrated that a connection is not reasonably available.

The applicant proposes the use of a septic tank for the disposal of foul water from the development. Septic tanks are unacceptable in areas where mains foul water drainage is available.

The applicant's attention is drawn to DETR Circular 03/99 which **requires an applicant to demonstrate that a connection to the public foul sewer is not available**. In the eventuality of a connection to the public foul water sewer not being available, the suitability of any non-mains sewerage systems, particularly those incorporating septic tanks, must be effectively demonstrated by the applicant to the satisfaction of the Local Planning Authority.

The above detail must be submitted with any subsequent foul water drainage submission.

Any 'non mains' foul water drainage system will require the prior written Consent of the Agency under the term of the Water Resources Act 1991. Such consent may not be forthcoming.

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. Soakaways must not be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

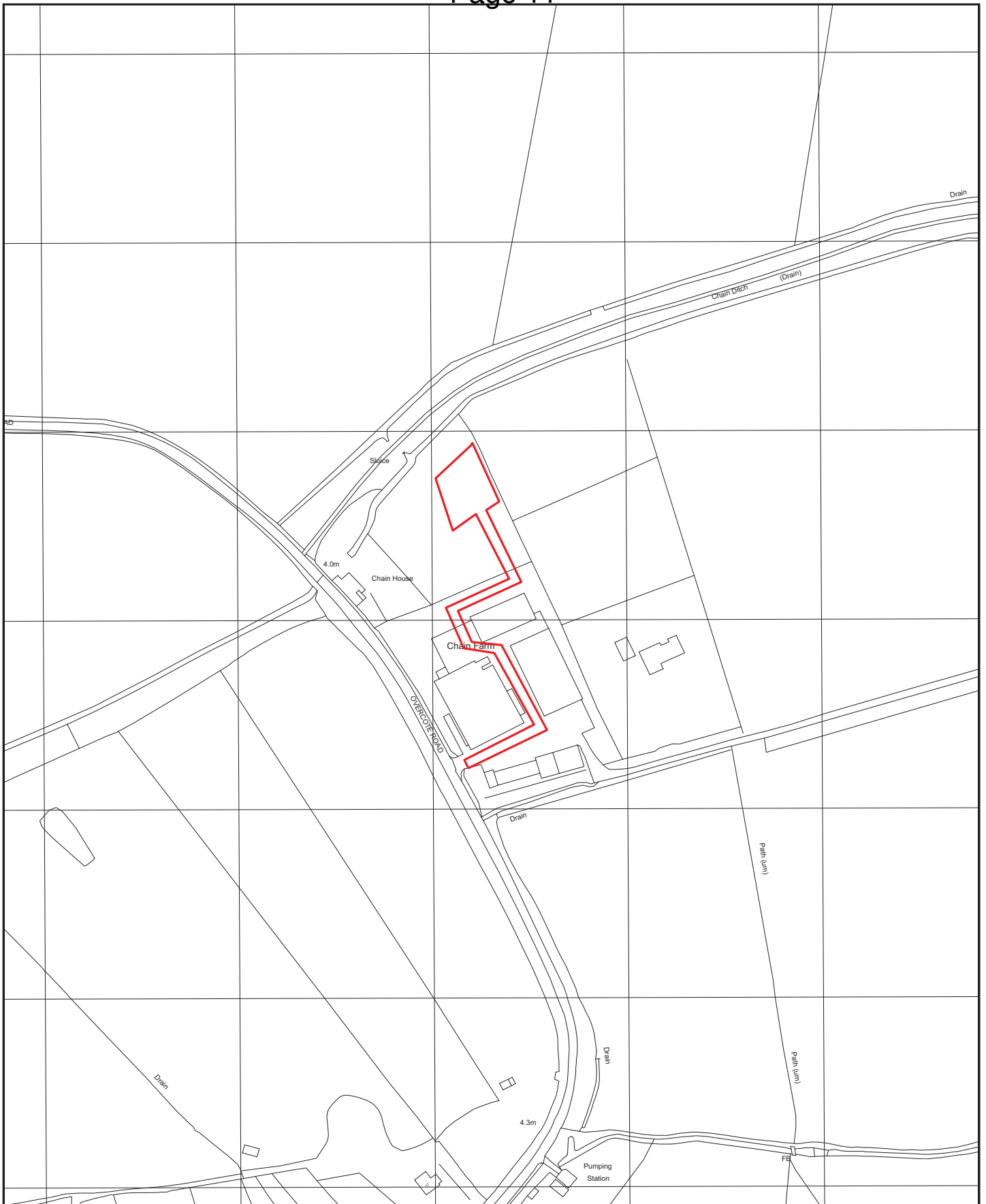
**Background Papers:** the following background papers were used in the preparation of this report:

- **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**
- **Local Development Framework Development Control Policies 2007**
- **Open Space in New Developments SPD – adopted January 2009, & District Design Guide SPD – adopted March 2010.**
- **National Planning Policy Framework**
- **Planning Ref Files: S/1656/12/FL, S/1714/09/O, S/1333/90/O, S/0357/90 and S/0213/87/O**

**Contact Officer:** Paul Derry - Senior Planning Officer  
01954 713159

This page is left blank intentionally.





**South  
Cambridgeshire  
District Council**

© Crown copyright.

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2646  
Time of plot: 16:00

Date of plot: 22/10/2012

This page is left blank intentionally.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/1963/12/VC - WILLINGHAM****Variation of Condition 1 of application S/1073/09/F to allow permanent occupation of land - 3, Longacre, Meadow Road for Mr Arthur Brown****Recommendation: Approval****Date for Determination: 13 November 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 is a rectangle parcel of land measuring approximately 27m by 19m, located to the southern side of Meadow Road. The site is outside of the designated Willingham village framework, and therefore in the countryside in policy terms. Access is achieved from Meadow Road to the western part of the site.
2. The site sits behind two pitches (known as 1 Longacre and Longacre), both of which have permanent consents, although the frontage plot has a personal consent. The shared boundary with Longacre is a 1m high post and mesh fence with a hedgerow growing above. To the south is a plot of land currently unoccupied and without any planning permission. The boundary is a 1.8m fence. To the east is a larger plot known as Beaumont Place recently granted temporary consent until 31 March 2014, the shared boundary being a 1.8m fence with good planting within the adjacent plot. Land to the west has a permanent personal consent. There is a hedgerow that makes up the remaining part of the west boundary south of the access. At the time of the officer site visit, there was one mobile home and two touring caravans on the site, along with a summerhouse and two small outhouses.
3. The application, validated on 18 September 2012, seeks to vary condition 1 of application S/1073/09/F, which restricted occupation of the site until 31 October 2012. The applicant has specifically requested a permanent consent.

**Site History**

4. Application **S/1073/09/F** granted a temporary consent on the site, which expires on 31 October 2012. Prior to that time, the site has a long history of traveller applications, the last being in 1995. Applications have been approved and refused on the site.

## **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 Local Planning Authority's to have due regard to the protection of local amenity and the local environment. Paragraphs 20 -26 provide criteria against which to judge planning applications. These criteria have been taken into account in this report.
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 Core Strategy 2007**  
ST/5 Minor Rural Centres
10. **South Cambridgeshire Local Development Framework Development Control Policies 2007**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Development Frameworks  
SF/10 Outdoor playspace, Informal Open Space and New Developments  
NE/4 Landscape Character  
NE/10 Foul Drainage
11. **South Cambridgeshire Local Plan 2004 (Saved Policies)**  
CNF6 Chesterton Fen
12. **Gypsy and Traveller DPD (GTDPD)**  
The site was supported through the "Issues and Options 2 Consultation July 2009" as an appropriate site option for consultation. 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. An Issues and Options Report Public Consultation ran from 12 July to 28 September 2012 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 at least the end of 2015.

13. 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.
14. The **Willingham Parish Plan (October 2008)** does not raise issues that relate specifically to traveller sites.

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

15. **Willingham Parish Council** recommends refusal given the requirement for clarity on proportionality. If supported due to the applicants health problems, a temporary consent only should be granted.

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

16. None have been received at the time of writing. Members should be aware the site notice does not expire until 2 November 2012, and Members will be updated on any representations received.

#### **Planning Comments**

17. Having regard to information provided as part of this and the previous application in 2009, 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
- Human Rights Issues

#### *The Development Plan*

18. 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 Local Planning Authority's to make their own assessment of need rather than relying on a regional target (see below).
19. 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.

20. 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. The principal concerns in this case are the impact on the character and appearance of the area and the status of the local plan.
21. The site lies at the junction of the Cambridgeshire Claylands and the Fens Landscape Character Areas and is well divorced from the eastern edge of the village to the west, where the nearest built form is the properties along Spong Drove. It is the centre plot of the middle "row" of development in the vicinity. It is surrounded by permanent and temporary pitches, with the land directly south currently undesignated, although it is now the subject of a new application.
22. Given its location to the west side of the grouping of pitches, the site is visible from Meadow Road. Longer views along this road are screened by the hedge that forms the western boundary of the adjacent field. A brick wall with railings above forms the western boundary, and there is no space for landscaping beyond this as the access track runs against this wall. This boundary treatment does provide an urban feature for the site. However, views from Meadow Road are more acute given the hedge to the west. There is some planting to the southern section of the east boundary of the site, which continues across part of the southern boundary. This does provide some greenery on the site. The existing buildings along the eastern boundary are also agricultural in nature, and what could be expected in this agrarian setting. The site was supported in the Issues and Options 2 Consultation July 2009 due to its lack of landscape impact, and the summary states "views of the site from the wider landscape are already limited". The proposal is not considered to cause any significant landscape harm.
23. The desire to ensure that the scale of sites should not dominate Willingham remains an issue of significant concern to the Parish Council. While recent permissions in the village have mostly been on a temporary basis in recognition of a pending site allocations policy, this policy has not been delivered and given the lack of demonstrable evidence that undue pressure is being placed on village services, this argument is difficult to sustain. The existing advice in Circular 11/95 regarding repeat temporary consents is also pertinent.
24. Policy SF/10 seeks all residential developments to contribute to infrastructure in the village to meet the demand for public open space, sport and recreation facilities and other community facilities such as community centres and youth facilities. Given the recommendation of a permanent consent with a personal condition, it is considered the circumstances of the applicant (see below) are such that no such contributions are required in this instance.

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

25. The Cambridge sub-Regional Gypsy and Traveller Accommodation Needs Assessment (GTANA) 2011 was published in October 2011. The GTANA has

assessed a need for 67 additional pitches between 2011 and 2016, and a need for five extra pitches from 2016 - 2021. Further projected need has been calculated up until 2031. These findings were largely accepted by the Council's Housing Portfolio Holder on 13 June 2012 as part of the evidence base to support the Council's planning framework. The shortfall in pitches between 2011 and 2016 has been reduced by two and agreed as 65.

26. Since 2011, a total of ten pitches with planning permission have been developed. A further private site of 26 pitches has been permitted but not yet completed. This leaves a total of 29 pitches (65 – (10 + 26)) for which permanent sites need to be identified. There are currently 67 pitches with temporary planning permission and while there can be no certainty that these will (all) be turned into permanent permissions, there is a reasonable expectation that some of these will be approved, thus further reducing the overall shortfall in pitches.
27. There are no other sites in the district where pitches are known to be vacant, available and suitable for the applicant. (While there are vacant sites at Smithy Fen, Cottenham, this is an area now frequented solely by Irish Travellers and where the applicant was previously living). The two public sites at Milton and Whaddon have remained full with waiting lists of at least a year. However, the Council is actively involved with the aid of government funding in planning a new site for Gypsies and Travellers. Similarly, negotiations are taking place for the delivery of a further site that could become available within the next 18 months. The delivery of one or other of these sites would clearly help meet some of the outstanding unmet need.
28. The results of the GTANA and the decision of the Council's Housing Portfolio Holder were not available to the inspector in the recent appeal on land at Schole Road (S/1561/09/F). The now up-to-date needs assessment suggests that the unmet need is not "substantial" as the inspector concluded. Nonetheless, there 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, particularly given the lack of landscape harm described above.

*The applicant's personal needs and circumstances*

29. The applicant has been living on the site for over ten years, and resides on his own. He is suffering from serious health issues. Following a stroke in 2006, he is unable to walk and is paralysed along his left side. He requires constant care and support, and is fully reliant upon this. The mobile home has been adapted accordingly, with a full ramp and wheelchair lift in place. A carer visits twice a day, and the applicant is also reliant upon family, including his ex-wife, who lives on the adjacent site. Carers have used the touring caravans for accommodation while on the site.
30. If Members were to refuse the application, the applicant would have nowhere to live. He is unable to access a standard caravan and therefore cannot move to another plot. Following his stroke, he did reside within a nursing home but struggled to live in that environment.

*Conclusion*

31. The site is not considered to cause harm to the surrounding countryside. The lack of suitable alternative sites and the applicant's general needs with regard to local facilities and reliance upon local family carries significant weight in favour of the proposal. As a result, a permanent consent is recommended with a personal consent for the applicant. A temporary consent is not considered appropriate in this particular case.

*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). Officers consider that refusal of permanent planning permission would not be proportionate and justified within Article 8 (2).

**Recommendation**

33. Approve, subject to the following conditions.

**1. This permission does not authorise use of the land as a caravan site by any persons other than gypsies and travellers as defined in Annex 1: Glossary of 'Planning policy for traveller sites (March 2012)'**

(Reason - The site is in a rural area where residential development will be resisted by Policy DP/7 of the adopted Local Development Framework 2007 unless it falls within certain limited forms of development that Government guidance allows for. Therefore use of the site needs to be limited to qualifying persons.)

**2. The occupation of the site, hereby permitted, shall be carried on only by Arthur Brown and his residential dependants.**

(Reason – To ensure the pitch meets the continued need of local people for whom an established need has been recognised.)

**3. The residential use, hereby permitted, shall be restricted to the stationing of no more than one mobile home, two touring caravans and the existing utility building.**

(Reason - To minimise visual intrusion on the countryside in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

**4. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.**

(Reason - In order to limit the impact of the development on the area's rural character and the residential amenities of neighbours in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

**5. The site shall not be used for any trade or business purpose other than as a home base for light vehicles used by the occupants of the site for the purpose of making their livelihood off-site. In particular, no materials associated with such activities shall be stored in the open on the site.**



(Reason - In order to limit the impact of the development on the area's rural character and the residential amenities of the neighbours in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

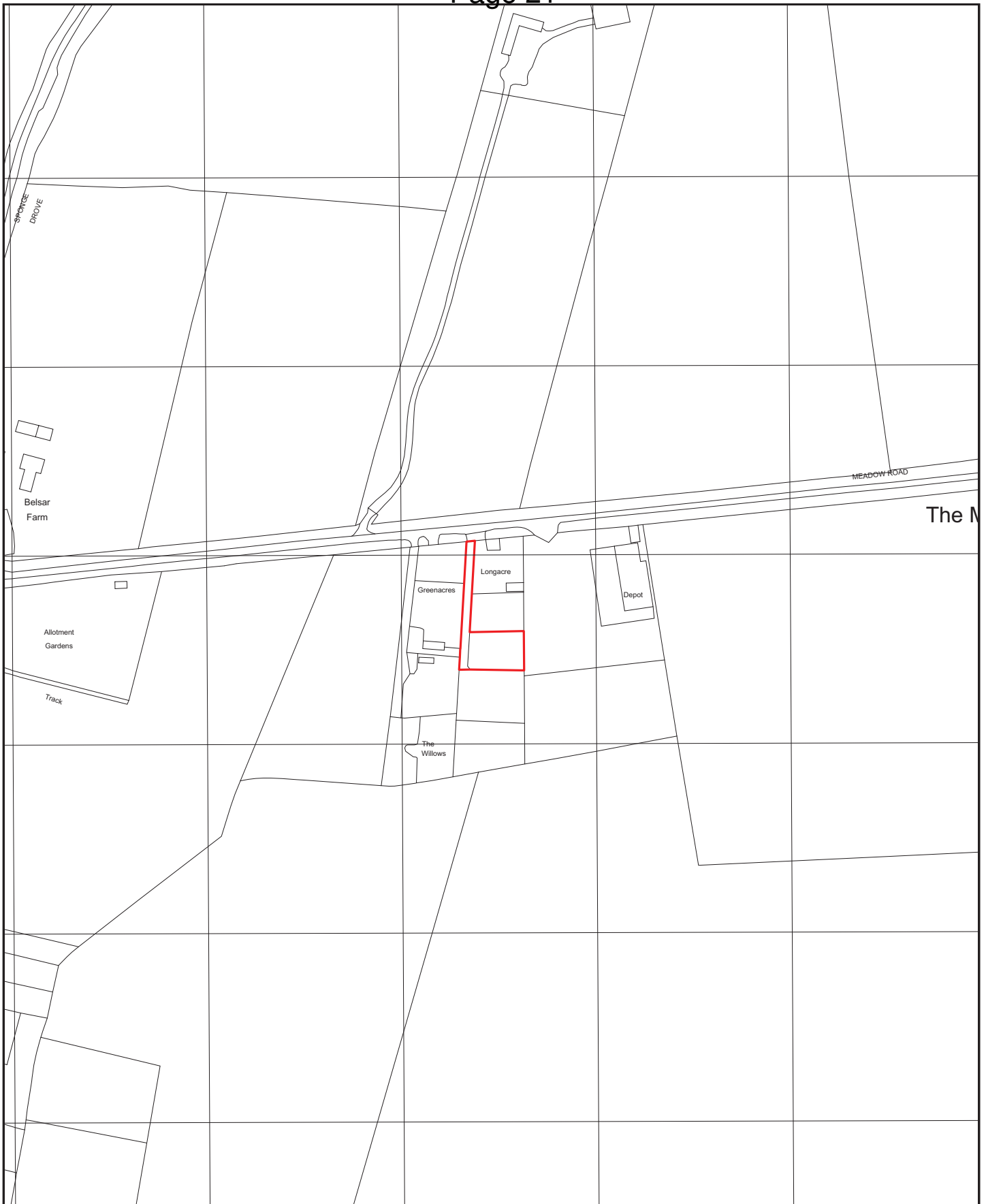
(Reason - In order to limit the site's impact on the area's rural character in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- **Regional Spatial Strategy for the East of England**
- **Local Development Framework Core Strategy and Development Control Policies DPDs**
- **National Planning Policy Framework**
- **Planning Policy for Traveller Sites**
- **Planning file reference S/1963/12/VC and S/1073/09/F**
- **Gypsy and Traveller Needs Assessment Internal Review. Report to Housing Portfolio Holder 13 June 2012**

**Contact Officer:** Paul Derry - Senior Planning Officer  
01954 713159

This page is left blank intentionally.



**South  
Cambridgeshire  
District Council**

© Crown copyright.

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2646  
Time of plot: 16:07

Date of plot: 22/10/2012

This page is left blank intentionally.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/1465/12/FL - WILLINGHAM**

**Change of Use of land for two gypsy pitches (Pitch 1 - 3 mobile homes and 2 utility/toilet blocks. Pitch 2 - 6 mobile homes, 2 touring caravans and 1 utility/toilet block) at Foxes Meadow, Priest Lane for Mr Bill Coates**

**Recommendation: Temporary Approval****Date for Determination: 20 September 2012**

**This Application has been reported to the Planning Committee for determination at the request of the Development Control Manager**

**Site and Proposal**

1. The application site is located to the east of the village of Willingham, beyond the designated village framework. It forms an area of land measuring 53m by 40m, accessed from the north boundary from Priest Lane. The plot is physically divided into two, each with a separate access, although it is possible to walk between the two. At the time of the site visit, there were three mobiles on the site, with six touring caravans and three utility/toilet blocks.
2. The north boundary of the site is a 0.8m high fence, with a hedgerow approximately 1.6m in height running its full length. The west boundary is a continuation of this hedgerow, separating the site from the adjacent paddock land. There is a small bosky area further west. To the south of the site are stable buildings, and there is a vehicular access through the site to these buildings. The southern boundary consists of a hedgerow and 1.8m high fence. The eastern access continues to a hay store outside of the application site, with a row of conifers 2m in height running along the east side of this access.
3. The full application, validated on 26 July 2012, seeks the permanent change of use of the site into two pitches. Pitch 1 would consist of three mobile homes and two utility/toilet blocks, and pitch 2 would consist of six mobile homes, two touring caravans and one utility/toilet block. The applicant has confirmed that should planning permission be granted, existing touring caravans will be replaced by mobile homes.

**Planning History**

4. Application **S/1844/09/F** was granted consent on the site for the change of use of the land for the siting of five mobile homes, four touring caravans and three toilet blocks at Planning Committee on 7 April 2010. This was granted a temporary consent expiring on 18 August 2012, and there is a personal consent for Mr Coates and his immediate family and dependants. This follows

previous applications granted temporary permission (**S/1857/06/F** and **S/2416/02/F**).

### **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 Local Planning Authority's to have due regard to the protection of local amenity and the local environment. Paragraphs 20 -26 provide criteria against which to judge planning applications. These criteria have been taken into account in this report.
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 Core Strategy 2007**  
**ST/5** Minor Rural Centres
10. **Suth Cambridgeshire Local Development Framework Development Control Policies 2007**  
**DP/1** Sustainable Development  
**DP/2** Design of New Development  
**DP/3** Development Criteria  
**DP/4** Infrastructure and New Developments  
**DP/7** Development Frameworks  
**SF/10** Outdoor playspace, Informal Open Space and New Developments  
**NE/4** Landscape Character  
**NE/10** Foul Drainage
11. **South Cambridgeshire Local Plan 2004 (Saved Policies)**  
**CNF6** Chesterton Fen
12. **Gypsy and Traveller DPD (GTDPD)**  
The site was supported through the "Issues and Options 2 Consultation July 2009" as an appropriate site option for consultation. 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. An Issues and Options Report Public Consultation ran from 12 July to 28 September 2012 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 at least the end of 2015.

13. 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.
14. The **Willingham Parish Plan (October 2008)** does not raise issues that relate specifically to traveller sites.

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

15. **Willingham Parish Council** makes no recommendation.
16. The **Local Highways Authority** recommends conditions regarding access width, pedestrian visibility splays, drainage onto the public highway, materials for the access, and the location of gates. An informative regarding works to the public highway is also recommended.

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

17. Comments have been received from the occupiers of **25 Wilford Furlong**. The site is raised from the adjacent land, increasing flood risk. There is no objection to a continuation of a temporary permission for the existing residents only.

#### **Material Planning Considerations**

18. Having regard to information provided as part of this and the previous application in 2009, 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.
19. 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
  - Human Rights Issues

#### *The Development Plan*

20. 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 Local Planning Authority's to make their own assessment of need rather than relying on a regional target (see below).

21. 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.
22. 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. The principal concerns in this case are the impact on the character and appearance of the area and the status of the local plan.
23. The site lies at the junction of the Cambridgeshire Claylands and the Fens Landscape Character Areas and is well divorced from the eastern edge of the village to the west, where housing along Priest Lane comes to an end. It is viewed in isolation from any other Traveller sites, and sits adjacent to a number of agricultural buildings. The land is not designated or protected and is considered a brownfield site. PPTS advises that the development of brownfield sites be considered more favourably. There are limited long range views of the site given planting in the area and around surrounding fen roads. The site is set on slightly higher ground than the road, so it is visible above the surrounding hedgerow, but this does provide a pleasant green screen to the site.
24. The site was supported in the Issues and Options 2 Consultation July 2009 due to its landscape impact. This concluded that the "urban frontage" of the site does give the potential for adverse effects on the landscape character, but this can be mitigated through appropriate planting. The hedgerow around the site has increased in height since that time, and therefore the potential impacts have been significantly reduced. Given the layout of the site, there is little opportunity for effective further planting to screen views. However, the existing hedgerow is considered to be an appropriate form of screening.
25. The sustainability of the site has also already been assessed as part of the background work for the then emerging site allocations policy. That concluded the site is relatively close to the edge of Willingham and is sufficiently close to enable pedestrian access to the services and facilities in the village. Priest Lane is a narrow road with passing places to allow vehicles to pass safely. The comments from the Local Highways Authority are noted. The access has been in position for a number of years, with the gates set back an adequate distance. Visibility is good given the grass verge in the area. The recommended conditions are not considered necessary in this instance.
26. The desire to ensure that the scale of sites should not dominate Willingham remains an issue of significant concern to the Parish Council. While recent permissions in the village have mostly been on a temporary basis in recognition of a pending site allocations policy, this policy has not been delivered and given the lack of demonstrable evidence that undue pressure is



being placed on village services, this argument is difficult to sustain. The existing advice in Circular 11/95 regarding repeat temporary consents is also pertinent.

27. In the event that permanent permission is granted, the Committee will need to confirm that 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 not confirmed his stance with regard to these payments at this stage, and they are not considered justifiable for a temporary permission.

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

28. The Cambridge sub-Regional Gypsy and Traveller Accommodation Needs Assessment (GTANA) 2011 was published in October 2011. The GTANA has assessed a need for 67 additional pitches between 2011 and 2016, and a need for five extra pitches from 2016 - 2021. Further projected need has been calculated up until 2031. These findings were largely accepted by the Council's Housing Portfolio Holder on 13 June 2012 as part of the evidence base to support the Council's planning framework. The shortfall in pitches between 2011 and 2016 has been reduced by two and agreed as 65.
29. Since 2011, a total of ten pitches with planning permission have been developed. A further private site of 26 pitches has been permitted but not yet completed. This leaves a total of 29 pitches (65 – (10 + 26)) for which permanent sites need to be identified. There are currently 67 pitches with temporary planning permission and while there can be no certainty that these will (all) be turned into permanent permissions, there is a reasonable expectation that some of these will be approved, thus further reducing the overall shortfall in pitches.
30. There are no other sites in the district where pitches are known to be vacant, available and suitable for the applicant. (While there are vacant sites at Smithy Fen, Cottenham, this is an area now frequented solely by Irish Travellers and where the applicant was previously living). The two public sites at Milton and Whaddon have remained full with waiting lists of at least a year. However, the Council is actively involved with the aid of government funding in planning a new site for Gypsies and Travellers. Similarly, negotiations are taking place for the delivery of a further site that could become available within the next 18 months. The delivery of one or other of these sites would clearly help meet some of the outstanding unmet need.
31. The results of the GTANA and the decision of the Council's Housing Portfolio Holder were not available to the inspector in the recent appeal on land at Schole Road (S/1561/09/F). The now up-to-date needs assessment suggests that the unmet need is not "substantial" as the inspector concluded. Nonetheless, there 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, particularly given the lack of landscape harm described above.

*The applicant's personal needs and circumstances*

32. The applicant, Mr Coates has lived on the site for ten years with his wife. He has also lived in Cambridgeshire for 66 years. Also on the site relatives Mr

and Mrs Brown, live with their two sons, both of whom are married and have three and four children respectively. Four children are at primary school, whilst the remaining three are too young at this time. All residents at the site are registered at the Willingham Surgery.

*Conclusion*

33. The site is not considered to cause harm to the surrounding countryside. The lack of suitable alternative sites and the family's general needs with regard to local facilities carries some weight in favour of the proposal, albeit their need for this particular site is not compelling. The potential delivery of at least one new site within the next 18 months also diminishes the weight to be given to unmet needs.
34. While no substantive harm has been identified, the potential availability of an alternative site and its capacity to relieve the overall pressures on Willingham, has led to the conclusion that a further temporary planning permission would be appropriate. This would be for a period of 18 months in line with a number of other planning permissions recently granted by the Planning Committee.

*Human Rights Issues*

35. 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). Officers consider that refusal of permanent planning permission would not be proportionate and justified within Article 8 (2).

*Other Matters*

36. There is local concern regarding flood risk. The site is within flood zone 1 and therefore no flood risk assessment is required as part of the application. The site does sit on raised ground, and there may be some displacement of water onto lower ground. However, given the permeable nature of the site, such displacement should be minimal.

**Recommendation**

37. Approve, subject to the following conditions.
  1. **This permission does not authorise use of the land as a caravan site by any persons other than gypsies and travellers as defined in Annex 1: Glossary of 'Planning policy for traveller sites (March 2012)'**  
(Reason - The site is in a rural area where residential development will be resisted by Policy DP/7 of the adopted Local Development Framework 2007 unless it falls within certain limited forms of development that Government guidance allows for. Therefore use of the site needs to be limited to qualifying persons.)
  2. **The use, hereby permitted, shall be discontinued and the mobile homes, caravans and amenity buildings, hereby permitted, shall be**

**removed and the land restored to its former condition on or before 31 March 2014 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 “Planning policy for traveller sites”, the Council is actively seeking to identify new sites for travellers and on a without prejudice basis to a permanent consent on this site, a further time limited consent will enable the Local Planning Authority to bring forward sites to help meet the existing unmet need.)

**3. The residential use, hereby permitted, shall be restricted to the stationing of no more than three mobile homes and three utility/toilet blocks on pitch 1, and six mobile homes, two touring caravans and one utility block on pitch 2.**

(Reason - To minimise visual intrusion on the countryside in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

**4. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.**

(Reason - In order to limit the impact of the development on the area’s rural character and the residential amenities of neighbours in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

**5. The site shall not be used for any trade or business purpose other than as a home base for light vehicles used by the occupants of the site for the purpose of making their livelihood off-site. In particular, no materials associated with such activities shall be stored in the open on the site.**

(Reason - In order to limit the impact of the development on the area's rural character and the residential amenities of the neighbours in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

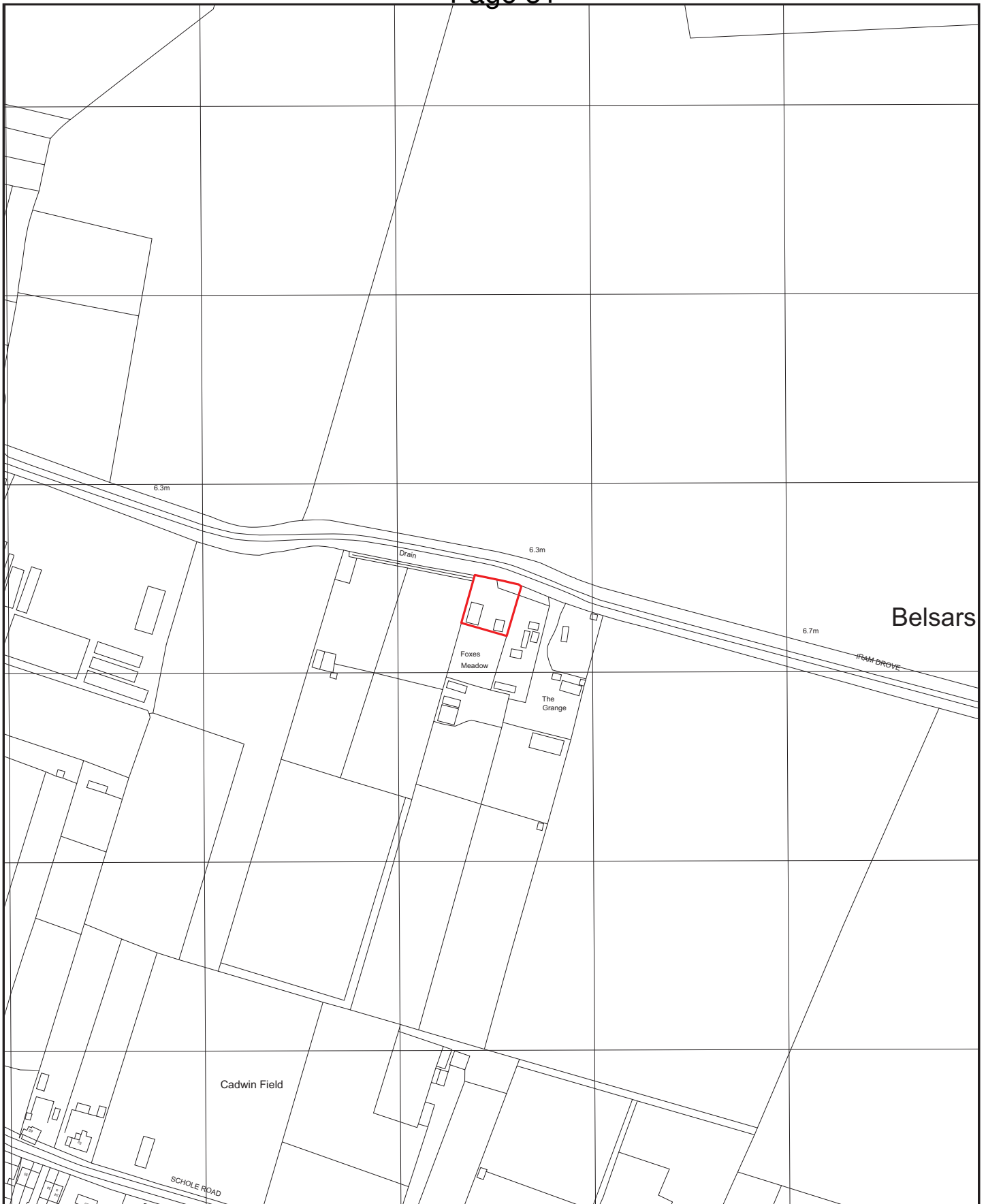
(Reason - In order to limit the site’s impact on the area’s rural character in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- Regional Spatial Strategy for the East of England
- Local Development Framework Core Strategy and Development Control Policies DPDs
- National Planning Policy Framework
- Planning Policy for Traveller Sites
- Planning file reference S/1465/12/FL, S/1844/09/F, S/1857/06/F and S/2416/02/F.
- Gypsy and Traveller Needs Assessment Internal Review. Report to Housing Portfolio Holder 13 June 2012

**Contact Officer:** Paul Derry - Senior Planning Officer  
01954 713159

This page is left blank intentionally.



**South  
Cambridgeshire  
District Council**

© Crown copyright.

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2646  
Time of plot: 12:37

Date of plot: 22/10/2012

This page is left blank intentionally.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/2020/12/FL - WILLINGHAM****Siting of a Portakabin for Educational Purposes (Class D1) at 37a (Cadwin Nurseries), Rampton Road, Willingham for Dr Sudesh Sangray****Recommendation: Approval****Date for Determination: 20 November 2012**

**This application has been reported to the planning Committee for determination as the Willingham Parish Council's recommendation differs from the officer recommendation.**

**To be presented to the Committee by Tony Boswell**

**Site and Proposal**

1. The site is located outside the development framework for Willingham. It comprises some 3.5 hectares (9 acres) of a former retail horticultural nursery which apparently ceased trading around ten years ago. The site as a whole is largely derelict. The current applicant's house nevertheless remains from that former use, along with a former parking area and now unused cultivated areas. The former disused nursery also includes a large asbestos clad "packing shed" type building. The western edge of the site is largely abutting long established homes and gardens, although the applicant's home and former parking area are well behind that frontage development. Access is provided by a narrow hedged driveway between numbers 39 and "Silvella" on Rampton Road, Willingham. Land to the east and south of the existing home are otherwise largely open countryside.
2. As a lecturer, the applicant is in the habit of hosting Biology and similar students at his home for the purposes of field work study. At present, those students generally stay to use his kitchen table for the purposes of completing notes and other work while at the site. The applicant evidently has two young (but growing) daughters and is no longer content to have such relative strangers present within his home for extensive periods.
3. The application seeks planning permission for stationing of a generic "portakabin" within the central part of the site to the rear of the home and adjacent to (or probably on) the former car parking area that used to serve the now abandoned horticultural use.

**Planning History**

4. The site has no relevant planning history.

## Planning Policy

5. **South Cambridgeshire Local Development Framework Development Control Policies 2007**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
ET/1 (1c) Limitations on the Occupancy of New Premises in South Cambridgeshire
6. DCLG Circular 11/95 "The use of Conditions in Planning Permissions" advises in general terms that planning conditions should be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Paragraphs 108 to 113 of that Circular gives specific advice on the use of temporary or time limited planning permissions.

## Consultations

7. **Willingham Parish Council** recommends refusal with the following comment:

*"Willingham Parish Council recommend refusal as the Parish Council understand that as there is no agricultural activity on the site at present this would mean there are currently vacant buildings which could be used. The Parish Council also have concerns regarding the number of parking spaces requested and their use. The Parish Council would request greater clarity on both this application and the future use of the site".*

The Case Officer has duly provided the Parish Council with full details but their recommendation remains unchanged. The applicant evidently has no current intentions to return the land to its former horticultural use.

Representations by members of the public

8. Nine adjacent properties on Rampton Road notified by post. At the time of drafting this report one letter received drawing attention to an apparent error concerning boundaries - which has since been resolved. However, confirms that the writer - *"has no objection (the proposed portakabin being way out of sight)"*.

## Material Planning Considerations

9. The main issues in this case are:
  - Principle of Development
  - Impact on the street scene and character of the area
  - Impact on neighbour amenity

*Principle of Development*

10. The site is located inside the development framework of Willingham. It is also surrounded by residential development on all sides other than to the southeast



which is open to the wider countryside. At present the site is derelict and unused, but clearly retains a potential for a return to agricultural or horticultural use - any ancillary retail use having been formally abandoned some years ago. The proposed portakabin and its use within Use Class D1 would not hamper such a return to active agricultural or horticultural use in future. (Use Class D1 includes - "Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non-residential education and training centres"). The size and location of the proposed portakabin does not suggest that any other form of use within Use Class D1 is likely to occur.

11. Given that the proposed educational use relates specifically to the land in question in its current derelict state, a temporary permission for a period of say five years would meet the applicant's evident needs and would enable the investment required. In discussion the applicant has indicated his willingness to accept and act upon such a temporary permission.

*Impact on the character of the area/Street Scene*

12. The proposed portakabin would have no visual or neighbourly implications, being well to the rear of adjacent properties, and set between the retained bungalow and the retained "packing shed".

*Impact on Neighbour Amenity*

13. The portakabin would accommodate a use which already takes place and no net additional traffic movements are to be expected as a result. Any demands for car parking are easily met within the former and now disused parking area on-site.

**Conclusion**

14. The impacts of this proposal are minor in the extreme, in the absence of neighbourly concerns or any apparent visual impact. The fact that other accommodation might be available within the retained "packing shed" building is irrelevant, given the lack of identified or suitable rooms. A temporary permission is recommended as that would both meet the applicant's needs and would safeguard the future of the land concerned.

**Recommendation:**

15. It is recommended that the Planning Committee approve the application subject to the following conditions.
  1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
**(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon)**
  2. The development hereby permitted shall be carried out in accordance with the following approved plan - Annotated Land Registry Title Plan (No CB316824)

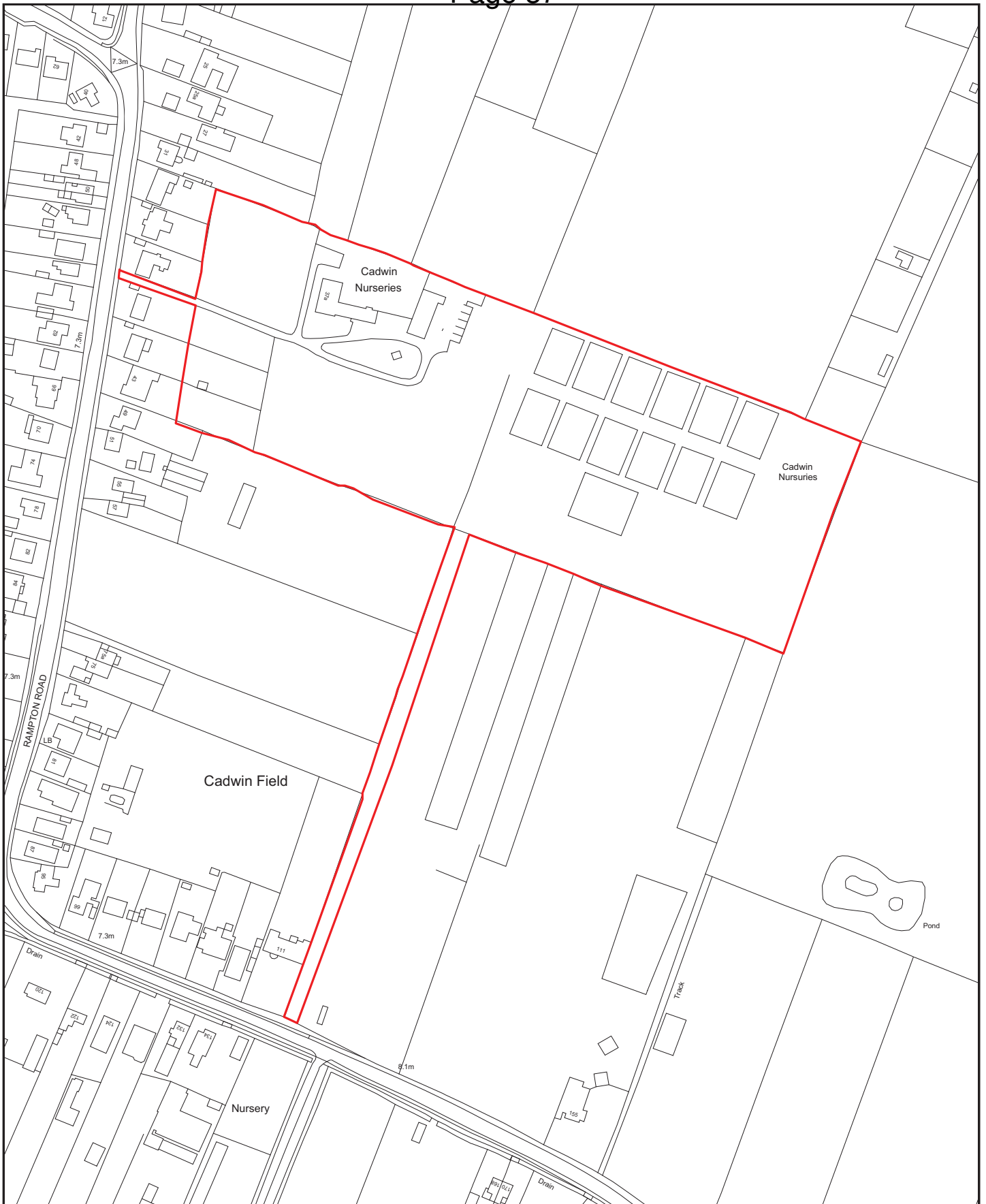
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. The portakabin building hereby permitted shall be removed and the use hereby permitted shall be discontinued and the land restored to its former condition on or before the 1<sup>st</sup> November 2017.  
(Reason - To ensure the authorised long-term use of the site is not prejudiced by the retention of the development when it is no longer required.)

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

- Local Development Framework Core Strategy and Development Control Policies DPDs.
- National Planning Policy Framework.
- Planning file reference S/2020/12/FL.

**Contact Officer:** Tony Boswell – Planning Officer  
01954 713020



**South  
Cambridgeshire  
District Council**

© Crown copyright.

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2500  
Time of plot: 13:05

Date of plot: 22/10/2012

This page is left blank intentionally.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/1611/12/FL - BOURN****Construction of Solar Energy Farm to include installation of solar panels, with on-site plant and machinery, landscaping and associated works at Caxton Road, Bourn for Mr Chris Poulton****Recommendation: Approval****Date for Determination: 13 November 2012****This application has been reported to the Planning Committee at the request of the Development Control Manager.****Members will visit the site on 6 November 2012****This application constitutes major development****The application has been advertised as a Departure****Site and Proposal**

1. The application site is located on agricultural land south of the village of Cambourne and to the north of Caxton Road in the Parish of Bourn. The Parish boundary is along the northern boundary of the site. It is located outside of the designated village frameworks for both Cambourne and Bourn, which are located approximately 360m to the north and 920m to the south at their closest respective points. The site has an area of approximately 13.6 hectares. Access is gained from the east to Broadway. The land is currently classed as grade 2 agricultural land. The majority of the site is within flood zone 1. However, a drain runs through the site and a small area along this drain is classified as flood zone 3b. The land is generally undulating, with Cambourne set on higher ground and land falling towards Bourn. The land also gently rises and falls west to east.
2. The western boundary of the site is a hedgerow, beyond which is a public footpath that follows the hedgerow line. The hedge is continuous although there are two obvious gaps further to the north end of the site. The majority of the hedgerow is also protected through a group Tree Preservation Order. The north boundary is a post and wire fence, beyond which is an area of wildflower meadow owned by the Wildlife Trust. A Public Bridleway runs to the north of this meadow, and is located approximately 30m from the site at its closest point. The east boundary is open and follows the path of a further drain. Land beyond is open agricultural land. The south boundary is part open and part hedgerow, predominately to the eastern section. Beyond the south boundary is further agricultural land. Mackshill Cottage, a grade II listed building sits to the northern side of Caxton Road. Bourn has two defined

Conservation Areas, both of which measure approximately 530m from the site at their closest points.

3. The full application, validated on 14 August 2012, seeks the erection of a solar energy farm to include the installation of solar panels, with on-site plant and machinery, landscaping and associated works. The proposal seeks to create a farm with an electrical output of 5MWp. This would require approximately 22,000 230W panels located on 460 metal arrays, each consisting of two rows of panels. The panels would be mounted at 30° from the ground to maximise solar gain, and would total 2.4m from the ground at the highest point. The layout would create 38/39 rows of panels across the site, all south facing. There would be a distance of between 5.3m and 6.3m between rows, depending upon the incline. Each panel will be supported by a frame piled into the ground and anchored without concrete to 1 to 1.5m in depth. The site would be linked to the existing sub-station at Caxton Road by a 300m buried cable.
4. The proposal would also include three inverter cabins. These are all proposed to be located on the southern section of the site, and would measure 3m by 7.2m, with a height of 2.5m. A 2.5m high security fence is proposed around the whole site.
5. The full application is accompanied by a Planning Statement, a Design and Access Statement, a Strategic Landscape Statement, a Biodiversity and Ecology Assessment, an Archaeological Trial Trenching Report, a Technical Inverter Data Guide and Installation Guide, a Construction Traffic Management Plan, a Flood Risk Assessment, a Noise Assessment, and a Community Statement.

### **Planning History**

6. There has is planning history for the site itself. Members will recall the approval of solar energy farms at Chittering and Haslingfield, and a refusal to the east side of Broadway in Bourn. A further application in Croydon was withdrawn.
7. The site was subject to an Environmental Impact Assessment screening procedure. In the response dated 12 August 2012, officers concluded that the proposal does not require an Environmental Statement to be submitted.

### **Planning Policy**

8. **Local Development Framework Development Control Policies (LDF DCP) 2007: DP/1 Sustainable Development, DP/2 Design of New Development, DP/3 Development Criteria, DP/4 Infrastructure and New Development, DP/7 Development Frameworks, NE/2 Renewable Energy, NE/4 Landscape Character Areas, NE/6 Biodiversity, NE/11 Flood Risk, NE/15 Noise Pollution, NE/17 Protecting High Quality Agricultural Land, CH/2 Archaeological Sites, CH/4 Development Within the Curtilage or Setting of a Listed Building, CH/5 Conservation Areas & TR/1 Planning for More Sustainable Travel.**
9. **Development Affecting Conservation Areas SPD** – adopted January 2009, **Trees and Development Sites SPD** – adopted January 2009, **Biodiversity SPD** – adopted July 2009, **Listed Buildings SPD** – adopted July 2009,

**Landscape in New Developments SPD – adopted March 2010 & District Design Guide SPD – adopted March 2010.**

10. The **National Planning Policy Framework 2012 (NPPF)** supports sustainable development. Paragraph 97 seeks Local Planning Authorities to recognise the responsibility on all communities to contribute to energy generation from renewable sources, and should have a positive strategy to promote energy from renewable sources. Paragraph 98 adds when determining applications, Local Planning Authorities should not require applicants for energy development to demonstrate the overall need and recognise small-scale projects provide a valuable contribution to cutting greenhouse emissions. Local Planning Authorities should approve the application unless material considerations indicate otherwise if its impacts are (or can be made) acceptable.
11. The NPPF 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.

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

12. **Bourn Parish Council** recommends approval in accordance with Policy NE/2, supporting renewable energy.
13. **Cambourne Parish Council** recommends approval. The fence is considered to provide adequate security, and any impact on views from Cambourne would be negligible.
14. The **Council's Landscape Officer** notes the site will have a significant impact on landscape character and views, particularly from the west and north. There are also clear views from residential properties along Broadway to the south. The landscape on the area has a distinct layered appearance with mature hedgerows, pockets of woodland, arable fields and meadows on the undulating land. The layering adds to the variation in landform. The site is highly visible from Cambourne, the master planning of which sought views over the area. The Strategic Landscape Statement is not considered to give an accurate representation and underplays the impacts. Proposed screening would not prevent views from certain locations especially given the time it would take to establish. Planting to the northern boundary will also obscure views of the wider landscape.
15. The **Environment Agency** notes the site sits on what is likely to be a slowly permeable calcareous clay soil. Runoff is likely to be concentrated in localised areas and linear strips. A margin of 7-10m around the site should be available parallel to any watercourse to facilitate this requirement. A condition regarding a strategic surface water drainage plan is recommended, with a number of related informatives.

16. The **County Council Definitive Map and Records Team** has no objection but point out Public Footpath No. 2 Bourn is located along the western boundary. Informatives regarding this footpath are recommended.
17. The **Cambridge Group Ramblers** do not formally object, but note negative impacts on the countryside and in particular neighbouring paths before screening fully develops. Tree planting along the Bridleway is welcomed and should be planted before the solar panels, and the hedgerow to the west should be strengthened to provide winter screening. Provision should be made for the welfare of walkers during construction works. It is asked that a compensation footpath link be provided between the Broadway in Bourn to Public Footpath No. 2 Bourn. This would allow links with Caldecote and beyond.
18. The **Local Highways Authority** objects given the lack of clarity regarding whether the access is temporary or permanent. Further details regarding visibility splays and a lorry routing agreement are proposed. They have verbally confirmed their objections could be overcome through relevant conditions.
19. The **County Council Archaeology Team** notes the site was subject to an evaluation in 2011 under a pre-application, and this revealed there was very little archaeologically within the area of development. No condition is recommended.
20. The **Council's Ecology Officer** has no objection to the proposal. There would be no impact upon Badgers or Great Crested Newts, and the creation of a wildflower meadow would be a biodiversity gain, especially when combined with the Wildlife Trust land to the north. The types of trees planted are questioned, as is the mix for the wildflower meadow, and a landscape condition is proposed. An Ecological Management Plan should be also conditioned.
21. **Natural England** notes the site does not appear to affect any statutorily protected sites. With regard to Bats, no objections are noted, whereas the findings regarding Great Crested Newts are accepted. Their conservation status is considered favourably. Standing advice is given with regard other species.

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

22. Comments have been received from the occupiers of **8 Wether Road, Great Cambourne**, who query the levels of glare, metals to be used in the manufacturing of the panels and where they go when decommissioned, its impact upon climate change, and the benefits to others from the Feed-in Tariff. The loss of agricultural land is also questioned.
23. An objection has been received from the occupiers of **38 Caxton End, Bourn** who notes the green belt between Bourn and Cambourne would be replaced by an industrialised landscape element, and the development does not preserve or enhance the character of the local area. The Strategic Landscape Assessment is considered misleading, and contradicts the Planning Statement.



24. A further letter from an unknown address has been received, objecting on grounds of visual intrusion and the inability to fully screen the site.
25. Members will be updated on any further comments received, given the expiration of a further press notice on 6 November 2012.

**Material Planning Considerations**

26. The key issues to be considered for the determination of this application are the principle of development, the impact upon the surrounding countryside, the impact upon the adjacent heritage assets, the impact upon the amenity of the occupiers of the adjacent residential properties, the impact upon highway safety, the loss of agricultural land, ecology considerations, flood risk, and community benefits.

*The Principle of Development*

27. Policy DP/7 of the LDF DCP lists criterion that are considered acceptable forms of development outside of designated village frameworks. These are development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside. As per previous solar farm applications, the scheme is considered to be a departure from this policy.
28. Policy NE/2 of the LDF DCP states the District Council will grant planning permission for proposals to generate from renewable sources, subject to proposals according with Policies DP/1-DP/3 and ensuring it can be connected efficiently to the national grid infrastructure and it can be removed when facilities cease to be operational. The supporting text to the policy notes solar power can make a significant contribution to the levels of energy created by renewable sources in the District. Policies DP/1-DP/3 are overarching policies regarding sustainable development and design, and comments below relate to whether these policies would support the proposal.
29. South Cambridgeshire has greater levels of sunshine than the UK average and Policy NE/2 states that solar power can make a significant contribution to renewable energy generation. In light of this the District Council seeks to reduce the use of fossil fuels, opportunities to increase the proportion of energy, especially electricity, generated from renewable sources will be permitted unless there is clear adverse impact on the environment or amenity of the area. The Government aims to put the UK on a path to cut its carbon dioxide emissions by some 60% by 2050, and to maintain reliable and competitive energy supplies. The development of renewable energy is considered to be an important part of meeting this aim and as such, there has been greater emphasis on 'positive planning', which facilitates renewable energy developments.
30. In light of the above it is considered that subject to the other material considerations discussed below the proposed development whilst departing from Policy DP/7 should be actively encouraged.

*Impact upon the Surrounding Countryside*

31. The proposed development will be visible from the public domain from a number of vantage points. The applicant has submitted a Strategic

Landscape Statement, which includes photo montages of the development from nine surrounding locations.

32. The comments from the Council's Landscape Officer are noted. He notes there would be significant public views of the site from short and long range particularly from the west and north. The existing landscape is described as being layered, with horizontal lines of hedgerows, woodland, fields and meadows visible across the valley towards Bourn Brook. The proposal is considered to have a harmful impact upon the landscape giving the area to be developed and the loss of this horizontal layered landscape character. Screening would reduce the impact although it would take a number of years to mature.
33. The solar park would have a lifespan of approximately 25 years, and this is a transient figure in terms of the long-term evolution of the landscape. The scheme does not involve the removal of any structures or planting, and would allow more planting for the long term. When the site is no longer required, the land would be returned to its original state. Any landscape harm created would not therefore be substantial. The balance between overall benefits against landscape harm has allowed a number of applications in recent times, which would usually have been refused. This is particularly the case at appeal, where Inspectors are recognising the need to achieve the Government's commitment to reducing greenhouse gas emissions through the development of renewable sources.
34. Nonetheless, landscaping is still important to create some screening, and this must be appropriate to its location. The clearest public views are from the Bridleway to the north of the site. At this point the land visibly drops, but then rises again. Land also rises eastwards, giving clear views of the development in that direction from a large stretch of this Bridleway.
35. The view from the Bridleway to the north of the site would be of shadowed areas and lines where the structures stand. These would usually be dark in nature, although lines indicating different rows of panels would be visible. The applicant has provided mitigation planting in the form of a landscape plan. It is noted there is some contradiction between the planning statement and landscape plan as to what is proposed to be planted in this area. The landscape plan shows trees, whereas the statement concludes planting would not be higher than 1.5m to ensure the existing wildlife meadow receives adequate sunlight. The applicant is aware of the error, and has confirmed in writing the planting should be up to a maximum height of 2.4m to obscure the height of the nearest panel. This is considered a more favourable option as trees would obscure longer views of the surrounding countryside from the Bridleway.
36. Further planting is shown to the hedgerow to the western boundary of the site. However, this would appear to be outside of the application site. The western hedgerow does provide a good screen, although there are two gaps to the northern section that would allow clear views in. It may be necessary for some planting within the site by the western boundary in these locations. A hedgerow is proposed all the way around the east and south boundaries. This would provide good vegetation for wildlife and screen some views from respective locations.

37. Comments from the County Definitive Map and Records Team and Cambridge Group Ramblers are noted. The former notes the public footpath would be unaffected subject to informatives reminding the applicant of relevant legislation. A footpath link between Public Footpath No. 2 Bourn and Broadway is requested by the Cambridge Group Ramblers. However given the nature of proposal, this cannot be justified through this development, and any demand placed on the applicant would be unreasonable, especially given they do not have control of the land to provide such a footpath.
38. Members need to balance the landscape harm highlighted against the benefits the scheme would bring in terms of renewable energy creation. In this instance, it is officer's views that the benefits do outweigh the harm.

*Impact upon the Adjacent Heritage Assets*

39. The dwelling of Mackshill Cottage to the northern side of Caxton Road is grade II listed. The Council's Conservation team have been consulted on the setting of this building, but no comments have been received. There will be minimal views from Caxton Road of the building and the development, given the screening along Caxton Road. However, the development would be visible when viewed from the rear garden. The land rises to the rear of the site, and then falls into a dip to the southern boundary of the application site. It does however rise again to a higher level.
40. There would therefore be long views of the proposal from the listed building. However, given the distance involved and the proposed hedge planting, the setting of the listed building should not be unduly harmed. The proposed planting would prevent some public views of the listed building. These would be from the bridleway to the north of the site given the proposed screening. At this distance, the building is not recognisable as a heritage asset and again, no harm to the setting of the listed building would result. As noted above, the solar panels would only be in situ temporarily, although that may constitute 25 years. Some harm caused is reversible in the future, although the planting would not be removed with the panels. The proposal should not result in sufficient glare to cause any loss of amenity to surrounding properties.

*Impact upon the Amenity of the Occupiers of Adjacent Residential Properties*

41. The proposal would only be visible from a small number of properties in the vicinity. These include dwellings along Caxton Road, and within the village of Cambourne to the north. Both would give different impacts. From Caxton Road, the site is likely to appear as a continuous area of blue. The dwellings are far enough away that the individual panels and structure would not be identifiable. From Cambourne, the rear of the panels will be visible from rear first floor windows of some properties at the southern end of the village. From here, the rears of the structures are likely to be visible, although additional planting would mean views would be further into the site. The panels would be viewed as shadowed or dark areas, and should not be distinguishable as to their exact nature. No harm should result from the outlook of any properties despite the views.
42. The access into the site would be located opposite two dwellings along Broadway. The Construction Traffic Management Plan shows the scheme will require 260 large vehicle movements during the 20 week construction period. It is anticipated that construction work would be "generally" between the hours

of 07.00-18.30 on weekdays, and 07.00-13.00 on Saturdays. The dwellings are a significant distance from the site and should not therefore be affected by noise from construction itself. They are likely however, to be aware of the large vehicles entering and exiting the site.

*Impact upon Highway Safety*

43. The application is accompanied by a Construction Traffic Management Plan, which shows the access to the site from Broadway will be via the existing farm track. This would require upgrading to accommodate construction traffic, particularly at the Broadway entrance. The Local Highways Authority has objected to the scheme as submitted, but has verbally confirmed the detail could be conditioned if necessary. The proposed upgrades can be conditioned to be done as per the submitted Management Plan, and completed prior to the erection of the solar panels.
44. The Management Plan does include a routing plan, which states traffic will be routed to the A428 rather than through the villages of Bourn or Caxton. The upgraded access has been designed to ensure large vehicles leave the site northwards. The Local Highways Authority has requested a routing condition, but the detail within the Management Plan is considered sufficient.
45. The Local Highways Authority also seeks further detail with regard to the proposed vehicle-to-vehicle visibility splays. Broadway is 40mph in this area, and a usual splay should be 120m. The splays shown within the Management Plan measure 78.5m. There would appear ample space for an increase in splay given the nature of the west side of Broadway, and a condition can therefore ensure this is achieved. The Management Plan also seeks to ensure parking for workers is within the site. No details of where this would be is provided, and therefore a further condition can be added to ensure a specific area is identified. Subject to the proposed conditions described, no highway safety issues should result from the proposed development.

*Loss of Agricultural Land*

46. Agricultural land is classified into five grades numbered 1-5, where grade 1 is excellent quality agricultural land, and grade 5 is very poor quality agricultural land. The site is made up of grade 2 (very good quality) land, defined as "land with minor limitations which affect crop yield, cultivations or harvesting. A wide range of agricultural and horticultural crops can usually be grown but on some land in the grade there may be reduced flexibility due to difficulties with the production of the more demanding crops such as winter harvested vegetables and arable root crops. The level of yield is generally high but may be lower or more variable than grade 1"  
<http://www.defra.gov.uk/foodfarm/landmanage/land-use/documents/alc-guidelines-1988.pdf>).
47. While the proposal would require a lot of works to the land. The frames for the photovoltaic panels would need to be piled into the ground, the transformer and inverter units would be set on gravel bases, and there would be a need for an underground trench to be built for cables to run. There would be disruption to the soil during the use. However, it is considered a temporary use, albeit for potentially 25 years, after which the land can be restored back to agricultural. The proposal would not lead to the loss of very good quality agricultural land in the long term.

*Ecology Considerations*

48. The application would remove an area of agricultural land, the proposal seeks a wildflower meadow to be created under the panels. The comments from Council's Ecology Officer and Natural England are noted. The wildflower meadow would be located close to the existing meadow beyond the northern boundary owned by the Wildlife Trust. This creates a biodiversity gain for the area, and correct management can be positive for species such as butterflies and Skylarks. The recommended Ecological Management Plan can be conditioned to ensure the mix and management of the meadow are appropriate. Natural England has also confirmed no harm would result to Bats or Great Crested Newts.
49. The application includes a landscape plan, which itself includes proposed planting around the site. The plan shows planting proposed to supplement the existing hedge to the western boundary, a hedgerow around the other three boundaries, tree planting to the north boundary and a group of trees in the southwest corner of the site. This would all aid the screening of the site. A landscape plan can ensure more precise details are provided given concerns by the Ecology Officer of the suitability of some species, and the level of tree cover proposed to the north boundary as discussed above.
50. The application includes the provision of a security fence around the site. In its current use, the site does act as a wildlife corridor for species such as Badgers, Foxes, and Deer. The fence should ensure permeability for these species to ensure they can still easily access and pass through the site. Precise details of the fence are not provided, and this should be provided through an appropriately worded planning condition. It is also noted information within various statements differ with regard to the height of the fence. This can be clarified through the same condition, although the preferred option is believed to have a total height of 2.5m.

*Flood Risk*

51. The majority of the site is within flood zone 1 and considered a minimal flood risk area giving the changes in levels in the vicinity. However, the drain running through the site does create a small area of land within flood zone 3b. The comments from the Environment Agency are noted in this regard. Rainfall that would usually land on the field could land on the solar panels, and drain into linear strips given the slope of the panels. This concentration in localised area has the potential to cause some problems.
52. The Environment Agency recommends a condition seeking provision of a strategic surface water drainage plan to be agreed in writing. This should take into account soil type and run-off levels given the impermeability of panels, and any associated compaction and erosion of the surrounding soil during and after installation. A 7-10m margin should be provided to the side of the drain to allow future maintenance. Such a condition can be added to ensure appropriate detailing, along with advice to be passed on as informatives.

*Community Benefits*

53. The applicant has submitted a draft Unilateral Undertaking seeking to erect solar panels on appropriate buildings within Bourn in association with the Parish Council. It also provides a financial contribution to Cambourne Parish

Council to contribute to its renewable energy scheme. Members should be aware that the applicant is under no obligation to make these contributions, and it is a gesture at the applicant's discretion. The Council's Legal Team are assessing the undertaking to ensure satisfactory wording. At the time of writing, no completed undertaking has been received.

*Conclusion*

54. To summarise the above, the development would cause identified harm to the landscape in the local area, especially giving the change of levels opening up longer views. No other harm has been identified that could not be controlled by way of appropriate conditions. The landscape harm has been balanced against the benefits of the scheme producing renewable energy. In this instance, the benefits are considered to outweigh the harm, particularly as the development is reversible and no long term harm would result. Further planting will be required to help screen the site during its life, and this should be of an appropriate nature to not cause any harm when the panels are removed.

*Other Matters*

55. The comments from the County Archaeology Team are noted. Archaeology works were completed at pre-application stage and therefore there is no requirement for any further works to be sought.

**Recommendation**

56. Approve, subject to conditions regarding the time for implementation, approved plan numbers, precise details of the security fencing, landscape plan and its implementation, Ecological Management Plan, parking within the site, timing of deliveries, vehicle routing as per the Construction Traffic Management Plan, confirmation of vehicle-to-vehicle visibility splays, access to the site as per the approved plan only, and a strategic surface water drainage plan.
57. Informatives as recommended by the Environment Agency and the County Council Definitive Map and Records Team shall also be added

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

- **Local Development Framework Development Control Policies 2007**
- **Development Affecting Conservation Areas SPD** – adopted January 2009, **Trees and Development Sites SPD** – adopted January 2009, **Biodiversity SPD** – adopted July 2009, **Listed Buildings SPD** – adopted July 2009, **Landscape in New Developments SPD** – adopted March 2010 & **District Design Guide SPD** – adopted March 2010.
- **National Planning Policy Framework**
- **Planning Ref Files: S/1611/12/FL**

**Contact Officer:** Paul Derry - Senior Planning Officer  
01954 713159



This page is left blank intentionally.



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/166612/FL – CAMBOURNE**

**Five retail units (A1 use) comprising two stand-alone retail units (site 2), three retail warehouse units (site 3), associated car parking, external ancillary space and external hard and soft landscaping,  
land at High Street and Back Lane, Cambourne,  
for Duncan Mason of Newcrest Estates  
Recommendation: Approval**

**Date for Determination: 5<sup>th</sup> November 2012****Notes:**

**This Application has been reported to the Planning Committee for determination because the Parish Council's recommendation that the application be approved subject to an agreement over the use of the proposed urban square.**

**To be presented to the Committee by Edward Durrant****Site and Proposal**

1. The application seeks planning permission for the erection of five retail units, all of which will be used for an A1 use, which is general retail. The first two units are proposed on the High Street (site 2) and comprise two detached units with a gross external area of 885m<sup>2</sup> combined. The units have mono pitch roofs fronting onto an urban square with glazed openings on three sides, loading areas and bin storage to the rear and customer parking to the north south and west. Each of the units range from 9 metre to 12 metre in height with 2 metre high brick walls surrounding the rear yard areas. The public square and hard and soft landscaping form part of the application site. Access is via the settlement centre/Morrisons car park from the north and High Street from the south.
2. The remaining three units comprise a pair of semi-detached units sitting at an angle to a larger detached unit fronting onto the settlement centre/Morrisons car park with rear elevations facing Back Lane and Sackville Way (site 3). The units have a gross external area of 2,194m<sup>2</sup> combined. The rear elevations are a combination of vertical timber cladding and metal panels and are set back from the highway by between 5 and 8 metres. The area to the rear of the units is reserved for the manoeuvring of delivery vehicles and bin storage and is screened from Back Lane and Sackville Way by way of a 2 metre high gabion wall and a strip of landscaping. The front elevations of the buildings, which front on to the settlement centre/Morrisons car park are glazed with customer parking spaces and cycle parking at the front. Access for customers is via the settlement centre/Morrisons car park from the southwest and there is an access off Sackville Way for use by delivery vehicles.
3. Site 2 is an undeveloped area of land sitting between the building that accommodates the existing parade of High Street shops, offices and residential units to the west and Sackville House to the east. To the north, the site abuts the settlement

centre/Morrisons car park and to the south of the High Street there is a smaller vacant development site between the Hub and the Monkfield Arms. The site is approximately 0.4 hectares with a developable area of 0.27 hectares due to the existing access road that runs through it.

4. Site 3 is to the east of Morrisons petrol station and to the west of the police station. To the north of Back Lane there are terraces of two and three-storey townhouses fronting the highway. Both sites are flat and have been laid to grass for a number of years and fall within the village framework of Cambourne. Site 3 has an area of approximately 0.55 hectares.
5. The proposals were the subject of pre-application discussions with officers and the Parish Council. A public exhibition was held in June and the responses have been included in the appendices of the Design and Access Statement.
6. Following the meetings with officers and the Parish Council, the application was amended on 17<sup>th</sup> October 2012 to change the materials used for the units on site 3 and to incorporate changes to the elevations of the units on site 2, including more glazing and a gate between unit 2 and Sackville House. The proposed totem signage has also been omitted. A transport statement, energy statement, sustainability statement and noise report have been submitted as well as an amended scheme of landscaping and Design and Access Statement.

#### **Planning History**

7. **S/1371/92/O** – New settlement of Cambourne – consent granted April 1994.
8. Cambourne Design Guide – dated May 1995.
9. Approved Cambourne Masterplan – drawing no. RT.85B.64 Rev 36.
10. **S/6383/06/F** – Erection of a DIY store and garden centre – withdrawn February 2007.

#### **Planning Policy**

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

**ST/4** – Rural Centres

**SP/4** – Cambourne Approved Masterplan and Design Guide

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

**DP/1** - Sustainable Development

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

**DP/3** - Development Criteria

**SF/2** – Applications for New Retail Development

**SF/4** - Retailing in Villages

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

**NE/1** - Energy Efficiency

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

**NE/6** – Biodiversity

**NE/14** – Lighting Proposals

**NE/15** – Noise Pollution

**CH/9** – Shop Fronts

**TR/1** - Planning for more Sustainable Travel

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

**TR/4** - Non-motorised Modes

13. **Supplementary Planning Documents:**

Landscape in New Development – adopted 2010

District Design Guide – adopted 2010

Biodiversity – adopted 2009

14. 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.

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

15. **Cambourne Parish Council** – Although the Parish Council welcomed the application it originally recommended refusal for the following reasons:

- a) The buildings are not in keeping with the design concept of Cambourne;
- b) The design of Site 3 is of poor quality and not suitable for a village centre location;
- c) There is no safe footpath linking the two sites;
- d) There is inadequate additional parking;
- e) The street furniture is not in keeping with the rest of Cambourne; and
- f) Insufficient consideration has been given to disabled or visually impaired people regarding parking, street furniture and horizontal surfaces.

Following the amendments, the Parish Council recommended that the application be approved subject to the disabled parking spaces for Site 3 being separated and an agreement being reached between the Parish Council and the applicant over the use of the urban square.

16. **Economic Development Panel** – Questioned the scale of the development and level of parking provision. Concerns also expressed about the bulky appearance of units 3-5, though the principle of the strategy to develop retail within Cambourne was considered acceptable.
17. **Landscape Design Officer** – Is supportive of the proposal following the amendment, but would still like to see additional planting to soften the front elevations of the units, especially those of Site 3, and less street clutter.
18. **Environmental Health Officer** – Expressed concerns about the potential for noise and disturbance from deliveries and plant and the impact of lighting and originally requested that a noise survey be carried out. An effective and enforceable way to control noise emissions would be to impose a condition that requires the applicant to submit a noise management scheme to be approved, implemented and maintained in accordance with the details of written approval.
19. **Local Highways Authority** – Originally recommended that the application be refused. Following the submission of the Transport Statement has no objection but

has raised concerns about the noise of the flow plates and the impact upon neighbour amenity.

20. **Sustainability Officer** – Has requested that a condition be used to require a scheme for the use of renewable energy technology.
21. **Urban Design Officer** – Notes that the applicant has amended the plans following officers comments, therefore has no objection.
22. **Ecology Officer** – Has been in discussion with the applicant and has requested that bird and bat boxes be provided on the units of Site 3.
23. **Cambridge Cycling Campaign** – Objects to the application as there is insufficient provision for cycle parking.

#### **Public Consultations by South Cambridgeshire District Council as Local Planning Authority**

24. Representations have been received from the owner/occupiers of the following properties: 2 Wether Road, 8 New Hall Lane, 2 Oakwood Drive, 10 Fenbridge, 9 Crow Hill Lane, 13 Willow Lane and 110 Lancaster Gate, all in Cambourne, and 98 Longmeadow, Lode. These representations raise the following concerns:
  - a) Level and location of cycle parking and access for cyclists;
  - b) Concern that the alleyway between Site 2 and Sackville House will become a place for criminal activity;
  - c) The architecture of the roofs of the units on Site 2 is out of keeping with the surrounding buildings – a traditional pitched roof with more character would be more in keeping;
  - d) People will be drawn in from outside Cambourne resulting in an increase in traffic on Back Lane, increase in air pollution, noise, etc.;
  - e) The appearance, scale and nature of the units is more akin to regional facilities rather than local facilities and there is insufficient sustainable transport infrastructure to serve these units;
  - f) Smaller units are needed;
  - g) There is insufficient capacity in the settlement centre/Morrisons car park;
  - h) The domination by Morrisons has not been addressed and the vehicular route into the centre of Cambourne should be altered to take traffic past the sites for the new units; and
  - i) The style of the units is out of keeping with existing development in Cambourne and they are similar to an out of town retail park.

#### **Material Planning Considerations**

25. The key issues to consider in this instance are the principle of the scale of units that are being proposed, the visual impact of the units within the street scene of the centre of Cambourne, landscaping, the impact of vehicular movements (customers and deliveries) upon highway safety and neighbour amenity, the level of parking and cycle parking, the use of renewable technologies, the future use of the urban square and connectivity.

#### ***Principle of the scale of development***

26. Both sites are identified in the Cambourne Masterplan as sites for retail development and Site 3 has previously been identified as a site to accommodate a larger retailer

such as a garden centre or DIY store, subject an appropriate proposal. The previous proposal for a DIY store, which was significantly larger, was withdrawn following concerns about the scale of the development. Although the proposed units are larger than retail units that are found in some of the more traditional high streets of South Cambridgeshire villages there are examples of this scale of retail development selling tiles, bathrooms, etc. on some of the employment areas of villages. There are also examples of large garden centres that stock a wide variety of retail goods that are significantly larger than these units. In the majority of these cases these retail units are in less sustainable locations on the outskirts of villages.

27. It has been questioned locally whether smaller units would be provided as part of the development. The applicant believes that the development would only be commercially viable by attracting fewer national retailers rather than a larger number of smaller local businesses, which often have less financial capital and experience. In discussions with officers, the applicant has stated that it would not be possible to seek funding to build the units without a guarantee of occupation already in place and, by targeting of national retailers, all of the units would be occupied once they are built. The applicant is hoping to construct the units by next September to allow their occupation before the retailers start to focus on the Christmas shopping period.
28. The amended Design and Access Statement has helped to better detail the applicant's proposals for the further development of the High Street. Pre-application discussions have taken place on one of the other sites and it is hoped that these can be picked up again once this application is approved. The applicant's proposal is to first increase the retail offer of Cambourne before focussing on the remaining High Street sites. Given the smaller areas of these other sites the applicant believes that they would be more likely to accommodate smaller units. The layout and design of Site 2 is an attempt to draw people into the High Street, which would make the remaining sites more commercially viable. There is no guarantee that the approval of this application would lead to construction of smaller units on the other High Street sites and this is not something that the Council can require. However the Economic Development Panel recognised that the applicant's strategy was a logical approach to bringing forward retail development in what is a marginal location in a difficult economic climate.

### ***Visual impact***

29. There is anecdotal evidence that the majority of the visitors to the centre of Cambourne come to shop at Morrisons, with many being unaware of the fact that there are additional units on the High Street. Therefore, the units of site 2 have been specifically designed with mono pitched roofs and wrap around glazing to create a vista that would draw people into the urban square and onto the High Street.
30. As a result of the pre-application discussions the applicant has proposed a more contemporary building design, as such buildings have been used to good effect elsewhere in Cambourne. There have been comments about the roof details of units 1 and 2 being out of keeping. Although they are not dual pitched in the same way the roofs of Sackville House and the Monkfield Arms, mono-pitch roofs can be found on buildings on Broad Street and one of the first buildings people see when entering Cambourne from the A428. Other contemporary buildings in prominent locations include the police station, church, sports centre and business park buildings. The roof design of units 1 and 2 helps enclose and better define the urban square and the use of materials compliments those used on the adjacent buildings.

31. Concern has been expressed about the view of Site 3 from Back Lane and Sackville Way and the approach from the west. The difficulty of this site is that it is surrounded on all sides by highways, meaning there will always be views of the rear of whatever units are proposed. Therefore, a significant amount of work has been done to soften the visual impact of the rear of units 3-5. Although the units are relatively tall, they are lower than some of the residential properties the other side of Back Lane and would be set back from the highway behind the 2 metre high gabion wall and landscaping. The use of timber boarding, similar to that of the new sports centre, also helps to soften the development and being interspaced between the metal cladding it will break up the rear elevations of the units.

***Materials***

32. A palette of materials has been proposed and further details of the final products and colours will be secured by way of a planning condition. The street furniture detailed in the Landscape Design Statement is not in keeping with the standard street furniture for Cambourne. This was raised by the Parish council and the aforementioned condition will be used to require details of the street furniture to ensure that it is in keeping with the rest of Cambourne.

***Landscaping***

33. The Council's Trees and Landscape Officer has requested that additional soft landscaping be provided to break up the hard landscaping of the existing car park. These views have been passed to the applicant and, although they have not proposed as much soft landscaping as officers would like, they have sought to accommodate trees where they can. The reason why additional trees are not provided at the front of site 3 and to the north of site 2 is so they do not obscure views of the entrances to the retail units. There is also a service strip to the south of site 2 that needs to be left clear. In the areas where these views are less crucial, along the yard area for site 3 and adjacent to the yard areas for site, 2 trees are proposed.

***Vehicular movements***

34. The applicant's intention is for the units to pick up trade from the existing Morrisons' customer base, which comes from Cambourne and its hinterland. Although it is inevitable that some additional vehicular movements would be created by people specifically visiting the new units, a fully occupied High Street is part of the Cambourne Masterplan and the highway network has been designed to accommodate the fully developed settlement. Any development that is located on these sites would generate traffic and leaving large, undeveloped sites in the centre of Cambourne would be to the detriment of the street scene and not in keeping with the Masterplan.
35. The scale of the units does not necessarily mean that they would attract more trade from outside Cambourne than smaller units. If anything it could be argued that the same floor space of smaller units could potentially draw more people into Cambourne as they would have a wider retail offer. Taking the example of Burwash Manor at Barton the anecdotal evidence is that the small, specialist shops attract more trade from outside the village than within it. As Morrisons already attracts people to Cambourne it is logical that some of these people would combine visiting these new units with their trip to the supermarket.
36. The applicant is concerned about restrictions on the hours of deliveries affecting the ability to successfully let the units to the national retail chains that are being targeted.

After consultation with environmental health officers, it has been agreed that a strategy of noise control be agreed by way of a condition. This strategy would need to cover timings and numbers of deliveries and would be more flexible than the standard condition that restricts deliveries to specific hours. It is hoped that with negotiation a solution can be reached that allows some limited early morning deliveries, where necessary, with sufficient safeguards in place to protect neighbour amenity. This is primarily an issue for Site 3 where vehicles would be maneuvering in close proximity to residential properties on Back Lane. The yard area of Site 3 has been designed so vehicles can enter and leave in a forward gear, to limit the noise of reversing warnings. Moreover, the gabion wall and landscaping would further reduce noise and measures such as the turning off of freezer units etc. could be agreed as part of the strategy to protect neighbour amenity.

37. In order to ensure the one-way route to the west of Site 2, flow plates are proposed. Concern has been raised about the noise of these, especially during the night. The applicant has indicated that the noise of the plates can be dampened by rubber inserts. A requirement for details of the mechanism to control the one-way route will, therefore, be included in the wording of one of the planning conditions.

### ***Parking***

38. Given the fact that the Council's parking standards vary within the A1 use class to meet the maximum standards the requirement could be between 220 spaces (based on all the units being food shops) and 123 spaces (based on all the units being retail warehouses). There are no details of the occupiers of any of the units and there is no requirement for that information to be provided as part of the planning application. The reality is likely to be that there would be a mix of different A1 retailers.
39. The settlement centre / Morrisons car park was designed not just to cater for Morrisons but also to accommodate other settlement centre uses. The Cambourne Settlement Centre Parking Strategy (May 2005), which remains in a draft form, recommended that parking for the remaining centre uses be provided at two thirds of the Council's maximum standards and this approach has been adopted by officers when dealing with the application.
40. The application proposes 110 spaces, which includes 60 that the applicant states are available within the settlement centre/Morrisons car park. It has been difficult to identify an exact figure for additional spaces available within the settlement centre/Morrisons car park but a figure of 60 spaces is a reasonable assumption based on the plans attached to the Section 106 legal agreement for the original Morrisons planning application. The 110 spaces would equate to two thirds of 165 spaces, which taking a pragmatic approach to what A1 use classes would go into the units, would be between the two maximum figures quoted in section 26. Moreover, the constraints of the sites mean that there is not a significant amount of space within them for additional parking to be accommodated if the maximum standards were to be enforced.
41. It should be recognised that the centre of Cambourne is dominated by car parking with other public car parks located near to the High Street. The accumulative total of all the public car parks near to the centre is 668 spaces. The argument that a high percentage of the visitors to the new units would most likely combine their visits with a trip to Morrisons, which is already a significant draw for people from Cambourne and outside, means that a percentage of the potential customer base for the new units is already using the car park.

42. Cambourne is served by several bus routes, the most frequent of which is every twenty minutes and the use of higher residential densities means that a large number of residents are within a 10 minute walk or 5 minute cycle from the settlement centre. Policy TR/2 states that the Council will seek to reduce the amount of car parking required in locations with good accessibility to facilities and services. Given the scale and number of the existing car parks that serve the settlement centre and the alternative modes that exist for Cambourne residents and people from the surrounding villages to access the sites the level of parking proposed is considered acceptable.
43. The maximum parking calculations are based on the gross floor areas of the units without the addition of mezzanine floors. These can be installed in retail units up to an area of up to 200m<sup>2</sup> without the specific consent of the Council. This additional floor area would have an impact upon the number of parking spaces required as they could potentially add a further 1,000m<sup>2</sup> of floor area. Given the amount of parking already identified in the area, the installation of mezzanine floors is unlikely to have a significant effect, especially if used as additional storage space, as the applicant suggests. As the installation of any mezzanines floors over 200m<sup>2</sup> would require specific planning consent there are controls in place to ensure that the impact of anything larger would be considered through the submission of a formal planning application.
44. There has recently been concern expressed by the occupiers of the existing High Street units about a loss of trade following the painting of double yellow lines near to the junction with Broad Street. The proposed parking spaces to the west of unit 1, which are accessible off High Street, should hopefully help to alleviate this problem.

#### ***Cycle parking***

45. Again the proposed number of 56 cycle parking spaces does not meet the Council's standards, which require 123 spaces between the two sites. The applicant considers that this amount of spaces would be excessive, as it is far greater than the provision for any of the existing uses in the centre of Cambourne. Moreover there is a lot of existing cycle parking in the vicinity, on the High Street, outside the Hub and Morrisons, etc. that is not well used. The applicant has, therefore, suggested a strategy where the level of usage of the 56 spaces be monitored and if further spaces are required then they will be provided. This approach is considered acceptable and a strategy, which will require details of where the additional spaces would be accommodated and take into account if mezzanines floors were installed, will be secured by way of a condition.

#### ***The use of renewable technologies***

46. The applicant proposes to use a combination of photovoltaic panels and air-source heat pumps to meet the Council's policies and the strategy that has been proposed is considered acceptable. The final requirements for these in terms of the amount of energy that will need to be generated will only be known once the occupiers have been confirmed. Therefore, a condition will be used to require the final details, which the applicant can discharge once he has a better understanding of the occupiers' needs.

#### ***Use of the urban square***

47. The inclusion of the proposed urban square at Site 2 is a positive design feature and the Parish Council has expressed an interest in holding events, such as markets,



there. Although the applicant has stated that he is willing to work with the Parish Council to see what events could be held there, he would not transfer ownership or control of the space to the Parish Council. The reason for this is in order to ensure that the interests of the occupiers of the retail units are protected.

48. Firstly it should be recognised that there is no planning requirement for the proposed space in order to comply with the Cambourne Masterplan. Therefore the use and ownership of this space is not a material consideration in the determination of this application. Moreover, once the urban square is planted with the proposed trees and the street furniture is in place there would not be a great deal of space for many market stalls. Notwithstanding this fact, officers will continue to work with the applicant and the Parish Council to see what public events could be held within this space without affecting the interests of the surrounding retail units.

### ***Connectivity***

49. The Parish Council has expressed a desire for a footpath between the two sites. This is not something that the applicant can achieve, as it would be outside land in his ownership and would involve the loss of a number of existing parking spaces. Moreover, if the route went round the outside edge of the car park there is a danger that it would not be used, as pedestrians tend to take the most direct route, which would be across the centre of the car park.

### ***Other matters***

50. A strategy for the ecological enhancement of the site has been discussed with the Council's Ecology Officer and it has been agreed to have bird and bat boxes on the rear elevations of the units of Site 3. Details of these boxes have been provided and a condition will be used to agree their exact locations.
51. On previous plans the applicant has indicated a clock tower or a similar feature to form a piece of public art. The best approach is to use a condition to require that a strategy for the provision of public art be provided so the local community can be engaged in the process.
52. An informative will be attached to the decision notice to draw the applicant's attention to the fact that separate consent will be required for any advertisements and signage and that such a consent is not included in the approval of this planning application.

### ***Conclusion***

53. 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***

54. It is recommended that the Planning Committee approves the application, as amended, subject to the following Conditions.

### ***Conditions***

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

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

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 799-001 Rev B, 799-002 Rev C, 799-003 Rev C, 799-004 Rev C, 799-005 Rev B, 799-SK163, 799-SK174, 799-SK175, 799-SK176, CMB1E01 and CMB1E02.**

(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 details submitted in 799 - Proposed Materials Schedule and Landscape Design Statement, no development shall take place until details of the actual materials to be used in the construction of the external surfaces of the buildings and design of all street furniture 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 – Insufficient information has been submitted to ensure the appearance of the development will be satisfactory and in accordance with Policy DP/2 of the adopted Local Development Framework 2007. **Street furniture does not accord with the approved Cambourne designs.**)

- 4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The details shall also include materials for the proposed urban square and specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**

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

- 5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a 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.)

- 6. Prior to the commencement of the development details of a scheme for the mitigation of the impact of any plant noise on nearby residential properties shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the location and type of any power driven plant or equipment, including equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the buildings. Plant associated with the development shall be selected, located or attenuated as necessary in order to ensure that the cumulative sound level**

**does not exceed 3dB(A) above background at the nearest dwellings when operating at maximum capacity during the night and shall not contain any significant tonal or impulsive content that it is not significantly directional. (Ideally the plant should make use of inverter speed control so that the criterion is achieved with the plant operating at maximum night-time capacity). The occupation of the units, hereby permitted, shall be in accordance with the approved scheme unless otherwise agreed in writing.**

(Reason - To ensure that the impact of noise upon the occupiers of nearby residential units is limited, in accordance with Policies DP/3 and NE/15 of the adopted Local Development Framework 2007.)

- 7. Before the development, hereby permitted, is brought in to use, a noise management plan/scheme shall be submitted in writing to the Local Planning Authority for approval. This shall include details of measures to mitigate night time operations to be undertaken to minimise noise disturbance and details of the proposed mechanism to ensure the one-way route identified on drawing 799-002 Rev C is maintained. The approved scheme shall be brought into operation from the date of first occupation of any unit and thereafter maintained.**

(Reason - To ensure that the impact of noise upon the occupiers of nearby residential units, relating to deliveries and the occupation of the development, is limited, in accordance with Policies DP/3 and NE/15 of the adopted Local Development Framework 2007.)

- 8. No development shall begin until a scheme for the provision of bird nest boxes has been submitted to and approved in writing by the Local Planning Authority; the dwellings shall not be occupied until the nest boxes have been provided in accordance with the approved scheme.**

(Reason - To achieve biodiversity enhancement on the site in accordance with adopted Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

- 9. Prior to the commencement of the development a lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security lighting, shall be submitted to and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation, full isolux contour maps and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles, angle of glare and shall assess artificial light impact in accordance with the Institute of Lighting Engineers (2005) 'Guidance Notes for the Reduction of Obtrusive Light'. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details measures unless the Local Planning Authority gives its written consent to any variation.**

(Reason - To ensure that the proposed external lighting limits the impact of light pollution upon the occupiers of nearby residential units in accordance with Policies DP/3 and NE/14 of the adopted Local Development Framework 2007.)

- 10. Prior to the commencement of the development, hereby permitted, a scheme for the use of renewable energy technology to provide at least 10% of the predicted energy requirements, as required by Policy NE/3 of the Local Development Framework 2007, shall have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.**

(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007.)

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

(Reason - To ensure the design of the development reaches a high standard in with Policy SF/6 of the adopted Local Development Framework 2007.)

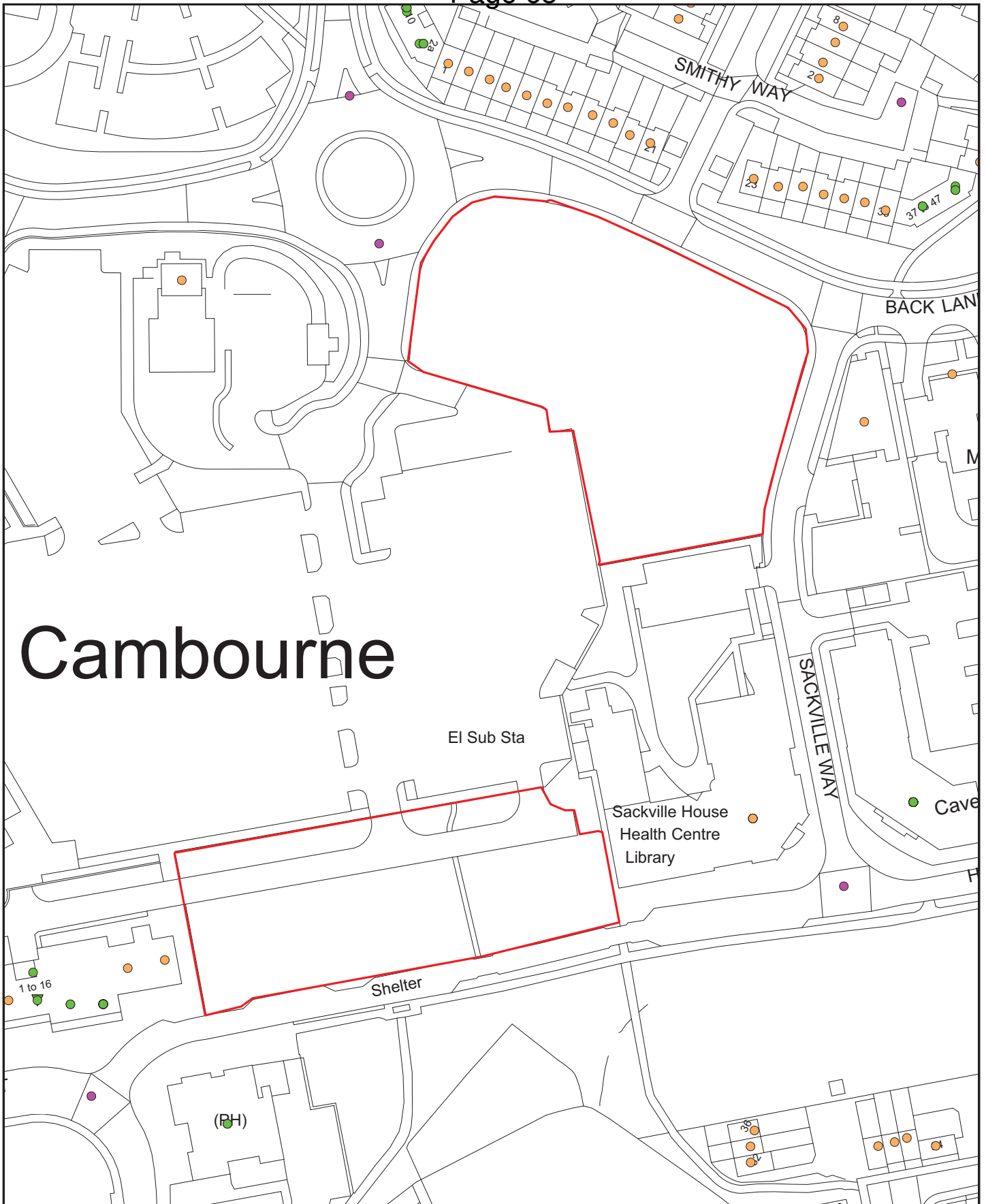
- 12. No development shall take place until details of a strategy for the provision and monitoring of cycle parking within the sites has been submitted to and approved in writing by the Local Planning Authority. This strategy shall include details of the monitoring of the proposed cycle parking spaces for a period of two years from the occupation of the units, the results of which will be reported to the Local Planning Authority. The strategy shall also identify the locations for additional cycle parking, to meet the Local Planning Authority's standards (including any increase in requirements if mezzanine floors are installed), should the results of the monitoring indicate that it is required.**

(Reason - To ensure that sufficient cycle parking is provided and that land is identified for additional cycle parking in the future if the monitoring strategy identifies that it is required, in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework Core Strategy DPD, adopted January 2007.
- South Cambridgeshire Local Development Framework Development Control Policies DPD, adopted 2007.
- Supplementary Planning Documents:
  - Landscape in New Development – adopted 2010
  - District Design Guide – adopted 2010
  - Biodiversity – adopted 2009
- The National Planning Policy Framework.
- Cambourne Design Guide – dated May 1995.
- Approved Cambourne Masterplan – drawing no. RT.85B.64 Rev 36.
- Planning file refs: S/1666/12/FL, S/1371/92/O and S/6383/06/F.

**Case Officer:** Edward Durrant – Principal Planning Officer  
Telephone: (01954) 713266



# Cambourne



**South  
Cambridgeshire  
District Council**

© Crown copyright.

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:1250  
Time of plot: 17:27

Date of plot: 23/10/2012

This page is left blank intentionally.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

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

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

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

**for Wm Morrison Supermarkets Plc**

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

**Date for Determination: 3 July 2012**

**Notes:**

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

**Members visited the site on 1<sup>st</sup> June 2012**

**Deferred from 6<sup>th</sup> June 2012**

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

**Site and Proposal**

1. Morrison's supermarket is located on the north side of Cambourne High Street at its junction with Broad Street. The site encompasses the store, petrol station and car park. It is bounded to the north by De La Warr Way. A vacant site for retail development and Sackville House, housing a library, health centre and Trading Standards lie to the west of the car park. South of the site, fronting High Street is building W2, accommodating shops and flats.
2. This planning application seeks to vary a condition of the original planning permission for the supermarket. The condition limited the maximum gross internal floor space on both storeys to 5740m<sup>2</sup>, incorporating a maximum net sales area of 2800 m<sup>2</sup>. The application seeks to vary this to allow a maximum net sales area of 3200 m<sup>2</sup>. No physical extensions to the building are sought.
3. The store has, earlier this year, undergone a programme of internal alterations to its layout to allow the store to operate more flexibly from its existing premises.
4. The application is accompanied by information to support the variation proposed:

- a) The store is the focus of the settlement centre and is the only food store in the centre. Retail proposals should be considered appropriate in the centre.
  - b) Popularity with its customers – serving the growing population of Cambourne plus villages between St Neots, Huntingdon and Cambridge, most which have limited essential convenience shops only capable of performing a ‘top up’ shopping role.
  - c) The store is very busy and at peak times shopping conditions become uncomfortable.
  - d) In recent years, foodstores have increased in size to reflect customers’ desires to undertake one-stop bulky shopping trips. The small size of the store means Morrisons is unable to provide customers with the same quality of shopping experience and range of goods that are available at competing superstores. This is contrary to PPS4, which seeks to facilitate greater consumer choice and to encourage a competitive retail sector.
  - e) The increase in sales area will allow more comfortable shopping conditions due to greater circulation space and delivery of an improved bulk food shopping offer that is of the same standard as other existing superstores in the wider surrounding area.
  - f) The current restriction on net sales floor area was designed to ensure ‘an appropriate level of convenience shopping within a single unit, in keeping with the size of Cambourne and its immediate catchment.’ Cambourne has seen significant growth since and the store serves an extensive rural catchment. A marginally larger net sales area should be considered appropriate in this location.
  - g) At 2800 m<sup>2</sup> the current cap on net sales area means that Morrisons is restricted to a net gross factor of 48.8%. Countrywide Morrisons stores generally operate at an average net to gross factor of approximately 55%. The variation sought would bring the store at Cambourne into line with company average.
  - h) The site’s in centre location means that the sequential test and issues of impact are not relevant. The impact of the proposal is minimal due to its small scale and fact that it would not be expected to alter the patterns of expenditure in the catchment area.
  - i) PPS4 requires retail proposals for in-centre locations to have regard to issues of scale. Increasing the cap on net sales area by 400 m<sup>2</sup> will have a negligible impact, reflects internal layout changes being made across the country as Morrisons rolls out its ‘stores of the future’ concept, and the quantum of back-up and storage area is decreased as the overall floorspace will remain unchanged.
  - j) The principle of increasing the sales area has already been accepted by the Council during its consideration of planning application ref. S/6393/07/F, which was refused due to loss of car parking for the centre.
5. Additional information submitted on 17<sup>th</sup> May 2012 includes further explanation in relation to the proposed increase in net sales area and addresses the concern raised by the Parish Council in relation to the sales of comparison goods within the store. This letter was accompanied by (a) a plan of the ground floor illustrating the area previous and the new net sales area; (b) A plan showing the areas within the store now being used for comparison goods by category and area; and (c) a copy of ‘The Study Area & Household Survey Zones’ plan taken from the 2008 Cambridge Sub-Regional Retail Study. The letter confirms that:
- a) The main increase in net sales area results from removal of the entrance gates and moving the Customer Services kiosk so that the former entrance



area can be utilised for the sale of plants and flowers. Circulation space has been improved, predominantly around the fresh produce aisle.

- b) The submitted plan showing the areas being used for sale of comparison goods shows that all categories are compliant with the 92m<sup>2</sup> restriction, however, the total area has increased to 596m<sup>2</sup>, the limit within the S106 being 464m<sup>2</sup>. A Deed of Variation will be provided to amend this clause.
- c) Cambourne functions as the main shopping destination for the residents of Cambourne and the Morrisons constitutes the primary shopping facility. The granting of permission for an additional 950 homes represents an increase in population of around 2,400 persons. There is a need to reflect that increase by providing for improved shopping facilities in the settlement. They consider the improved Morrisons store to be the most sustainable way of meeting bulk food shopping needs of the additional population.
- d) The store serves a wider catchment, beyond Cambourne, notwithstanding its position within the retail hierarchy. The primary catchment for the Morrisons comprises Cambourne and the surrounding villages.
- e) The surrounding villages have very limited food shopping facilities for essential needs only. Morrisons plays an important role in meeting bulk food shopping needs of the residents of the surrounding villages.
- f) Morrisons has a significant market share, as analysed in the 2008 Cambridge Sub-Regional Retail Study.
- g) The store needs to provide a similar quality of shopping experience and range of goods to other large supermarkets to serve this catchment to avoid expenditure leakage from the catchment to competing retail facilities at Huntingdon, St Neots, Royston and Bar Hill. All competing stores are larger, notably Bar Hill. It is concerned about exacerbating leakage to these other stores.
- h) Approximately 81% of the store's sales area is dedicated to convenience goods and the remaining 19% of the sales area (i.e. 596m<sup>2</sup>) is for the display of a limited range of ancillary and complementary comparison goods that aim specifically to cater for small impulse purchases that customers expect to buy when undertaking their main food shopping. In this way, it will not function as a comparison goods shopping destination in its own right and therefore, it does not pose a threat to in-centre comparison retailers and / or future investment. The 2008 Retail Study Household Survey results confirm that Morrisons does not feature in any responses in respect of where residents carry out their shopping for comparison goods, unlike Bar Hill. In light of the modest increase, Morrisons will not harm the future development / investment in Cambourne and specifically the High Street. Indeed, they consider that the new Morrisons format represents a significant investment in Cambourne and will attract customers back to the store from competing stores such as Tesco at Bar Hill to the benefit of Cambourne.
- i) A further thirteen part-time staff have been employed as a consequence of the proposal.

### **Planning History**

- 6. The principle of the existing Morrisons store was established by the outline planning permission for the settlement of Cambourne dated 20 April 1994 (ref. **S/1371/92/O**).
- 7. Reserved matters for the siting and means of access for a foodstore and settlement centre car park were granted on 22<sup>nd</sup> August 2001 (ref. **S/6084/00/RM**). It secured consent for the erection of a Class A1 retail store of 5,740 m<sup>2</sup> gross. The car park was required to be dual use in the sense that it would also serve surrounding development rather than just the supermarket.

8. The remaining reserved matters were granted permission (ref. **S/6133/01/RM**) in 2002. The petrol filling station, kiosk and car wash was approved under a separate reserved matters permission in 2002 (ref. **S/6134/01/F**). A link building to extend the café area between the supermarket and the adjacent W2 building facing the High Street (ref. **S/6165/02/F**) was granted permission in November 2002 but not implemented, and has expired. The loading area of the store has been enclosed under permission reference **S/6239/04/F**. There has also been a number of minor applications relating to matters such as advertisement consent.
9. An application to erect an extension to the sales area of the store (ref. **S/6393/07/F**) was refused and a subsequent appeal dismissed on grounds that the effective loss of car parking capacity which would result from the proposed supermarket extension would be prejudicial to the provision of sufficient car parking to adequately support the development of the centre as envisaged in the Master Plan.
10. In terms of the settlement centre, proposals for a DIY store and garden centre were submitted to the Council in January 2007 (ref: **S/6383/06/F**). The application proposed a 2,393 m<sup>2</sup> (gross) DIY store and a 932 m<sup>2</sup> (gross) garden centre. The application was withdrawn in February 2007 following objections from officers on design grounds. A planning application (ref. **S/1666/12/F**) relating to this site and one other undeveloped parcel fronting the High Street within the settlement centre is also due to be considered by Members at this meeting.
11. Planning permission was granted for a Care Home and 3 retail units on the corner of High Street and Monkfield Lane (ref: **S/6379/06/F**) in August 2007. This site remains undeveloped at present.
12. Outline planning application ref. **S/6438/07/O** was submitted by MCA Developments Ltd in August 2007, seeking approval for a further 950 dwellings (plus community building, open space and play areas) within Upper Cambourne. The application was approved in September 2011 and work has commenced on the first parcels, with five reserved matters permissions having been granted for a total of 222 units. A sixth reserved matters application for 98 dwellings is yet to be determined.

### **Planning Policy**

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

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

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

17. **Cambourne Parish Council** - recommends refusal on the following grounds:
- a) Insufficient information available to justify the increase in floor space.
  - b) It requires a plan indicating how the additional floor area has been created.
  - c) There is no reference to the Section 106 legal agreement (S106), which has restriction on the categories and amount of sales space as a maximum area of 464m<sup>2</sup> for comparison goods with each category not exceeding 92m<sup>2</sup>. A plan is required to show how the proposed changes affect these limits and ensure the S106 is being complied with.
  - d) The above items are required to assure that the marketing and development of the High Street is not adversely affected by alterations to the area of comparison goods and increased floor area.
  - e) It challenges the statement that the increased floor area would provide more circulation space, as experience of the revised layout shows that the space between the shelves has been reduced in width reducing the level of circulation space.
  - f) It queried whether, if the plan is agreed, the S106 would subsequently need to be renegotiated.
18. The Parish Council has been consulted on the additional information submitted on 17<sup>th</sup> May 2012. In response, it has stated that it continues to recommend refusal on grounds that:
- a) "The increase in sales area will have a severe negative impact on the future High Street development, something that is already long overdue and needed by residents of Cambourne and surrounding villages.
  - b) There is a consequent reduction in future employment opportunities and sustainability for Cambourne, notwithstanding the 13 part time employment opportunities gained from the increase in sales area of the store.
  - c) The increase in comparison goods sales area is in breach of the S106 Agreement, particularly part 3, paragraph 2, which restricts the sales of comparison goods until the first occupation of the final unit of W1-W6. The reasoning for this paragraph has not changed since it was agreed.
  - d) That South Cambs. District Council themselves verify carefully the total net sales area and the sales area allocations of the comparison goods to ensure compliance with the current S106.
  - e) That South Cambs. District Council put in place a monitoring regime to ensure that the total net sales area and the agreed sales areas for comparison goods comply with the current S106.
- If the District Council were minded to approve the application (as recommended by the officer report for the SCDC Planning Committee meeting scheduled for June 6th) the Parish Council would request that:
- a) That the s106 be re-negotiated agreed and signed by all affected parties including the Parish Council prior to Planning consent being given.
  - b) That if the increase in floor area is agreed that it be used for increased varieties of food stuff and the floor area for comparison goods be kept at the same level as stipulated in the original s106.

- c) That South Cambs. District Council themselves verify carefully the total net sales area and the sales area allocations of the comparison goods prior to granting approval to ensure compliance with the amended S106.
- d) That South Cambs. District Council put in place a monitoring regime to ensure that the total net sales area and the agreed sales areas for comparison goods comply with the amended S106.”

19. **Economic Development Panel** – Supported the application and made the following points:

- a) Refer to the Cambridge Sub-Region Retail Study, published 2008, that informed the informal planning policy guidance document ‘Foodstore Provision in North West Cambridge Informal Planning Policy Guidance’, 2011, for information on catchment of Morrisons at Cambourne.
- b) It will intercept visits to Tesco at Bar Hill and as such increase sustainability by reducing travel.
- c) The condition was applied prior to the approval of an additional 950 homes at Cambourne. The proposal is modest and will cater for the increased population arising from that approval.
- d) Queried if any additional jobs were created as a consequence.

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

20. Councillor Clayton Hudson:

“I am outraged by the planning officer's recommendation for WM Morrison's application.

In my opinion, the application is not appropriate and if approved, will have adverse impact the delivery of the rest of the High Street.

I will be speaking against the recommendation and strongly recommending refusal.

The principal reason why the retail offering within Cambourne has been so poor to date is due to the over-bearing effect of Morrisons and the deterrent this has placed on other retail occupiers.

This was clearly the very reason why well-considered limitations were placed upon the original Morrisons' consent, both in relation to net sales area and the area used for the sale of comparison goods.

Given all the meetings I have attended in trying to move forward the High St, it very apparent Cambourne has only very recently reached a population that might be able to sustain a larger and more varied retail offering. Anything that Morrisons are permitted to do to increase their net sales area can only exacerbate the problem that has persisted for many years and prejudice the very type of additional, varied retail offering that I strongly believe Cambourne residents are so keen to support.

In my opinion, the restrictions originally placed upon the Morrisons' consent were clearly inserted for very good reason – namely in order to limit the effect such a large store could have on the future development of a vibrant village centre. It is apparent from the evidence of the lack of any significant alternative retail development in Cambourne that such a large store has already limited the scope for alternative retail, and I see no reason why this should be relaxed - particularly when a more varied retail offering is within Cambourne's grasp.

Fundamentally, the rationale behind the original restrictions has not changed.”

21. Two residents of Cambourne have written objecting on grounds that:
- a) Need to protect the viability of new shops in Cambourne that are proposed.
  - b) The whole present layout of the shop and goods for sale gives the impression of intending both to squeeze out competition before it has even arrived. Stifling competition to totally thwart development of any retail business that may consider coming to Cambourne.
  - c) The application should be refused and enforcement action should be taken.
  - d) The store should return to the status that existed before they made the unauthorised changes.
22. New Crest (the developer working with the Cambourne consortium of house builders to bring forward further retail development within the settlement centre), Taylor Wimpey and Bovis (Cambourne’s consortium of house builders):

“Firstly, as you know we are spending a great deal of time and money to promote the retail development on our Sites 2 and 3 within the centre of Cambourne, hopefully to be shortly followed by an application on Site 1. The principal reason why the retail offering within Cambourne has been so poor to date is due to the over-bearing effect of Morrisons and the deterrent this has placed on other retail occupiers. This was clearly the very reason why well-considered limitations were placed upon the original Morrisons’ consent, both in relation to net sales area and the area used for the sale of comparison goods.

We would therefore object to the above application for a number of reasons:

- a) Cambourne has only very recently reached a population that might be able to sustain a larger and more varied retail offering – hence our proposed development, details of which are well known to South Cambs. Council as we have been within our formal pre-application period for some time now. Anything that Morrisons are permitted to do to increase their net sales area can only exacerbate the problem that has persisted for many years and prejudice the very type of additional, varied retail offering that Cambourne residents are so keen to support.
- b) We would also object to any increase in the area Morrisons are permitted to use for the sale of comparison goods. Occupiers selling comparison goods are a prime target for our proposed new retail development within Cambourne town centre and we would not therefore like to see the area allocated for similar sales increased within Morrisons, right on our doorstep, at the very time we are trying to induce occupiers to take new retail space.
- c) The location of the additional area which Morrisons proposes to use as net retail sales (i.e. directly at the main entrance to the store as shown by the blue line on the plans provided) is of very particular concern to us. Bringing this area into use clearly enables Morrisons to provide an area within their store for convenience retailing, where customers can buy goods without having to go into the main body of the store. This would be in very direct competition with what the residents of Cambourne are clearly seeking, this being alternative, small convenience retail sales stores. If Morrisons are permitted to amend their application in this manner I firmly believe it will have a very detrimental effect on the chances of introducing an alternative, varied retail offering within Cambourne centre and will probably

cause alternative convenience retail development to be delayed for many more years into the future, if not indefinitely. To give you an example here, I have received a written confirmation of interest from a local florist who wants to take a unit of around 800 sq. ft. in the high street, when we develop Site 1. Do you still think this will be viable now that Morrisons have brought 3,000 sq. ft. or so into net sales right in their entrance foyer, largely selling flowers? What is then to stop them also selling newspapers, loaves of bread, pints of milk etc. in this area – directly competing with potential high street convenience shops.

Don't get me wrong; I do not remotely have a personal issue with Morrisons – clearly they are a very good retailer and have brought a lot to Cambourne. But it this very fact, as with all of the large supermarket retailers, that squeezes out the potential for completion, unless actively and consistently controlled.

In summary, the restrictions originally placed upon the Morrisons' consent were clearly inserted for very good reason – namely in order to limit the effect such a large store could have on the future development of a vibrant town centre. It is apparent from the evidence of the lack of any significant alternative retail development in Cambourne, that such a large store has already limited the scope for alternative retail, and we see no reason why this should be relaxed - particularly at this juncture, when a more varied retail offering is within Cambourne's grasp. Fundamentally, the rationale behind the original restrictions has not changed."

### **Material Planning Considerations**

23. The key considerations in determining this planning application is whether the increase in net sales area is appropriate to the scale of Cambourne in terms of its function as a Rural Centre, and whether if approved, it would have an adverse impact the delivery of the rest of the High Street.
24. Reviewing the net sales area also requires a consideration of the balance between convenience and comparison goods on sale, as there is currently a limit on the extent of comparison goods within the supermarket.
25. The effect of granting a variation of condition would be to issue a new planning permission for the supermarket and so appropriate planning controls need to be re-visited, including conditions and S106 obligations.

### ***Net sales area***

26. The supermarket is situated in the Cambourne settlement centre. In terms of retail hierarchy, it is not defined as a town centre. It is a local centre and policy ST/9 informs that these 'are appropriate locations for shopping to serve their local catchment area only'.
27. The local catchment of Cambourne has not been specifically defined, however in recent studies such as the 'NW Cambridge Supplementary Retail Study – Final Report' it is noted that:

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

service uses.' (P68 NW Cambridge Supplementary Retail Study – Final Report).

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

28. The applicant has advised that the supermarket at Cambourne serves a catchment of its own residents but also drawing customers from 'a hinterland which includes a large number of villages from Conington to the north, Barton to the east, Wimpole to south and Gamlingay to the west. It also draws shoppers from surrounding villages
29. The relatively modest increase in net sales area of 400m<sup>2</sup> will provide a sustainable, primary shopping facility for existing residents of Cambourne, its growing population and rural catchment. The population of Cambourne will increase by 29% as a consequence of permitting the extra 950 homes. The increase in floor space sought by the applicant is approximately 14%. In addition, the retail study for NW Cambridge suggests that Cambourne is 'relatively vital and viable' as a retail centre. It is unlikely, therefore, to significantly impact on retailing within the villages and the future development of the High Street.
30. The settlement centre currently has, in addition to Morrisons, a building society, estate agents (3 no.) chemists / post office, hairdressers, Chinese takeaway, Indian restaurant, bike shop, pizza takeaway, chip shop, dry cleaners and a betting shop. All existing units are currently occupied. In addition, the council has recently received a planning application for a convenience store on a vacant site at Lower Cambourne, adjacent to the cricket pavilion.

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

31. The S106 that accompanies the original outline planning permission for the supermarket placed a limit on the sale of comparison goods within the store. Of the total net sales area not more than 464m<sup>2</sup> can be used for comparison goods and not more than 92m<sup>2</sup> can currently be used for sale of each category of comparison goods. These categories of goods include: (a) books, newspapers, magazines, (b) clothing, footwear, (c) furniture, floor coverings, household textiles, (d) radio, electrical and other durable goods, (e) hardware and DIY supplies, (f) chemists' goods, (g) jewellery, silverware, watches and clocks, (h) recreational and other miscellaneous goods.
32. In a letter received on 2<sup>nd</sup> July 2012, the applicant has advised that all of the 8 categories for comparison have been complied with the 92m<sup>2</sup> limit except for small increases in all two categories and, the total comparison sales area is 566m<sup>2</sup>. The terms of the existing S106 have not, therefore, been strictly adhered to for (a) chemist goods and (b) recreational and other miscellaneous goods. The total comparison floorspace has been exceeded by 101.6m<sup>2</sup>, and overall there has been a 21.9% increase in the area permitted currently for the sale of comparison goods.
33. These limits are intended to be applicable until the date of the first occupation of the final unit comprised within the proposed ground floor element of units at W1-W6. Of these buildings, W1 – Caxton House on corner of School Lane and Broad Street and W2 (the building north of High Street & south of Morrisons & the car park) have been constructed. W3 and W4 are the remaining parcels fronting High Street on its northern side (between W2 and Sackville House). W5 and W6 are the vacant parcels

on the south side of High Street between the Monkfield Arms PH and a vacant site for offices (west of The Hub). The purpose of this restriction was limit the impact of a supermarket on delivery of the High Street.

34. The increase is relatively modest and results from revising the existing floor layout without needing to extend the building and, as such, it is not considered that the impact would be so great as to warrant a refusal. As the works have been carried out, if refused it would be necessary to also consider enforcement action. As there is no clear evidence of harm it would not be expedient or in the public's interest to take action.

### **Section 106**

35. The Parish Council has made several requests, if approval is recommended. Firstly, it wishes to be a signatory to any S106. As the Parish Council is not a beneficiary of the S106 it would be not possible to include it in a deed of variation and is unnecessary. Legal advice has stated that a Unilateral Undertaking or S106 agreement between Morrisons and SCDC does require all interested parties to be signatories, although Morrisons is the successor in title. A Deed of Variation could be secured with MCA's agreement. A verbal update will be provided once MCA's position in relation this has been confirmed.
36. Secondly, it has requested, if the increase in floor area is agreed, that it be used for increased varieties of food stuff. It is not within planning powers to control the variety of goods a retailer sells and is not a material planning consideration.
37. Thirdly, it has asked that the floor area for comparison goods be kept at the same level as stipulated in the original S106. Given the proportionate increase of comparison goods being sold in relation to the predicted population of Cambourne, limits on floorspace, as set out by the applicant, are, in officers' opinion, within reasonable tolerances. Officers would not want to see total removal of the limits while the High Street is still be developed out but a small increase in the areas is considered reasonable and proportionate to other increases in floorspace.
38. Fourthly, that this council verify carefully the total net sales area and the sales area allocations of the comparison goods prior to granting approval to ensure compliance with the amended S106. Officers have checked the store layout against the latest plan provided. A further check can be made prior to completion of a S106 or issuing of a decision notice if approved.
39. Lastly, it asks that South Cambs. District Council put in place a monitoring regime to ensure that the total net sales area and the agreed sales areas for comparison goods comply with the amended S106. In light to of this, monitoring would be carried out by officers every six months. .

### **Recommendation**

40. It is recommended that the Planning Committee gives officers delegated powers to approve the application subject to
- a) Section 106 requirements (deed of variation in relation to comparison goods), subject to MCA's agreement; and
  - b) The following Conditions and Informatives:



## Conditions

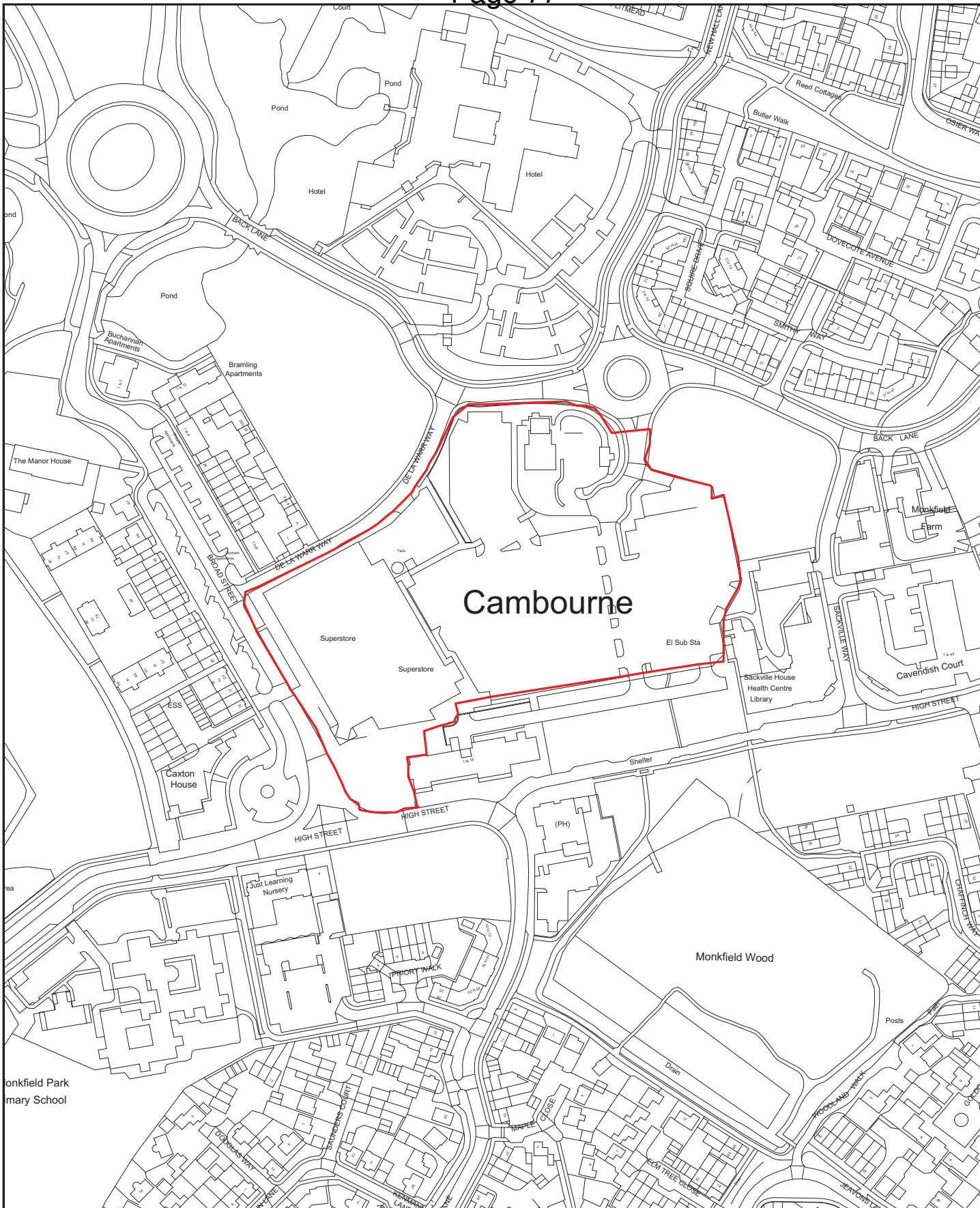
1. The building hereby permitted shall not exceed a maximum gross internal floorspace on both storeys of 5740m<sup>2</sup> incorporating a maximum net sales area of 3200m<sup>2</sup>.  
(Reason: To ensure an appropriate level of convenience shopping within a single unit, in keeping with the size of Cambourne and its immediate catchment area, whilst recognising the need to allow for the development of other retail units planned for this local shopping centre within this new settlement, in accordance with the aims of the Approved Master Plan and Design Guide).
2. The refuse storage area and recycling facilities shall be maintained for use for these purposes.  
(Reason: To ensure that appropriate facilities are provided for refuse storage and recycling given that this will now form the principal recycling facility for Cambourne).
3. No barrier shall be installed at the entrance to or exit from the car park, unless previously agreed in writing by the Local Planning Authority.  
(Reason: To ensure the car park remains available for use by members of the public at all times).
4. The northern boundary treatment to the foodstore shall be maintained hereafter.  
(Reason: To ensure the visual quality of the development).
5. Covered secure parking for bicycles for staff and cycle parking for visitors for use in connection with the supermarket shall be maintained hereafter.  
(Reason: To ensure provision for cycle parking is retained).
6. Details of the location and type of any power driven plant or equipment, including equipment for heating, ventilation and for the control or extraction of any odour, dust, or fumes from the building but excluding office equipment and vehicles and the location from the building of such plant or equipment, shall be submitted to and approved, in writing, by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions.  
(Reason: To safeguard the amenity of nearby residents and adjoining users and in order to minimise the intrusion of such features into the street scene).
7. There shall be no external storage of materials and products save for recycling bins and refuse to be store, as agreed by condition 2.  
(Reason: To prevent unsightliness).
8. No openings in any elevation of the foodstore hereby permitted shall have canopies, grilles, shutters or blinds attached to any part of the aforementioned units, unless agreed in writing by the Local Planning Authority.  
(Reason: In the interests of visual amenity).
9. The permanent space to be reserved on site for turning, parking, loading and unloading shall hereafter be maintained).  
(Reason: In the interests of highway safety).
10. No lighting, bollards to CCTV shall be installed other than in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.

(Reason: To ensure a coordinated approach to the provision of lighting/structures).

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

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

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



**South  
Cambridgeshire  
District Council**

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2646  
Time of plot: 17:18

Date of plot: 23/10/2012

This page is left blank intentionally.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/1693/12/FL –CALDECOTE****Proposed Dwelling and Detached Garage at 101A West Drive for Henry Moss****Recommendation: Delegated Approval****Date for Determination: 18 October 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**

**Members will visit the site on 6 November 2012**

**To be presented to the Committee by Andrew Phillips**

**Site and Proposal**

1. The site is located within the village framework and measures approximately 0.04 hectares.
2. A private roadway defines the southern boundary. To the west is a small grassed public space. To the north and east are adjacent residential properties.
3. The proposal is for a single dwelling and garage. The proposal is similar in style and scale to the dwelling approved by planning permission S/1448/11. The proposal was amended on the 17 September 2012 in order to change the location of the window to bedroom 4 back to the previous approved location.
4. This application was deferred at the October Planning Committee to allow for a site visit by members and to confirm landownership. This report is an updated version of the report considered at the October meeting.

**Planning History****On site**

5. S/0608/09/O – Outline application for erection of 1 dwelling following demolition of existing bungalow was approved. The outline consent was for a dwelling that would measure 9m x 11m, with a height of 8.5m.
6. S/1448/11 – Proposed single dwelling was approved. Planning permission expires on the 28<sup>th</sup> September 2014.
7. S/0950/12/FL – Proposed single dwelling and garage was withdrawn.

**On adjacent land**

8. S/0586/09/F – (101 West Drive) Erection of dwelling following demolition of existing was approved. Expired 2<sup>nd</sup> July 2012.
9. S/1583/09/O – (97-99 West Drive) Erection of one dwelling and conversion of existing garage to form dwelling was approved.
10. S/0267/10/O - (97-99 West Drive) Erection of one dwelling was approved.

**Planning Policy**

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

**ST/ 6 – Group Villages**

12. **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/4 – Infrastructure and New Developments

DP/7 – Development Frameworks

HG/1 – Housing Density

NE/1 – Energy Efficiency

NE/6 – Biodiversity

NE/12 – Water Conservation

NE/15 – Noise Pollution

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

SF/11 - Open Space Standards

TR/1 – Planning for More Sustainable Travel

TR/2 – Car and Cycle Parking Standards

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

13. **Caldecote Parish Council** – The Parish Council unanimously recommended refusal. The main reasons for refusal are:
  - The development is not in keeping with the streetscene
  - Residential Amenity
  - Highway Safety
  - Water Drainage
14. The full Parish Council comments form Appendix 1 for this application.
15. **Ashcroft Gardens Management Company** – The Management Company states that the new application does not address any of the concerns raised about previous applications. The development is also overdevelopment of the site, with some important material facts missing from the application.
16. An attachment was also sent but was not possible to open; further comments from this Consultee will form an update to Members.

**Representations by members of the public**

17. No representations currently received

**Material Planning Considerations**

18. The key issues to consider in this instance are:
- Update to October Planning Committee
  - Principle of Development
  - Visual Impact
  - Residential Amenity
  - Highway Safety
  - Other Matters

**Update to October Planning Committee**

19. Having seen a copy of the Land Registry Title for the land, the Councils Legal Department has expressed concern that the applicant does not have full control over the site in question. However, the applicant's agent has stated that the solicitor working on behalf of the applicant is fairly confident that the site ownership details as submitted as part of this application are correct. Further evidence to this effect will be provided, but was not available at the time of writing this report.
20. If the applicant is proven to be incorrect with their ownership details, any planning permission would be invalid and the development could not be lawfully implemented. An informative can be added to any approval explaining that incorrect ownership details would prevent the development from commencing and this is at the entire risk of the developer.

**Principle of Development**

21. Policy ST/6 allows for residential development of up to 8 dwellings within the village framework. With the proposal being for a single dwelling the proposal complies with this policy.
22. The developer has provided a draft heads and terms that covers the required contributions towards community facilities, public open space and waste receptacles for the proposed four bedroom dwelling.
23. The proposal will lead to an approximate density of 25 dwellings per hectare. While this is under 30 dwellings per hectare (Policy HG/1), two dwellings with a density of 50 dwellings per hectare is considered to be too high for this location and difficult to achieve given the constraints of the site.
24. The proposed dwelling is considered to be acceptable in principle.

**Visual Impact**

25. It is noted that West Drive does not have any specific character, as it is made up of a variety of different house styles while Grafton Drive has more of a uniform design.
26. The proposed dwelling is very similar in design to the previous approved development on the site (S/1448/11). The proposed front elevation has a well-

designed traditional appearance. The proposed development does not have any blank elevations, with windows and a chimney feature defining the side elevations. It is considered that the proposal will be in keeping with the local area.

27. The dwelling is proposed to be constructed in very pale colour brick and a black slate roof. While the slate roof is supported there is concern over the pale coloured brick, as it might not be in keeping with the surrounding properties. A materials condition will, therefore, need to be added.
28. Landscaping and boundary treatment details are absent from the application. This can be overcome by way of a condition. The boundary treatment will need to ensure that the corner of Grafton Drive and West Drive is not a blind turn for pedestrians and cycles.

### **Residential Amenity**

29. The proposal will not cause any significant different loss of light than what would have been caused by the previous approval (S/1448/11). In addition the shadow created from the proposed dwelling will mainly fall across the roof of the existing bungalow. It is considered that there will be no detrimental loss of light to 101 West Drive. There is only one first floor window (serving a bathroom) facing 101 West Drive and this could be conditioned to be fixed obscure glazing and for this reason there is no concern over loss of privacy. Window permitted development rights from this elevation will also need to be removed.
30. The proposed dwelling is located approximately 23m away from the existing dwelling of 97-99 West Drive. The window of bedroom 4 will mainly overlook the garage of the proposed dwelling, but will overlook a small part of the garden of 97-99 West Drive. This is not considered to be significant enough to warrant refusal. The distance between the proposed dwelling and the boundary of 97-99 West Drive is of sufficient distance to prevent there from being any significant loss of light or for it to be unduly overbearing.
31. It should still be possible to design a dwelling at 97-99 West Drive that would not cause residential amenity concerns to the development currently being proposed.
32. It would be considered reasonable to control power operated machinery during construction due to the scale of the development and its proximity to adjacent residential properties.

### **Highway Safety**

33. The Local Highways commented on the previous application (S/0950/12) in which it stated there would be no adverse effect on the public highway, as the site connects onto a private highway. The access to the road will, therefore, be a civil matter between developer and management company.
34. The proposed car parking spaces are slightly below the normal standard length by 0.2 metres. With neither the Local Highways Authority nor the Management Company for Grafton Drive raising concern for the same size parking spaces in the previous application (S/0950/12/FL) and taking into consideration that many cars would still be able to use these parking spaces it is not considered reasonable to refuse the development on lack of off street parking spaces. The proposed garage would give secure space to store cycles.



### **Other Matters**

35. In response to the remaining questions raised by the Parish Council the development is not of sufficient size in order to require water conservation methods in order to slow down the speed in which rain water drains into the ground or public sewers. In addition the address of the new dwelling is not an aspect that the Local Planning Authority can control.

### **Conclusion**

36. The proposal is considered to be acceptable, subject to certain conditions as mentioned above being duly added to any consent.

### **Recommendation**

37. It is recommended that the Planning Committee should approve the application subject to the following conditions:
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
  2. The development hereby permitted shall be carried out in accordance with the following approved plans: 22 Rev A, 24 Rev B, 26 Rev D, 20 Rev A and 28 Rev A.  
(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 there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment [for each dwelling] shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.  
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
  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 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 shall begin until details of a scheme for the provision of Outdoor Playspace and Informal Open 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 and waste receptacles 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 and waste receptacle provision in accordance with Policy DP/4 of the adopted Local Development Framework 2007.)

9. Apart from any top hung vent, the proposed first floor window serving the bathroom 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.)

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

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

11. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank

Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

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

### **Informatives**

1. The Local Planning Authority has raised concerns over the land ownership of the site, which it has made the applicant aware of. If the site ownership certificate is proved to be incorrect and it is the case that the applicant does not own the whole site, this will invalidate the planning permission hereby granted. This will prevent the development from being lawfully implemented and any development undertaken is at the sole risk of the developer.

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

- **Local Development Framework Core Strategy and Development Control Policies DPD**

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

This page is left blank intentionally.



**South  
Cambridgeshire  
District Council**

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2646  
Time of plot: 16:14

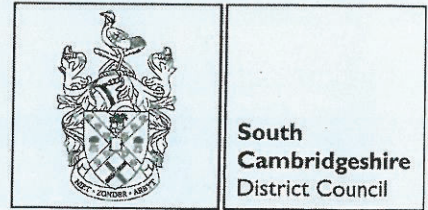
Date of plot: 22/10/2012

This page is left blank intentionally.

South Cambridgeshire Hall  
 Cambourne Business Park  
 Cambourne  
 Cambridge  
 CB23 6EA

t: 03450 450 500  
 f: 01954 713149  
 dx: DX 729500 Cambridge 15  
 minicom: 01480 376743

www.scambs.gov.uk



Saskia Dart  
 Caldecote Parish Council  
 89 Highfields Road  
 Highfields Caldecote  
 Caldecote  
 Cambridge  
 Cambridgeshire  
 CB23 7NX

Planning and New Communities  
 Contact: Andrew Phillips  
 Direct Dial: 01954 713169  
 Fax: 01954 713152  
 Direct email: andrew.phillips@scambs.gov.uk  
 Our Ref: S/1693/12/FL  
 Your Ref:  
 Date 30 August 2012

*This letter (with no plans attached) has been emailed to the Parish Council prior to sending out in the post, and for information, to the Ward Members*

Dear Sir/Madam

**Proposal:** Single dwelling and detached garage  
**Location:** 101A West Drive, Highfields, Caldecote, Cambridge, CB23 7NY  
**Applicant:** Mr Henry Moss

Attached is a copy of the above application for your retention.

Any comments that your Parish Council wishes to make should be made **on this form** and returned to the above address **no later than 21 days from the date of this letter**. (You should note that at the expiry of this period the District Council could determine the application without receipt of your comments.)

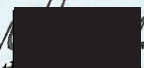
**Comments of the Parish Council:-**

**Recommend for refusal,**

Continued over

**Recommendation of the Parish Council:- (please tick one box only)**

Approve	<input type="checkbox"/>	Refuse	<input checked="" type="checkbox"/>	No Recommendation	<input type="checkbox"/>
---------	--------------------------	--------	-------------------------------------	-------------------	--------------------------

Signed:  Date: 8/9/12  
 Clerk of the Parish Council or Chairman of the Parish Meeting

**EXPLANATION OF APPLICATION SUFFIX**

- |                                      |   |
|--------------------------------------|---|
| <b>O</b> Outline                     | <b>LDC</b> Lawful Development Certificate                       |
| <b>F</b> Full                        | <b>PNA</b> Prior Notification of Agricultural Development       |
| <b>RM</b> Reserved Matters           | <b>PND</b> Prior Notification of Demolition Works               |
| <b>LB</b> Listed Building Consent    | <b>PNT</b> Prior Notification of Telecommunications Development |
| <b>CAC</b> Conservation Area Consent | <b>HSC</b> Hazardous Substance Consent                          |
| <b>A</b> Advertisement Consent       |   |

confirm that this is the case as Grafton Drive is a private road not a public highway ?

- A building this size and in this position would create poor visibility on the corner of West Drive and Grafton Drive.
- No provision has been shown for the drainage of surface water. A water harvester system needs to be specified for this site.
- Although modifications have been made to the Planning Application, we see no reason to change our original comments. However, we notice that the applicant has not addressed the problem with the fence on the corner of West Drive/Grafton Drive.

**Should the development be allowed to proceed.**

**Conditions should be applied on the following during construction**

- No work should be carried out before 8am and finish by 6pm. (1pm Saturdays)
- No work on Sundays or Bank holidays.
- Any spoil removed should not be used to raise ground levels and create neighbouring flood problems.
- Site traffic should be diverted away from existing roads if possible, Roads, where used, should be kept free of mud and if necessary regularly swept. Wheel washing facilities should be used.
- Parking and site compounds should be provided to ensure that disturbance to nearby properties is kept to a minimum.
- Water harvester to be specified.
- Boundary fence to be remedied before any plans agreed or work proceeded.

*This was and is the unanimous view and opinion of the entire Parish Council, as discussed and agreed at the Parish Council meeting on 6<sup>th</sup> September 2012.*

  
*Clerk & Responsible Financial Officer  
Caldecote Parish Council*



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/0699/11/F - CALDECOTE****Site adjacent 6 Main Street, Caldecote, Cambridgeshire, CB3 7NU for Mr C Richmond****Recommendation: Approval****Date for Determination: 31 May 2011****Notes:**

**The application was deferred at March 2012 Planning Committee for further information regarding the proposed access and further discussion with Anglian Water.**

**The original report is attached for information and reference.**

**Members will visit the site on 6 November 2012**

**Reason for Deferral**

1. The application was presented before members of the Committee in March 2012. Members decided that the application should be deferred until further information was received regarding drainage and further consultation with Anglian Water. It also requested that detailed drawings regarding the access should be submitted and agreed with the Local Highway Authority.
2. Discussion took place with the agent shortly after the above decision; however, it has taken time for the information regarding the access to be submitted. Anglian Water has been consulted three times with reference to the application following the concerns of the local residents and village representatives.

**Responses to the Deferral**

3. Anglian Water has not raised any objections with regard to this outline scheme. The information submitted with regard to the possibilities of a new access from the site onto the existing road network is considered acceptable to the Local Highway Authority.

**Additional Considerations**

4. However, this application has been presented to Members with another reason for consideration. The applicant would like to remove the 'Access' reserved matter from the outline submission and for Members to consider the Outline to include 'Scale' as the only reserved matter for consideration as part of this scheme.
5. It is understood that the Parish Council are not entirely happy with the proposal of the scheme exiting on to the existing network. This is because it has aspirations, working with the Local Highway Authority to alter the layout of the spinal road that runs

through the village. By securing specific access details at this time could have an adverse knock effect on the proposals for future road works.

6. In discussion with the **Local Highway Authority** it has confirmed the following:

The Highway Authority has no objection to the creation of an access to the site from Main Street and looking at the geometry this should not present any undue difficulties when appropriately designed.

The Highway Authority would welcome the change of status of the proposed access from full to outline, as although the mini roundabout would be practical it may not be the most appropriate way forward particularly in the light of the fact that the Parish Council are making genuine efforts to have all the mini-roundabouts removed from High/Main Street, which could present a range of constraints in and of itself.

Clearly if the application came forward with a RM design before any real progress in removing the mini-roundabouts has been made, the Highway Authority will consider the application in light of the conditions that pertain the highway at that time, but would hope that any design would respond to and be able to accommodate the potential changes in the future.

### **Conclusion**

7. The scheme proposes a development that is in line with HG/1 density requirements, the proposed mix of housing is reflective of the policy HG/2 and the percentage of affordable housing is in line with HG/3. The indicative layout shows that 7 new units on this site could be located in a manner that is reflective of its surroundings and could favourably add to the housing need requirement in the District. Design on certain plots will need to be carefully considered at the Reserved Matters stage to address proximity and overlooking but I am of the view that the indicative designs prove this can be achieved. In some areas on the plot it is considered that ridge heights will have to reflect the needs of the neighbouring properties with regard to sunlight and being overbearing.
8. Additionally with no objections being raised by Anglian Water with regards to drainage and acceptance from the Local Highway Authority to remove 'Access' as a reserved matter it is considered that the scheme can be considered acceptable and approved. Conditions would be in line with those referred to in the earlier report subject to slight changes in the wording of condition 4 and removal of conditions 14, 16 and 17 which refer to highway specifications that can be dealt with at the Reserved Matters stage.

**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 and District Design Guide
- National Planning Policy Framework
- Planning File References: S/0699/11

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

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

---

**REPORT TO:** Planning Committee

7 March 2012

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

---

**S/0699/11 - CALDECOTE****Outline application for erection of 7 dwellings and new Vehicular Access at Land adjacent 6 Main Street, Caldecote for Mr C Richmond****Recommendation: Delegated Approval subject to the applicant meeting Local Highway Authority requirements.****Date for Determination: 31<sup>st</sup> May 2011****Notes:****This Application has been reported to the Planning Committee for determination, as the Officer recommendation is contrary to the response of Caldecote Parish Council.****Site and Proposal**

1. The application site is located in the village framework of Caldecote, outside of the designated Conservation Area. The site comprises approximately 0.25 ha of land that is currently unused garden land to the modest bungalow at No. 6 Main Road. The area is predominately flat and unkempt with several dilapidated outbuildings. Established hedging defines the south and west boundaries abutting the neighbouring footpath and Main Road. The north and east boundaries are defined by fencing. The application site is 'L' shaped with a frontage of approximately 41 metres. An existing but unused access is located in this frontage just slightly north of the existing roundabout. A second access is located in the southern boundary adjacent the public footpath. The existing character is predominately open compared to its closer surroundings where recent residential development has been built up around it. No 6 Main Road is the last of the detached bungalows in this linear form of development before the clear rural separation between the two elements of Caldecote village.
2. The outline application proposes the erection of a 7 dwellings on land to the east, southeast and south side of No.6 Main Street, together with the formation of a new access to the existing dwelling. All matters, other than the means of access, are reserved for further consideration. The application includes illustrative layout, block plans and full elevations. These indicate how the dwellings would be sited in relation to its surroundings and to road (following the demolition of the existing outbuildings). The dwellings comprise a mixture of detached and semi detached two storey properties, some with garaging. Maximum ridge heights are proposed at 9.3m and eave heights of no more than 5.3m. The proposed dwellings would be accessed via an existing vehicular access that will need to be adapted to the existing road layout, with the illustrative block plan indicating that parking would be provided within the site for each individual property.
3. The application has been accompanied by a Planning Statement, Design and Access Statement and a Protected Species Assessment. The application was amended 21<sup>st</sup> December 2011 to address density, housing mix, road width and potential neighbour

amenity concerns raised by officers. The consultation period expired 12<sup>th</sup> January 2012.

### Planning History

4. S/0570/87/F – Erection of 1 bungalow – Approved  
S/1387/94/O – Residential development and new roundabout – Dismissed at appeal

### Planning Policy

5. South Cambridgeshire LDF Core Strategy DPD, 2007:  
ST/6: Group Village
  6. South Cambridgeshire LDF Development Control Policies DPD, 2007:  
DP/1: Sustainable Development  
DP/2: Design of New Development  
DP/3: Development Criteria  
DP/4: Infrastructure and New Developments  
DP/6: Construction Methods  
DP/7: Development Frameworks  
HG/1: Density  
SF/10: Outdoor Playspace, Informal Open Space and New Developments  
SF/11: Open Space Standards  
NE/1: Energy Efficiency  
NE/6: Biodiversity  
NE/15: Noise Pollution  
TR/1: Planning for More Sustainable Travel  
TR/2: Car and Cycle Parking Standards
  7. South Cambridgeshire LDF Supplementary Planning Documents (SPD):  
Open Space in New Developments – Adopted January 2009  
Biodiversity – Adopted July 2009  
Landscape in New Developments – Adopted March 2010  
District Design Guide – Adopted March 2010
  8. Circular 11/95 (The Use of Conditions in Planning Permissions) - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
  9. Circular 05/2005 (Planning Obligations) - Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.
- ### Consultations
10. **Caldecote Parish Council** – Recommends refusal for the following reasons
  11. Is firstly surprised at the amended scheme to increase the number of units on site. The site access is via an existing mini roundabout on the junction of Highfields Road and Strympole Way. The Parish Council is planning to remove this (and other) mini

- roundabouts and replace with T-junctions. This impacts on the planned access to the site.
12. The proposed levels of car parking are insufficient. Facilities such as post office, doctor, dentist, vet etc can only be accessed outside the village. Public transport provision to and from Caldecote is poor and the provision of only 1 space for plots 3 and 4 is inadequate. There is also no provision for visitor parking.
  13. The Parish Council do not wish to take over the public space included within the development and this raises issues as to the maintenance and sustainability.
  14. The affordable housing mix is not suitable for Caldecote. The current feel is affordable housing should be of a size with more bedrooms enabling those already in the village to move within the village as their families grow. The affordable housing shown here is two bedroomed housing which does not address any identified local need.
  15. The properties are located very close to the boundaries of the plot and adjoining properties, particularly plot 1, 4 and 5. This leads to overlooking of neighbouring properties and in particular raises concerns with overshadowing of 3 Devonshire Mews. There are also no side elevations shown in the plans to help assess any potential overshadowing.
  16. The inclusion of a 3-storey property in plot 1 would create a precedent in the street frontage in the village.
  17. The development would appear to be backland development.
  18. The Parish Council also has on going concerns, which impact any development, proposed with the following elements of the village infrastructure
    - The adequacy of the existing pumping station capacity (most recent drain problem on Highfields Road reported 19<sup>th</sup> April 2011) which regularly floods following periods of heavy rain
    - The availability of school places at both primary and secondary level for village children
    - The inadequacy of local transport
  19. **The Ecology Officer** - Raises no objection. Requests condition to be in place to prevent removal of vegetation during bird breeding season and scheme of ecological enhancement.
  20. **The Environmental Health Officer** – Raises no objection. Recommends conditions regarding construction hours.
  21. **The Local Highways Authority** – The Highway Authority requests that the application be refused on the grounds of highway safety until the following information has been provided:
    1. That suitable inter-vehicle visibility splays within the guidance of Manual for Streets (1&2) can be achieved within land under the control of the applicant or within the adopted public highway.
    2. The design of the exiting mini-roundabout has been demonstrated to provide a suitable level of deflection for approaching vehicles in relationship to the proposed new site entrance and or a new designed layout if the above cannot be achieved.

Other comments: Given the size and nature of the development the Highway Authority will not seek to adopt the same.

A condition should be added for the developer to provide a footway 1.8m wide from the proposed access of the site to the exiting footway along Blythe Way, to enable pedestrians to safely access the village centre for the safe and effective operation of the highway

A condition should be added to any permission requiring that the proposed drive way 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.

A condition requiring that the proposed drive be constructed using a bound material to prevent debris spreading onto the adopted public highway.

Add an informative to the effect that the granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

22. **Rights of Way and Access Team** – raises no objection. It points out that the footpath along the southern boundary of the site must not be obstructed during construction if granted approval.
23. **Housing Enabling Officer** – Overall there are 5041 housing register applicants in South Cambridgeshire and 22,426 within the Cambridge sub region. There is little doubt of the need for affordable housing within the District, and the difficulties faced trying to meet the needs of the most vulnerable and those who wish to remain in our villages but cannot afford to do so. In view of the significant level of housing need in South Cambridgeshire, the Council will seek to secure 40% or more affordable housing on developments of two or more dwellings. The proposed development of 7 dwellings at the site adjacent to 6 Main Street Caldecote is offering 3 affordable dwellings and therefore does meet the 40% planning policy requirement as contained in HG/3.
24. There is no requirement for this site to be made available for people with a local connection to Caldecote, as the site is not an exception site. The dwellings would be open to all applicants who are registered on the Councils Home Link system. South Cambridgeshire District Council has a legal obligation to give reasonable preference to all applicants assessed and placed in the highest housing need.
25. The district wide targets for tenure of new affordable housing is 70% social rented and 30% intermediate housing, however the greatest demand is for social rented properties. There are no details as to the tenure mix of the affordable dwellings and so this would need to be agreed at a later date. The applicant proposes 1 x 1 bed unit, 1 x 2 bed unit and 1 x 3 bed unit. The proposed sizes are in accordance with the district profile. The properties should meet the Homes and Communities Agency, Design and Quality Standards and remain affordable in perpetuity.
26. **S106 Officer** – I note the applicant is not proposing a public open space contribution as an area of open space (play area) has been incorporated into the scheme.
  - It is not a policy requirement to provide onsite POS on any scheme less than 10 dwellings and Caldecote does benefit from several large areas of open space that

are well located to serve this particular development. In that respect I have doubts as to the value of the area being provided, especially given the requirement to secure it's maintenance in perpetuity. As this issue has not been referenced (to my knowledge) in the application I would be keen to understand whether the Parish Council have been offered to adopt the play area, and if not what the applicants intentions are.

- If the District Council were happy to approve the scheme with an area of public open space provided, it remains that the applicant is required to satisfy the 'sport space' element of the open space SPD. In my experience it may be more beneficial to consider a slight alteration to the scheme so that the areas are provided as front gardens between plots 3, 4 and 5 and to redesign the car parking arrangement. This would, however, result in the requirement for a payment towards open space contribution. This is to be paid prior to occupation of 4<sup>th</sup> dwelling.
- **Community facilities**  
In respect of development control policy DP/4 a payment is required in respect of indoor community facilities. This is to be paid prior to occupation of 4<sup>th</sup> dwelling.
- **S106 monitoring**  
A contribution of £250 in respect of s106 monitoring is required. This is to be paid prior to commencement of development. This does not include the cost of drafting the agreement, which will be undertaken by the District Councils legal department with the fee depending on the time involved.
- **Household waste receptacles**  
The cost of providing household waste receptacles is £486.50. This is to be paid in full prior to occupation of any unit.

27. **Tree Officer** - No objections. Landscaping conditions required.

### **Representations**

28. 4 Letters of objection have been received in total following receipt of the application and the recent amendments made 21<sup>st</sup> December 2011. The main points raised are
- I. The hedge line between plots 6 and 8 does not afford the level of privacy suggested by the Design and Access Statement and therefore any windows overlooking the house or garden would significantly impact on privacy.
  - II. Loss of light and overbearing impact to 3 Devonshire Mews
  - III. Play Area too close to the rear boundary fence of properties
  - IV. Potential overdevelopment, particularly with reference to parking provision.
  - V. Access into the development behind or into the adjacent track to Hardwick Woods is a missed opportunity
  - VI. Suggestion of the Council to allow access into neighbouring sites would impact on privacy of those residing in Cavendish Way.

### **Planning Comments**

#### ***Principle of the development***

29. CS Policy ST/6 classifies Caldecote as a Group Village, the policy recognises Caldecote as amongst those villages that are in generally less sustainable locations and having fewer services and facilities allowing only some of the basic day-to-day

requirements of their residents to be met without the need to travel outside the village. Residential development and redevelopment within the village frameworks is restricted to not more than eight dwellings within the village framework. Development may exceptionally consist of up to about 15 dwellings where this would make best use of a Brownfield site.

30. The proposed development equates to a density of approximately 28 dwellings per hectare. Policy HG/1 of the Local Development Framework requires new residential developments to achieve a minimum density of 30 dwellings per hectare, unless material considerations indicate a different density of development would be more appropriate. This wording reflects the change in emphasis following the revisions to PPS3 and the removal of garden land from the definition of 'brownfield' land. Policy HG/1 used to only permit lower densities of development if there was exceptional justification for such an approach, but the word 'exceptional' has since been removed from the policy wording. The principle of the development is considered acceptable.

***Impact on the character of the area***

31. The site is close to the settlement edge and currently provides a green rural exit from the village heading south to the more historic part of Caldecote. The site benefits from mature hedge boundaries and is rural in character compared to its more densely inhabited east and west counterparts. When entering from the south from Main Road, the street scene is predominately green and rural in character with existing built development predominately hidden from immediate view.
32. Whilst all matters other than access are reserved for further consideration, the application does include an illustrative layout plan that indicates how dwellings may be accommodated on the site. The illustrative block plan demonstrates that it would be possible to erect dwellings on the site whilst maintaining sufficient gaps around the properties in order to ensure development would not appear overly cramped within the street scene. The layout aims to develop the site in line with the existing surrounding context. It follows the front building line of the existing bungalow and other properties in Main Street and also those in Devonshire Mews and Cavendish Way located to the rear. Caldecote has a mixture of properties and new development is apparent throughout this part of the village. It is not considered that new development on this plot would lead to development that would be out of character.
33. The density of the plot is similar to that of the newer development in Blythe Way, Devonshire Mews and Cavendish Way where backland development has taken place and therefore considered to be reflective of local character in this part of the village.

***Residential amenity issues***

34. Concerns have been raised by the Parish Council and local residents regarding the proximity of the proposed units to the existing neighbouring properties. The application is for outline only and further details regarding layout would need to be submitted and considered at reserved matters stage. The indicative layout does show, particularly plots 2, 3 and 4 located close to neighbouring boundaries. This has been raised as part of the negotiations and changes have been made to overcome potential overlooking between the existing properties 6 and 8 Main Street and plots 1 and 2. Whilst the arrangement of plots 1 and 2 are constrained with 6 and 8 Main Street the applicant has aimed to address potential problems that may affect neighbour amenity and it is considered that these relationships could be easily improved through design. The Parish Council specifically refer to plots 1, 4 and 5,



however the distances these plots are from other units is reflective of other surrounding properties and not considered a reason for refusal.

35. The illustrative drawings submitted with the current application indicate dwellings with a maximum 9.3m ridge height and with maximum 5.3 m high eaves. Whilst these scale parameters are considered acceptable in most cases there is some concern that the units proposed at plots 3 and 4 would be overly tall in height, particularly in relation to the proximity and orientation of the units to the existing property at No. 3 Devonshire Mews. These units could have the potential to cause harm to the occupiers of this property and therefore design will play a big part in addressing this. It is considered that properties of this height are not acceptable in this location as part of any forthcoming application and should be designed out.
36. Representations have also made comment about the permeability through the site. Some have suggested a missed opportunity and others have suggested it would lead to a significant loss of privacy. Officers, at the pre-application stage suggested this as a favourable option to allow for pedestrian/cycle access. However, it would seem the applicant does not favour this approach in any case.
37. No specific points have been made with regard to the openings in each of the proposed units, however, the DDG adopted 2010 indicates the required distances between boundaries, windows and flank walls. Under paragraph 6.68 it states that it is preferable that a minimum distance of 15m is provided between windows and the property boundary. The majority of the plots are marginally short on this requirement. Plot 1 provides 7.8m from rear wall to boundary wall; however, it does not overlook any private amenity space in the indicative layout. Plots 3 and 4 meet the above-mentioned requirement. Plot 5 measures 7.5 metres from rear wall to boundary but the rear elevation faces over the neighbouring public footpath. Plot 6 measures 12m from rear wall to boundary but 15 metres from window to flank wall of plot 5. Plot 7 measures a very small 7m from the rear wall to the boundary but overlooks the indicative parking area for plots 6 and 7 to the rear of the property. Plot 2 is the only unit that is considered to be significantly short on the required distances at 10.6m between rear boundary and rear elevation and potentially cause problems with overlooking. The house on plot 2 has been designed with limited openings to address this shortfall. Whilst there are shortages in the distances required by the DDG it is considered that the indicative design of the units has addressed any potential problems with regard to overlooking or being overbearing.
38. With regards to the amenities that would be enjoyed by future occupiers of the proposed dwellings, the adopted District Design Guide recommends a two-bedroom house in a rural setting to have a private garden space of 50m<sup>2</sup>, whilst 80m<sup>2</sup> is recommended for three-bedroom properties. The rear garden sizes indicated in the illustrative drawings generally meet the recommended guidelines. Plot 7 is marginally short of this requirement.
39. The Environmental Health Officer has recommended that conditions be added to any consent to protect residents from noise during the construction period. Controlling hours of use of power-operated machinery is a standard requirement and it is recommended that this condition be imposed. However, the requirement for driven pile foundations is more appropriately covered through an informative of any planning consent.

**Highway safety**

40. Main Street is a classified road that is subject to a 30mph speed limit. It is proposed that the existing access would be used by the new development. However, this access has not been used for some time and the road layout has changed considerably as part of the newer developments in Caldecote. The access width and positioning has been located in accordance with advice from the Local Highway Authority.
41. The Parish Council suggests that potential future changes to the road layout will not allow the proposed development to use this roundabout, as it will be removed. I do not consider this a reason to refuse a scheme. The development could help in encouraging the proposed changes the Parish Council requires and road layout could be revised accordingly.
42. Parking provision equates to 11 spaces in total. Most units have two spaces each; units 2, 3 and 4 have one space. Visitor parking for a development of this size requires a maximum of 1.75 spaces. Car parking standards suggest that new development provides an average of 1.5 spaces per dwelling and up to a maximum of 2 spaces per 3 or more bedrooms in poorly accessible areas. The Parish suggests that Caldecote is poorly accessible and therefore a maximum requirement would be needed. If the development provided the maximum parking provision for the site the number of spaces would equate to 12 spaces, one short of what is currently provided. In light of the comment made by Parish Council about the unwanted open space marked on the indicative layout plan, I am confident that another space could be provided if required.
43. Whilst the Highways Authority has recommended refusal for the proposed scheme in its current form it is considered that the applicant could meet the highway requirements to overcome this recommendation. If the details requested by the LHA are forthcoming there is no reason to refuse on grounds of Highway Safety in this instance.

**Ecology and landscape issues**

44. The Council's Ecology Officer comments are noted. Visits to the site found no evidence of the presence of bats. The development is not therefore considered to have significant impacts upon ecology and wildlife interests.
45. The new access would involve the removal of a section of existing hedgerow along the front boundary. The loss of a part of the front boundary hedge is not considered to cause significant harm to the character of the area whilst the Trees Officer is satisfied that the development can be accommodated on site without comprising existing trees.

**Affordable Housing**

46. The application proposes 3 of the 7 units to be available for affordable housing. The comments of the Housing Enabling Officer are duly noted and it is apparent that the district is very much in need of affordable housing. The comments of the Parish Council are also noted. Whilst the Parish Council feel that the mix proposed is not reflective of what the village needs specifically, the wider need is still very apparent across the district and the proposed offering is in accordance with policy requirements.

**Infrastructure**

47. The proposal would result in the need for financial contributions towards the provision and maintenance of open space, towards indoor community facilities and household waste receptacles in accordance with the requirements of Policies DP/4, SF/10 and SF/11 of the Local Development Framework. The level of contribution would depend upon the number of bedrooms proposed and could not therefore be calculated until the submission of a reserved matters application. However, a condition to secure such contributions would be necessary as part of any outline permission. The applicants' agent has confirmed, in writing, the clients' agreement to such payments.
48. While the Parish Council has queried the availability of school places and public transport the County Council has not requested contributions in this case. With regard to the capacity of the pumping station, this is noted and a condition regarding surface and foul water drainage to be agreed prior to development commencing is included as part of the approval.

**Conclusion**

49. The scheme proposes a development that is in line with HG/1 density requirements, the proposed mix of housing is reflective of the policy HG/2 and the percentage of affordable housing is in line with HG/3. The indicative layout shows that 7 new units on this site could be located in a manner that is reflective of its surroundings and could favourably add to the housing need requirement within the District. Design on certain plots will need to be carefully considered at the Reserved Matter stage to address proximity and overlooking but I am of the view that the indicative designs prove this can be achieved. In some areas on the plot it is considered that ridge heights will have to reflect the needs of neighbouring units with regard to sunlight and being overbearing. As this scheme is outline and the main considerations are scale and access I am of the view that both these areas can be appropriately addressed and therefore the scheme should be recommended for approval subject to the applicants meeting the requirements of the Local Highway Authority and the following conditions.

**Recommendation**

50. Approval:
1. Approval of the details of the layout of the site, the appearance of the dwellings, and the landscaping (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.  
(Reason – This application is in outline only.)
  2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
(Reason – The application is in outline only).
  3. The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
(Reason – The application is in outline only.)

4. The development hereby permitted shall be carried out in accordance with the following approved plans: Site location Plan njh 6038 franked 5 April 2011, 3B Rev B franked 21 December 2011 (the means of access and scale only). (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
5. The layout, elevations and floor plan details of the new dwellings indicated on drawing numbers 4, 5a Rev A, 6, 7, 8a Rev A, 10 Rev A, 11a Rev A and 12a Rev A are for illustrative purposes only.  
(Reason – The application is in outline only).
6. The landscaping details required under condition 1 above 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 planting details and details of all site boundaries shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
7. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
8. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details
  - Surface Water Drainage  
(Reason - To ensure satisfactory drainage of the site).
  - Foul water drainage  
(Reason – To ensure satisfactory drainage of the site)
  - Finished floor levels of the building(s) in relation to ground levels.  
(Reason - To ensure that the height of the buildings is well related to ground levels and is not obtrusive.)
9. No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:

The numbers, type and location of the site of the affordable housing provision to be made;

- (b) The timing of the construction of the affordable housing;
- (c) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
- (d) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.

(Reason - To ensure the provision of affordable housing in accordance with Policy HG/3 of the South Cambridgeshire Development Control Policies Development Plan Document 2007.)

10. No demolition, removal of vegetation or development shall be carried out on site between 14th February and 14th July inclusive in any year, unless otherwise agreed in writing by the Local Planning Authority and a scheme of mitigation implemented.  
(Reason – To avoid causing harm to nesting birds and in compliance with the adopted Local Development Framework 2007.)
11. During the period of demolition and construction no power operated machinery shall be operated on the site before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.  
(Reason – To protect the occupiers of adjacent properties from an unacceptable level of noise disturbance during the period of construction in accordance with the requirements of Policy NE/15 of the adopted Local Development Framework 2007)
12. Prior to the installation of lighting, full details of a lighting scheme for the site and/or lighting of plots within the site shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include a site plan(s) showing the location of all external lighting, details of the various types of lighting to be erected, height, type, position and angle of glare of any final site lighting / floodlights, the maximum ground area to be lit, the luminance of the lighting including an isolux contours plan and measures to prevent light spillage from the site. No external lighting shall be installed anywhere on the site other than in complete accordance with the approved lighting scheme and maintained thereafter.  
(Reason - In the interests of the amenity of nearby residents and to help prevent light spillage from the site, to ensure the appearance of the development is satisfactory in accordance with the requirements of policy DP/2 and NE/14 of the adopted Local Development Framework 2007)
13. No development shall begin until details of a scheme for the provision of recreational, community facilities, and household waste receptacles infrastructure, to meet the needs of the development in accordance with adopted Local Development Framework Policies DP/4, SF/10 and SF/11 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.  
(Reason - To ensure adequate infrastructure is available to support the development in accordance with Policies DP/4, SF/10 and SF/11 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009)

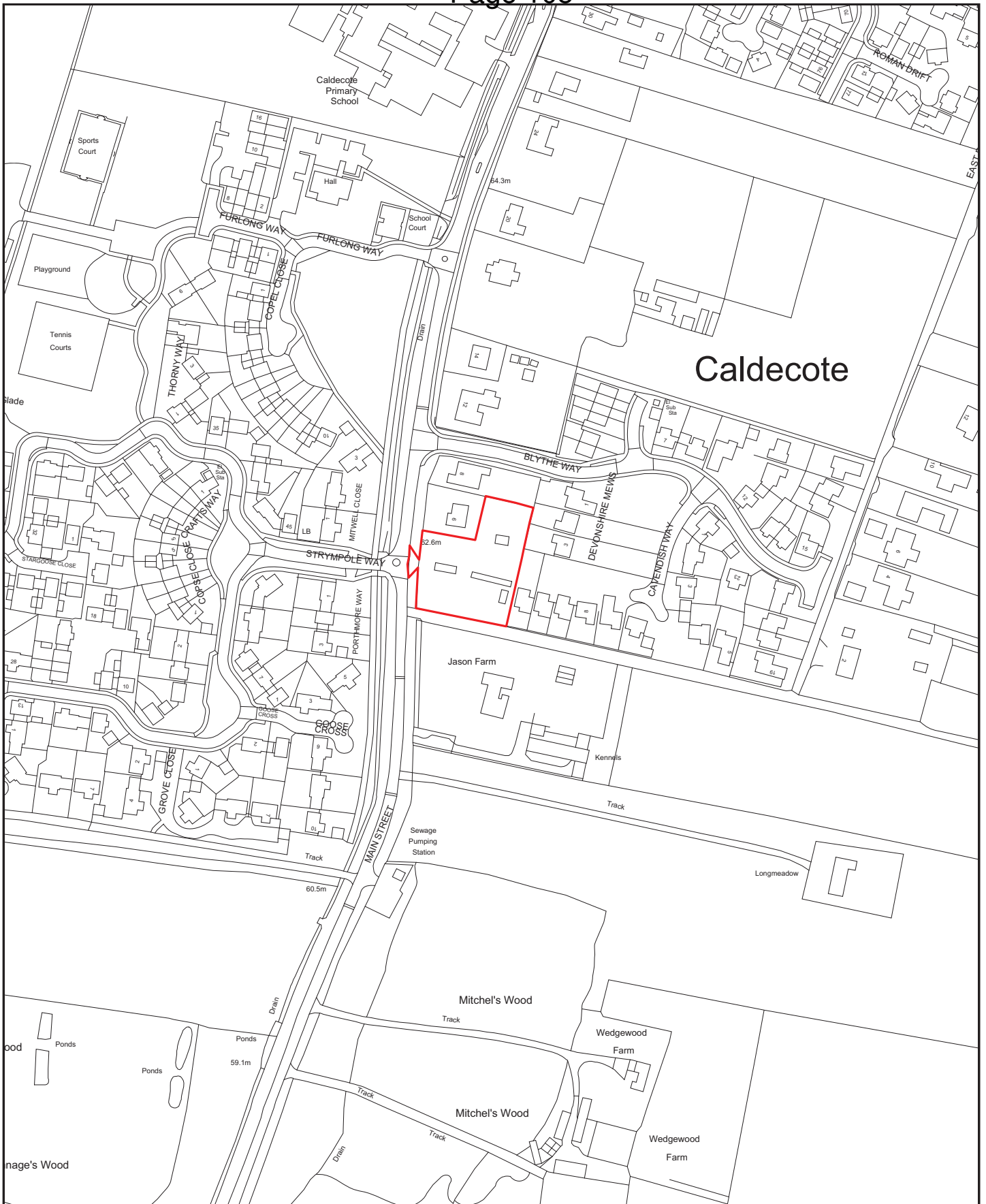
14. Visibility splays shall be provided on both sides of the proposed new access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
15. The new dwellings, hereby permitted, shall not be occupied until the proposed new vehicular access, and parking and turning areas have been provided in accordance with the details . The access, parking and turning areas shall thereafter be retained in accordance with the approved details.  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
16. Prior to occupation the developer shall provide a footway 1.8m wide from the proposed access of the site to the exiting footway along Blythe Way, to enable pedestrians to safely access the village centre for the safe and effective operation of the highway.  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
17. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highways Authority.  
(Reason – To prevent surface water discharging to the public highway, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
18. No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.  
(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

This development involves work to the public highway that will require the approval of Cambridgeshire County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. It is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

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

South Cambridgeshire Local Development Framework (LDF) 2007  
 Circular 05/2005 – Planning Obligations  
 Circular 11/95 – The Use of Conditions in Planning Permissions  
 Planning application references: S/0699/11

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



Caldecote

52.6m

64.3m

60.5m

59.1m



**South  
Cambridgeshire  
District Council**

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2500

Time of plot: 12:44

Date of plot: 23/10/2012

© Crown copyright.

This page is left blank intentionally.



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/0798/12/FL – BAR HILL****Installation of a Storage Pod and Canopy occupying 10 parking spaces within  
Store Car Park at 15 Viking Way, Bar Hill for Tesco's Stores Ltd  
Recommendation: Approval****Date for Determination: 8 June 2012**

**This application has been reported to the planning Committee for determination as the Parish Council recommendation of refusal differs from the officer recommendation.**

**To be presented to the Committee by Saffron Garner**

**Site and Proposal**

1. The site comprises of a Tesco Superstore, which is a major developed site within Bar Hill. The site is accessed via Saxon Way with car parking fronting the store and surrounded on all boundaries by further, commercial, industrial and residential development.
2. The application submitted April 2012 seeks planning permission for the erection of a storage pod and canopy for customer collection of pre-paid shopping. The proposed pod was originally located in the southwest corner of the parking area taking up 10 existing parking spaces. This was later amended and relocated to the north east corner of the car park close to the existing recycling area. The application was submitted with a Design and Access Statement.

**Planning History**

3. The site benefits from an extensive planning history, however the most relevant to this application are as follows:

**S/1404/08/F** saw the approval of a hand car valeting service following the approval of a temporary consent that was granted under **S/0659/07** to monitor the impact on car parking. The use took up only 9 spaces; only 1 customer space was truly lost to area for the associated equipment. The other spaces were for the cars of those in store. Temporary planning permission was granted for 3 years to prevent the container sited on the site from becoming a permanent feature.

**S/1613/08** allowed for the addition of 13 car parking space approved 2008.

There is a current application for a proposed hand car wash under planning reference **S/2036/12** - this is undetermined at present but proposes to take up 9 parking spaces. This is to replace the one granted in 2008 that is no longer extant.

### **Planning Policy**

4. **National Planning Policy Framework (NPPF)** the thrust of this document suggests a 'presumption in favour of sustainable development'. Local Planning Authorities are directed to plan positively for new development and approve development proposals that accord with the development plan (paragraph 14).
5. **South Cambridgeshire Local Development Framework Development Control Policies 2007**  
  
**DP/1** Sustainable Development  
**DP/2** Design of New Development  
**DP/3** Development Criteria  
**ET/5** Development for the Expansion of Firms  
**TR/2** Car and Cycle Parking Standards  
**TR/3** Mitigating Travel Impact
6. Circular 11/95 (The use of Conditions in Planning Permissions) advises that planning conditions should be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects.

### **Consultations**

7. **Bar Hill Parish Council** recommended refusal for the original location for following reasons:
  - The storage pod is too close to the school and disruption would be caused by the unnecessary noise during the summer months
  - The loss of 10 parking bays is unacceptable, as 9 parking bays have already been lost through the car wash franchise and this was in breach of conditions when the application for the development of the store took place in 2001.
  - The increase of traffic around the car park making it dangerous for pedestrians accessing the store and village
  - However, it is agreed that a more suitable location for the storage pod would be close to the recycling centre at the far end of the car park
8. After amending the scheme with the above comments in mind the Parish Council were re-consulted for further comment. The Parish Council recommended refusal due to loss of parking provision.

### **Representations**

9. Two representations were received from the residents of Foxhollow, located approximately 250 metres from the application site. Concern has been raised with regard to the following:
  - Loss of parking provision
  - Area is heavily pedestrianized by users of the neighbouring library and primary school and a potential danger to these users.
  - Transporting goods from store to this location will increase heavy goods vehicles

- Car park is not appropriately lit
- Submitted information is contradictory
- Would be better located elsewhere on site – i.e. near the recycling centre
- Impact on other businesses on site
- No noise assessment
- The new pod does not cater for pedestrians
- No traffic assessment has been provided
- Hours of operation are unclear

### **Material Planning Considerations**

10. The key issues to consider in this instance are whether the proposal is sustainable having regard to the parking provision and the impact the proposal would have upon the character and appearance of the area and neighbour amenity.

### **Sustainability and Impact on Parking Provision**

11. Bar Hill is categorised as a Minor Rural Centre in the South Cambridgeshire Core Strategy and is thus considered a sustainable location for new employment development in terms of the Council's settlement hierarchy. In more specific terms the site is well served by transport links and other forms of sustainable transport methods such as cycling and walking. Parking provision on site is currently adequate; however the loss of parking with the potential to increase journeys may have an adverse impact on sustainability.
12. The actual pod measures 8.1 x 3.6m. However, the area that is taken up by the development as a whole comprises 12m x 9.6m using up 10 car parking spaces in total. In 2007, Tesco's applied for an additional 19 car parking spaces. This was submitted with a full transport assessment from Pinnacle Transportation stating that the parking provision was inadequate. Detailed submissions provided evidence that the peak shopping times on Friday and Saturday showed that the car park operated at above 90% of its capacity making the then car park provision increasingly inefficient and therefore increased car circulation. This was further proven at times such as Easter and Christmas.
13. Earlier applications boasted of free parking provision for the neighbouring town hall, local shops and neighbourhood facilities however, the application does not advise how these will be impacted through the loss of parking provision that was once needed or how the proposal will have an impact on the neighbouring uses.
14. However, whilst there is no specific evidence provided with the application to suggest that the proposal will reduce the impact of traffic at the store and neighbouring locations, the main aim of the pod is to provide an additional service for its existing customers, thus not increasing traffic overall. The pod will allow those customers with busy lifestyles to order and pay online and agree a time to suit them to pick their goods up from the store. This is another branch to the online services that already exist.
15. The application car park also serves other non food retail outlets such as Next, Choice as well as an estate agent. It allows some free parking for those not using the store and is open to anyone who wishes to use the store and

the other uses around it. The use of this space is always going to increase significantly at peak times of the year and in previous applications it would appear that the applicants used this to prove parking provision could be limited. However, many users of the car park will not always specifically be using the Tesco store. Restricting how Tesco's uses its spaces in order to develop shopping strategies that could enhance business and potentially reduce long term parking provision would seem unreasonable.

16. The Design and Access Statement states that the proposed pod will be located in the least busy part of the car park. Now relocated to the area predominately used for recycling it will have even less impact on pedestrians or the users of the neighbouring school, including any noise impact. This relocation occurred due to the request from the Parish Council which was taken on board by the applicants and agreeable to officers also given the original concerns raised by the Parish Council. Whilst there is no evidence to support the claim that the application will not increase customer visits it is clear to see that the proposal is designed to assist the existing market. The reduction of 10 parking spaces on the site is considered to be minimal when weighed against the positive impact this scheme could have on reducing longer stays in the car park and potentially freeing up more parking spaces than the number it has taken up as part of the development. It may not significantly reduce the number of visits by car, but it does have the potential to reduce the length of stays.

#### **Character and Appearance**

17. The structure comprises a small factory made container and is proposed to sit close to the existing recycling area, located close to the vehicle entrance/exit of the store. The structure is small scale and such that it will not appear visually prominent and hence is not considered to substantially harm the prevailing character or appearance of the area.

#### **Further considerations**

18. With regard to the other matters raised the hours of operation are not included in the submissions however it is likely the pod will operate under the same opening hours of the store. Members will be updated accordingly.

#### **Conclusion**

19. In light of how other applications at Tesco's have been assessed it is considered that the proposed pod should be granted for a period of three years to monitor the additional impact on parking provision.

#### **Recommendation**

20. Approve subject to the following conditions
  1. The use hereby permitted shall be discontinued and the land restored to its former condition on or before 7<sup>th</sup> November 2015.  
(Reason - To ensure that the pod and associated works does not become a permanent feature on site which would have an adverse impact on the provision of parking in the long term in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

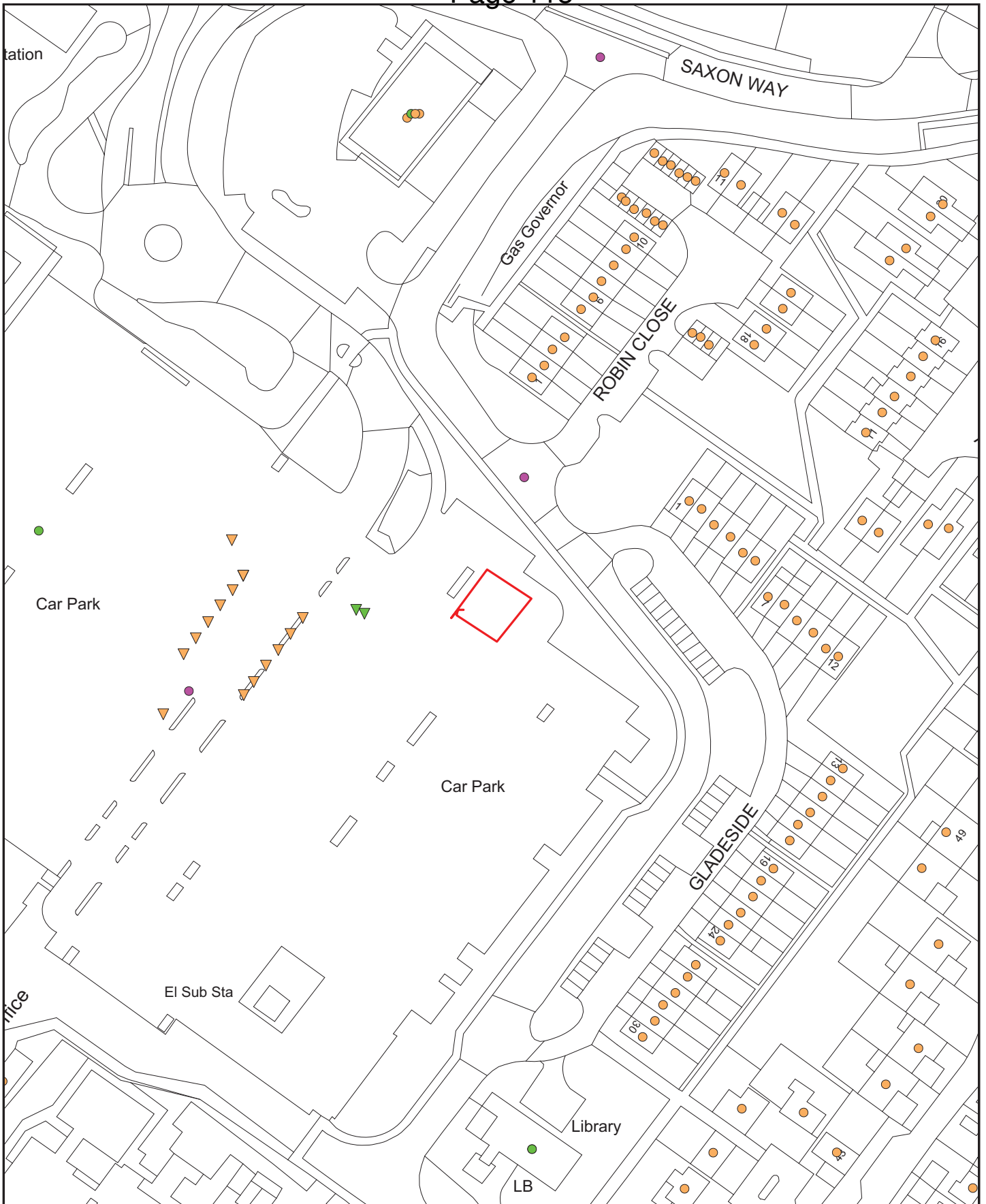
2. The development shall be carried out in accordance with the following plans: P001A, P002A and P003A franked 17<sup>th</sup> September 2012.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

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

- National Planning Policy Framework
- Local Development Framework Core Strategy and Development Control Policies DPDs
- National Planning Policy Framework
- Planning file reference S/0798/12/FL, S/2036/12, S/1613/08, S/1404/08 and S/0659/07

**Contact Officer:** Saffron Garner – Senior Planning Officer  
01954 713256

This page is left blank intentionally.



South  
Cambridgeshire  
District Council

© Crown copyright.

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:1250  
Time of plot: 09:25

Date of plot: 26/10/2012

This page is left blank intentionally.



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S0702/12/FL - LITLINGTON**

**Demolition of Existing Public House. Redevelopment of site and erection of a 70 Bedroom hotel with associated parking for cars, coaches and delivery area. Ancillary food and drink facilities and conference rooms and works to vehicle access and egress and landscaping for Findlay Duthie Partnership  
Recommendation: Refusal**

**Date for Determination: 3 July 2012**

**This application has been reported to the Planning Committee for determination as the Litlington Parish Council recommendation differs from the officer recommendation.**

**Members will visit the site on 6 November 2012****To be presented to the Committee by Saffron Garner****Site and Proposal**

1. The 0.899 hectare site is located on the A505 road between Royston and Baldock, in the parishes of Litlington and Steeple Morden. It is a well-used route that provides a link between Cambridge and London, which is located approximately 35 miles to the south. It is located approximately 3 miles from Royston and 12 miles from Cambridge to the northeast. The site is situated outside of the designated village frameworks, and is currently laid predominately to concrete hard standing, with an unused public house that has fallen in to disrepair. There is a single point of access to the west of the existing public house building. This has been blocked off for sometime to prevent use of the land unlawfully.
2. The application submitted February 2012 seeks planning permission for the demolition of the existing building and the redevelopment of the site to form a 70 bedroom budget hotel (46 rooms at ground floor and 24 at first floor) with 76 parking spaces and coach parking plus delivery area, ancillary food and drink facilities and conference rooms. The works include improvements to the vehicular access and egress arrangements to the site and landscaping. The gross internal floor area of the proposal equates to 2724m<sup>2</sup> (29, 231 sqft). The application was submitted with the following documents
  - Planning Statement
  - Design and Access Statement
  - Heritage Statement
  - Health Impact Assessment
  - Market Need, Sequential Test and Impact Assessment
  - Transport Assessment and Travel Plan plus drawing
  - Ventilation Strategy

- Renewable Energy Report
- External Lighting Statement
- Foul Water Assessment
- Utility Services Report
- Phase 1 Preliminary Contamination Assessment
- Ecology Survey
- Landscape and Visual Assessment

### **Planning History**

3. S/1310/12/F sought the renewal of the consent granted under reference S/0509/09/F - Approved
4. S/0509/09/F proposed the erection of a restaurant building with ancillary accommodation following the demolition of the existing building. This application was 100% bigger than the existing building and it was decided at Planning Committee that this would be the largest extension we could sustainably allow on the redevelopment of this site. It was approved subject to the conditions.
5. S/2115/06/F proposed the erection of a 30 bedroom hotel following the demolition of the existing public house premises. This application was refused and later withdrawn by the applicants at Appeal stage.
6. S/1922/06/F proposed the erection of a 26 bedroom hotel demolition of the existing public house premises. The application was refused.

### **Planning Policy**

7. **National Planning Policy Framework (NPPF)** the thrust of this document suggests a 'presumption in favour of sustainable development'. Local Planning Authorities are directed to plan positively for new development and approve development proposals that accord with the development plan (paragraph 14).
8. Paragraph 24 states that sequential testing should apply to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date Local Plan. In considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre with flexibility on issues such as format and scale are relevant considerations.

### **South Cambridgeshire Local Development Framework Core Strategy 2007**

9. **ST/7 Infill Villages**
10. **South Cambridgeshire Local Development Framework Development Control Policies 2007**

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

**CH/2** Archaeological Sites  
**CH/8** Advertisements  
**ET/8** Replacement Buildings in the Countryside  
**ET/10** Tourist Facilities and Visitor Accommodation  
**NE/1** Energy Efficiency  
**NE/2** Renewable Energy  
**NE/3** Renewable Energy Technologies in New Development  
**NE/4** Landscape Character Areas  
**NE/6** Biodiversity  
**NE/14** Lighting Proposals  
**TR/2** Car and Cycle Parking Standards  
**TR/3** Mitigating Travel Impact

11. District Design Guide SPD (adopted March 2010)  
Health Impact Assessment SPD (2011)
12. Circular 11/95 (The use of Conditions in Planning Permissions) advises that planning conditions should be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects.

### **Consultations**

13. **Litlington Parish Council** recommends Approval.
14. **Steeple Morden Parish Council** recommend Approval subject to the following
  - S106 funds should be for work in the village with a requirement for a contribution to junction improvements at the Osdey/A505 junction due to the additional traffic. The application recognises the problems at this junction and at that leading to Litlington
  - A full environmental survey should be carried out
  - Car parking spaces should be limited to 76, with the premises used only as a hotel and conference centre now and in the future.
15. **North Hertfordshire District Council** recommend refusal for the scheme and have provided a comprehensive response which is on file. The conclusion states: It is noted that there are substantial areas of the site to the east and south that are currently green and not covered in buildings or hard standing, which would largely be built on as part of the proposal. As such there are concerns that this proposal would involve a significant encroachment of development into the countryside.

The NPPF defines, for practical purposes, sustainable development (in England) as having 3 interrelated dimensions – all of which must be addressed. The proposal would need to serve the economic, social and environmental roles as set out in the NPPF. Given the potential impact on Royston Town Centre, my Council would be concerned that the proposal may not accord with the requirements of the ‘economic’ and ‘social’ roles. At the macro level the proposed scheme may serve an ‘economic’ role, as it would provide overnight accommodation at perhaps a regional level. However, at the micro level the proposed scheme may not meet the requirements of the ‘economic’ role, as it may have a potentially damaging effect on the viability

and vitality of Royston. The proposal may not accord with the requirements of the 'social' role for the same reasons. Given the potential impact of the development on the SSSI and character of the landscape my Council remains unconvinced that the proposal would comply with the requirements of the 'environmental' role. Given the concerns raised above with regard to the impact of the design of the proposed development on the setting of the SSSI and the character of the landscape, it could be questioned whether the proposal would *"take the opportunities available for improving the character and quality of an area and the way it functions"*, as set out in paragraph 64 of the NPPF.

16. In brief the concerns raised are as follows:
  - Contrary to paragraph 17 and 55 of the NPPF,
  - Disproportionate
  - Sequential testing seems sound but the size of the scheme is questioned
  - potentially damaging to the town centre given the economic climate
  - very visible from Thurfield Heath
  - Impact on Character Area 227
  - Excessive bulk
  - Impact on the SSSI
17. The Royston Town Manager on behalf of Royston Town Council states that the business community in general would welcome this development. Although Royston can offer boutique hotels and guest houses, there is a perceived lack of 'branded' hotel accommodation. Companies looking for such outlets are generally forced to send their visitors in the direction of Cambridge. The fact that the plans include conference facilities is also welcome. It is hoped that the latest offerings in the world of conferencing will become available to Royston businesses at a realistic price. I can confirm at this time that nothing in the proposed development conflicts with larger scale conferencing facilities proposed in conjunction with the cinema development currently underway in the town.
18. The **Environmental Health Officer (Contaminated Land)** is satisfied with the information submitted and raises no objection
19. The **Environmental Health Officer (Noise/Pollution)** has commented extensively on the impact of noise, vibration, hours of demolition and construction, insulation, attenuation, lighting, odour and regulation and licensing of the site.
20. It has recommended an array of appropriately worded conditions if the application is approved with regard to the above. Full comments are on file.
21. The **Landscape Officer** has made the following comments:
  - The building and the associated car parking areas are large, and take up virtually the whole site, greatly increasing the development footprint. It will be difficult for any landscape scheme to fully mitigate against impact on the wider landscape, particularly if space available on site for landscape is limited and it is a requirement that the road frontage remains relatively open.

- However, if the building were to take the proposed form and layout form the following should be considered:
  - We would want to be satisfied (via the EA) that they are happy with the proposed foul drainage system (discharging under the car park into the chalk aquifer?) and how this will work with the car park drainage (silt, oil etc.) which does not appear in the volume calculations or on the drawings
  - The infiltration field shown on drawing 715749/ME/SK01 P2 is less than 5m from building and bedrooms and the EA have indicated a minimum of 10m.
  - Drainage details will be needed for the general landscaped areas and pond/swale areas.
  - The frontage landscape is an improvement but is still very tight in the centre of the site. Given the one way direction of traffic (everything from the west) is the whole of the clear verge and acceleration lane (7m deep) needed?
  - Some landscape and /or screening will be needed around the patio/overspill seating areas if these are to be useable spaces. Access will only be needed in the areas where the bus's doors will be positioned
  - The entrance canopy will appear weak and 'added on' compared to the rest of the building. The cycle storage area may be better as a continuation of the covered frontage, creating a stronger entrance space.
  - The last one or two car parking bays to the east of the substation may have to be relocated, or 'no dig' construction used to avoid damage to the mature Beech tree to the north.
  - Planting details will be needed (species, numbers, sizes etc.) including specialist plants for the green roof, wet areas etc.
22. The **Urban Design Officer** has updated comments following on going negotiation. Although the scheme has benefitted from officer input the design of the scheme is still not supported by officers. Members will be updated accordingly.
23. **Cambridge Fire and Rescue Service** have asked that there is adequate provision for fire hydrants which should be secured by way of a S106.
24. The **S106 Officer** has made the following comments:

In the planning statement the applicant recognises the planning policy SF/6 public art, however has not submitted a public art plan with the application. It is therefore not known whether the applicant is proposing to provide public art as part of the proposal.

In January 2009 South Cambridgeshire District Council adopted the public art supplementary planning document that expands on development control policy SF/6. The policy states the District Council will encourage the provision or commissioning of publicly accessible art, craft and design works on

residential developments comprising 10 or more dwellings other developments where the floor area to be built is 1,000 m<sup>2</sup> gross or more, including office, manufacturing, warehousing and retail developments.

Where a development has not included provision for public art within the scheme the District Council will negotiate with the applicant to provide a financial contribution in lieu of this policy in order to fund the provision of a public art scheme elsewhere in the Parish. The policy incorporates a 'percentage for art' formula in order to calculate the level of public art works/contribution with between 1-5% of the total construction cost being required as the public art works/contributions.

In recent years the District Council has secured public art works for several hotel schemes. The precedent set by these negotiations suggest that the value of public art works for this application should be in the region of £30,000 however, this is only an indicative figure for a basis of further negotiation. The Council is more concerned about the quality of public art rather than its cost.

Any public art provision would need to be secured through a section 106 agreement, with a public art plan to be submitted to the Council for approval prior to the commencement of development.

25. The **Ecology Officer** raises no objection with regard to ecology on the application site or with regard to the ecology on the neighbouring SSSI.
26. The **Building Control Officer** raises no objections
27. The **Local Highway Authority (Hertfordshire County Council)** confirms that visibility is acceptable subject to further technical drawings being submitted and associated S278 road works. It confirms that the transport assessment submitted is sound. No historical accident problems are known from this site and the trip generation information sufficient not to cause concern. Whilst it is appreciated that the hotel will have the majority of trips made by private car the uplift would result in a proposed 1.4% increase in eastbound traffic on a weekday. This is considered to be insignificant in comparison to the existing flows along the A505. Hertfordshire County Council as highway authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways with the inclusion of the recommended planning conditions and highway informatives provided.

### **Representations**

28. There have been three letters of objection regarding the development of this site. These concerns are raised by local residents, business owners and CPRE Hertfordshire. They are as follows:
  - Overdevelopment and out of proportion
  - Isolated position and impact on sustainability
  - visually detrimental
  - Impact on important local and historic landscape
  - Footprint of proposed scheme is considerably larger than the property it intends to replace
  - should be located in a town centre location
  - No demand in this location for a budget hotel
  - An independent feasibility study should be carried out by the applicants

29. 9 letters of support have also been received, including support from the Local MP.

**Material Planning Considerations**

30. The main issues in this case are:
- Principle of Development
  - Sustainability
  - Impact on the character of the area and surrounding landscape
  - Impact on neighbour amenity
  - Highway Safety
  - Other Matters

Introduction

31. The details of the submitted reports indicate that the application has undergone various feasibility studies to suggest that the proposed scheme is the only viable option for the redevelopment of the site. It also suggests that the requirement to build this type of development has emerged through extensive research by major national hotel consultancies GVA Humberts Leisure, which have concluded that there is a demand for a budget hotel in this location. It also reports that the size of the hotel would satisfy the identified short to medium term need. It is considered that the hotel of the hotel proposed is likely to offer the most favourable business model to ensure overall viability.
32. The responses from those consulted has demonstrated that the site is in need of redevelopment and that the facility is more likely to provide a positive impact on surrounding businesses than not. Royston Town Council has recommended the scheme for approval and considers this development as an opportunity to promote Royston as a tourist destination. There is some concern that the new development will harm the viability of Royston Town Centre, however a sequential test has been applied to a series of sites around Royston and the outcome is that this is the only site suitable in market and viability terms for a development of this kind.
33. Based on the information made available as part of the submissions Officers are content that the right level of assessment has been carried out prior to the submission of the scheme to address sequential site testing in line with policy requirements.

*Principle of Development*

34. Notwithstanding the above information the principle of development has been established based on the history of the site. It is clear through this history that the scheme approved under reference S2115/06/F was considered to be the highest acceptable limit of development permitted on this site. The approved scheme suggested that a 100% increase in footprint and volume was acceptable and no higher. This scheme proposes a floor area that is nearly 5.5 times bigger than that of the approved scheme and nearly 11 times bigger than that of the original building. The scheme is contrary to the requirements of Policy ET/8 and this scale of development cannot be supported for this reason in the first instance. The scheme is also contrary to the requirements of Policy ET/10 that relates to tourist facilities and visitor accommodation and specifically relates to development outside of frameworks within the countryside. This policy states that outside development frameworks,

development to provide overnight visitor accommodation and restaurants will only be permitted by change of use / conversion, or through appropriate replacement of buildings not requiring large extension, or by appropriately modest extensions to existing facilities. The application site is not within a designated development framework and considered to be very remote to those of the surrounding villages. It is considered to be unsustainable in terms of its location and sensitive with regard to the visual impact to the character and openness of the countryside. As a consequence, the proposal is considered to be contrary to the requirements of Policy ET/10 and therefore the principle of tourist accommodation on this scale within this location is unacceptable.

*Sustainability*

35. In addition to the above the location of the site has always been of considerable concern. The site is remote and only accessible by motor vehicle. Whilst it has been demonstrated that a Green Travel Plan can be put in place for those employed on site it is still considered to promote a significant level of private vehicle movement to and from the site at an unacceptable level. Whilst Herts County Council have not raised objections to the increase in traffic from a safety viewpoint and the 1.4% increase of traffic is considered low in comparison to the existing movement on the A505, the hotel business requires the free flow of visitors to enable full success. It is not in easy reach of local train stations and the scale of the proposal suggests large amounts of visitors on a regular basis. It is not a site that lends itself to access by bus, cycle or on foot. For this reason the scheme is considered to be unsustainable and therefore contrary to the principle requirements of Policy DP/1 of the Local Development Framework Adopted 2007.

*Impact on the character of the area*

36. Prior to submission the application was the subject of various pre-application meetings. Whilst it was made clear at the onset that the scheme may fail on policy principles the applicant and agents were still keen to ensure that the design of the scheme had significant input from officers to enable the highest quality design approach possible.
37. The principle of the design has been focussed around the surrounding landscape character and the architect has tried to incorporate this into the design of the building. The main part of the building located at the front of the site, near to the existing entrance has been designed to be the focal part of the development. It is located in such a way so as to avoid the need for numerous signs along the A505 indicating its location. The building is designed to be prominent but the right use of materials and orientation is also aimed at fitting with its surroundings.
38. The rest of the hotel is located to the rear and west of the application site. The design forms a 'y' shape and the upper part of the 'y' is where the rooms will be located. The structure of the building that houses the rooms is taken from the principle design of agricultural buildings. The roof slope starts at single storey, sloping up and away from the surrounding countryside to allow for a first floor. The external appearance of the roof slope is proposed as green roof giving the appearance of the surrounding hills to the south at Therfield Heath. A small courtyard area is proposed inside the upper 'y' area. It is intended that the first floor of rooms will be limited from external views of



the site. The car parking is located to the west of the rooms comprising 76 parking spaces with associated landscaping.

39. The design of the building has taken on board some of the agreed principles discussed at the early design stages, however the overall concern comes from the pure scale of the development and the impact the building and associated parking will have on the wider landscape. It is appreciated that the applicants have wanted to try and achieve a design that best fits with the surrounding landscape. If it was to be approved it is considered an absolute necessity that this expanse of roof is secured as green roof to ensure its compatibility with its immediate surroundings. There are a mixture of external materials proposed that are aimed at complementing the form and shape of the proposed structure in relation to the landscape. These would need further consideration however; the applicant is open to suggestion and negotiation where necessary.
40. In comparison to the existing building and the already approved scheme the built form is considerably larger in scale and it is this mass of built form that is considered to be contrary to the requirements of policy. Even with the best attempts to mitigate the scheme, the presence of the building in the landscape is considered to cause significant harm to the wider landscape.

*Impact on neighbour amenity*

41. The impact on neighbour amenity is considered to have been appropriately addressed by way of on going discussion with the applicants and those in close proximity to the site. Various measures have been proposed to help mitigate any potential harm, as already listed in the Environmental Health officer comments. Providing these are put in place it is not considered that neighbour impact would be adversely impacted. Concerns raised by those close by include mitigation of noise and disturbance from the building and associated car park.

*Impact on Highway Safety*

42. The Local Highway Authority, Hertfordshire District Council comments are noted. The LHA have not raised any concerns with regard to the application as various pre-application discussions took place to ensure all matters were adequately addressed prior to submission. The access to the site would, as part of the application, improve the existing access. It is unlikely as part of the scheme, if approved, that the applicant would make contributions to other parts of the A505 as requested by Steeple Morden Parish Council. This has been requested before in other applications represented at committee and has failed. The LHA has requested that appropriately worded conditions are put in place should the application be considered for approval.
43. With regard to parking facilities the application proposes 76 spaces for the uses of the hotel. This includes all parking facilities, staff, visitor and disabled provision. This is short of approximately 13 spaces if using the maximum standards (13 spaces per 10 guest rooms). This standard is from the Local Development Framework Policies adopted 2007 and is a maximum figure. Although the figure is marginally short of this it is not unacceptable or encourages a reason for refusal.

### **Other Matters**

44. The S106 Officer has raised the query regarding Public Art and whilst it is a requirement for schemes over certain floor area thresholds, the discussions that have taken place regarding this site at pre-application stage and under earlier applications over the last 6 years, officers have not required provision of public art on this site. It would be more than acceptable for the client to incorporate local art as part of the décor and we would encourage this in and outside the building, however, it has not been a requirement of this particular scheme and officers have not suggested it would be refused if no provision is made.

### **Conclusion**

45. The application site is in need of redevelopment and officers have seen various schemes submitted over the years for this site that have been consistently unacceptable. This is primarily down the lack of an evidence base, other more suitable sites being readily available and not having carried out sufficient sequential site testing. This is amongst other issues such as design, sustainability and impact on the wider countryside. The applications that have come forward thus far have had problems with all of the above either individually or combined and this application is no different, regardless as to how much officers would like to see this site redeveloped and put to good use.
46. Officers are content that the information submitted regarding site assessment is now sound. There has been question about its viability and whether the scheme proposed would actually result in success. However, this is not a question that can be answered by officers. A business model has been put together and success on this site is not something anyone can safely predict in the current climate. The evidence base for the sequential testing has been put forward and the assessment shows a degree of negative impact on the existing town centre facilities in the first couple of years of development. This is likely to be underestimated and although forecasting any type of retail/leisure growth is likely to contain uncertainties, the existing hotel offer in the local area relatively small, therefore the development may swamp the market. Based on the existing economic climate and the current state of Royston Town Centre this may have a potentially damaging effect on its viability and vitality. However, the comments from Royston Town Council are noted and no objections are raised with regard to this proposal.
47. On the plus side this type of facility could provide a positive impact on the surrounding businesses and the town in general, encouraging economic growth in addition to jobs created by the development itself. However this must be weighted against the potential for negative impact on the town centre and the other concerns that this development has raised. Notwithstanding, there has been a lot of support for the scheme from local residents and businesses. The design is considered to have been well thought through as far as practicably reasonable for a building of this size and the improvements to the access are a result of the development scale.
48. The development has aimed to address all areas of concern in the newly adopted NPPF and whilst there are many areas that officers consider acceptable, on balance there are many that are not. The NPPF suggests that

the roles in achieving sustainable development should not be undertaken in isolation because they are mutually dependent. Economic growth can secure higher social and environmental standards and well designed buildings can improve lives and therefore the roles in achieving sustainability should be sought jointly and simultaneously through the planning system.

49. In terms of the economic role support has been given with regard to creating more jobs, however this is considered on balance with the potential that the development may harm the vitality and viability of more centrally located businesses. It has been demonstrated by the applicants that there is a need for this type of hotel in this area and consent was granted for a smaller budget hotel at the Little Chef site some years ago (this consent is no longer extant).
50. As part of the social role if economic development is harmed it will have a knock on affect socially. The site is not located close to any local communities and therefore its immediate impact will be limited, such as neighbour amenity. However, the proposal will introduce new employment roles as well as increasing visitor opportunities to the District. On balance this has to be assessed with the location of the site and the level of vehicular movement a development of this scale would introduce. This must consider not only visitors, but also those working on and delivering to the site on a daily basis.
51. An Environmental role is probably the area where this application is considered to primarily fail. Whilst every effort has been taken to ensure the design works in tune with the natural landscape, location and the site constraints the scale, design and form of the development is still considered to harm the wider landscape and more specifically the views from and surrounding Thurfield Heath in this particularly open area of countryside. The submissions have detailed why various renewable energy sources have been disregarded; however the design has also tried to take on board the local landscape by including a green roof proposal. In this scheme the application of PV cells have been applied to the south facing roof slope to comply with our current policies, however officers do not consider this, together with some of the other benefits of the scheme are enough to tip the balance in allowing this scheme to be bought forward.
52. The building has a significant footprint and the proposed area of the new building is far higher than the already approved 100% increase that was allowed under the last consent granted. The number of rooms is far higher than ever proposed on this site, and whilst its size is considered necessary for reasons of viability, this scale of development is considered significantly inappropriate. The high number of vehicles visiting the site as a result of the proposed development is also considered to be excessive and highly unsustainable.
53. It is for the fo.lloing reasons that officers recommend the application is refused:

#### **Recommendation**

54. Refuse for the following reasons:
  1. The scheme proposes redevelopment of the entire site and the floor area is proposed to be nearly 11 times bigger than that originally

approved under S/0509/09/F. This is therefore contrary to the requirements of Policy ET/8 of the Local Development Control Policies adopted 2007 that specifically considers replacement buildings in the countryside for employment use. The policy states that any increase in floor area will be strictly controlled, and must be for the benefit of the design, or in order to better integrate the development with its surroundings. In this instance the increase in floor area is excessive, the building is not suitably located and the size and scale would not result in an environmental improvement that would result in more sustainable development.

2. The redevelopment of the site is also considered to be contrary to the requirement of Policy ET/10 of the of the Local Development Control Policies adopted 2007 which states that development to provide overnight visitor accommodation, public houses, and restaurants will only be permitted by change of use/conversion, or through appropriate replacement of buildings not requiring large extensions, or by appropriately modest extensions to existing facilities. Notwithstanding the submissions that have demonstrated a need for additional rooms in the area focus for new accommodation should be in villages and development of a type in keeping with settlement size, scale and form. The aim of the policy focusses on new tourist accommodation being located in the larger villages allowing access to visitors to the the public transport network and local services thus promoting the goals of sustainable development.
3. The application is not sustainable as it fails to minimise the need to travel by private car - walking and cycling to the site are unrealistic options. As such it is contrary to the Policy DP/1 and TR/1 of the Local Development Framework Policies adopted 2007 that aims to permit development where it is demonstrated that it is consistent with the principles of sustainable development as appropriate to its location, scale and form and will only allow development that does not give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel modes.
4. The application was submitted with a Landscape and Visual Assessment dated September 2012 and it recognises that the neighbouring SSSI Therfeild Heath has a very high landscape quality that is highly valued with extensive public access over the semi natural chalk grassland and expansive views over the arable land to the north. It is considered to have a very high sensitivity to development that is already affected by the A505 and industrial and commercial development to the north east. It also states that the site as derelict will be improved by redevelopment of this type. However, it is considered that due to its location, size and scale, the development will have a significantly adverse impact on the surrounding landscape. The proposed landscaping is considered to be weak in places with little scope to help further mitigate the impact of the proposed development. It is therefore considered to be contrary to the requirements of Policy DP/3 that states planning permission will not be granted where the proposed development would have an

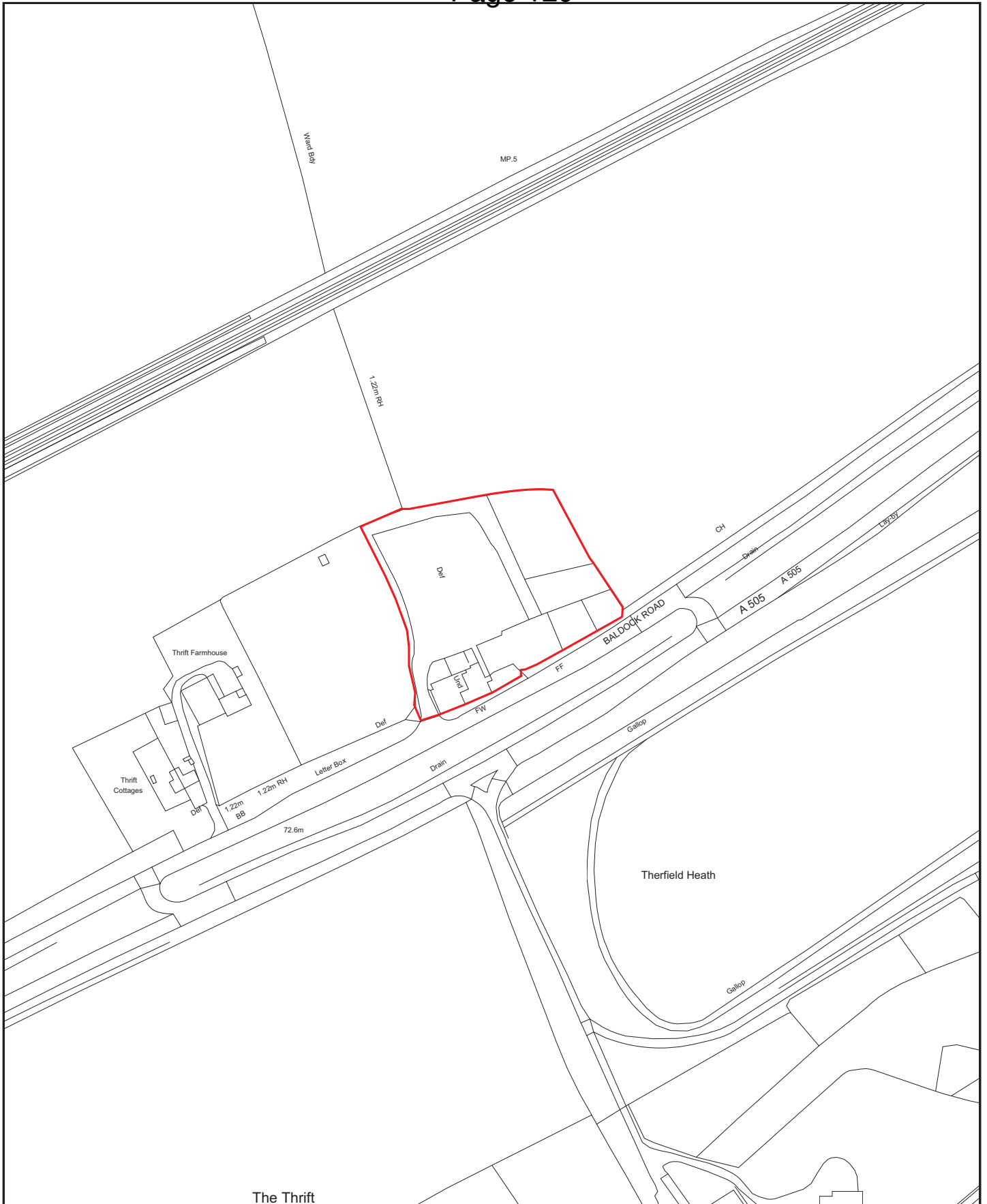
unacceptable adverse impact on the countryside and landscape character.

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

- National Planning Policy Framework
- Local Development Framework Core Strategy and Development Control Policies DPDs
- National Planning Policy Framework
- Planning file reference S/0702/12/FL, S/0509/09/F and S/1922/07/F

**Contact Officer:** Saffron Garner – Senior Planning Officer  
01954 713256

This page is left blank intentionally.



The Thrift



**South  
Cambridgeshire  
District Council**

© Crown copyright.

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2500  
Time of plot: 12:10

Date of plot: 15/08/2012

This page is left blank intentionally.



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/1814/12/FL - KINGSTON**  
**Erection of two dwellings following demolition of existing dwelling**  
**at Summerhill, Tinkers Lane**  
**for Mr Paul Owers**

**Recommendation: Approval**

**Date for Determination: 31 October 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**

**Members will visit the site on 6 November 2012**

**Site and Proposal**

1. The application site is located within the designated Kingston village framework, set to the southern side of Tinkers Lane and the eastern side of Crane's Lane on the junction by these roads. The site is located outside of the Kingston Conservation Area, the boundary of which runs along Tinkers Lane to the north. The property to the north, Old Farmhouse, is grade II listed building.
2. There is currently a single dwelling on the site set relatively centrally on the plot. To the east is the dwelling of Netscroft, which is currently screened from the existing dwelling by leylandii. Netscroft has a double garage that extends forward of the main two-storey element of the dwelling. To the south of the site is the bungalow of High Croft, set deep into its plot, the shared boundary of which is a leylandii hedge. There is a change of levels on the site, with the existing property set at a higher level than Tinkers Lane. Land also rises eastwards, resulting in Netscroft being set on higher ground.
3. The full application, validated on 5 September 2012, seeks the erection of two dwellings following the demolition of the existing. The scheme has been amended dated 9 October 2012 to remove the garage to the frontage of house B. House A has a detached double garage to its frontage. The application is accompanied by a Planning Statement, a Design, Access and Heritage Statement, and a Unilateral Undertaking.

**Site History**

4. Application **S/1074/12/FL** for two dwellings following the demolition of the existing was withdrawn. This followed the withdrawal of application **S/0174/12/FL** for a similar scheme.

**Planning Policy**

5. **South Cambridgeshire Local Development Framework Core Strategy (LDF CS), adopted January 2007: ST/7 Infill 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 Development, 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, CH/4 Development Within the Curtilage or Setting of a Listed Building, CH/5 Conservation Areas, & TR/2 Car and Cycle Parking Standards.**
7. **Open Space in New Developments SPD – adopted January 2009, Development Affecting Conservation Areas – adopted January 2009, Biodiversity – adopted July 2009, Listed Buildings – adopted July 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. **Kingston Parish Council** recommends refusal as it is considered overdevelopment of the site. The sizes of the houses and their proximity to each other and to the neighbouring properties results in over-crowding of the site and a high density appearance out of character in this rural village.
10. The **Council's Environmental Health Officer** recommends conditions regarding timing of use of power operated machinery during demolition and construction, and pile driven foundation details. Informatives regarding bonfires and burning of waste, and the requirement for a demolition notice prior to demolition are also recommended.
11. The **Council's Tree Officer** has no objection subject a robust landscaping scheme, which should include tree(s) to reach a mature height of 10-12m along the front of this prominent site.
12. The **Council's Landscape Officer** notes planting to be very important in the landscape of this section of the village. Various changes to location and types of species to be planted are proposed.
13. The **County Definitive Map Assistant** notes there are no public rights of way in close proximity to the site, and therefore no objections are raised.

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

14. The occupiers of **Netscroft, Tinkers Lane** object on grounds of loss of amenity through overbearing impact and overshadowing from the dwelling and double garage especially to the first floor office, ground floor kitchen, and first floor bedroom windows, loss of privacy given the proximity of the proposal to the boundary and the removal of several trees, a loss in value to the property, an increase in noise, impact upon the character of the village, highway safety, unsustainable location of the site, and the precedent for further development in the village.
15. The occupiers of **Pincote, Cranes Lane** object on grounds of loss of wildlife space, proximity to a dangerous corner, and further development in the village. A second letter adds concerns regarding the precedent set, the good condition of the existing property, and the increase in density of development.

### **Planning Comments**

16. The key issues in the determination of this application are the principle of development, impact upon the street scene and adjacent heritage assets, impact upon the amenity of the occupiers of adjacent dwellings, highway safety and parking provision, and infrastructure contributions.

#### *The Principle of Development*

17. The site is located within the designated Kingston village framework. Kingston is classified as an Infill Village within the LDF CS, where residential development and redevelopment within village frameworks will be restricted to not more than two dwellings comprising certain scenarios, including the redevelopment or sub-division of an existing residential curtilage, as is the case for this site. There is a principle in support of the redevelopment on the site.
18. Policy HG/1 of the LDF DCP seeks residential developments to make best use of a site by achieving average net densities of at least 30 dwellings per hectare unless there are local circumstances that require a different treatment. The site has an area of approximately 0.18 hectares, and the existing single dwelling on the plot represents development of 6 dwellings per hectare. A net gain of a single dwelling would increase that to 11 dwellings per hectare. Whilst this is below the requirements of the policy, the principle of a second dwelling was agreed at pre-application stage given the character of the area and the change in levels. There is no objection to the removal of the existing dwelling. At such a density, the development is not considered to represent an overdevelopment of the site.
19. There is local concern that the village is unsustainable given its lack of facilities. Policy ST/7 does state that development on any scale within Infill Villages would be unsustainable. This is why the policy has tight restrictions on the number of dwellings that could be constructed. There were also local concerns regarding setting a precedent for further development in the village. This would not necessarily be the case as all applications are judged on their own merits.

*Impact upon the Street Scene and Adjacent Heritage Assets*

20. The village of Kingston is mostly semi-rural in character given its small size, the lack of footpaths and layout of the dwellings. The application site does have a prominent view in the street scene, especially from views to the north of the Tinkers Lane, Cranes Lane junction. From this view, the existing access allows views across the whole site as vehicles travels southwards.
21. The proposal seeks the replacement of the existing two-storey property with two detached properties. By its very nature, the development will add more bulk to the site. There is no obvious linked character to the surrounding properties. The two proposed properties are considerably different, and as a result would add some interest to the street scene.
22. House A is the larger of the two. It brings development approximately 6.7m closer to the eastern boundary with Netscroft. The two-storey width of the proposal is greater than the dwelling it will replace. The design of this property has been changed over the previous applications. The garage is now detached and does not have any accommodation above. This has reduced the bulk of development. Whilst the gap between garage and dwelling would not show clear air from the main public vantage point, it would be viewed as detached and an ancillary feature. The height of the main dwelling has been slightly reduced, with the single storey side element removed to reduce bulk. The changes ensure a more appropriate design in this location, and are considered acceptable.
23. The amended plans do show a slight inconsistency in the west elevation plan, and an amended plan will be required to correct this. Members will be updated on this matter, which is not considered to affect the recommendation.
24. House B has been significantly redesigned. In the previous application (S/1074/12/FL), this property was a smaller version of House A. The cumulative impact of both was considered to be overdevelopment, with poor separation between units. The redesign shows a barn style dwelling, with a span of 8m across the frontage including the single storey entrance. This has been reduced from 10.8m of which all was two-storey. The redesign allows a separation of 3.8m between dwellings, with the two-storey elements set 5.5m apart. House B is designed with its gable facing the road, significantly reducing the frontage bulk given the forward facing gable. The changes are considered to be acceptable, subject to the finish in a more barn style material such as weatherboarding. The amended plan removes the garage to House B which was considered to be out of context with the redesign of the house.
25. There is a significant change of levels on the site. The applicant has provided cross-sections to show the relationship with the street scene. A condition regarding site levels will be required to ensure it is built in line with this detail, to prevent the development becoming more imposing on Tinkers Lane.
26. The comments from the Council Tree and Landscape Officers are noted. The front boundary has been recently planted up, and some changes are suggested. There are no objections to the trees and hedging to be removed, subject to appropriate replacements. Strengthening the front boundary will aid the screening of the site, which would reduce the impact of the increase in

bulk in development. The proposal is therefore considered acceptable subject to an appropriate scheme.

27. The site is located outside of the Conservation Area, the boundary of which runs along Tinkers Lane to the north, and to the south of a grade II listed building. The dwellings are set 18m into the plot, although the garage to House A would be closer. Given this distance, the proposal should not harm the setting of these heritage assets, especially given the proposed new frontage boundary treatment. Despite the increase in density, the development would not be detrimental to the existing village character.

*Impact upon the Amenity of the Occupiers of Adjacent Dwellings*

28. The dwelling to the east, Netscroft, is a two storey property with its side elevation located approximately 4.5m from the shared boundary with the application site. It has a ground floor glazed door and secondary kitchen window, and first floor office window in its side facing elevation. The occupiers of this property are concerned regarding loss of amenity to these windows.
29. At first floor level, the window is the only window to the room. Whilst currently used as an office, it is also suitable as a bedroom. There are views of the existing dwelling from this window. However, these are toward the top of the dwelling given the change in levels, and these are screened by the leylandii located directly opposite. The proposal would bring House A 6.7m closer than the existing, to a distance of 2.8m from the shared boundary. Given the change in levels, the proposed dwelling would be slightly higher than Netscroft. The office window would get views of the side gable element. Given the orientation separation between the two, some late evening light may be lost to this room. However, this is unlikely to be an increase on the light lost from the leylandii on site currently. The outlook from the window would change. The green view would be replaced by the gable end, set 7.5m away. Whilst the outlook would change to a more residential feel, long range views are again improved by the loss of the leylandii. Whilst there is some sympathy with the occupiers of this window given the change in outlook, it is not considered to warrant a reason for refusal of the application.
30. The proposed first floor side facing elevation of the proposal shows an ensuite window, which would allow views into the office window. Given its use, a condition can be added to ensure no overlooking between openings. A further condition can ensure no further windows are added to this elevation.
31. At ground floor level, the kitchen window would be located opposite the forward gable of the breakfast room element. The outlook from the window currently looks towards the 1.8m boundary fence with leylandii hedging behind. Given the secondary nature of this window and the existing outlook, the impact upon the window is considered neutral. There is again some sympathy with regard to this outlook, but again it is not considered significant to warrant a refusal.
32. House A would be visible from the rear garden area of Netscroft, given its location some 3m beyond the rear elevation of Netscroft. Again, some light will be lost in late evening, but this is again not considered enough to warrant refusal. The proposal will be visible but should not result in an overbearing feature to users of the neighbouring rear garden. The recommended condition regarding site levels should ensure the relationship is acceptable. It could be

possible to extend House A without planning permission to a degree that may harm the occupiers of Netscroft. Permitted development rights for Class A of Part 1 (extensions) can therefore be removed to prevent any such harm.

33. The occupier of Netscroft also has expressed concerns from the impact upon the front facing bedroom window that would allow clear views of the proposed double garage. However, the angle of view would be acute and not within a 45 degree area. Whilst the garage roof would be visible, no serious harm should result.
34. The comments from the Council's Environmental Health Officer are noted. A condition regarding use of power operated machinery can be added to ensure such works take place within daytime hours. Use of pile driven foundations can be added as an informative along with details regarding bonfires and the burning of waste, and the requirement for a demolition notice.
35. Devaluation of a property was raised during the consultation period, but this is not a material planning consideration.
36. The two proposed dwellings are considered to have an acceptable relationship between themselves. Given the potential to overlook the garden of House A, permitted development rights can be removed from the side facing elevation of House B.

*Highway Safety and Parking Provision*

37. There is local concern regarding the introduction of a new access close to the junction between Cranes Lane and Tinkers Lane. House B, situated close to the junction, would use the same access point as the existing property. The new access proposed is therefore situated further from this junction. The Local Highways Authority has not commented directly on this application. However, their comments regarding S/1074/12/FL remain valid given the lack of change to the plans. They request conditions regarding prevention of surface run-off to the public highway and details of the materials to be used. Informatives regarding works to the public highway can also be added. No highway dangers should result.
38. The development provides a double garage to House A and a large parking area to the front of House B. Both should not lead to the requirement of on street parking given the space available.

*Infrastructure Contributions*

39. The applicant has submitted a completed Unilateral Undertaking with the application for contributions towards public open space, community facilities, waste receptacles and the Section 106 monitoring fee. The Council's Legal team has been consulted on its suitability, and members will be updated on this matter.

*Other Matters*

40. Comments regarding loss of wildlife space is noted. The site would require some vegetation to be removed. However, the proposal would have two rear gardens, and therefore any loss of space is small. The landscape condition can ensure some replacement planting is achieved.

### **Recommendation**

41. Approve (as amended by 109-PL-01 Rev D and 109-PL-02 Rev C date stamped 9 October 2012), subject to conditions regarding the commencement of development, approved plan numbers, materials for the external finish of the dwelling, landscaping (to include hard details of access) and its implementation, finished site levels, drainage of the new access, boundary treatments, timing of use of power operated machinery, removal of permitted development rights for openings to Houses A and B in certain elevations, obscure glazing to the en-suite window of House A, and removal of permitted development rights for extensions to House A.
42. Informatives regarding pile driven foundations, bonfires and burning of waste, the requirement of a demolition notice, works to the public highway, and public utility apparatus can also be added.

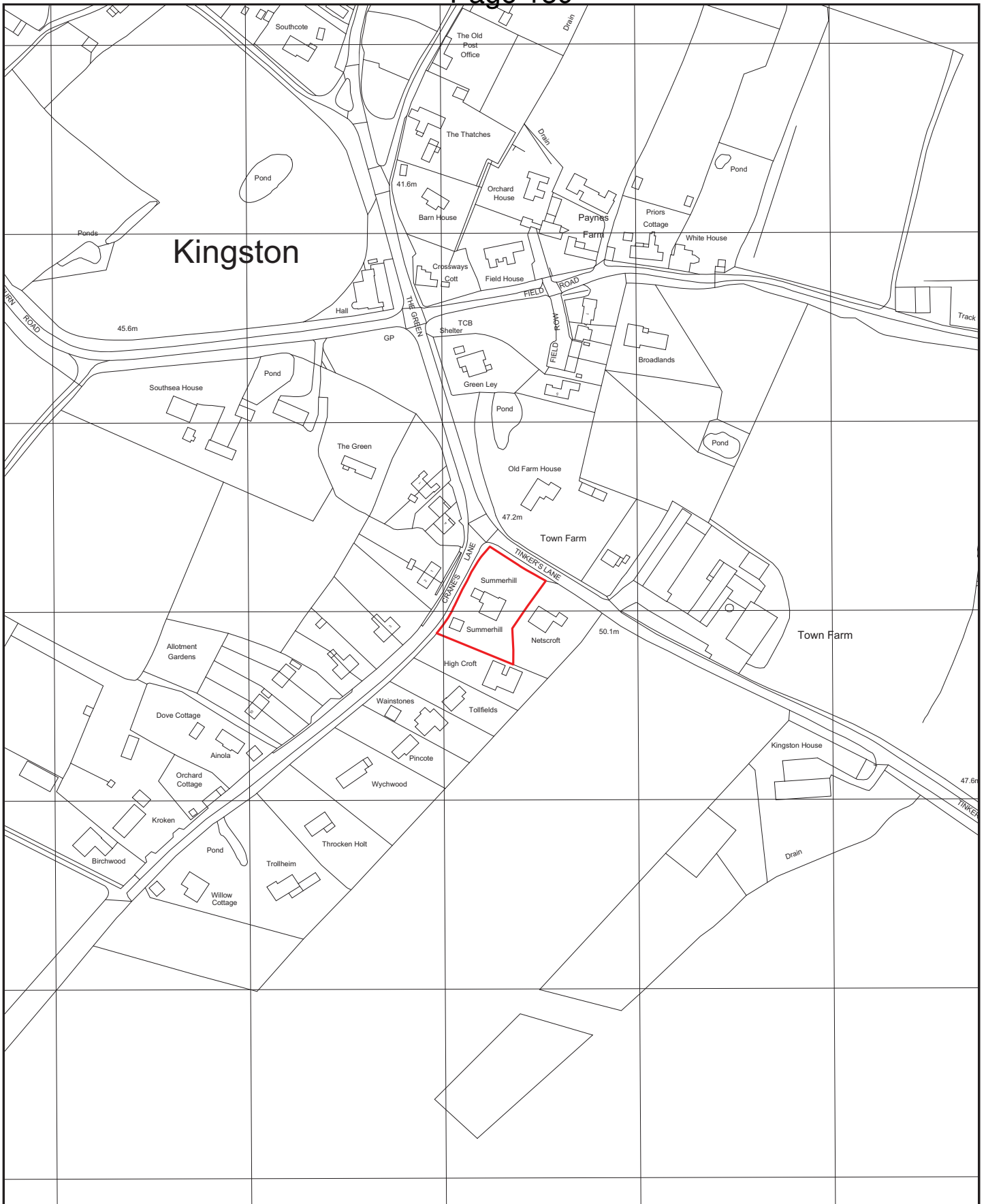
**Background Papers:** the following background papers were used in the preparation of this report:

- **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**
- **Local Development Framework Development Control Policies 2007**
- **Open Space in New Developments SPD** – adopted January 2009, **Development Affecting Conservation Areas** – adopted January 2009, **Biodiversity** – adopted July 2009, **Listed Buildings** – adopted July 2009, & **District Design Guide SPD** – adopted March 2010.
- **National Planning Policy Framework**
- **Planning Ref Files: S/1814/12/FL, S/1074/12/FL and S/0174/12/FL**

**Contact Officer:** Paul Derry - Senior Planning Officer  
01954 713159

This page is left blank intentionally.





**South  
Cambridgeshire  
District Council**

© Crown copyright.

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2646

Time of plot: 15:58

Date of plot: 22/10/2012

This page is left blank intentionally.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/1463/12/FL – GREAT EVERSDEN**

**Conversion of agricultural buildings to one live/work unit and one dwelling at  
Merrys Farm, Wimpole Road  
for Mr David Rolph**

**S/1631/12/LB – GREAT EVERSDEN**

**Alterations and Extensions to barn and piggery to create dwelling and live-work unit - Conversion of barn including extension to create covered parking area, and addition of first floor, and numerous internal walls and internal and external openings. Conversion of piggery including new internal walls and doors and conversion of store into garage, and internal and external openings. New walls around site. At Merrys Farm, Wimpole Road  
For Mr David Rolph**

**Recommendations: S/1463/12/FL – Refusal & S/1631/12/LB - Approval**

**Dates for Determination: 28 September 2012**

**This Application has been reported to the Planning Committee for determination at the request of the Local Member**

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

**Members will visit the site on 6 November 2012**

**The application is a Departure from the Local Development Framework**

**Site and Proposal**

1. The application site is located outside of the designated Great Eversden village framework, the boundary to which is located approximately 150m north of the site. The site is located within the Cambridge Green Belt. The application site consists of The Old Black Barn, a timber clad barn with corrugated sheeting on the roof above. This barn is set close to the road, with a grass verge in between. The barn has single storey lean-to buildings to both sides. Extending from the western lean-to is the Pantile Piggery, a single storey element with a blank facing façade to the northeast, but with four timber stable doors to the southwest elevation. Attached to the Pantile Piggery is the Stables, which creates a courtyard around the barn. The Stables is a smaller, timber-framed and weatherboarded barn with corrugated sheeting on the roof above. To the northeast is The Piggeries, a more modern breeze block building, with a monopitch extension to the front.
2. All buildings are considered to be curtilage listed due to the presence of Merrys farmhouse to the south, a grade II L-shaped property. After passing the entrance, Wimpole Road becomes a farm track, and also is a public

footpath that runs southeastwards. A further footpath runs northwards opposite the site. To the north side of Wimpole Road, and rear of The Piggeries are two modern agricultural buildings. The property of 15 Wimpole Road to the northeast of the site is grade II listed.

3. The planning and listed building applications, validated on 3 August 2012, seek the conversion of the curtilage listed Old Black Barn, Pantile Piggery, Stables and Piggeries into a single dwelling and a live/work unit. The live/work element would be located within the Pantile Piggery. The application is accompanied by a Planning Statement, A Design and Access Statement, a Heritage Statement, a Structural Engineering Appraisal, a Transport Statement, a Bat Assessment, and a Protected Species Scoping and Bat Inspection Survey Report.

### Site History

4. Application **SC/1364/73/F** granted planning permission for monopitch steel and asbestos store for agricultural use. This would appear to have not been constructed although it may have been spun through 90 degrees to form the monopitch frontage to the piggery.

### Planning Policy

5. **South Cambridgeshire Local Development Framework Core Strategy (LDF CS), adopted January 2007: ST/7 Infill 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 Development, DP/7 Development Frameworks, GB/1 Development in the Green Belt, GB/2 Mitigating the Impact of Development in the Green Belt, HG/1 Housing Density, HG/3 Affordable Housing, HG/8 Conversion of Buildings in the Countryside for Residential Use, SF/10 Outdoor Playspace, Informal Open Space, and New Developments, SF/11 Open Space Standards, NE/1 Energy Efficiency, NE/6 Biodiversity, NE/15 Noise Pollution, CH/3 Listed Buildings, CH/4 Development Within the Curtilage or Setting of a Listed Building & TR/2 Car and Cycle Parking Standards.**
7. **Open Space in New Developments SPD** – adopted January 2009, **Biodiversity** – adopted July 2009, **Listed Buildings** – adopted July 2009, **Affordable Housing SPD** – adopted March 2010 & **District Design Guide SPD** – adopted March 2010.
8. **National Planning Policy Framework (NPPF):** 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.
9. The NPPF notes a presumption in favour of sustainable development. Paragraph 34 notes developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximized. Paragraph 55 states local planning

authorities should avoid new isolated homes in the countryside unless there are special circumstances such as where the development would reuse redundant or disused buildings and lead to an enhancement of the immediate setting.

10. Paragraph 90 of the NPPF states the reuse of buildings is not inappropriate by definition provided the buildings are of permanent and substantial construction.

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

11. **Great Eversden Parish Council** strongly approves the development and notes it accords with government guidance on the re-use of farm buildings.
12. The **Council's Conservation Officer** objects to the original plans given a lack of justification for the conversions and a lack of information regarding the practicalities of the project, prominence of domestic curtilage and associated paraphernalia within the approach and setting of the listed building, intensification of parking, harm to the original historic fabric, loss of significant open sections and the characteristics of the buildings, overly domestic design, loss of relationships of parts of the site, loss of plinths and fixtures. Members will be updated regarding amended plans when received.
13. The **Joint Enabling and Development Officer** notes the scheme should provide one affordable unit, but no discussions have taken place with the applicant. A contribution in lieu of onsite provision is proposed. This should be justified.
14. The **Council's Scientific Officer (Contaminated Land)** notes the site is currently agricultural and given the change to a more sensitive residential use, a condition is requested regarding investigation and remediation works.
15. The **Council's Environmental Health Officer** has considered the scheme in terms of noise, and recommends a condition regarding use of power operated machinery during conversion. An informative regarding bonfires and burning of waste is also recommended.
16. The **Council's Ecology Officer** accepts the findings that there is no bat roosts present in any building and only a low level of bat activity was recorded. A condition should ensure works take place in accordance with the Bat Assessment.
17. The **Local Highways Authority** requests conditions regarding provision of visibility splays of 2.4m by 43m from the Old Black Barn access, drainage of water from the access, materials to be used for the accesses, a minimum width of 5m for the shared access, retention of parking and turning areas, and layout of the parking area for the live/work unit. An informative regarding works to the public highway is also recommended.
18. The **Council's Building Control Officer** notes no concerns regarding fire, access or drainage. Rain water disposal would need to be addressed but it is likely that as limited increase is expected, no issues would result.

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

19. **Cllr Page** supports the scheme, and would prefer the Piggeries to be removed and a new dwelling erected. He adds it would create employment for the village, reduce the need for commuting into Cambridge, and re-uses a redundant building currently an eyesore
20. 8 letters have been received supporting the scheme, and this includes 15 Wimpole Road to the northeast. The main focus is on the buildings falling into disrepair and the beneficial impact upon the area, along with the long-term future of the listed farmhouse.

### **Planning Comments**

21. The key issues to be considered in the determination of this application are the principle of development, impact upon the curtilage listed buildings and setting of the listed farmhouse, affordable housing and infrastructure contributions, impact upon the amenity of the occupiers of the adjacent properties, impact upon Bats, and highway safety and parking provision.

#### *The Principle of Development*

22. The site is located within the Cambridge Green Belt. In line with the National Planning Policy Framework, the development is not considered to be inappropriate by definition as it represents the re-use of buildings that are of permanent and substantial construction. Whilst there is the creation of further walls and a car port, these are not considered to impact upon the openness of the Green Belt.
23. Policy HG/8 of the LDF DCP relates to the conversion of buildings in the countryside for residential use. It states that planning permission for conversion of rural buildings for residential use will not generally be permitted. The policy operates a step system, whereby planning permission for residential conversion will only exceptionally be granted where it can be demonstrated, having regard to market demand or planning considerations that it is inappropriate for any suitable employment use or residential conversion as a subordinate part of a scheme for business re-use (live/work use).
24. These steps were discussed at pre-application stage. The applicant was able to successfully demonstrate that the site was not suitable for employment use. This centred on two factors, the main factor being the capacity of Wimpole Road in the vicinity. It is a single track when it arrives at Merrys Farm, and the Local Highways Authority have confirmed that given the size of the unit(s), projected traffic generation would potentially compromise safety of Wimpole Road. The second factor relates to the viability of the scheme. The cost for the conversion would be large, and it is unlikely a business use could be run profitably given the conversion costs.
25. With regards to a live/work unit, the proposal to be considered includes one live/work unit and one dwelling. The applicant has provided financial information in their additional information letter dated 18 September 2012. Following discussions with the Council's Section 106 Officer, it is agreed that a scheme for two live/work units is again not viable for the site. The applicant

has successfully shown that the buildings are unsuitable for employment or two live/work units. A scheme or condition ensuring the live/work unit remains as such in the future would be required.

26. The Policy that adds a list of criterion to be met before residential conversion is considered acceptable. Of these, the buildings are considered structurally sound, and are not of a makeshift nature. Criterion 2.g. states conversion must perform well against sustainability issues highlighted within Policy DP/1 of the LDF DCP. Policy DP/1 is an overarching policy regarding sustainable development. One of its principles seeks development to minimise the need to travel and reduce car dependency.
27. Great Eversden is classified as an Infill Village given its lack of services and facilities. Within the village, there is a village hall and a restaurant. The village therefore relies on services of other villages. The addition of two residential units would increase car dependency and the need to travel to gain such services and use such facilities. The site is considered an unsustainable location for further dwellings. It is noted that one dwelling would be a live/work unit. However, despite the ability to work at home, any employment visitors to that site would arrive by car, and occupiers of the unit would require car journeys for activities such as shopping, or visiting the doctor.
28. This conclusion must be balanced against the long-term future of the buildings. The Old Black Barn would not appear to be under any short-term threat. It is considered structurally sound. However, conversion would ensure that this building will have a long term future. It is an important building of Regional/County Importance as noted within the submitted Heritage Statement. The development is considered a moderate positive impact allowing long-term preservation. With regard to Old Black Barn, the conversion is therefore considered, on balance, to be acceptable.
29. The Piggeries again are considered structurally sound and its short-term future is not considered to be in doubt. The Heritage Statement notes it is considered a building of Local Importance, due to its curtilage listed status and its position reflecting the historic form of the courtyard. It is however a breeze block piggery with corrugated metal and asbestos sheeted roof. It also has had a lean-to element added to the front after 1973, which is an unattractive feature to the building. It is an agricultural building that you would expect to see in such a rural location. After assessment, it is not considered a building where its long-term future needs to be secured through residential conversion. In this instance, the long-term use of the building is outweighed by its unsustainable location. Members should be aware that approving the scheme would be a Departure from Policies HG/8 and DP/1 and has been advertised accordingly.

*Impact upon the Curtilage Listed Buildings and Setting of the Listed Farmhouse*

30. The Conservation Officer has expressed concerns regarding the practicalities of the conversion, and the potential impact upon the curtilage listed buildings. A meeting has been held between officers and the applicant in an attempt to overcome these concerns. Amended plans and further information are expected, and Members will be updated on comments regarding these changes. The changes are likely to prevent loss of historic fabric and be more

suitable for the site. If the plans are considered acceptable, the Listed Building application could be supported.

31. There is local concern regarding the character and appearance of the site as existing. This relates to the Piggeries, which are described as an eyesore. It is not a building of architectural significance, although it is the type of building expected in such a farmyard location. It would not appear to be falling into any disrepair.

*Affordable Housing and Infrastructure Contributions*

32. Given the site is outside of the designated village framework and seeks a net gain of two residential units, the proposal should provide an affordable dwelling. Given the location of the site, no Registered Provider is likely to be interested in a single plot, and therefore a payment in lieu of on-site provision would be required. Policy HG/3 of the LDF DCP states account will be taken of any particular cost associated with the development and other viability considerations. Again financial information in their additional information letter dated 18 September 2012 shows that the scheme is not viable if affordable housing contributions are required. The applicant has however stated they will submit a Unilateral Undertaking providing a payment of £10,000 towards affordable housing. Members should be aware that at the time of writing, this has not yet been received. The section 106 Officer has confirmed the site would not appear viable for any other payment towards affordable housing, and the Housing Development and Enabling Manager is aware of this conclusion.
33. The application should also trigger contributions towards the provision of open space and community facilities in line with Policies DP/4 and SF/10 of the LDF DCP. The viability information again shows that the scheme would not be viable with these contributions, and therefore no such contributions would be required in this instance. It is therefore the case that approval of the application would place demands on services and facilities that cannot be offset. This further harms the overall sustainability of the proposal.

*Impact upon the Amenity of the Occupiers of the Adjacent Properties*

34. There is a residential unit (15 Wimpole Road) to the northeast of the site. The proposed live/work unit is a single storey building with no first floor accommodation. There are two openings in the facing side elevation of the proposed conversion serving a bedroom and a utility room. The outlook from these windows would be towards the existing 1.8m high panel fence along the shared boundary. Given the scheme is a conversion, there would be no increase in any loss of light or overbearing impact. The proposal is not therefore considered to harm the amenity of the occupiers of 15 Wimpole Road.
35. Merrys Farmhouse would have a close relationship with the converted barn. Ground floor windows currently do look into what would be the newly created garden area for the barn. However, the proposed boundary treatment should reduce levels of overlooking. There is a first floor window to the in the front facing elevation of the Farmhouse. Whilst this would allow some overlooking of the newly created garden area, the Stables should provide some screening and therefore ensure the overlooking is not sufficient to warrant refusal of the scheme.



36. The relationship between the converted barn and the live/work unit is considered acceptable, although a condition would be required to prevent openings in the Pantile Piggery. Openings here would create serious overlooking to the garden area of the converted barn.
37. The comments from the Council's Environmental Health Officer are noted. A condition regarding use of power operated machinery can be added to ensure such conversion works take place within sociable hours. Details regarding bonfires and the burning of waste can be added as an informative.

*Impact upon Bats*

38. The application originally included a Protected Species Scoping and Bat Inspection Survey Report. The Council's Ecology Officer requested further information regarding bat activity, and a further document was provided dated 31 July 2012. This document concluded bat activity was relatively low, and there are no roosts present, and the Ecology Officer agrees with these findings. A condition can therefore be added to any approval to ensure the works should take place in line with the recommendations of that report.

*Highway Safety and Parking Provision*

39. The access to the Old Black Barn seeks to utilise the existing access that serves Merrys Farmhouse. It would therefore change a single access to a shared access. The Local Highways Authority requests various conditions. The access is not 5m in width. However, there is adequate visibility to ensure on-coming can be seen, and the access is a short distance. Widening the access would create more hardstanding in the area, to the detriment of the setting of the listed building, and therefore in this instance it is not considered necessary. The proposal does seek to change the access to gravel, contrary to requirements of the Local Highway Authority who do not wish for such materials to be displaced onto the public highway. Such detail can be agreed through a planning condition. A condition regarding vehicle-to-vehicle visibility splays is also not considered necessary in this instance. There is good visibility from the access due to the grass verge, but the road ends past the access, and any traffic will be travelling very slowly in this area. The shared access should not cause any highway dangers.
40. The live/work unit at the Piggeries seeks to convert the lean-to element to the Old Black Barn to create two parking spaces. There is also a forecourt to the front of the building that would allow adequate turning and some overspill parking. There should be no requirement for parking off the site. Gravel is proposed for the access contrary to requirements of the Local Highway Authority. This detail can again be agreed through a planning condition.

*Other Matters*

41. The comments from the Council's Scientific Officer are noted. If the scheme were supported, the recommendation condition can be added to ensure the site is free of contaminants.

*Conclusion*

42. The determination of this application is a balance between the retention and conservation of the buildings against the unsustainable location. With regard

the Old Black Barn, the long-term future of the building is considered to outweigh the location. However, with regard to the Piggeries, the opposite approach is taken.

**Recommendation**

43. Refuse planning application S/1463/12/FL for the following reason.

The application seeks conversion of the buildings into a dwelling and live/work unit. The application site is considered to be an unsustainable location given the lack of facilities and services within the village of Great Eversden. Future occupiers of the units would therefore rely upon car journeys to neighbouring villages. The dwelling would be within the Old Black Barn. The long-term future of this important heritage asset is considered to outweigh the harm caused by reliance upon the car. The Piggeries would become a live/work unit. Whilst the work element would reduce some trips to and from the site, occupiers would still require journeys to neighbouring villages for services and facilities. The Piggeries is not considered to be a heritage asset of such value that its conversion outweighs the unsustainable site where it is located.

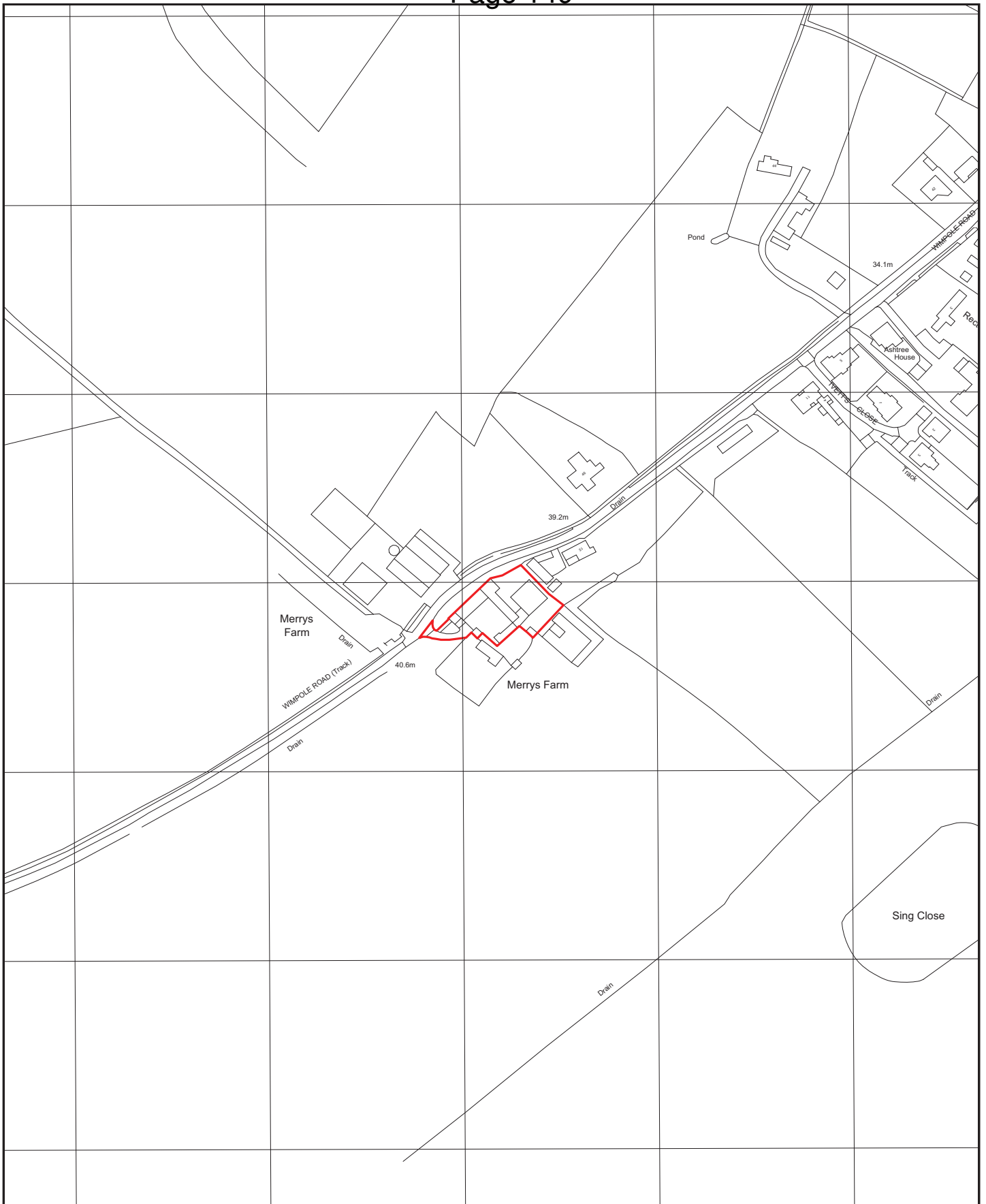
The proposal is therefore considered to be contrary to Policy HG/8 of the Local Development Framework Development Control Policies 2007 (LDF DCP), which states conversion of buildings in the countryside for residential use must perform well against sustainability issues; and Policy DP/1 of the LDF DCP, which states development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development and should minimise the need to travel and reduce car dependency.

44. Delegated Approval/Refusal of listed building consent S/1631/12/LB, subject to comments from the Conservation Officer with regard to the amended plans.

**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**
- **Local Development Framework Development Control Policies 2007**
- **Open Space in New Developments SPD – adopted January 2009, Biodiversity – adopted July 2009, Listed Buildings – adopted July 2009, Affordable Housing SPD – adopted March 2010 & District Design Guide SPD – adopted March 2010**
- **National Planning Policy Framework**
- **Planning Ref Files: S/1463/12/FL and SC/1364/73/F**

**Contact Officer:** Paul Derry - Senior Planning Officer  
01954 713159



**South  
Cambridgeshire  
District Council**

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2646  
Time of plot: 16:05

Date of plot: 22/10/2012

This page is left blank intentionally.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/1809/12/FL - IMPINGTON****Erection of dwelling and Single Storey Rear Extension-2 Hereward Close  
For Mr Stuart Williams****Recommendation: Delegated Approval****Date for Determination: 2 November 2012**

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

**To be presented to the Committee by Katie Christodoulides**

**Site and Proposal**

1. The site is located within the designated Impington Village Framework. It measures 0.04 of a hectare in area and currently comprises a two storey, semi-detached red facing brick and tile dwelling with a large garden to the side and rear and large block paved parking area to the front. The site forms a large corner plot and to the rear of the existing dwelling is a timber outbuilding. No.2 Hereward Close forms the eastern dwelling of a pair of semi-detached dwellings. Hereward Close is characterised by two storey semi-detached dwellings in a linear development pattern, which are symmetrical in design with a hipped roof and central chimney stack. A row of four terraced dwellings are located to the west of Hereward Close at the end of the cul-de-sac.
2. The full application, received as valid on 7 September 2012, seeks the erection of a dwelling and single storey rear extension to No.2 Hereward Close. The proposal would be attached to the east elevation of the existing dwelling at No.2 Hereward Close, and would continue the roof line along with the addition of a single storey rear extension. Roof lights would be inserted into the existing dwelling and proposed dwelling on the front (south) facing roof slopes. Amended plans were received on 16 October 2012 to incorporate the existing dwelling into the application site, since the proposals include works to that dwelling as well as the proposed new one. The application is accompanied by a Design and Access Statement and a draft Heads of Terms.

**Planning History**

3. Application **S/0257/07/F** was refused for a garage, new boundary fence and new access due to the proposed garage being visually prominent and detrimental to the existing character of the area and the removal of the existing hedge and proposed fence having an unacceptable visual impact to the character of the street.

**Planning Policy**

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

ST/4 Rural Centres

5. **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 in New Developments

HG/1 Housing Density

HG/2 Housing Mix

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

SF/11 Open Space Standards

NE/1 Energy Efficiency

NE/6 Biodiveristy

TR/2 Car and Cycle Parking Standards

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

District Design Guide SPD - Adopted March 2010

Open Space in New Developments-Adopted January 2009

Trees & Development Sites SPD - Adopted January 2009

Landscape in New Developments SPD - Adopted March 2010

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

7. **Histon & Impington Parish Council**-Recommends refusal on the grounds of the proposal being overbearing, over massing and disruptive to the street scene and building line of the north/south part of Hereward Close.
8. **Local Highways Authority**-No significant adverse effect upon the Public Highway should result from this proposal should it gain benefit of Planning Permission as the existing access is to be shared with both of the properties.
9. **Trees and Landscape Officer**-No objections as there are no trees on the site which will be impacted on.
10. **Landscape Design Officer**-No response to date.
11. **Environmental Health Officer**-Recommends conditions to protect neighbouring amenity during construction.
12. **Section 106 Officer**-No response to date.

**Representations**

13. None were received.

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

14. The key issues to consider in the determination of this application are the principle of the development and the impacts of the development upon the character and appearance of the area, amenities of neighbouring properties, parking and highway safety and trees and landscaping.

### **Principle of Development**

15. The site is located within the village framework of a 'Rural Centre' where development and redevelopment without any limit on individual scheme size will be permitted within village frameworks provided that adequate services, facilities and infrastructure are available or can be made available as a result of the development.
16. The site measures 0.04 of a hectare in area. The erection of one dwelling would equate to a density of 24 dwellings per hectare. Whilst this would be slightly below the minimum density of 30 dwellings per hectare and 40 dwellings per hectare in more sustainable locations, in order to protect the character of the area it is considered to be an appropriate density of development in this instance.

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

17. The northern side of Hereward Close is generally characterised by two storey semi-detached brick built dwellings set within narrow plots in a linear form of development. To the south of Hereward Close are two storey semi-detached black stained weather boarded dwellings set within much larger plot sizes. To the west and end of the cul-de-sac lies a terrace row of four brick built dwellings.
18. The development site occupies a corner plot and as a result the plot size is increased in width in comparison with the adjoining neighbouring plots which are narrower and longer in depth. Whilst it is acknowledged that the siting of the proposed dwelling to the side of No.2 Hereward Close would be clearly seen in street scene views, the design of the dwelling would be simple and match the existing dwellings, with the size and scale of the proposal being in keeping with the adjacent properties. The proposed dwelling is therefore considered appropriate and would not result in harm to the character and appearance of the area.

### **Neighbour Amenity**

19. The proposed dwelling would be sited to the side of No.2 Hereward Close and to the southern side of the end bungalow at No.52 Hereward Close which faces gable end to the development site. The bungalow at No.52 Hereward Close has a door within the side elevation with a conservatory and rear elevation windows facing to the rear garden area. The proposed dwelling and single storey rear extension would be located 7.3 metres from the common boundary with No.52 Hereward Close with the driveway serving that bungalow being sited between this boundary. The 1<sup>st</sup> floor windows of the proposed dwelling would be 10.6 metres from the rear boundary and over 15 metres from the flank/side elevation of No.52, thereby complying with the District Design Guide's recommendation of back-to-flank distance of 12 metres. Therefore, the proposals are not considered to result in any loss of privacy, overbearing impact or loss of light and would therefore be acceptable in terms of neighbouring amenity impact.

### **Highway Safety and Parking Provision**

20. The proposal is not considered to result in any significant adverse effect upon the public highway as the existing access to the site is to be shared between the existing and proposed dwelling. Given the large existing driveway, the proposed parking provision is considered acceptable. In order to ensure the adequate provision of parking, a condition shall be added to the decision for no boundary treatment to separate the driveways for the two dwellings.

### **Trees and Landscaping**

21. The proposal would not result in the loss of any important trees within the site. The existing front and side boundary hedge is to be retained as part of the proposal. This is considered important in terms of reducing the visual impact of the development and providing adequate screening. A condition shall therefore be added to the decision to ensure the retention of this existing hedgerow.

### **Developer Contributions**

22. The South Cambridgeshire Recreation Study 2005 identified a shortfall of sport and play space within Impington. No open space is shown within the development. The increase in demand for sport and play space as a result of the development requires a financial contribution of £3,104.38 (index linked) towards the provision and management of open space off site and in the village to comply with Policy SF/10 of the LDF.
23. The South Cambridgeshire Community Facilities Assessment 2009 states that Impington has a poor standard of facilities. Due to the increase in the demand for the use of this space from the development, a financial contribution of £513.04 (index-linked) is sought towards the provision of new facilities or the improvement of existing facilities in order to comply with Policy DP/4 of the LDF.
24. The South Cambridgeshire District Council has adopted the RECAP Waste Management Design Guide which outlines the basis for planning conditions and obligations. In accordance with the guide, developers are requested to provide for the household waste receptacles as part of the scheme. The fee for the provision of appropriate waste containers is £69.50 per dwelling.
25. The applicant has provided a draft Heads of Terms for the proposal dwelling, and instructions have been sent to the Council's Legal Team. Therefore a condition can be added to the consent.

### **Conclusion**

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

### **Recommendation**

27. Approval as amended by plans stamped 16 October 2012. The following conditions are suggested:-



**Conditions**

- i) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
- ii) The development hereby permitted shall be carried out in accordance with the following approved plans: A001(amended 16 October 2012), A101 (amended 16 October 2012), A102, A103, A104, A105 & A107.**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- iii) No development shall take place until details of the materials to be used in the construction of the external surfaces of the extension and/or new dwelling 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.)
- iv) The development shall commence in line with the landscape details submitted on plan number A101 (amended 16 October 2012), unless agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.**  
(Reason - To ensure the development is satisfactory assimilated in the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- v) 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.)
- vi) 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.)

- vii) **During the period of demolition and construction, no power operated machinery shall be operated on the site and no deliveries shall be made to or from the site before 0800 hours and after 1800 hours on weekdays and before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**  
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- viii) **The existing hedge on the front and side boundary of the site shall be retained except at the point of access; and any trees or shrubs within it which, within a period of five years from the completion of the development or the occupation of the buildings, whichever is the sooner, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.**  
(Reason - To protect the hedge which is of sufficient quality to warrant its retention and to safeguard biodiversity interests and the character of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- ix) **No demolition, site clearance or building operations shall commence until the hedgerow protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around the hedgerow to be retained on site at a distance agreed with the Local Planning Authority following BS 5837. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.**  
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- x) **No boundary treatment shall be erected within the existing shared driveway to separate the two dwellings.**  
(Reason-In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

#### **Informatives**

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

**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: District Design Guide SPD - Adopted March 2010, Open Space in New Developments-Adopted January 2009, Trees & Development Sites SPD - Adopted January 2009, Landscape in New Developments SPD - Adopted March 2010
- National Planning Policy Framework
- Planning File References: S/0257/07/F

**Contact Officer:** Katie Christodoulides – Planning Officer  
Telephone: (01954) 713314

This page is left blank intentionally.



South  
Cambridgeshire  
District Council

© Crown copyright.

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:1250  
Time of plot: 11:28

Date of plot: 26/10/2012

This page is left blank intentionally.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/1892/12/FL – WATERBEACH****Erection of Dwelling at Land to the North of 41 Rosemary Road for Mr C. Dean****Recommendation: Approval****Date for Determination: 15 November 2012****Notes:**

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

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

**Site and Proposal**

1. The site is located within the Waterbeach village framework. It currently forms a gravel parking area within a fenced off section to the rear of the garden to No. 41 Rosemary Road. A public footpath runs along the western boundary of the site, which is aligned by a 1.8 metre high close boarded fence. A low picket fence defines the eastern boundary adjacent to No. 43 Rosemary Road. The site lies in flood zone 1 (low risk).
2. Nos. 41 to 45 Rosemary Road form a terrace of two-storey cottages with long rear gardens. They have single storey rear elements with kitchen windows in their rear elevations at ground floor level. The dwellings at Nos. 45 and 43 have no windows in their rear elevations at first floor level but the dwelling at No. 41 has a bedroom window at first floor level in its rear elevation. The neighbour at No. 43 currently has a parking area with access on to Burgess Road adjacent the site where planning permission has recently been granted for a two-storey dwelling.
3. The proposal, received on 10 September 2012 seeks the erection of detached, two-storey two bedroom dwelling with access on to Burgess Road. The dwelling would be set back 5.5 metres from the road with one vehicle parking space and a refuse store to the front. The dwelling would have width of 6 metres, a depth of 7 metres, and a height of 4.7 metres to the eaves and 7 metres to the ridge. A small garden would be provided to the rear that has an area of 32 square metres. The dwelling would be constructed from Olde Ely Cream bricks for the walls and natural slate for the roof.

**Planning History**

4. Site:  
**S/2032/08/F** - Extensions, Garage and Vehicular Access - Approved  
**S/2119/86/O** - House - Withdrawn
5. Adjacent Sites:

**S/2291/11** - Dwelling Rear of 43 Rosemary Road - Approved  
**S/1513/12/FL** - Extensions at 10 Burgess Road - Approved

**Planning Policy**

6. **South Cambridgeshire LDF Core Strategy DPD, 2007:**  
ST/5 Minor Rural Centres
7. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Development Frameworks  
HG/1 Housing Density  
NE/6 Biodiversity  
NE/11 Flood Risk  
SF/10 Outdoor Playspace, Informal Open Space, and New Developments  
SF/11 Open Space Standards  
TR/1 Planning for More Sustainable Travel  
TR/2 Car and Cycle Parking Standards
8. South Cambridgeshire LDF Supplementary Planning Documents (SPD):  
Open Space in New Developments SPD - Adopted January 2009  
Trees & Development Sites SPD - Adopted January 2009  
Landscape in New Developments SPD - Adopted March 2010  
District Design Guide SPD - Adopted March 2010

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

9. **Waterbeach Parish Council** – Recommends refusal on the following grounds: -  
“The positioning of the off-road parking next to a public footpath and opposite a T junction does not provide adequate safe sightlines.”
10. **Local Highways Authority** – Comments are awaited.
11. **Rights of Way and Access Team** – Comments that public footpath number 8, Waterbeach runs along the west boundary of the application site but it does not appear that this byway will be affected by the proposed development. Therefore no objections are raised. However, requests informatives in relation to points of law in respect of the footpath.
12. **Environmental Health Officer** – Comments are awaited.
13. **Trees and Landscapes Officer** – Comments are awaited.
14. **Landscape Design Officer** – Comments are awaited.

**Representations by Members of the Public**

15. None received to date.



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

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

### **Principle of Development**

17. The site is located within the village framework of a 'Minor Rural Centre' where there is a good range of services and facilities and residential developments of up to 30 dwellings are considered acceptable in principle subject to all other planning considerations.
18. The site measures 0.0119 of a hectare in area. The erection of one dwelling would equate to a density of 84 dwellings per hectare. This density would meet the requirement of at least 40 dwellings per hectare for sustainable villages such as Waterbeach as set out under Policy HG/1. Whilst it is acknowledged that it would result in a high-density development, it would make the most efficient use of land.
19. The proposal is not considered to result in piecemeal development. Although it is noted that the sites are situated side by side and a larger development would require infrastructure to make the scheme acceptable in planning terms, the sites are under different ownerships.

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

20. The proposed development is not considered to harm the character and appearance of the area. The southern side of Burgess Road has mainly two-storey dwellings that are set close to the road. The main element of the dwelling would be set back from the adjacent proposed dwelling but set forward from the dwelling at No. 10 Burgess Road. The siting would therefore reflect the linear but slightly staggered pattern of development in the vicinity. It would be two-storey in height and in keeping with the scale of dwellings in the locality and a similar height to the proposed dwelling at No. 45 Rosemary Road. The dwelling would have a simple design that would replicate that opposite at No. 5 Burgess Road and the proposed dwellings at Nos. 43 and 45 Rosemary Road. It would be constructed from materials that are evident in the surrounding area.
21. Whilst it is noted that the dwelling would occupy almost the entire width of the site, it is not considered to result in the loss of an important gap in the street scene or a cramped development, as the area has a fairly high density of development and the comparable sized dwellings at Nos. 4c to 6b Burgess Road have a similar relationship to their surroundings.

### **Neighbour Amenity**

22. The proposed dwelling is not considered to adversely affect neighbours through being unduly overbearing in mass or through a significant loss of light. It would be orientated to the north and situated a distance of 4.5 metres off the boundary with No. 41 Rosemary Road and 14 metres from the kitchen window its rear elevation. This would comply with the window-to-building distance of 12 metres as set out in the District Design Guide. It would be orientated to the west of the new proposed dwelling to the rear of No. 43 Rosemary Road and set back slightly behind its rear elevation. This relationship is therefore considered acceptable. It would be orientated to the east and the other side of the footpath from No. 10 Burgess Road and situated 4 metres from its side elevation that comprises ground floor cloakroom window and secondary living room window, and first floor bedroom window.

23. The proposed dwelling is not considered to result in overlooking to the gardens or dwellings of neighbours that would lead to a severe loss of privacy. The distance of 4.5 metres between the first floor bathroom window and the rear boundary and the distance of 14 metres between the first floor bathroom window and the kitchen window at No. 41 Rosemary Road would fall short of the window to boundary distance of 15 metres and window to window distance of 25 metres as set out in the Council's District Design Guide SPD. However, the window would serve a non-habitable room and a condition would be attached to any consent to ensure it would be fixed shut and obscure glazed. The first floor bedroom window in the side elevation would not overlook No. 10 Burgess Road providing a condition is attached to any consent to ensure it would be obscure glazed and hinged on the south side with a 45 degree maximum openable section. The first floor landing window would not result in a loss of privacy to the new dwelling at No. 43 Rosemary Road as it would serve a non-habitable room and have a very oblique view into the rear garden of that property.

### **Highway Safety**

24. The erection of one dwelling would not result in a significant increase in traffic generation along Burgess Road.
25. The proposed dwelling would have one on-site parking space and would result in the loss of the parking space to No. 41 Rosemary Road. However, given that it would provide a small unit of accommodation within a sustainable village that has good access to public transport as a result of the railway station and bus routes, it would be situated in a central location with easy access to local services by walking and cycling, the Council's parking standards are maximum numbers required, Burgess Road and Rosemary Road currently have unrestricted on-street parking, and the majority of properties in Burgess Road have on-site parking, the proposal is, on balance, considered acceptable. The development is not considered to result in a significant level of on-street parking that would cause an obstruction to the free flow of traffic along Burgess Road or Rosemary Road and be detrimental to highway safety.
26. Cycle parking would be provided on site within a covered and secure store as part of a condition of any consent.
27. Pedestrian visibility splays measuring 2.0 metres x 2.0 metres would be provided on each side of the access and maintained free from obstruction over a height of 600mm. This would accord with the Local Highways Authority standards and ensure safety for pedestrians using the footpath and Burgess Road. A condition would be attached in relation to the use of bound material and surface water drainage for the hardstanding.

### **Other Matters**

28. The proposal would not increase the risk of flooding to the site and surrounding area subject to satisfactory methods of surface water drainage.
29. Details of the refuse store would be a condition of any consent.
30. A landscape condition would be attached to any consent to agree some planting at the front of the dwelling to soften the development.
31. The South Cambridgeshire Recreation Study 2005 identified a shortfall of sport and play space within Waterbeach. No open space is shown within the development. The

increase in demand for sport and playspace as a result of the development requires a financial contribution of approximately £2,244.90 (index linked) towards the provision and management of open space off-site and in the village to comply with Policy SF/10 of the LDF. This would be secured via a legal agreement that would be a condition of any consent. The applicant has agreed to this contribution.

32. The South Cambridgeshire Community Facilities Assessment 2009 did not audit indoor community space in Waterbeach. However, due to the increase in the demand for the use of this space from the development, a financial contribution of £378.88 (index-linked) is sought towards the provision of new facilities or the improvement of existing facilities in order to comply with Policy DP/4 of the LDF. This would be secured via a legal agreement that would be a condition of any planning consent. The applicant has agreed to this contribution.
33. South Cambridgeshire District Council has adopted the RECAP Waste Management Design Guide. In accordance with the guide, developers are requested to provide for household waste receptacles as part of a scheme. The fee for the provision of appropriate waste containers is £69.50 per dwelling. This would be secured via a legal agreement that would be a condition of any planning consent. The applicant has agreed to this contribution.

### **Conclusion**

34. 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**

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

### **Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing number CCL0812.1.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. Details of the materials to be used in the external construction of the dwelling, hereby permitted, shall follow the specifications as stated on the planning application form and shown on the approved drawings unless otherwise approved in writing by the Local Planning Authority.  
(Reason- To ensure the development is in keeping with the character and appearance of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
4. Apart from any top-hung opening section above a height of 1.7m above internal floor level, the first floor bathroom window in the rear elevation of the dwelling shall be fixed shut and obscure glazed and thereafter retained.  
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

5. The first floor bedroom/study window in the side elevation of the dwelling shall be obscure glazed and hinged on the south side with a maximum opening capability of 45 degrees from the shut position and thereafter retained.  
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C and E of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.  
(Reason – To safeguard the amenities of neighbours in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied in accordance with the approved details and shall thereafter be retained.  
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
8. No development shall take place until full details of the hard surfaced materials to be used for the driveway and method of surface water drainage for the driveway have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
9. No development shall take place until full details of 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.)
10. 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.)

11. The dwelling hereby permitted, shall not be occupied until one vehicle parking space has been provided on the site in accordance with the layout shown on drawing number CCL0812.1; the space shall thereafter be retained for that purpose.  
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
12. The dwelling, hereby permitted, shall not commence until a covered and secure cycle parking space has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.  
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
13. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2.0 metres x 2.0 metres measured from and along respectively the highway boundary.  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
14. No development shall take place until a scheme for the design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage shall be completed before the dwelling is occupied in accordance with the approved scheme and shall thereafter be retained.  
(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
15. During the period of demolition and construction, no power operated machinery shall be operated on the site before 08.00 hours and after 18.00 hours on weekdays and before 08.00 hours and after 13.00 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.  
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
16. No development shall begin until details of a scheme for the provision of outdoor sport and playspace, indoor community facilities, and waste receptacles to meet the needs of the development in accordance with adopted Local Development Framework Policies SF/10 and DP/4 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.  
(Reason - To ensure that the development contributes towards outdoor sport and playspace, indoor community facilities, and waste receptacles in accordance with the above-mentioned Policies SF/10 and DP/4 of the adopted Local Development Framework 2007.)

### **Informatives**

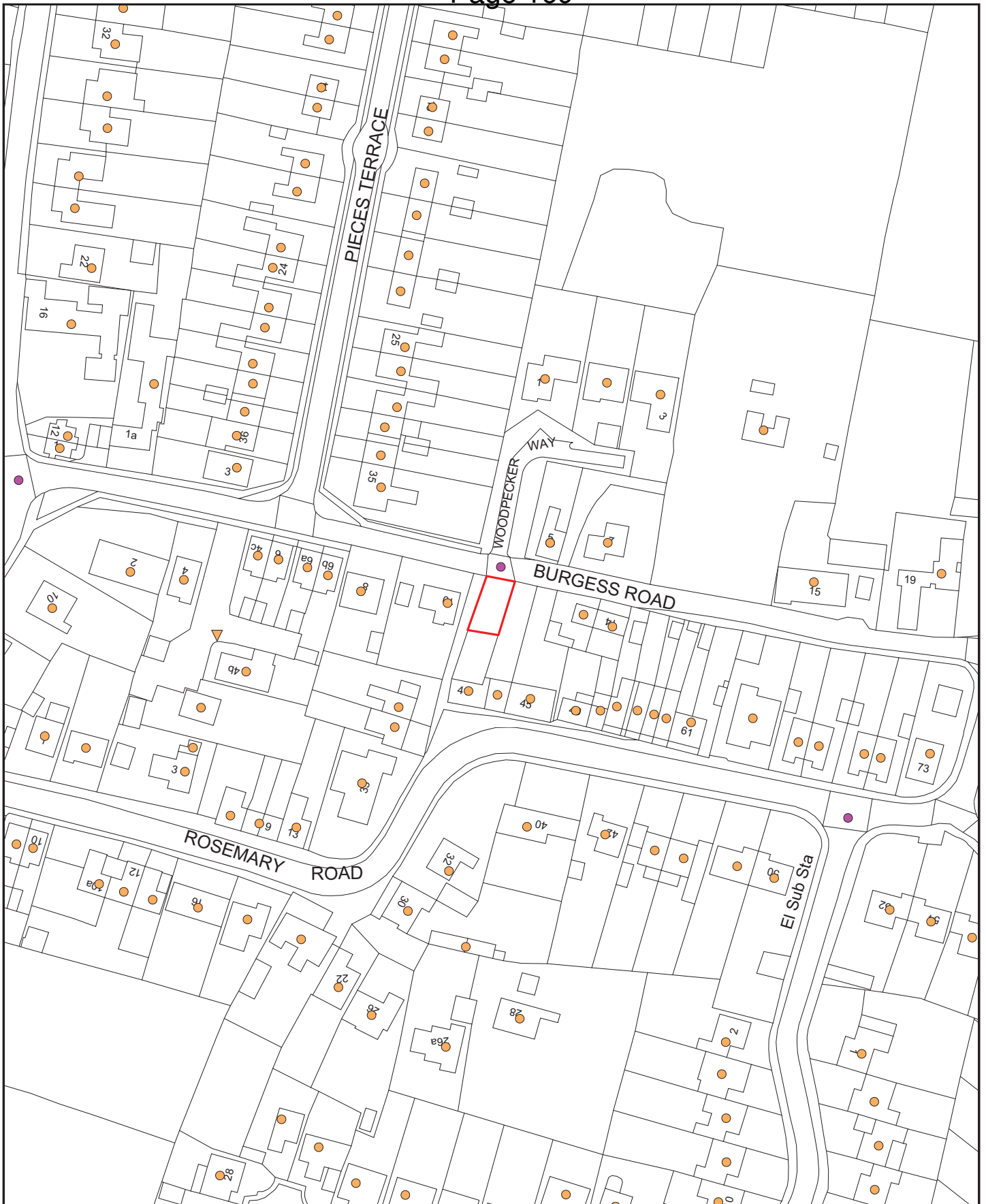
1. The use of gravel is not acceptable for the driveway. Alternative materials need to be submitted under condition 7.
2. See attached Environment Agency advice regarding soakaways.

3. During construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Environmental Health Officer in accordance with best practice and existing waste management legislation.
4. Should pile driven foundations be proposed, then before works commence a statement of the method for construction of these foundations shall be submitted to the District Environmental Health Officer so that noise and vibration can be controlled.
5. Public footpath No. 8, Waterbeach runs along the western boundary of the site. The effect of a development on a public right of way is a material planning consideration in determining applications for planning permission.
6. The footpath must remain open and unobstructed at all times. Building materials must not be stored on it and contractors' vehicles must not be parked on it (it is an offence under Section 137 of the Highways Act 1980 to obstruct a public footpath).
7. No alteration to the surface of the footpath is permitted without the consent of County Council Rights of Way and Access Team (it is an offence to damage the surface of a public right of way under s.1 of the Criminal Damage Act 1971). If any works are likely to affect the public footpath, these should be agreed in advance with the Rights of Way and Access Team at Cambridgeshire County Council.
8. Landowners are reminded that it is their responsibility to maintain hedges and fences adjacent to public rights of way, and that any transfer of land should account for any such boundaries (s. 154 of the Highways Act 1980).
9. The granting of planning permission does not entitle a developer to obstruct a public right of way Circular 1/09 paragraph 7.1).

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

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents: Open Space in New Developments, Trees & Development Sites, Landscape in New Developments, and District Design Guide.
- Planning File References: S/1892/12/FL, S/2032/08/F, S/2291/11, and S/1513/12/FL

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



South  
Cambridgeshire  
District Council

Planning Dept - South Cambridgeshire DC



**FOR INTERNAL USE ONLY**

Scale - 1:1250  
Time of plot: 11:30

Date of plot: 26/10/2012

This page is left blank intentionally.



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/2029/12/FL – ORWELL****Erection of Dwelling following demolition of existing for Mr Raymond Peacock.****Recommendation: Approval****Date for Determination: 4<sup>th</sup> December 2012****Notes:**

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

**To be presented to the Committee by Matthew Hare****Site and Proposal**

1. The application site comprises the existing residential curtilage of no.36 including the existing dwelling itself. The existing property is a 20<sup>th</sup> century single storey dwelling of brick and concrete tile with a simple gabled form and L shaped layout. A substantial driveway serves the dwelling and is accessed directly off from Town Green Road.
2. The site falls within the Orwell Development Framework Boundary and surrounding development is predominantly residential comprising planned 20<sup>th</sup> century housing estates with some older dwellings. Scale and form significantly varies along the street scene, dwellings in the immediate vicinity have garages sited forward of the principal elevation. The site also falls within Flood Zone 3.
3. The proposals seek the replacement of the existing single storey dwelling with a one and a half storey dwelling and detached garage. The proposals have been amended to raise ground floor levels and alter the external design of the building.

**Planning Policy**

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

**ST/6 – Group Villages****South Cambridgeshire Local Development Framework (LDF) Development Control Policies DPD, 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/11** – Flood Risk  
**TR/1** - Planning for more Sustainable Travel  
**TR/2** - Car and Cycle Parking Standards

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

**Orwell Parish Council** - Recommends refusal, commenting:

“It is felt that the proposed dwelling would have a significant effect on the street scene as the dwelling will be encroaching onto the front and be significantly further forward than the neighbouring properties.

‘Over development’ of the site.

Light will be deprived on the neighbouring properties, 34 & 38

No.34 will be overlooked.”

**Landscape Design Officer** – No comments received.

**Environmental Health Officer** – No objections. Recommends standard conditions regarding working hours and pile driven foundations.

**Local Highways Authority** – No comments received.

**Environment Agency (EA)** – Raises no objection, commenting:

“No Flood risk Assessment (FRA) has been submitted, however as the proposal is for a replacement 2 storey dwelling offering betterment in terms of flood risk, the Agency has no objection in principle to the proposal. It would be prudent to raise ground floor levels a minimum of 300mm above existing ground levels”

**Drainage Manager** - Concurs with the recommendation of the EA in terms of flood risk and floor levels.

**Public Consultations by South Cambridgeshire District Council as Local Planning Authority**

6. 3 letters of representation received from the occupants of nos.38, 49 & 51 Town Green Road, objecting to the proposals for the following reasons:

- ‘Overdevelopment’ of the site
- Loss of residential amenity to no.38 (overbearing and loss of light)
- Harm to the character of the street scene
- Noise and disturbance (caused by wind gusting between the two units)
- The establishment of an urban outlook
- The need to ensure that any gas tank storage is safe
- Flood risk
- Harm to highway safety

### **Material Planning Considerations**

7. The key issues to consider in this instance are the principle of development and the efficient use of land, the impact upon character and appearance of the street scene, residential amenity and flood risk.

### **Principle of Development**

8. 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 adjacent to the application site the existing built form extends either side in a relatively dense nature. The site forms part of this built up extent of the settlement and 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.
9. The site measures approximately 0.037ha, thus a single dwelling on the site represents a development density of approximately 27dph. This is slightly below the Councils density targets but not to such an extent that the development would represent an inefficient use of land.

### **Residential Amenity**

10. Having regard to the scale of the proposed dwelling, its spatial relationship with adjacent residential units and the location of windows in the proposed structure there is not considered to be significant adverse harm caused to the residential amenity of neighbouring properties.
11. Concerns for amenity impact are raised by the occupants of no.38 and the Parish Council. This property is a two storey dwelling sited to the south of the application site. Within the northern elevation there are 4 glazed openings at ground floor, planning histories for the site reveal that these serve a kitchen/utility room. A gap of greater than 3m between the northern elevation of this dwelling and the proposed house is proposed which is a common spatial relationship between dwellings of this nature – as such there is not considered to be any significant harm to the residential amenity of occupants of this dwelling.
12. The Parish Council raises concerns that no.34 Town Green Road would be overlooked by the proposals. Whilst it is correct that a first floor window would directly face this property this window is proposed to serve an en-suite and it is therefore reasonable to condition this window to be obscure glazed and non-opening.

### **Character and Appearance**

13. The existing street scene comprises a mix of dwelling age, design, scale, layout and appearance. However the feeling is generally one of harmonious variety. The design and scale of the proposed dwelling is commensurate to the prevailing trends in the street scene and as such is not considered to be harmful in this regard.
14. The location of the garage forward of the principal elevation of the dwelling is not ideal in urban design terms as it screens the main views of the dwelling. However, having regard to the fact that this arrangement is adopted by dwellings adjacent to

and within the immediate vicinity of the site Officer's do not consider that the Council could sustain refusal of the scheme on these grounds.

15. Materials proposed are facing brick, render and a 'red roof tile'. Having regard to this lack of specification it is reasonable and necessary to condition external material for approval to ensure that the materials used are appropriate for the surroundings.
16. New hard surfacing is proposed to the front of the dwelling. The area covered is quite expansive and therefore it is considered reasonable to include hard surface materials in the above condition.

#### **Flood Risk**

17. The Environment Agency confirms that there would be no adverse impact upon flood risk in the area as a result of proposals. There would be a betterment in safety for occupants of the site as the scheme incorporates a first floor (and would thus provide elevated relief from flood waters.
18. Both the EA and the Council's Drainage Manager recommend that finished ground floor levels be elevated 300mm from ground level. The scheme has been amended to show finished levels to be 300mm.

#### **Further Considerations**

19. The proposals constitute the net gain of one bedroom (taking the site from a 3 bed dwelling to a four bed dwelling. As such there will be a potential increase on local infrastructure and community facilities.
20. Having regard to the Audit of Outdoor Sport and Play Space (June 2005) and The Community Facilities Assessment 2009, which both demonstrate a shortfall in utility provision in the village it is considered reasonable and justified to seek a contribution in lieu of onsite provision of open space in this instance. To this end the application has provided a draft heads of terms seeking to provide a financial contribution in lieu of onsite provision of such facilities, this is acceptable in this instance. It is hoped that a S106 can be engrossed prior to the determination date of the application, hence why a delegated approval is sought at this stage.
21. Representation received raises concern for the impact of the proposals upon highway safety by virtue of the location of the proposed garage. No comments have been received from the Local Highways Authority and in accordance with standard practice this is taken to imply that there is no material impact upon highway safety.
22. No soft landscaping proposals accompany the scheme and the Council's Landscape Design Officer provides no comments in respect of the scheme. Regardless it is considered desirable to see some planting on the site boundary with the street in order to assimilate the scheme into the surroundings.

#### **Conclusion**

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

## Recommendation

24. It is recommended that the Planning Committee grant Officer with delegated powers to approve the application subject to the following Conditions and the completion of a S106 agreement.

## Conditions

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

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

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans & Documents: CHQ.12.10093-04A, CHQ.12.10093-05A, CHQ.12.10093-06A, CHQ.12.10093-07A, CHQ.12.10093-09A & CHQ.12.10093 DAS Rev C.**

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

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

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

- 4. No development shall take place until full details of 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 the proposed driveway layout and specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**

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

- 5. All 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.)

- 6. The ground floor level of the dwelling, hereby approved shall be no less than 300mm above existing external ground levels, unless otherwise agreed in writing with the Local Planning Authority.**

(Reason - To prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

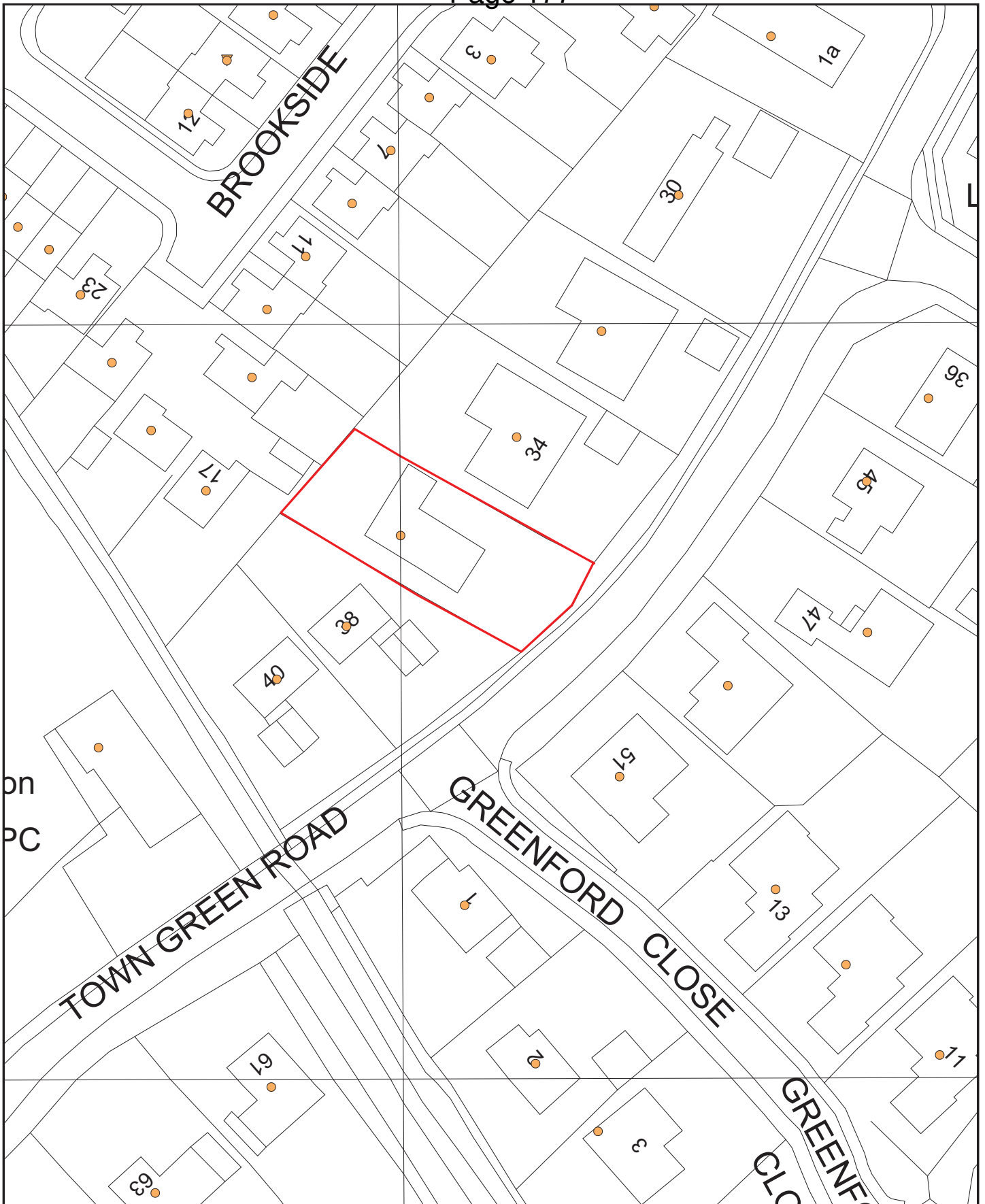
- 7. The first floor window within the north eastern roofslope of the dwelling, hereby approved, shall be shall be obscure glazed and non-opening (unless the parts that can be opened are greater than 1.7m above internal finished floor level.**

(Reason – In the interests of residential amenity)

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

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

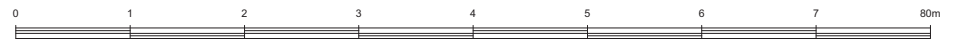
**Case Officer:** Mathew Hare – Senior Planning Officer  
Telephone: (01954) 713180



South  
Cambridgeshire  
District Council

© Crown copyright.

Planning Dept - South Cambridgeshire DC



**FOR INTERNAL USE ONLY**

Scale - 1:661

Time of plot: 10:31

Date of plot: 26/10/2012

This page is left blank intentionally.



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Planning Committee

7 November 2012

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

**S/1937/12/VC – BOXWORTH**

**To remove condition 1 of S/0459/12/FL at land near Highbarn Cottages, Highbarns, Battlegate Road for Mr and Mrs C Long**

**Recommendation: Approve**

**Date for Determination: 6 November 2012**

**Notes:**

**This Application has been reported to the Planning Committee for determination because as the Parish Council's recommendation of refusal conflicts with Officers' recommendation**

**To be presented to the Committee by Andrew Phillips**

**Site and Proposal**

1. The site is located outside of the village framework and measures approximately 0.44 hectares. The site is within the Bedfordshire and Cambridgeshire Claylands. Open fields are located to the north, west and south of the site. To the east are a line of residential properties. The site is accessed from a track that runs along its northern boundary.
2. The site is used for the keeping of horses and the shipping container is used for storage space connected to the paddock.
3. The proposal is seeking to remove condition 1 of planning application S/0459/12/FL by way of building a shell around the shipping container in order to make it more of a similar appearance to the existing stables.

**Planning History**

4. S/0459/12/FL - Change of use from agriculture to paddock land, erection of stable complex and shipping container with paddock fencing (retrospective) was conditionally approved. The shipping container was conditioned (condition 1) to be removed within 6 months due to its unacceptable appearance. This was to allow the developer time to submit an alternative storage space that would be acceptable to the Council.

**Planning Policy**

5. **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/7** – Development Frameworks  
**NE/4** – Landscape Character Area  
**NE/8** – Groundwater  
**NE/9** – Water and Drainage Infrastructure  
**NE/10** – Foul Drainage –Alternative Drainage Systems

**District Design Guide SPD (adopted March 2010)**

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

6. **Boxworth Parish Council** – The Parish Council recommends refusal. It states that members felt there was no justification; therefore the original condition should be upheld. No case for secure storage beyond what is already available in the stable block was present with the application.
7. One member felt that the container would look a lot better clad as proposed but also felt that relocation to the west end of the stable block would be a better solution to the issue of visual impact. Another member suggested relocation to the southern boundary of the pasture.
8. **Environment Agency** – Following additional information regarding protection of water sources from pollution sent by the developer on the 11<sup>th</sup> October 2012 the Environment Agency confirmed that the details are acceptable.

**Representations by members of the public**

9. **1 High Barns** – The new application does not contain sufficient information on the reasons for keeping the container. There are already 2 stables and a tack room to contain two small ponies and their associated feed and bedding. The horses are not kept on straw but on shavings which are delivered in small packages which easily fit into the feed store. The occupant cannot see why the container needs to be retained as it is overbearing and makes the development a 1/3 larger than necessary. There is already a build up of garden furniture and other associated items, this is coupled with badly overgrazed paddock making the area look very untidy.
10. **4 High Barns** – An occupant objects on the grounds that the container would be overbearing next to the already overbearing stable block. The stable block has three separate stalls for only two horses so a decent lock on the vacant stall will give security. South Cambridgeshire Council have already refused planning permission for the container and the latest application heard by the parish Council has upheld South Cambs decision for the removal of the container. I feel that no further storage facilities should be permitted as the stable block is big enough for the purpose. I am also concerned that the storage area is becoming a dumping ground for the applicants business and unwanted items (photographic evidence provided), which should be disposed of in the proper manner.
11. Another occupant states that they strongly object to the proposal. The occupant continues to state that the earlier application controlled the removal of the container by November 2012. It is also stated that the applicants have not listened or took into consideration the majority of residents along this road. Their objects are that it would be an eyesore, the site is already of a substantial size, the erection of a shed around the container will make the eyesore bigger, the application is a way of getting around the decision South Cambs have already made to remove the container by November 2012,

the shed could be erected on the applicants driveway and the use of the building as a garden shed.

12. **Cllr Waters** – The Councillor gives their full support to the application. The surrounding of the shipping container with a wooden build and tiled roof so that it is in keeping and likeness to the stable block will ensure secure storage and complement the stable block.

### **Material Planning Considerations**

13. The key issues to consider in this instance are:
- Principle of Development
  - Visual Impact
  - Residential Amenity
  - Water Pollution

### **Principle of Development**

14. Development in connection with stable and paddock land is considered to be an appropriate use outside of the village framework. The proposed development, therefore, complies with Policy DP/7.
15. Planning application S/0459/12/FL sought the removal of the shipping container due to its inappropriate form within this rural setting by way of a condition. The timeframe of 6 month was to allow the developer to seek alternative storage space for the paddocks that would be acceptable to the Local Planning Authority.

### **Visual Impact**

16. The site is within the Bedfordshire and Cambridgeshire Claylands. The area is described in the District Design Guide SPD (adopted March 2010) that states one of the key characteristic of this area is that “woodlands, copses, paddocks and occasionally, parklands contribute to the distinctive landscape setting of the villages.” The creation of a paddock is, therefore, not an alien feature to be found in this locality.
17. The proposal is seeking to erect a wooden shell and a pitched roof around the shipping container in order to give it a similar appearance to the adjacent approved stable building. The stable block is considered to be of an appropriate design for this location.
18. It is considered that the new storage building will be visually in keeping with the adjacent stable block. The proposal is single storey and will have a minimal impact upon the wider rural setting of this locality. A condition will be added to make sure that the proposed development within this application is maintained for the length of time that the container is in situ.

### **Residential Amenity**

19. The proposal by virtue of being a small single storey building and located approximately 75 metres away from the nearest resident is considered to have no impact on residential amenity.

### **Water Pollution**

20. The comments of Environment Agency are noted and accepted. A condition will be added to ensure that the agreed details are complied with.

### **Other Matters**

21. The use of the shipping container is of concern to the Parish Council and local residents. The case officer has already verbally warned the applicants that the container can only be used for the storage of materials/equipment used in connection with the keeping of horses. The Planning Enforcement Team has been made aware of the concerns of the nearby residents in order to monitor the situation. While this is partially a separate matter, a condition will be added in order to provide clarity for the use of this building.
22. With no clear visual harm identified the amount of storage space required is not considered to be material to the determination of this application.

### **Conclusion**

23. The proposal is considered to be acceptable, subject to appropriate conditions to ensure that the shipping container remains hidden and that the development does not lead to pollution of the water environment.

### **Recommendation**

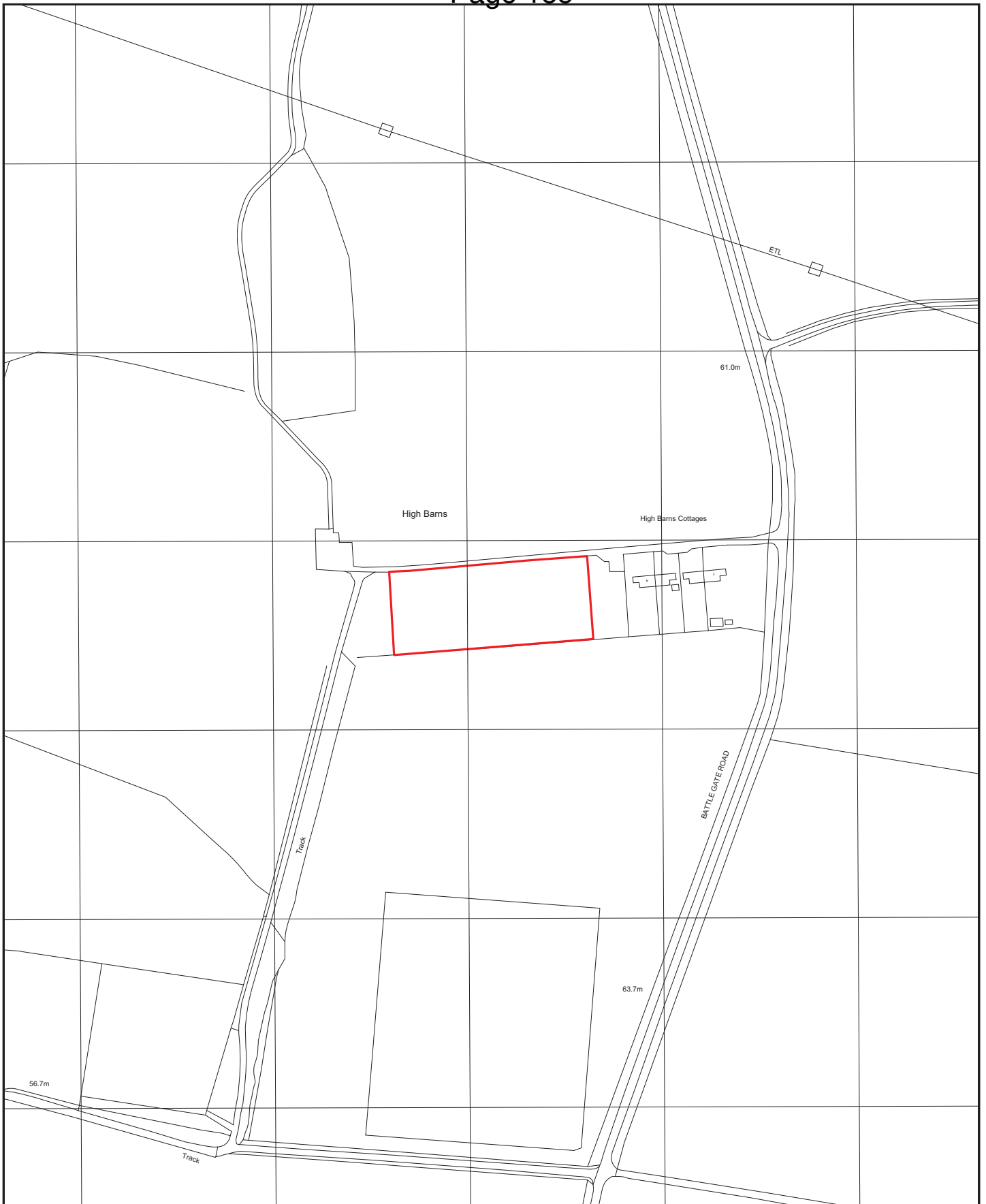
24. It is recommended that the Planning Committee should approve the application with the following conditions:
  1. The shipping container shall be removed and the land restored to its former state unless the development hereby permitted shall be completed before the expiration of 28 days from the date of this permission.  
(Reason – Condition 1 of planning permission S/0459/12/FL requires the removal of the shipping container by 8<sup>th</sup> November 2012. If the container is to remain it needs to be visually enhanced in accordance with the approved details and without undue delay to satisfy the requirement of Policy DP/2.)
  2. The development hereby permitted shall be carried out in accordance with the following approved plans: C.H.D./450/1 –A/B, C.H.D./450/2 – A/B and C.H.D/450/15.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
  3. If the development approved under this application is removed then the shipping container shall be removed within 28 days and the land restored to its former state.  
(Reason – The shipping container is an inappropriate form within this rural setting as defined with Policy DP/2 of the Local Development Framework.)
  4. The removal of natural waste shall be in accordance with the letters dated the 11<sup>th</sup> October 2012 and 28<sup>th</sup> April 2012, unless otherwise agreed in writing with the Local Planning Authority.  
(Reason – To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of pollution to the water environment.)

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

- **Local Development Framework Development Control Policies DPD and District Design Guide SPD (adopted March 2010)**

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

This page is left blank intentionally.



**South  
Cambridgeshire  
District Council**

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2646  
Time of plot: 16:13

Date of plot: 22/10/2012

© Crown copyright.

This page is left blank intentionally.



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 November 2012

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

---

**S/1509/12/VC – PAPWORTH EVERARD****Variation of Condition 23 of S/2167/11 at Summersfield, Ermine Street South for Patrick MacCarthy (David Wilson Homes)****Recommendation: Delegated Approval/Refusal****Date for Determination: 23 October 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.**

**To be presented to the Committee by Andrew Phillips**

**Site and Proposal**

1. The application site measures approximately 2.73 hectares. The site is located within the village framework. There is a Grade II Listed Building (28 and 30 Ermine Street) approximately 45m to the northeast of the site edge.
2. To the south of the site is the currently approved development (planning application S/1101/10) being carried out. To the north of the site is grassland that forms the next phase of construction. To the east are existing residential properties that face onto Ermine Street South that are now within a Conservation Area and to the west is a tree belt and an open field.
3. The application, validated on the 24 July 2012, is to vary condition 23 in planning permission S/2167/11 in order to change the approved plans. The developer requested an extension of time in the determination of the application until the 30 November 2012. The developer has submitted a new set of plans on the 18 October 2012, these at the time of writing are being considered by consultees.

**Planning History**

4. **S/2476/03/O** – The proposal for Residential Development including Public Open Space, Vehicular Access together with Demolition of 18, 20, 52, & 54 Ermine Street South and 1&3 St John's Lane was conditionally approved.
5. **S/0097/06/RM** – The proposal for the Erection of 397 Dwellings with Associated Open Space (The First Reserved Matters Application) Pursuant to Outline Planning Permission Ref: S/2476/03/O was withdrawn.
6. **S/0093/07/RM** – The proposal for the Erection of 365 Dwellings with Associated Open Space and Landscaping (Reserved Matters Pursuant to Outline Planning Permission Ref. **S/2476/03/O**) was conditionally approved.

7. **S/1688/08/RM** – The proposal for the Siting design and external appearance of 166 dwellings was conditionally approved.
8. **S/1424/08/RM** – The proposal for the Approval of appearance, landscaping, layout & scale for the erection of 81 dwellings was conditionally approved.
9. **S/1624/08/RM** – The proposal for Details of reserved matters for the siting, design and external appearance of 118 dwellings, associated works, garaging and car parking, and landscaping for the northern phase 2 (amended scheme to part of reserved matters **S/0093/07/RM**) was conditionally approved.
10. **S/1101/10** – The proposal for the Variation of Conditions 12 & 26 of Planning Permission S/1688/08/RM was approved.
11. **S/2288/10** – Extension of time for implementation of **S/2476/03/O** for reserved matters consents **S/0093/07/RM** (excluding the area defined by planning applications **S/1688/08/RM** and **S/1101/10**), **S/1424/08/RM** and **S/1624/08/RM** was approved.
12. **S/2167/11** – Variation of Conditions 11, 12, 14 and 23 of planning application S/1624/08/RM was approved.

#### **Planning Policy**

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

**ST/ 5** – Minor Rural Centres

14. **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/4** – Infrastructure and New Developments

**DP/7** – Development Frameworks

**HG/1** – Housing Density

**NE/1** – Energy Efficiency

**NE/6** – Biodiversity

**NE/12** – Water Conservation

**NE/15** – Noise Pollution

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

**SF/11** - Open Space Standards

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

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

15. **Supplementary Planning Documents**

**Public Art SPD**, adopted January 2009

**Open Space in New Developments SPD**, adopted January 2009

**Trees and Development Sites SPD**, adopted January 2009

**Biodiversity SPD**, adopted July 2009

**District Design Guide SPD**, adopted March 2010

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

16. **Papworth Everard Parish Council** – (21 August 2012) The Parish Council recommendation is that the Local Planning Authority refuses this application, largely on the grounds that the details of the proposed house designs, which, because they result from the developer's wish to provide a 'traditional premium product', do not reflect Papworth Everard's true background as largely Twentieth Century conception. Please see **appendix 1** for full details.
17. **Urban Design** – (22 August 2012) The Urban Designer concludes that the proposed scheme is contrary to policy DP/2 of the Development Control Policies, which states that all new developments must be of high quality design and should include variety and interest within a coherent design that is legible and respond to the local context. It is recommended that permission be refused on grounds of poor design.
18. **Landscape** – (21 August 2012) The Landscape Officer has some concerns over the proposal and recommends a landscape condition.
19. **Local Highways Authority** – (16 August 2012) The Local Highways Authority recommends refusal due to significant risk of harm to the highway users of Road 9. The Local Highways Authority also make several other suggestions in order to improve highway safety on the development.
20. **Environment Agency** – (31 July 2012) Insufficient information has been submitted to allow the Agency to consider the proposed variation. It will be necessary for the applicant to demonstrate that the proposed variation to the approved scheme has fully considered surface water drainage, and that any increase in impermeable footprint (m<sup>2</sup>) can be accommodated in the agreed drainage scheme. An updated FRA/drainage statement should be submitted.
21. **Ecology** – (29 August 2012) States that the submitted drawing showing the bird and bat box locations, the chosen locations are completely unsuitable for the boxes proposed. The Ecology Officer recommends a better scheme in-line with earlier discussions is submitted.
22. **Sustainable Communities Team Leader** – (3 September 2012) It is stated that the solar panels are located on those properties with optimal roof orientations and are sized to meet the domestic hot-water needs that would be anticipated for the size of the property.
23. All installed systems should be MCS accredited so that they can claim Renewable Heat Incentive income, which should be in place when the dwellings are constructed.
24. It is also stated that wiring and plumbing in all properties should be designed to ensure that installation can be readily achieved as late as possible in the construction process – allowing potential purchasers the longest time window possible to choose the option.
25. The solar panels should still work with the roof-scape of the development.
26. **Cambridgeshire County Council (Historic Environment Team)** – With the new application relating to changes in housing numbers and styles, there is no objection to the proposal.

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

27. No representations currently received.

### **Material Planning Considerations**

28. The key issues to consider in this instance are:
- Principle of Development
  - Visual Impact
  - Residential Amenity
  - Highway Safety
  - Legal Agreement
  - Other Matters

### **Principle of Development**

29. The principle of development was considered in planning applications S/2476/03/O (now outdated by S/2288/10) and S/1624/08/RM. This application does not raise any new concerns over the principle of the proposal.

### **Historic Environment**

30. Since the approval of S/1624/08/RM the Papworth Everard Conservation Area has been increased in size and now defines the eastern boundary of the site. The Conservation Area Appraisal took into account the Summersfield Development and it is considered that the current proposed development will have no greater impact on the Conservation Area than if planning application S/1624/08/RM was implemented.

### **Visual Impact**

31. It was made known to the developers at an early stage that the Local Planning Authority was not just seeking to provide small amendments in order for David Wilson Homes and Barratts to both put their own house types next to each other. The Local Planning Authority was seeking significant improvements to the design of both the layout and individual house types in order to meet the ever greater commitment that "all new development must be of high quality design" (Policy DP/2).
32. The developer David Wilson Homes has made it clear during the planning process for this application that it would not build custom housing or make significant changes to its standard house types. David Wilson Homes has also confirmed that its building philosophy for this site will be to build large dwellings, with Barratts building the smaller properties.
33. This design principle of David Wilson Homes has led to the house types along Road 8 and 9 dramatically changing. Road 8 has been given a sub-urban appearance, with large detached dwellings that are spaced out. The spacing of the dwellings is helped by the width of the public highway (8.5 metres), the road being fairly straight and the dwellings being set back from the road. These elements will ensure that the layout of this road is of good quality.
34. Road 9 is defined by mainly large dwellings on both sides of the road. The road is a shared surface that measures 5 metres in width, which brings these dwellings significantly closer together. This will make the dwellings along this road look cramped. It would be significantly more appropriate for smaller, possibly cottage style,

dwellings to be placed along this road or to give it a much stronger mews style. Road 9 detrimentally harms the quality of this development.

35. The link between Road 9 and Road 11 has been well designed in order to ensure that dwellings are well spaced and to ensure that there is good surveillance of the public footpath.
36. The link between Road 1 and Road 11 has been well thought out in order to give the appearance of a Georgian Market Square. In particular the positives to this element of the development are the raised road that will make the square look twice the size that it is and the design of Plots B266 – B272. It is noticed on the latest plans relating to kerbing that the market square area will no longer have conservation kerbs, this will need to be conditioned in order to ensure conservation kerbs in this location.
37. Plot D187 is located at the end of Road 8 and adjacent the public open space. The design of the dwelling is considered to be of an elaborate but very good quality. The developer and the Local Planning Authority are working together to ensure that its positioning on the plot strengthens the visual relationship between the development and its main public open space, as well as one of the main public footpaths through the development. The orientation of this dwelling will be dealt with by condition. In addition this dwelling will provide a good visual link between the development and the Grade II\* Listed Church in the distance on Church Lane. The developer is suggesting UPVC sash windows for this plot but with this building being a key landmark fenestration details will need to be dealt with by condition in order to give them due consideration. It is also considered reasonable to ensure that the agreed upon the details are maintained, due to the key importance of this plot. This plot overall is to the significant merit of the development.
38. The developer has also stated that real sash windows (though UPVC) will be used for key plots, though the Local Planning Authority is still awaiting plans to show the details of this. The developer is also providing conservation style rooflights on several house types. The use of these fenestration details are to the merit of the application.
39. The elevations on the proposed house types are on the whole considered to be acceptable. The proposal has been amended in order to ensure a high quality of design faces the main public realms/long distance views. The materials plan still involves some work and will need to be conditioned but the developer has shown clear intent to ensure key plots are constructed with high quality materials.
40. It should be noted that due to the transfer of public land to private residential land, front gardens have become significantly more important to the visual character of the local area. On this basis it is considered appropriate to remove permitted development rights relating to hard surfacing between the dwelling and public domain in order to have greater control over the long term landscaping of this area. With boundary treatment being more tightly controlled adjacent public highways, it is not considered to be reasonable to remove this right.
41. It is considered that the amended plans received on 18 October have improved the quality of the scheme. On balance, the strengths and weaknesses of the application with regard to visual impact are now equal. With the Local Planning Authority having a responsibility to facilitate appropriate development, it is considered that the development is acceptable in regards to visual impact.

### **Residential Amenity**

42. Due to its layout and design, the proposed development is not considered to have any greater impact upon residential amenity of existing adjacent occupants to the site.
43. Within the site there is some concern over privacy that the future occupants of Road 9 will enjoy, due to the closeness (approximately 10 metres) of the proposed dwellings on each side of the road. There is also some concern that not all the properties have practical/useable garden spaces. However, it is considered that on the whole the future residents of Summersfield will have an acceptable residential amenity standard.

### **Highway Safety**

44. The further comments of the Local Highways Authority will be provided in an update to Planning Committee. However, the developer has provided a ramp in order to reduce the average speed along Road 8. In addition Road 9 has become a dead end road in order to prevent it being a shared surface and through road and the road width to Road 11 has been improved. These changes improve highway safety.

### **Legal Agreement**

45. The Legal Agreement is still being considered between the developer and Local Planning Authority. The application cannot be determined until this legal agreement is completed, as it seeks to remove the developers' right to build other proposals on this site.

### **Other Matters**

46. All relevant conditions on the previous consent (S/2167/11) will be duly added. It should be noted that some of these conditions may need to be varied, due to consultation responses.
47. Condition 14 and 19 in planning permission S/2288/10 requires the developer to submit a drainage strategy and ecology mitigation scheme. These two conditions cover the concerns raised by the Ecology Officer and the Environment Agency.

### **Conclusion**

48. The proposal at the time of writing is considered to be acceptable. However, this view may change in the light of further consultation responses and members will be updated accordingly.
49. The final schedule of approved plans has yet to be submitted, so the condition relating to approved plans will have to remain blank at the current time.

### **Recommendation**

50. Delegated approval/refusal be granted subject to the outcome of further consultation responses. If Planning Committee should approve the application, it should be subject to the following conditions:
  1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any

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

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

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

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

Development shall commence in accordance with the agreed details.

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

3. No development shall commence until details (including colour schemes) of the following have been submitted to and approved in writing by the Local Planning Authority:
  - Roof materials and methods of fixing
  - All bricks and render
  - Horizontal wood and/or wood effect boarding, wooden cladding and/or other cladding materials
  - Garage and dwelling doors
  - Colour of fascia boards, porches and bargeboards

Development shall commence in accordance with the agreed details.

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

4. The window colour of plots D235 to D238 and D167 to D168 shall match plots D119 0123, 104 – 106 and 141 – 147 of planning permission S/1101/10, unless otherwise agreed in writing with the Local Planning Authority.

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

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

with the Local Planning Authority's written approval and only after such approval is given.

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

6. No development shall commence until details of the free-standing walls, fences, other means of enclosure, street furniture and all hard surfaces have been submitted to and approved in writing by the Local Planning Authority. Development shall commence in accordance with the agreed details. The development shall be carried out in accordance with the approved details. (Reason – To ensure the details of the development are satisfactory.)
7. No development shall commence until boundary treatments for each plot of that phase have been submitted to and agreed in writing by the Local Planning Authority. Development shall commence in accordance with the agreed details. (Reason – To ensure details of the development are satisfactory and supplement with more details than the information already supplied.)
8. No development shall commence until precise details of the type and design of the solar panels to be erected on at least 22 dwellings has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. (Reason – To ensure the details of the development are satisfactory.)
9. A scheme for the lighting of each parking court shall be submitted to and approved in writing by the Local Planning Authority before occupation commences on the residential development to which it relates. The work shall be carried out in accordance with the approved scheme. (Reason – To ensure the details of the development are satisfactory.)
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.)
11. No services or storage of materials shall be placed within the area of the Plantations to be retained. (Reason – To ensure the existing trees are not damaged.)
12. 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.)



13. No development shall commence until a timetable for the provision of the strategic landscaping to the public open space areas (including any boundary planting) has been submitted to and approved in writing by the Local Planning Authority. The planting shall take place in the agreed planting seasons unless otherwise agreed by the Local Planning Authority.  
(Reason – To ensure that the landscape character of the site is established as quickly as practicable.)
14. Prior to any planting place within the site, in each and every planting season during the course of construction of the development, details of the progress of the development indicating where dwellings have been completed and planting could at that time be implemented, shall be submitted to and agreed in writing by the Local Planning Authority. Planting adjacent to individual completed residential units shall be implemented in the first planting season following the completion of those units in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.  
(Reason – To ensure the landscape character of the site is established as quickly as practicable.)
15. Nine months prior to the projected hand-over of the landscaping/public open space to the adoptive body, or any other period agreed in writing by the Local Authority, arrangements shall be made for a site to be inspected by representatives of the Local Planning Authority, the developer and the adoptive body. At the site meeting all planting/seeding defects shall be identified in writing. The said defects shall be rectified, to the satisfaction of the Local Planning Authority, prior to the hand-over.  
(Reason – To ensure the implementation of landscaping is satisfactory.)
16. All areas of land to be landscaped shall be fenced off with heras fencing and fully protected from damage and compaction prior to and during construction, unless otherwise agreed in writing by the Local Planning Authority.  
(Reason – To maintain the soil structure and to ensure the trees and shrubs thrive.)
17. The precise details of the play equipment and associated benches and bins shall be submitted to and agreed in writing by the Local Planning Authority before the play areas are laid out. The work shall be carried out in accordance with the approved details.  
(Reason – To ensure the details of the development are satisfactory.)
18. Before first occupation a scheme shall be submitted to and approved in writing with the Local Planning Authority to discourage vehicles parking on grass verges and public footpaths. This scheme shall also include the location of conservation kerbs. Development shall commence in accordance with the agreed details.  
(Reason – In order to ensure the details of the development are satisfactory and to discourage vehicles parking on grass verges and public footpaths while making a positive impact on the visual appearance of the local area.)
19. No demolition, site clearance or building operations shall commence until all trees to be retained have been identified to, and agreed in writing by, the Local Planning Authority and until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at

a distance agreed with the Local Planning Authority following B2 5873. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Trees shown and agreed for retention shall not be lopped, topped or removed without the prior written approval of the Local Planning Authority and any tree surgery works shall be carried out in accordance with BS 3998. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.

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

20. No development shall commence on plot D187 (Gothic Style Dwelling), until precise details of dwelling orientation on plot, fenestration (including front door materials) and bargeboard materials including colour have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. These details will be permanently maintained, unless otherwise agreed in writing with the Local Planning Authority.

(Reason – The plot lies in a prominent position within the development and requires special treatment consistent with its prominence and importance, this shall include the use of traditional materials, as defined in Policy DP/2 of the South Cambridgeshire Local Development Framework Development Control Policies 2007.)

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

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

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

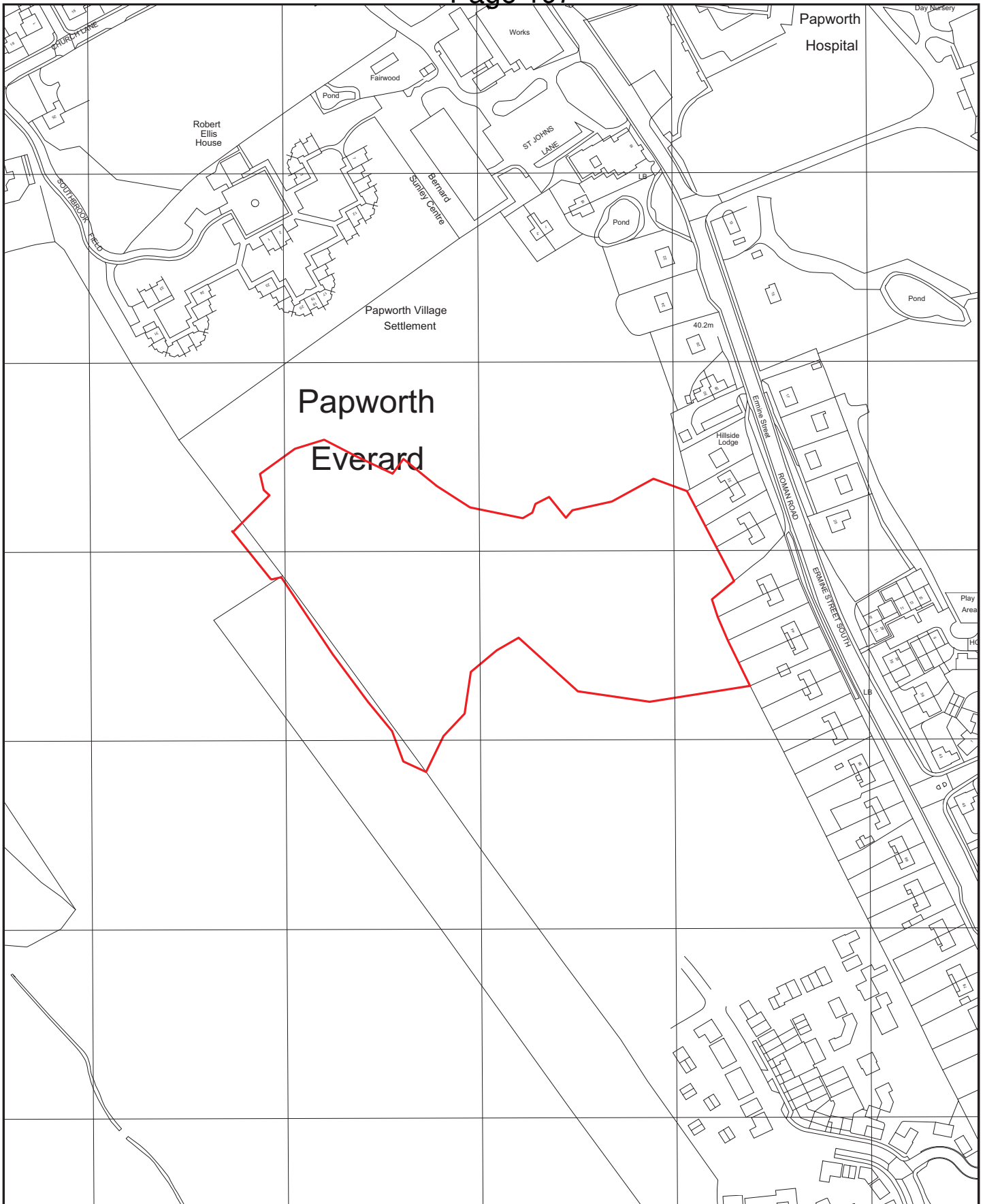
(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

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

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

- **Local Development Framework Core Strategy and Development Control Policies DPD**
- **National Planning Policy Framework**
- **Planning Applications S/1509/12/VC, S2167/11 and S/2288/10**

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



**South  
Cambridgeshire  
District Council**

© Crown copyright.

**Planning Dept - South Cambridgeshire DC**



**FOR INTERNAL USE ONLY**

Scale - 1:2646  
Time of plot: 16:15

Date of plot: 22/10/2012

This page is left blank intentionally.

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 November 2012

AUTHOR/S: Planning and New Communities Director

## APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

- To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as 26 October 2012. Summaries of recent decisions of importance are also reported, for information.
- Decisions Notified By The Secretary of State**

Ref.no	Details	Decision	Decision Date
S/1492/11/F	Scimitar Cre Hotel plc, Waterbeach Lodge, Ely Road Waterbeach Remove condition no 8	Allowed	4/10/12
S/0907/12/FL	Mr M Huntingdon 11 West Road Histon Rear Extension	Dismissed	23/10/12

- Appeals received**

Ref. no.	Details	Decision	Decision Date
S/0680/12/FL	Mr T Mendham 14 Fen Road Milton Detached two-storey	Refused	03/10/12
S/1188/12/FL	Mrs L Holmes 2 Cadwin Field Schole Road Willingham Continued use as traveller pitch	Granted subject to condition	10/10/12
S/0836/12/FL	Mr P Ridgeon Adj 7 Station Road Foxton. Dwelling	Refused	10/10/12
S/1106/12/FL	Mr R Hodson Adj to 6 Market Street Swavesey Detached dwelling	Refused	11/10/12
S/0691/12/FL	Mr W Twigg Silverdale Avenue Coton Dwelling	Refused	12/10/12
S/0494/12/VC	Mr J Page	Refused	14/10/12

	Travellers Rest Caravan Park Ely Road Chittering Variation of condition No 2		
S/0717/12/FL	Upware Marina Land between 88&94 Ermine Street Caxton Dwelling & Garage	Refused	18/10/12
Plaenf.4866	Mr J Page Travellers Rest Caravan Park Ely Road Chittering		21/10/12
S/1193/12/FL	Mr & Mrs Barnes 94 Grrenhaze lane Cambourne Extensions	Refused	24/10/12

4. **Local Inquiry and Informal Hearing dates scheduled before the next meeting on 7 November 2012.**

Ref. no.	Name	Address	Hearing
S/0440/12/F	Weston Homes (Housing) Ltd	Adjacent 7 Station Road Over	15-17January 2013 Confirmed

5 **Summaries of recent decisions**

None

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

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

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 November 2012

AUTHOR/S: Planning and New Communities Director

## ENFORCEMENT REPORT

1. To inform Members about planning enforcement cases, as at 26 October 2012. Summaries of recent enforcement notices are also reported, for information.

## 2. Enforcement Cases Received and Closed

Period	Cases Received	Cases Closed
September 2012	46	62
Qtr 1 (Jan – March)	127	107
Qtr 2 (April – June )	107	96
Qtr 3 (July – September)	98	148
<b>Total YTD</b>	<b>332</b>	<b>351</b>

3. Cases on hand: 124

## 4. Notices Served

Type of Notice	Period	Year to date
	September 2012	2012
Enforcement	1	3
Stop Notice	0	0
Temporary Stop Notice	0	0
Breach of Condition	0	0
S215 – Amenity Notice	2	2
Planning Contravention Notice	1	5
Injunctions	0	1
High Hedge Remedial Notice	0	0

5. **Notices issued since the last Committee Report**

<b>Ref. no.</b>	<b>Village</b>	<b>Address</b>	<b>Notice issued</b>
5/12	Fulbourn	23 School Lane	Amenity
6/12	Sawston	45 Church Lane	Amenity

In addition to the above enforcement data enforcement reports are sent electronically to members identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.

Full details of enforcement cases can be found on the Councils Web-site

6. **Planning Enforcement Sub-Committee updates****Stapleford: Breach of Enforcement Notice on land adjacent to Hill Trees, Babraham Road.**

The direct action approved by the Planning Sub-Committee was challenged in the High Court and leave was granted to apply for a Judicial review (JR) – Upon advice from Counsel the direct action was suspended to avoid a costly legal challenge. A comprehensive file has been compiled relating to the planning and enforcement information to-date and is now to be reviewed by Counsel with a view to take alternative action.

**Q8**

Senior Lawyer informed Members that the planning application had still not been made.

**Moor Drove**

Enforcement notice ENF/301/11 issued 13th April 2012 relating to plot 4 Moor Drove, re Storage of scrap materials and stationing of a container – Progress being made re the removal of materials however further inspection carried out on the 29th August 2012 revealed compliance with the enforcement notice still not fully carried out. Matter discussed with Legal - Warning letter issued requesting full compliance by the owner with the enforcement notice. Partial compliance with the notice made - Revised planning application to be submitted to address outstanding matters.

**23 Howard Road Meldreth**

Section 106 outstanding payments. Matters now resolved papers to be returned to mortgage provider for execution – Once completed this will put in place an agreement for regular staged payments



**Whittlesford – Scrapyard**

Issues relating to mud on road have been addressed by County Council. Matters' relating to noise are being progressed - Retrospective planning application to be submitted for the weighbridge and separate planning application for the boundary fencing.

**7. Summary.**

Whilst the number of enforcement cases investigated remains consistent with previous years the numbers of cases on hand are 17% below the expected number of cases per enforcement officer for the period.

In addition to the above work officers are also involved in the current enforcement and inspection review and the Tasking and Coordination group which deals with cases that affect more than one department within the organisation.

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

**Contact Officer:** Charles Swain  
Principal Planning Enforcement Officer

This page is left blank intentionally.