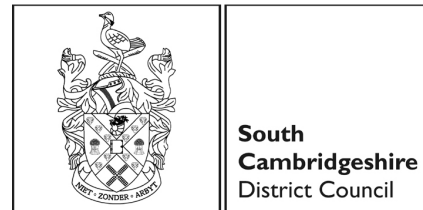


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21 December 2012

To: Chairman – Councillor Robert Turner
Vice-Chairman – Councillor David Bard
All Members of the Planning Committee - Councillors 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, 9 JANUARY 2013 at 10.00 a.m.**

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

Yours faithfully
JEAN HUNTER
Chief Executive

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

AGENDA

PAGES

PUBLIC SEATING AND SPEAKING

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

PROCEDURAL ITEMS

- 1. Apologies**
To receive apologies for absence from committee members.
- 2. Declarations of Interest** **1 - 2**
- 3. Minutes of Previous Meeting**
To authorise the Chairman to sign the Minutes of the meeting held on 5 December 2012 as a correct record.

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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

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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.

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

Disturbance by Public

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

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EXCLUSION OF PRESS AND PUBLIC

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

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

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

Notes

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

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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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/2288/12/VC – BOURN**Variation of condition 2 of planning permission ref. S/1874/11 to agree revisions to dwelling design – The Apiary, 107 Caxton End for Mr Andrew Dearman, Dearman Developments Ltd****Recommendation: Approve****Date for Determination: 31 December 2012****Notes:****This Application has been reported to the Planning Committee because Officer recommendation of approval is contrary to and that of the Parish Council****To be presented to the Committee by Matthew Hare****Site and Proposal**

1. The application site comprises what is believed to be the former site of the Cock and Bottle Public House. The derelict and severely dilapidated remains of which are still visible on site. It is, however, understood that following closure of the pub the building was used as a dwellinghouse before falling into disrepair. Also on site is a timber outbuilding which is in a comparatively better state of repair.
2. The site is large (approx. 0.9ha) and littered with the remains of numerous vehicles and other objects. The current owners are making good progress with clearing this from the site.
3. The site is accessed from Caxton End, an unclassified road leading north-westward from the village of Bourn. Caxton End is characterised by a dispersed linear settlement pattern exhibiting a mix of dwelling age and design. The site falls outside of the Development Framework boundary for Bourn and is therefore within the defined countryside.
4. The site also falls partially within the Bourn Conservation Area. Land levels slope gently upwards from Caxton End to the rear of the site and a public footpath runs along the rear boundary.
5. The application seeks approval of a replacement dwelling the design of which differs from that previously approved by the Council under ref. S/1874/11 by way of a basement, slight increase in height, taller side (west) addition, larger rear balcony and rooflight within the street fronting roof slope.

Planning History

6. **S/1265/04/F** – Two New Dwellings – Refused due to the fact that the development was inappropriate within the countryside and the scale and design of the buildings was such that it was considered to erode the rural character of the countryside and Conservation Area.
7. **S/1874/11** - Replacement dwellinghouse and extension and alteration to existing structures to provide carport and storage buildings - Approved

Planning Policy

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

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure in New Developments
DP/7 Development Frameworks
HG/7 Replacement Dwellings
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/2 Renewable energy
CH/5 Conservation Areas
TR/1 Planning for more Sustainable Travel
TR/2 Car and Cycle Parking Standards

Consultation by South Cambridgeshire District Council as Local Planning Authority

9. **Bourn Parish Council** – Recommends refusal, making the following comments:

Bourn Parish Council recommend refusal of this application as it contravenes HG/7: the replacement building is considerably more than 15% larger than the original Cock and Bottle.

Also the ridge height of the West Wing has been raised in this variation. The Parish Council objected to the original proposal partly because of the total height, so believe a rise in a further section of the building is unacceptable, this contravenes DP/2.
10. **Conservation Officer** - Recommends refusal of the scheme for the following design reasons:

"The additional below ground accommodation, changes to the west wing and enlarged rear balcony will neither preserve nor enhance the approved building".
11. **Contaminated Land Officer** – Recommends a condition for the investigation, mitigation and remediation of contaminated land.

12. **Environmental Health Officer** – Recommends standard conditions for noise during construction and pile driven foundations.
13. **Ecology Officer** – No comments received but previously commented 'No objections but recommends that the development be conditioned to ensure that the works are carried out in accordance with the Habitat Survey Report that accompanies the submission.'
14. **Local Highways Authority** – No comments received, but previously raised no objections and suggest a number of standard conditions regarding:
 - Retention of visibility splays
 - Surface water drainage
 - Use of a bound material for driveway

Representations by members of public

15. 1 Letter of representation received from View Farm Caxton End, raising concerns that any further increase in scale or volume, however small, would cause unacceptable harm to the character of the surrounding countryside and the Conservation Area.

Material Planning Considerations

16. Having regard to the fact that the council recently approved a replacement dwelling on the site and that this application seeks to vary the design of that approved dwelling the key issues to consider in this instance are the impact upon the character and appearance of the countryside and Conservation Area arising from the design changes.

Character and Appearance

17. The site falls within the Bourn Conservation Area as does much of Caxton End. At the south eastern end of the lane development is relatively dense, but historic dwellings have a generally high status appearance. Development patterns quickly become less dense as one moves north westwards away from the village centre and in the vicinity of the application site dwellings on Caxton End are typically large, detached and set within spacious plots. There is a harmonious mix of dwelling age and design evident. The site also falls within the defined countryside.
18. The Council's Planning Committee resolved to grant planning permission for the replacement dwelling proposed under reference S/1874/11 in September 2012.
19. The application under consideration seeks to vary the design of the proposed dwelling by providing a large basement (full extent of footprint), an increase in the height of the western element to provide a first floor office, an enlargement of the rear balcony and a roof light in the street-fronting roofslope. In order to facilitate the proposed basement the overall height of the dwelling is proposed to increase by approximately 300mm (from 8.3m to 8.6m).

20. The proposed changes do not substantively alter the detailed appearance of the dwelling or its scale relationship to the surrounding area and as such it is not considered that the Council could sustain refusal of the proposals on design grounds (under either policy DP/2 or CH/5). The Conservation Officer advises that the proposed alterations will neither preserve nor enhance the approved building, however in this instance this statutory test is to be applied to the character of the area, not that of the building - the difference is perhaps subtle but no weight can be attached to this comment for this reason.
21. The previous approval (S/1874/11) was considered under the terms of policy HG/7 which applies a limit to the amount of enlargement that can be achieved by any replacement dwelling of 15% of the volume of the original. At the time Officers considered that the proposed replacement dwelling was 'in all likelihood materially larger than the previous structure. However the prevailing character of Caxton End is one of large detached dwellings set within spacious plots. In this regard the proposal will not appear incongruous or out of scale. Thus whilst there will be an increase in the visual presence of the site in the surroundings this is largely due to the dilapidated nature of the existing buildings and the lack of evidence to qualify the previous impact of the existing building it is not considered that this increased visual presence would be harmful in principle, rather it would result in the decontamination and tidying up of the site which is to be generally viewed as positive'.
22. Due to the substantially dilapidated nature of the existing remains of the Cock and Bottle, and lack of reliable records indicating its previous dimensions it was not possible for Officers to carry out an accurate assessment of the enlargement in volume proposed but regardless the impact was not deemed to be harmful.
23. Clearly the amended design under consideration substantially increases the volume of the replacement dwelling. However this increase in volume is largely achieved under the ground (the basement) and as such the external impact is negligible and as discussed above is not considered to cause harm.
24. As such the objectives of policy HG/7 to resist a material increase in the impact of a residential development site on the countryside are considered to be met when comparing the difference in impact between the approved scheme and the amended proposals.

Further considerations

25. All conditions previously imposed upon S/1874/11 are considered to stand as reasonable and necessary and are thus any approval granted is recommended subject to these conditions (as set out below).

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 be granted in this instance.

Recommendation

27. Approve subject to 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 & Documents: NWA-11-041-BLK_P rev A, NWA-11-041-1 Rev E, NWA-11-041-2 Rev D, NWA-11-041-3, NWA-11-041-4 Rev B & Habitat Survey dated 5th March 2011.

(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990 and to ensure that appropriate ecological enhancements are made to the site.)

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

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

4. Notwithstanding plan ref NWA-11-0141 -1 rev E, 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 approved by this permission shall be commenced until:

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

(Reason - 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)

7. 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.)

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment and gates to be erected. The boundary treatment and gates 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 and in the interests of highway safety in accordance with Policies DP/2 & DP/3 of the adopted Local Development Framework 2007.)

9. Prior to the commencement of development on site a detailed scheme for the restoration of the existing cattle shed on site shall be

submitted to and agreed in writing by the Local Planning Authority. Works shall be carried out in accordance with the agreed details.

(Reason - To ensure the appropriate restoration of the cattle shed which is considered to be of historic interest.)

10. The driveway and hardstanding, hereby approved, shall be constructed such that no surface water run-off is discharged on to the public highway. This arrangement shall be retained for so long as the hardstanding remains.

(Reason - To ensure that the development does not negatively impact on site highway safety in accordance with Policies DP/2 and 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.

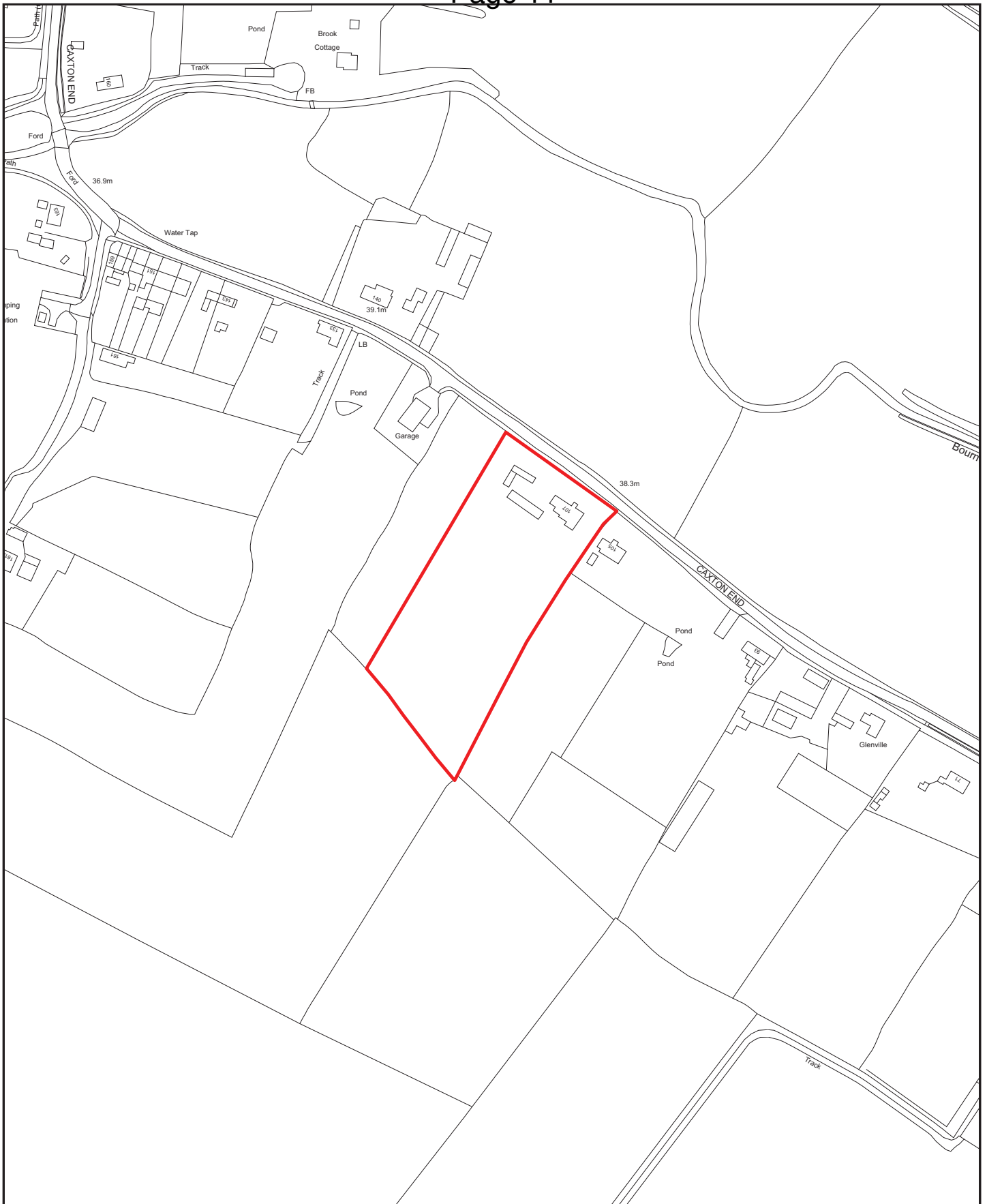
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework 2007

Contact Officer: Matt Hare – Senior Planning Officer
Telephone: (01954) 713180

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Cambridgeshire
District Council**

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

**S/2315/12/FL – CAMBOURNE
Temporary customer/sales car park,
land at Mosquito Way, Upper Cambourne,
for Bovis Homes Ltd**

Recommendation: Approval

Date for Determination: 16th January 2013

Notes:

This application has been reported to the Planning Committee for determination because Cambourne Parish Council recommends refusal.

To be presented to the Committee by Edward Durrant

Site and Proposal

1. The application seeks planning permission for the temporary change of use of part of the Upper Cambourne village green to accommodate a customer car park and associated development to serve the existing Bovis show home on Mosquito Way. The temporary car park is required for a year.
2. The site of the proposed car park is located midway down the eastern side of the Upper Cambourne green, which is at the heart of the village. Between the proposed area of parking and the vehicular carriageway there is a path and grass verge. On the other side of the road there is a pair of three storey terrace dwellinghouses that mark the entrance to Cells 1C and 2A, a development of 130 dwellings that is presently being built out by Bovis. One of these houses is a show home and the Bovis sales office is accommodated in the adjacent garage block. To the south of the village green there is the Vine primary school, which will eventually have residential development to the east, west and south of it.
3. The application was amended on 12th December 2012 to include the access to the highway and to show visibility splays. The provision of 4 Sheffield stands for cycle parking was also added to the proposal.

Planning History

4. **S/1371/92/O** – New settlement of Cambourne – consent granted April 1994.
5. Cambourne Design Guide – dated May 1995.
6. Approved Cambourne Masterplan – drawing no. RT.85B.64 Rev 36.
7. **S/6438/07/O** – 950 homes at Upper Cambourne – consent granted October 2011.

8. **S/2398/11/RM** – 16 dwellings at frontage of land parcel 1C – consent granted March 2012.
9. **S/2596/11/RM** – 114 dwellings at land parcels 1C and 2A – consent granted June 2012.

Planning Policy

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

ST/4 – Rural Centres

SP/4 – Cambourne Approved Masterplan and Design Guide

11. **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/9 - Protection of Existing Recreation Areas

TR/1 - Planning for More Sustainable Travel

TR/2 - Car and Cycle Parking Standards

12. **Supplementary Planning Documents:**
Landscape in New Development – adopted 2010
District Design Guide – adopted 2010

13. 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

14. **Cambourne Parish Council** – recommends refusal as it would result in a loss of public open space and cause safety issues and loss of amenity. Staff and visitors should use the village green car park; appropriate signage could be installed to direct visitors. Alternatively a visitor car park could be formed in part of the site compound. If consent is granted the surface should be grass matting and not a granular material to ensure safe maintenance of the public open space.
15. **Local Highways Authority** – has no objection, but has requested that the consent be time limited.

Public Consultations by South Cambridgeshire District Council as Local Planning Authority

16. A representation has been received from the owner/occupiers of 23 Mosquito Road, who is concerned about the loss of public amenity, highway safety and that the development will affect views from and to the surrounding houses.

Material Planning Considerations

17. The key issues to consider in this instance are the principle of the temporary change of use of part of the village green and the impact upon highway safety and the amenity of the area as a result of the use of the car park and the associated physical development.

Principle of the development

18. The Upper Cambourne village green is a large area of open land and the acceptability of the proposed car park is based on the fact that it will only occupy a small area of the green and it will be a temporary development. During the lifetime of Cambourne there have been, and continue to be, numerous temporary uses such as haul roads and site compounds that have had a greater visual impact and more significant impacts upon amenity. Moreover, the village green is presently only surrounded by residential properties on two sides, as the rest of the village continues to be built out. Once the rest of Upper Cambourne is built out the car park will have been removed and the land reinstated to its current use.
19. The reason why Bovis considers the temporary car park to be necessary is to prevent potential customers parking on Mosquito Road, in front of the recently built properties that are in the process of being occupied. Bovis is happy to erect signage and a barrier to ensure that the spaces are reserved exclusively for the use of customers only whilst the sales office is open. This would prevent it being used by occupants of the nearby properties as additional off road parking spaces or visitors to these properties.
20. A condition will be used to ensure that the car park and associated access, hard standing and fencing are removed and the land reinstated by 10th January 2014, approximately a year after the date of this planning committee.

Alternative locations

21. The village green car park, suggested as an alternative by the Parish Council, is located near to the allotments. It is approximately 150 metres from the site of the proposed temporary car park. Although relatively near to the Bovis show home, unless parking restrictions exist on Mosquito Road, it is likely that people would still park on the highway to reduce the distance they have to walk.
22. The site compound is presently being occupied by the construction crew and also accommodates an area for their parking. By using part of this land for customer parking it could result in the vehicles belonging to the construction crews being parked on the highway. Moreover, the mixing of parking for the construction crews and customers is not considered ideal.

Visual impact and landscaping

23. Visually there will be very little impact of the development when viewed across the village green other than the low fence and parked cars, when in use. The use of grass matting or a similar non granular material, as suggested by the Parish Council, will further reduce the impact of the development. A condition will be used to agree the details of the hard and soft landscaping, which will secure the use of grass matting or a similar material. Given the location of the fence the soft landscaping will be accommodated on the land outside of it, which is included within the site edged red.

Highway safety

24. Although near to the junction of Mosquito Road and Spitfire Road vehicles leaving the car park are likely to moving at such speeds that most competent drivers would be able avoid a collision with vehicles leaving the junction. Moreover, the visibility to the north and south means that drivers would have plenty of time to see any children running, walking or on bikes/scooters before crossing the path to pull into the car park or pull out of it.

Other matters

25. Anecdotal evidence is that a large proportion of the new houses sold in Cambourne are sold to existing Cambourne residents. Based on this, the applicant was asked to provide cycle parking to cater for potential customers choosing a more sustainable way of visiting the show home. Four Sheffield stands are proposed and a condition will be used to require details of how they are attached to the ground and ensure that there is appropriate distance between them.

Conclusion

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

Recommendation

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

Conditions

1. **The use, hereby permitted, shall be discontinued and the land restored to its former condition or to a condition to be agreed in writing by the Local Planning Authority on or before 10th January 2014 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.**
(Reason - Approval of the proposal on a permanent basis would be contrary to Policy SF/9 of the adopted Local Development Framework 2007 and the land should be reinstated to facilitate future beneficial use.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
CAMB 200 Rev A and CAMB 202 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 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 include the material for the parking bays 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.)

4. **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 use of the car park or in accordance with a programme agreed in writing with the Local Planning Authority. If during the lifetime of the car park 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.)

5. **No development shall commence until details of the cycle stands, including the means by which they are secured to the ground and the spacing between them, 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 was submitted with the application to assure the Local Planning Authority that the cycle parking complies with Policy TR/2 of the adopted Local Development Framework 2007.)

6. **Access to the temporary car park, hereby permitted, shall only be during the opening hours of the Bovis Homes sales office on Mosquito Way and signage shall be installed to advertise this. At all other times the entrance to the car park shall be secured by a method that is to be approved in writing by the Local Planning Authority prior to the use commencing.**

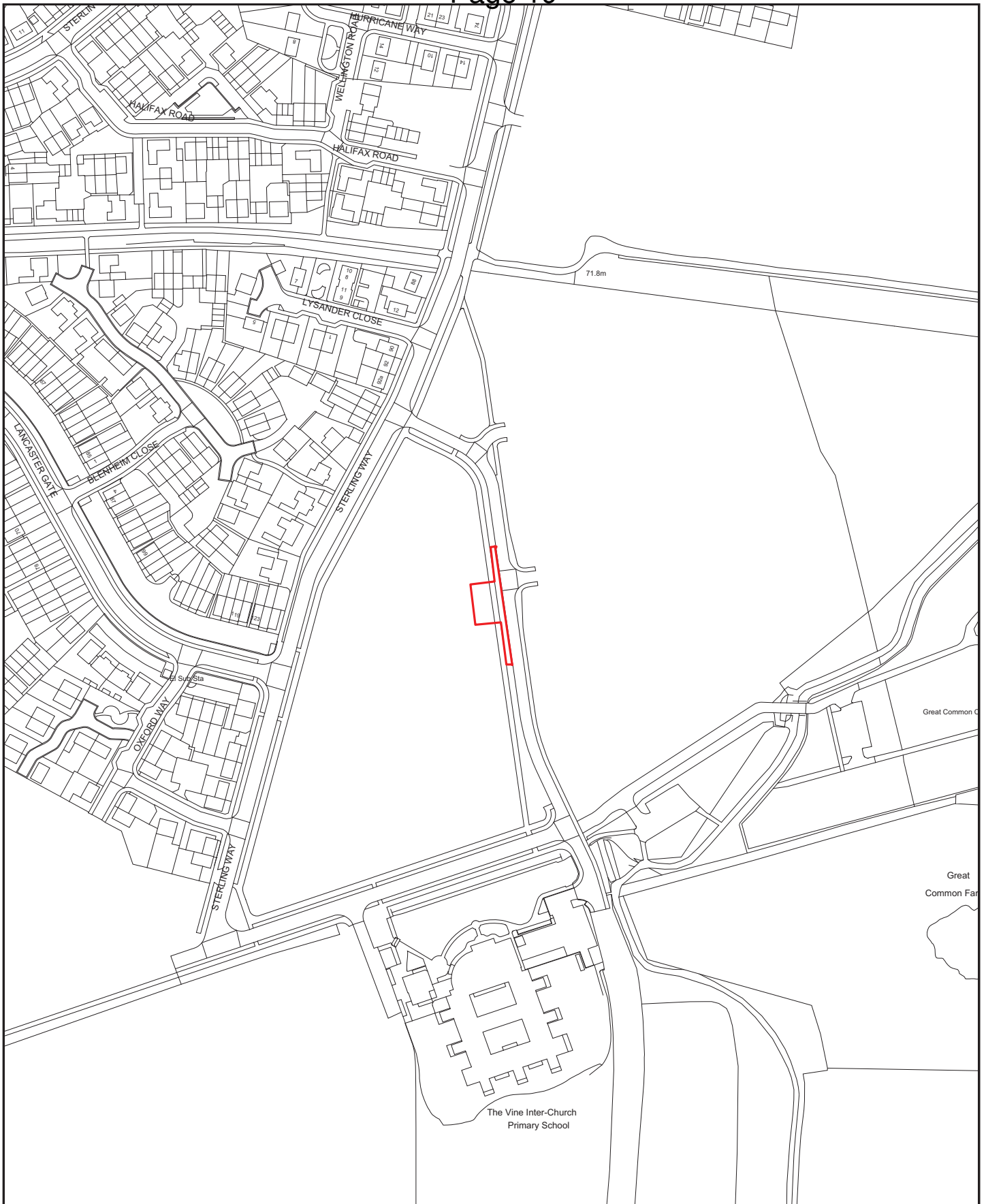
(Reason – To ensure that the car park is only used by customers visiting the Bovis sales office during its opening hours, in accordance with Policy SF/9 of the adopted Local Development Framework 2007.)

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
- 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/2315/12/FL, S/6438/07/O, S/1371/92/O, S/2596/11/RM and S/2398/11/RM.

Case Officer: Edward Durrant – Principal Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/2284/12/RM – CAXTON AND ELSWORTH

Submission of reserved matters in respect of appearance and landscaping for the erection of restaurant/takeaway buildings (class A3/A5) following outline consent S/1723/12/OL, and in respect of the appearance, landscaping, layout and scale for the erection of restaurant/takeaway building (class A3/A5) following outline planning consent S/0060/12/OL, Land at Caxton Gibbet, St Neots Road, for The Abbey Group

Recommendation: Delegated Approval**Date for Determination: 1 January 2013****Notes:**

This Application has been reported to the Planning Committee for determination as the application seeks approval of the design of the buildings, and a previous planning application for the design of two of the buildings has been refused by Planning Committee

To be presented to the Committee by Paul Sexton**Site and Proposal**

1. This application for approval of reserved matters follows the granting of two outline planning consents for the redevelopment of the former Yim Wah Site, at the Caxton Gibbet roundabout for a total of three restaurant/takeaway buildings and associated parking and landscaping, following demolition of the existing building on the site. The site is part within the parish of Caxton and part within the parish of Elsworth.
2. In respect of the buildings to be occupied by McDonalds and Costa the outline consent reserved appearance and landscaping. In respect of the outline consent for the Subway building all matters apart from access were reserved, however the layout of the site as a whole was covered in the consent for the remainder of the site.
3. The McDonalds building is located in the north west section of the site. It measures 33m x 14m, with a height of 5.3m, and is described as having a mansard style roof. An outdoor seating area is proposed on the west side of the building. Materials include the use of yellow buff brickwork. The Costa building is located to the east of McDonalds. It measures 16m x 11m and is a mono-pitched building, 5.5m at the highest point. Again yellow buff brickwork is amongst the materials proposed, along with anthracite grey steel sheeting, and thermowood timber cladding. Both buildings have drive-thru facilities.
4. The Subway building is site at the east end of the site and measures 24m x 10.5m. It is a flat roofed building, with a height of 4.2m and uses yellow buff brickwork, 'wood décor' cladding and Kingspan insulated panels.

5. Access, car and cycle parking, and drive thru facilities are as addressed in the outline application.

History

6. Outline planning consent (Ref: **S/1723/12/OL**) was granted at the October 2012 meeting for the erection of restaurant/takeaway buildings (Class A3/A5) (including approval of access, siting and scale).
7. At the August 2012 meeting Members gave officers delegated powers to grant outline consent for a third building on the site (**S/0060/12/O**) (Item 15). That consent was issued on 22 October for the erection of restaurant/takeaway buildings (Class A3/A5) (including approval of access details).
8. At the same meeting, Members will recall refusing a full planning application for the redevelopment of the site with two buildings (Ref **S/0059/12/FL**) (Item 14), on the grounds that the design of the two buildings, by reason of their form, detailing, materials and the lack of continuity in design, was inappropriate in this rural location, and the lack of cycle parking facilities.
9. A series of applications for advertisement consents were deferred (**S/0048/12/AD**, **S/0049/12/AD**, **S/0050/12/AD**, **S/0240/12/AD** and **S/0244/12/AD**). A planning application for a 25m high (to tip) wind turbine at the eastern end of the site is currently undetermined (**S/0050/12/FL**)

Planning Policy

10. National Planning Policy Framework 2012

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
ET/10 Tourist Facilities and Visitor Accommodation
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 Pollution
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards

South Cambridgeshire LDF Supplementary Planning Documents

Biodiversity SPD – adopted July 2009

District Design Guide SPD – adopted March 2010

Landscape in New Developments SPD – adopted March 2010

Public Art SPD – adopted January 2009

Consultation by South Cambridgeshire District Council as Local Planning Authority

11. **Caxton Parish Council** recommends approval.

12. **Elsworth Parish Council** makes no comment.
13. **Cambourne Parish Council** recommends approval and notes that cycle parking provision has been adjusted in the layout.
14. The comments of **Papworth Everard Parish Council** will be reported.
15. The **Urban Design Team** expresses concern that previous design advice has not been incorporated in the scheme but on balance recommends approval subject to the applicant meeting 100% grey-water recycling and 100% permeable surfaces on the site (particularly the car park) to mitigate the concerns over rain water drainage, in and around Cambourne.
16. The **Economic Development Panel** supported the outline applications. The reserved matter application has not been referred to the panel for further comment.
17. The comments of the **Local Highway Authority** and **Landscapes Officer** will be reported.

Representations by Members of the Public

18. None received.

Representations on behalf of the applicant

19. The applicant comments that the external appearance of the buildings has been changed so that they relate to each other by utilising common materials and colours throughout. This includes the timber effect on the proposed McDonalds and Costa, the use of traditional Cambridge white brick throughout, the use of similar colours on the McDonalds and Subway, and the use of common hard landscaping materials throughout the scheme to ensure that there are no obvious subdivisions on the ground. The colour of the green and brown on the McDonalds building has been made darker to reduce impact.
20. The form of the buildings has also been altered to ensure that there is a more common theme running through the site. The curved roof originally proposed for the Costa has been changed to a more angular roof to reflect the angular shapes of the McDonalds and Subway Buildings. The Subway building is of a much more simple form to ensure that the buildings do not compete with each other architecturally. All three buildings respect the scale of the buildings originally proposed which assists in the landscaping of the site, and the impact the appearance of the building will have upon the rural setting as they are generally much lower than the previous building on site.
21. With reference to the suggested use of more traditional buildings, possibly two-storey, it states that this is not cost effective on this site. Each building and each operator must have a scheme that is financially viable. It is not possible for this site to be subsidised by other sites so as to alter the form of the buildings. Each McDonalds, Costa and Subway must be financially viable without subsidy from other sites, which imposes limitations, one of which is design. It is considered that the scheme is acceptable in design terms. There is a relationship between each building on site and the use of materials both in terms of hard landscaping and on the buildings themselves which helps to reinforce this, as well as the overall form of the buildings.

22. Landscaping is an integral element of the design and layout and a detailed specification is submitted with the application. This has been discussed with officers. The number of large trees has increased six fold and the position of boundary hedges has been altered. Additional landscaping has been included within and on the perimeter of the site, providing a much more landscaped setting, which over time will make a positive contribution to the character and appearance of the area.
23. More detailed information in support of the scheme is contained in the Planning Statement accompanying the application.

Material Planning Considerations

24. The principle of development has been established by the two outline planning permissions. In respect of the buildings for occupation by McDonalds and Costa, outline consent S/1723/12/OL approved details of access, scale and layout and therefore the only matters for Members to consider in the respect of this part of the development is appearance and landscaping. In respect of the Subway building, although the outline consent only approved details of access, the siting and layout of the site is dictated by the consent for the two other buildings, and therefore again the main issues for Members to consider are appearance and landscaping.
25. The submitted scheme has been the subject of two meetings with officers and local members. In respect of the design Members need to consider whether the reserved matters submission overcomes the previous concerns that form, detailing, materials and the lack of continuity in design, was inappropriate in this rural location.

Appearance and Visual Impact in the Countryside

26. At the outline stage officers accepted that proposal will represent a significant change to the character and appearance of the site and it is therefore important to ensure that the details of the scheme are appropriate.
27. The site is prominently located, particularly when approaching from the south and west. The existing building is located close to the north and west boundaries of the site. There are no buildings in the immediate locality on which to base a design for buildings on this site.
28. All buildings are single storey with low heights. Although the form of the overall outline of the McDonalds building has not changed significantly since the refused application the use of materials has been revised. The use of a stock brick, which is followed through in the materials for the other two buildings, will help to introduce a more local feature to the building and the use of darker materials will, in officer's view, aid the appearance of the building.
29. The proposed Costa building is set a significant distance from the A1198 and is in a part of the site that is well screened from the north by existing planting between the site and the A428. The building has been changed to a more angular form, with a mono-pitched roof. Although a different form to the McDonalds building, the use of the same stock brick as part of the external materials will help to provide continuity between the buildings. The landscaping scheme will further help this continuity.
30. The Subway building is a simple rectangular form, with flat roof and again, although different in design to the other two buildings, the use of the same stock brick in a significant part of the external materials will help maintain a visual continuity between the three buildings.

Landscaping

31. The landscaping scheme has been the subject of discussion with officers prior to submission of the application, and is recognised as being an important factor if the development is to be satisfactorily assimilated into its surroundings.
32. There is a large area of young planting to the south of the site, carried out by the Highways Agency as part of the dualling works to the A428. Although this is outside of the applicant's control, once mature it will provide a substantial screen to the development from the south.
33. Additional planting has been included within the site, both in the form of hedgerows and larger trees. Officers are of the view that the north boundary of the site will be particularly important and the mixed hedgerow and trees proposed should be maintained at a reasonable height in order to screen the site. The landscape plan indicates this boundary to be maintained every three years and the comments of the Landscapes Officer on this point and the views on the landscape scheme as a whole will be reported, although it is substantially based on the views given at the pre-application stage.
34. In essence, officers consider that there is no inherent reason why the appearance of the proposed buildings together with a detailed landscaping scheme should not bring forward an acceptable development that reflects the prevailing landscape character of the surrounding area.

Neighbour Amenity

35. The closest residential properties to the site are 500m to the east of the site and are will screened from the proposed development.

Other matters

36. Matters such as drainage, lighting and use of renewable energy are dealt with in the outline application.
37. The applications for advertisement consent and wind turbine will be considered separately

Conclusion

38. Subject to the detailed comments of the Landscapes Officer, officers are of the view that the scheme as revised incorporates revisions to the design and materials, which will result in a continuity between the three buildings, which, when combined with the landscaping proposed will result in an acceptable form of development

Recommendation

39. Subject to the comments of the Landscapes Officer it is recommended that the Planning Committee approves the application.

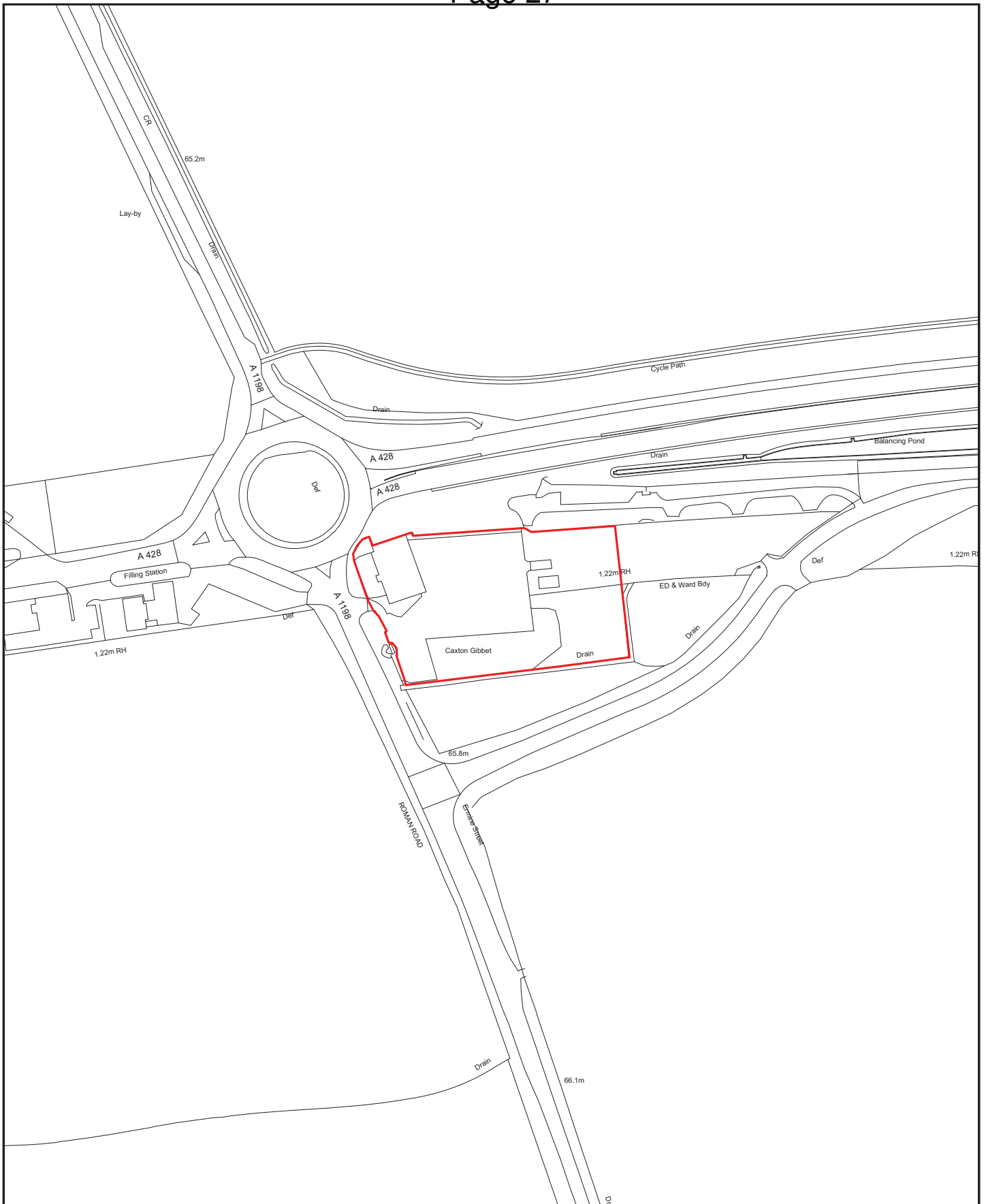
Conditions

Most matters are already included in the outline consents and informatives should be attached to reminding the applicant of the details to be submitted for approval

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/1723/12/FL, S/0060/12/OL and S/0059/12/FL

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

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/0218/11 - HARSTON

Retention on a permanent and personal occupancy basis of one static caravan, one touring caravan and one mobile dayroom (variation of Conditions 1 and 2 of S/0673/07/F) - Carefield, Button End for Mr & Mrs Joe & Patricia Hedges

Recommendation: Approve Conditionally**Date for Determination: 01 April 2011**

This Application has been reported to the Planning Committee for determination because approval of the proposal would represent a departure from the development plan and because the recommendation of the officers differs from that of the Parish Council.

Departure Application**To be presented to the Committee by Ray McMurray.****Site and Proposal**

1. Button End is an area of sporadic residential development in the rural area and Green Belt to the north of Harston. The application site, which has an area of 0.19ha, is located in a spacious gap between dwellings known as Serotina and Apple Cottage on the north eastern side of Button End. The site contains a chalet home and mobile day room. In addition, brick walling and tall gate piers have been placed at the entrance, low-level brick retaining walling has been erected to form a garden area, timber stables and a raised patio have been developed at the rear of the mobile home, and the land beyond this to the north east of the site has been brought into use for the grazing of ponies.
2. The full application, dated 31 January 2011, seeks permanent permission for the stationing of two caravans (one static, one touring) and a mobile day room, on a personal basis as a variation of Conditions 1 and 2 of planning permission S/0673/07/F.

Personal Circumstances

3. The agent has submitted a statement that includes a summary of the applicants' personal circumstances. Mr and Mrs Hedges are Gypsies and have been living on this land for 13 years. The family has five sons, four of whom still live at home. Two attend Harston and Newton Primary School. Two work with their father carrying out landscaping/ gardening work. Mrs Hedges had a hip replacement which is still causing health problems and is being monitored. The agent for the applicants has pointed out that the educational needs of this family will continue for a considerable number of years, and that this factor should continue to carry substantial weight.

Planning History

4. Planning permission was given for one year on a personal basis to Mr and Mrs P. Osborne in 1978 for 2 residential caravans- **S/1230/78/F**. An application to retain the 2 caravans was refused in 1981 – **S/0302/81/F**.
5. The applicants first occupied the site on 2nd July 1999. In the absence of any planning permission, an enforcement notice was issued on 23rd July 1999. An appeal against the enforcement notice was dismissed by letter dated 10th January 2000. The applicants were required to cease using the land for the siting of caravans or mobile homes and to remove these along with ancillary structures and area of hardstanding. The Council extended the period for compliance to allow for Mrs Hedges to have a hip operation. Shortly after the operation had been carried out, the applicants applied for planning permission to remain on the site (**S/0040/03/F**). This was refused. An enforcement notice was issued on 19th December 2003 that required the removal of hardcore, hardstandings and a lamppost.
6. Planning permission was granted at **appeal** of S/0040/03/F, in a decision dated 7 April 2004. The Inspector limited the permission for the siting of two touring caravans and one mobile utility unit, with associated hardstanding (30m x 30m) for a period of three years, for occupation by Mr and Mrs Hedges and their children. The occupation was limited to Gypsies as defined in the Caravan Sites and Control of Development Act 1960. No commercial activity, including the storage of any materials or other items unrelated to the residential occupation of the land, was permitted. In coming to this decision, the Inspector commented;
7. “It is a fundamental objective of the Green Belt to maintain openness. However, the site is flanked on both sides by dwellings with associated boundary screen planting to Button End; the appeal site frontage also has a tall mature hedge and trees, except where the site is located. As a consequence, the development, which would be perceived only by those having occasion to go to this end of Button End, is seen only at close quarters when actually passing the site frontage, and even then in filtered views through gaps in the boundary vegetation for much of this length. I fully recognise the importance of maintaining the openness of the Green Belt, and I acknowledge that repeated incremental small-scale erosion of openness can cumulatively, over time, have significant consequences. Nonetheless I regard the extent of harm by reason of loss of openness in this case to be relatively minor, given the unobtrusive location of the site and the extent to which it is surrounded by existing development.” (Paragraph 20)
8. “ Permission for a temporary period would ensure a settled base from which to provide a continuity of the current secure educational environment through the completion of primary education transition to secondary education for Mrs Hedges’ third child. It would enable continuity of Mrs Hedges’ existing GP and specialist healthcare arrangements during the forthcoming review of any need for further hip replacement surgery. It would also provide a period of time, against the background of current levels of gypsy site provision and the policies in place in the District, to make a concerted effort in consultation with the Council to find a suitable site outside the Green Belt to use as a future settled base after Mrs Hedges’ third child has moved through to secondary education. In my opinion permission for a period of up to three years would be an appropriate response to these particular circumstances.”(Paragraph 50)
9. Members considered an application to renew the temporary planning permission **S/0673/07/F**. Members took into account the recommendation of refusal of Harston Parish Council, the Parish Council’s concern to safeguard the Green Belt and for fair

application of planning laws to all notwithstanding 'race, religion, ethnicity', and the Parish Council's recommendation to permit residency for a further five years without enforcement action taking effect. Planning permission was issued on 12 February 2008.

10. Condition 1 of S/0673/07/F states:

The use, hereby permitted, shall be carried on only by the applicants, Mr J H and Mrs P Hedges and their children and shall be for a limited period being on or before 1 March 2011, or the period during which the premises are occupied by them, whichever is shorter.

(Reason- In accordance with the advice in Circular 01/2006 'Planning for Gypsy and Traveller Caravan Sites', the Council is preparing a Gypsy and Traveller Development Plan document, and on a without-prejudice basis to a permanent consent on this site, a time-limited consent will enable the Local Planning Authority to properly assess the impact of Traveller development on Harston. The permitted use would not normally be granted in the absence of the personal circumstances of this case.)

11. Condition 2 of S/0673/07/F states:

When the premises cease to be occupied by Mr J H Hedges and Mrs P Hedges, and their children, or by 1 March 2011, whichever shall first occur, the use hereby permitted shall cease, all materials and equipment brought on to the premises in connection with the use shall be removed, and the land restored to its former condition.

(Reason -In accordance with the advice in Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites, the Council is preparing a Gypsy and Traveller Development Plan document, and on a without-prejudice basis to a permanent consent on this site, a time-limited consent will enable the Local Planning Authority to properly assess the impact of Traveller development on Harston. The land should be reinstated in the interests of the appearance of the countryside and Cambridge Green Belt).

Planning Policy

National Planning Policy

12. **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 LPAs to have due regard to the protection of local amenity and the local environment. Policy E relates to traveller sites in the Green Belt. It indicates that traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Policy H states that when determining applications, which should be done in accordance with the development plan, LPAs should strictly limit new traveller site development in open countryside away from existing settlements or areas allocated in the development plan. Sites should not place an undue pressure on local infrastructure. It encourages Local Planning Authorities to attach weight to 'sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness' (paragraph 24 b)).
13. PPTS has superseded the advice contained in Circular 01/2006 'Planning for Gypsy and Traveller Caravan Sites'.

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.
15. **DCLG "Designing Gypsy and Traveller Sites: Good Practice Guide"**(May 2008)
16. Advice on the use of temporary permissions is contained in paragraphs 108 – 113 of **Circular 11/95**, *The Use of Conditions in Planning Permission*. Paragraph 110 advises that a temporary permission may be justified where it is expected that the planning circumstances will change in a particular way at the end of the period of the temporary permission. Where there is unmet need but no available alternative Gypsy and Traveller site provision in an area but there is a reasonable expectation that new sites are likely to become available at the end of that period in the area which will meet that need, Local Planning Authorities should give consideration to granting a temporary permission. Such circumstances may arise, for example, in a case where a Local Planning Authority is preparing its site allocations DPD. In such circumstances, Local Planning Authorities are expected to give substantial weight to the unmet need in considering whether a temporary planning permission is justified.
17. The fact that temporary permission has been granted on this basis should not be regarded as setting a precedent for the determination of any future applications for full permission for use of the land as a caravan site. In some cases, it may not be reasonable to impose certain conditions on a temporary permission such as those that require significant capital outlay.

Regional Planning Policy

18. **Accommodation for Gypsies and Travellers and Travelling Showpeople in the East of England: A Revision to the Regional Spatial Strategy for the East of England, adopted July 2009. Policy H3.**
19. The requirement of RSS Policy H3 to significantly meet demand and provide at least 69 additional (permanent) pitches in the district between 2006 and 2011 was not met and fell short by about 15 pitches. However, while RSS Policy H3 remains part of the development plan, the Secretary of State's intention to revoke this is clearly a material consideration to be taken into account. Thus only very limited weight should be given to Policy H3.

District Planning Policy

20. **South Cambridgeshire Development Control Policies Development Plan Document (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). Outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted.

Green Belt Objectives: GB/b - To maintain the purposes and openness of the Cambridge Green Belt. **GB/c** - To preserve the unique setting of the city by maintaining the character and appearance of the surrounding villages.

GB/1 (Development in the Green Belt) There is a presumption against inappropriate development in the Cambridge Green Belt as defined on the Proposals Map.

GB/2 (Mitigating the Impact of Development in the Green Belt)

1. Any development considered appropriate within the Green Belt must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt.
2. Where development is permitted, landscaping conditions, together with a requirement that any planting is adequately maintained, will be attached to any planning permission in order to ensure that the impact on the Green Belt is mitigated.

Housing Objective: HG/a - To ensure the provision of a range of housing types and sizes, including affordable housing, to meet the identified needs of all sectors of the community.

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

SF/11 (Open Space Standards)

NE/4 (Landscape Character Areas) Development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the individual Landscape Character Area in which it is located.

21. **Gypsy and Traveller DPD (GTDPD)**

The "Issues and Options 2 Consultation July 2009" identified the site 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 was undertaken from 12 July to 28 September 2012 and is intended to 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.

22. As part of the above consultation stage an assessment of the site against criteria was undertaken for comparison with other sites as to the suitability for allocation for further Gypsy and Traveller sites. The site was shown to be acceptable in terms of its proximity to primary school, doctor's surgery and food shops, but not suitable for further allocations due to its location within the Green Belt.

23. An updated **Gypsy and Traveller Accommodation Needs Assessment** was considered by the Housing Portfolio Holder on 13th June 2012 and accepted. This acknowledged an unmet need for pitches in the District. The assessment shows there to be a projected future need for 20 pitches to 2031, in addition to a backlog of 65 pitches between 2011 and 2016.

24. The current position is that, when unimplemented/ completed pitches with planning consent are taken into account, a net shortfall of 24 permanent pitches to 2016 remains. Temporary consents apply on 63 existing pitches and there is a reasonable expectation that some of these will be granted permanent planning permission in the

future, so reducing the overall identified shortfall. The two public sites at Whaddon and Milton have remained full with waiting lists.

25. 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.

Consultations

26. **Harston Parish Council** – Recommendation of refusal. The Parish Council has made the following comment: 'It should remain on a three-year basis renewal and the conditions laid down in your previous permission strictly adhered.'
27. **Planning Enforcement Officer**- Comments that there have been no issues or complaints raised about the use.
28. **Environmental Health Manager**- No objection to grant of planning permission, and noting that a site licence application under the Caravan Sites and Development Control Act 1960 would be required in the event of a permanent planning permission being granted.
29. **Traveller Liaison Officer** – Supports the application, stating:

'The family have lived at the address for 13 years. They are well known in the village, Mr Hedges runs his own business paving and gardening as well as keeping horses at the property.

'The two youngest boys, aged 7 and 8, attend Harston/Newton School and the older boys both went through their schooling locally.

'When the family moved onto the property 13 years ago, all utilities were connected as it had previously had permission as a residential site.

'The family are obviously very well settled and have gone to great efforts to keep their property immaculate. It is set down a quiet lane, sitting in amongst other houses and bungalows and does not look out of place against other properties in Button End.

'Mrs Hedges has had one or two health problems and worries about the uncertainty of their temporary consent. Permanent permission to stay on the land would ensure that they could continue to provide for themselves in a location that has been their home for a long period of time.'

Representations

30. None received.

Planning Comments

31. The comments of the Inspector in 2004 are still of relevance to consideration of the application. The Inspector acknowledged that this caravan site constituted inappropriate development in the Green Belt, however he assessed the loss of openness to the Green Belt to be relatively minor, and that it involved some countryside encroachment. He found no other harm.

32. The site performs reasonably well against the locational criteria within the Gypsy and Traveller Development Plan Document preparation, which, although superseded, will inform the Local Plan Options consultation and eventual policy. The site is reasonably close to schools, shops and other local services. Indeed children from the site attend local school. There is no service provision issue. The site is well screened and landscaped on its boundaries and, except for the vehicular entrance, is not conspicuous to passers by.
33. The Parish Council previously has raised legitimate concerns about the previous history of unauthorised use of the site, but has accepted that a further grant of planning permission for a temporary period is warranted.

Personal circumstances

34. However, the applicant family has lived on this site for several years on the basis of temporary planning permissions. The decision to incorporate the Council's planning policy relating to Gypsy and Traveller sites into the formulation of the Draft Local Plan has introduced more delay. The site has become well established in the landscape setting of the village, in a context where there are other adjacent dwellings. The harm to the openness of the Green Belt is considered to be limited. The personal circumstances of the applicant, including two children at school, and the length of occupation of the site, are considered to amount to very special circumstances that outweigh the harm due to inappropriateness and other harm to the Green Belt and countryside in this instance.
35. It is not considered reasonable in this instance to seek financial contributions under Policy DP/4 towards open space provision and community facilities, in the event of permanent planning permission being granted, given the passage of time since the family commenced occupation of the site in 1999.
36. The delivery of this site would help to meet some of the outstanding need for permanent pitches identified in the current Gypsy and Traveller Accommodation Needs Assessment.
37. The evaluation as part of the GTDPD Issues and Options 2 Consultation concluded that no additional allocation of Gypsy and Traveller accommodation in the vicinity of the site would be appropriate. In the event that permanent planning permission is granted on this site it would be limited to the applicants and family and to the specific amount of accommodation applied for. In the future there may be demand from existing members of the family for additional accommodation as they become older and their requirements increase. In the event of this demand arising in the future any application would be dealt with in accordance with the provisions of the development plan at that time and other relevant factors that would apply.
38. For the reasons indicated it is considered reasonable and proportionate to grant permanent planning permission on a personal basis for the retention of the occupation of the site as a single Gypsy pitch.

Human Rights Issues

39. 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 at the present time would not be proportionate and justified within Article 8 (2).

Recommendation

40. Approval subject to conditions:

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 (2012)'
(Reason - The site is in the Cambridge Green Belt and rural area where residential development will be resisted by Policies GB/1 and 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 site together with the mobile homes and structures, hereby permitted, shall not be occupied or used other than by the applicants Mr J H and/or Mrs P Hedges and/or their immediate family (and any dependant living with them).
(Reason- By virtue of Policies GB/1 and DP/7 of the adopted Local Development Framework 2007, the harm caused to the Green Belt and rural area by the residential occupation and use of the site would not necessarily be outweighed in the absence of the personal circumstances of this case.)
3. Within 3 months of the site ceasing to be occupied in accordance with condition 2 above, the use hereby permitted shall cease, all materials and equipment brought on to the site in connection with the use shall be removed, and the land thereafter restored in accordance with a scheme and timetable which shall also have been submitted to the Local Planning Authority for written approval within the aforementioned 3 months.
(Reason –To ensure that the permitted use ceases when the personal circumstances in this particular case no longer apply to comply with Policies GB/1 and DP/7 of the adopted Local Development Framework 2007 and to secure the reinstatement of the land in the interests of the appearance of the countryside and Cambridge Green Belt).
4. No more than one mobile home and one touring caravan, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended) shall be stationed on the site at any one time.
(Reason – To minimise the visual impact of the development on the surrounding area in accordance with policies DP/3 and NE/4 of the Local Development Framework 2007.)
5. No commercial activity shall take place on the site, including the storage of any materials or other items unrelated to the residential occupation of the land.
(Reason – To protect the amenity of adjoining residents and to limit the visual impact of the development on the countryside and Cambridge Green Belt)

Informatives

The planning permission hereby granted relates solely to change of use of the land for occupation by named persons, and not to any operational development which may require planning permission in its own right.

Reasons for Approval

1. The site is located in the countryside and Cambridge Green Belt where there is a presumption in the development plan (Cambridgeshire and Peterborough Structure Plan, and South Cambridgeshire Development Control Policies Development Plan Document 2007) against development unless it can be shown to be appropriate in the Green Belt and essential in a particular rural location. However, the applicants have had the benefit of a limited-period planning permission granted on appeal reference APP/W0530/A/03/1121732 dated 7 April 2004, and a further temporary planning permission granted subsequently on 12 February 2008 and the Council is preparing a Local Plan to consider the provision of Gypsy and Traveller sites in the District. The applicants' need for permanent occupation is considered to justify the grant of permanent planning permission.
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise: openness of the Green Belt.

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

- National planning guidance as indicated in the report.
- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- Regional Spatial Strategy for the East of England
- Gypsy and Traveller Needs Assessment. Report to Housing Portfolio Holder 13 June 2012
- Planning File refs S/0218/11, S/0673/07/F, S/0040/03/F, planning appeal reference APP/W0530/A/03/1121732.

Contact Officer: Ray McMurray – Principal Planning Officer
Telephone: (01954) 713259

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/2022/12/FL - IMPINGTON**Three Biomass Boilers and Photovoltaic Panels at Impington Village College, New Road for Impington Village College****Recommendation: Delegated Approval****Date for Determination: 14 December 2012****Notes:**

This Application has been reported to the Planning Committee for determination because the officer recommendation conflicts with the view of Impington Parish Council

To be presented to the Committee by Karen Pell-Coggins

Site and Proposal

1. The site is located partly within the Impington village framework and partly within the Green Belt/countryside. Impington Village College comprises a range of buildings that include the grade I listed Gropius Building, 1960s Sixth Form Centre and George Edward Building, modern K Block and Science Wing and Pavilion classrooms, and a new Sports Centre. There are open playing fields to the south east. The conservation area is to the north and east. A belt of mature trees that are subject to a Tree Preservation Order runs along the north western frontage of the site with New Road behind a historic boundary wall.
2. The proposal seeks the erection of three wood pellet biomass boilers and solar photovoltaic panels to reduce the energy consumption and carbon emissions of the village college. Biomass Boiler 1 would serve the George Edward Building, K Block and Science Wing and Pavilion. It would be located in the Green Belt/ countryside to the east of the George Edward Building on the current site of a cycle shed. The cycle shed would be re-located to the south of the George Edward building next to the main cycle shed. Biomass Boiler 2 would serve the Gropius Building and the Sixth Form Centre. It would be located in the the village framework to the north west of the Sixth Form Centre behind the tree belt along the New Road frontage. Biomass Boiler 3 would serve the sports hall, swimming pool and gym. It would be located in the Green Belt/countryside to the north west of the Sports Centre behind the tree belt along the New Road frontage. Each biomass boiler would measure 7.2 metres in length, 3.2 metres in width and 3.6 metres in height. They would be prefabricated and metal clad. Each boiler would have an integrated wood pellet store and flue that extends 1 metre in height above the main structure. A mixture of buried pipework and exposed pipework will convey the heated water from the biomass boilers to the plant rooms within the buildings. A small enclosure would be located to the rear of the Sports Centre to screen the exposed pipework in this location. The pipework to the Gropius

Building would be subject of a listed building consent application. The solar photovoltaic panels would be located in the Green Belt/countryside on the south east facing roof slope of the K Block towards the playing fields. It would measure a total of 322 square metres in area and comprise of 198 panels each measuring 1637mm in length, 992mm in width and 50mm in depth.

Planning History

3. **S/1945/08/F** - Extension to Sports Centre - Approved

Planning Policy

4. **South Cambridgeshire Local Development Framework (LDF) Core Strategy DPD, adopted January 2007**
ST/4 Rural Centres
5. **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/7 Development Frameworks
GB/1 Development in the Green Belt
GB/2 Mitigating the Impact of Development in the Green Belt
CH/3 Listed Buildings
CH/4 Development Within the Setting of Curtilage of a Listed Building
CH/5 Conservation Areas
NE/1 Energy Efficiency
NE/3 Renewable Energy Technologies in New Development
NE/6 Biodiversity
6. **South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD):**
Development Affecting Conservation Areas SPD - Adopted January 2009
Listed Buildings SPD - Adopted July 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010

Consultation by South Cambridgeshire District Council as Local Planning Authority

7. **Histon and Impington Parish Council** – Recommends refusal and makes the following comments:-
“Committee thoroughly examined site plan and the proposed location of the biomass boilers. We regret agreed to make a recommendation of refusal based upon the proposed siting and scale of Biomass Boilers 2 and 3 in relation to the rural character and appearance viewed from New Road and the Green Belt.”
8. **Conservation Officer** – Comments that a listed building application is required for the pipe that would inserted into the wall listed building. Has no objections subject to a condition to agree the finish of the boilers.
9. **English Heritage** – Comments are awaited.

10. **Environmental Health Officer** – Comments are awaited.
11. **Trees and Landscapes Officer** – Comments that there is a Tree Preservation Order along the boundary with the sports hall, sixth form and New Road. The plans reference digging trenches in this area. Object to the proposals until specific details are submitted showing location of trenches, specification and proximity within the root protection areas of the trees. Where trenches encroach into the root protection areas of trees, methodology to be submitted for the installation works to be approved or alternatively re-route the service runs. Also need methodology for craning of structures.
12. **Landscape Design Officer** – Comments are awaited.

Representations by members of the public

13. The occupier of No. 63 New Road supports the energy plans for the college but has concerns regarding the visual impact of the boilers and specifically the flues upon the views from residential properties opposite in New Road as they would be unattractive and project above the height of the wall. Suggests evergreen landscaping to screen the structures.

Material Planning Considerations

14. The key issues to consider in the determination of this application relate to the principle of the development and the impacts of the development upon the openness and character an appearance of the Green belt/countryside, the character and appearance of the street scene, the setting of the conservation area, the setting of the listed building, and protected trees.

Principle of Development

15. The erection of Biomass Boilers 1 and 3 would represent inappropriate development that is, by definition, harmful to the Green Belt in policy terms. These are new buildings that are not required for any of the purposes set out under paragraph 89 of the National Planning Policy Framework.
16. The installation of the solar photovoltaic panels would not represent inappropriate development that is, by definition, harmful to the Green Belt in policy terms. The development would result in the alteration of a building that would not result in disproportionate additions over and above the size of the original building.

Other Harm

Green Belt/Countryside

17. The biomass boilers would be situated within a developed college complex and not within the open landscape. They would be located in positions well related and situated against the backdrop of existing buildings of a greater scale and not result in a significant loss of openness or rural character.

Street Scene

18. Biomass Boilers 2 and 3 would be visible above the historic boundary wall and through the trees from New Road. Whilst it is acknowledged that the scale of the structures are considerable and the design of the structures are fairly utilitarian in

appearance, they are not considered to have an unacceptable visual impact upon the character and appearance of the street scene, as they would be situated against the backdrop of existing larger scale buildings in an area where there are similar style buildings and partially screened by the boundary wall and trees. The finish of structures would be a condition of any consent.

19. The solar photovoltaic panels are not considered to harm the character and appearance of the street scene as they would be installed on the rear facing roof slope of the modern building that overlooks the playing fields and would only be visible from very long distances from any public viewpoints.

Conservation Area/ Listed Building

20. The biomass boilers would not be visible from the listed building and conservation area as they would be screened by existing buildings. The development is not therefore considered to damage the landscape setting at the front of the listed building that also contributes to the setting of the conservation area.
21. The solar photovoltaic panels are not considered to affect the setting of the conservation area or listed building as they would be situated a sufficient distance away and be screened from the listed building by existing buildings and only visible against the roof of the existing building from the conservation area.
22. The impact of the insertion of pipework upon the historic fabric and character and appearance of the listed building itself would be subject to a separate listed building consent application.

Trees and Landscaping

23. The proposal is not considered to result in the loss of any significant trees or landscaping that make a positive contribution to the visual amenity of the area providing an agreed methodology of construction is submitted and approved that ensures the trenches would not impact upon the roots of the protected trees along the site frontage. This information is awaited and conditions will be attached to any consent.

Neighbour Amenity

24. The proposal is not considered to adversely affect the amenities of neighbours through being unduly overbearing in mass, through a significant loss of light, through severe overlooking, or through a substantial rise in the level of noise and disturbance. The change to a view is not a material planning consideration and the street scene amenity has been discussed above.

Very Special Circumstances

25. Alternative locations for Biomass Boilers 1 and 3 have been considered and these would have an adverse impact upon the setting of the listed building and conservation area. Given the benefits of the scheme towards renewable energy and the lack of any other harm from the current siting, very special circumstances are considered to exist in this case for the development that would outweigh the harm to the Green Belt through inappropriateness.

Recommendation

48. It is recommended that the Planning Committee gives officers delegated powers to approve the application subject to the receipt of the information to ensure that the proposal would not affect the important trees. The following conditions and informatives are suggested: -

Conditions

- (a) Time Limit
- (b) Approved Plans
- (c) Finish of Biomass Boilers
- (d) Tree protection
- (e) Methodology for construction of trenches

Informatives

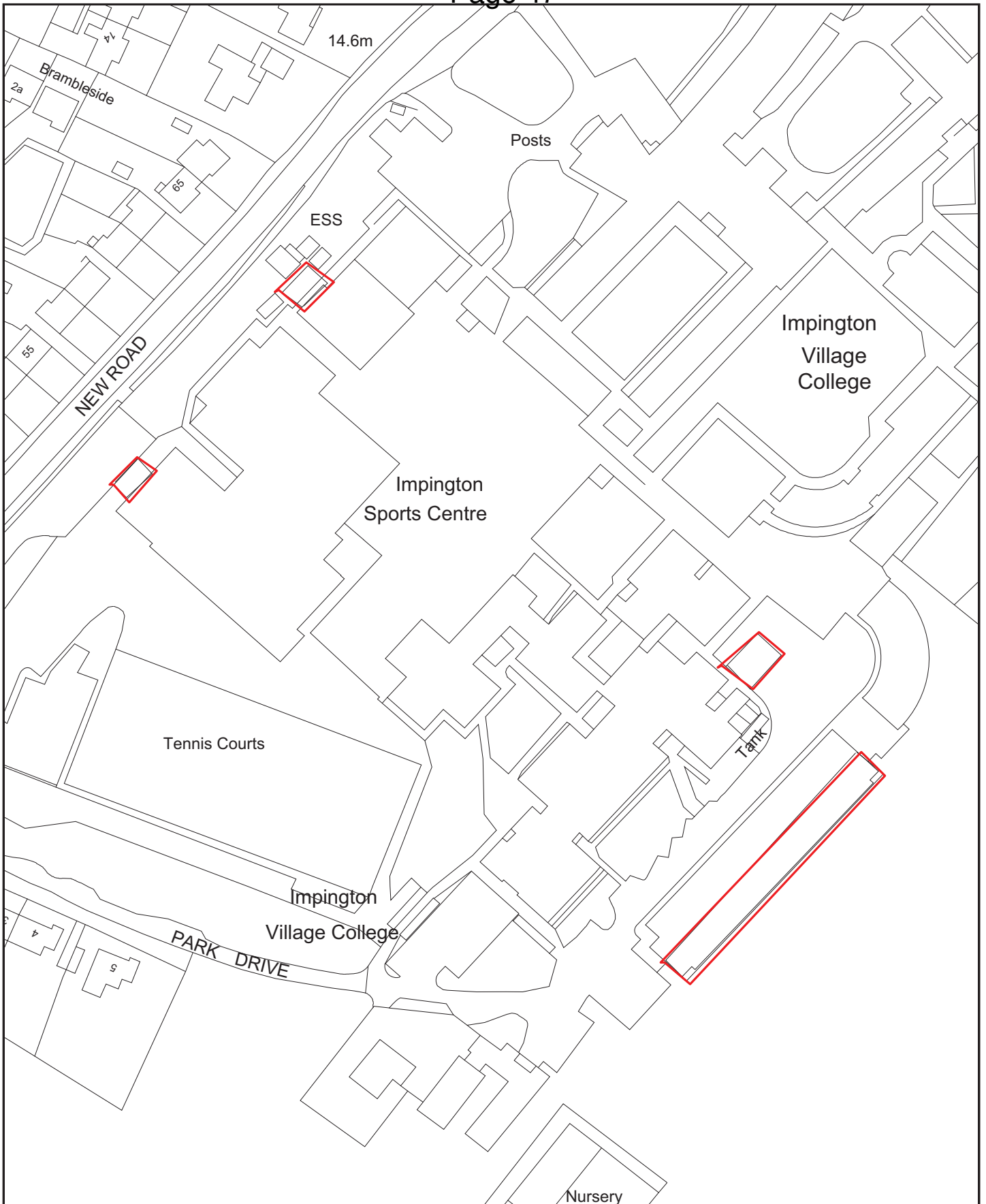
- (a) Burning of waste
- (b) Listed building consent application

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: Development Affecting Conservation Areas SPD - Adopted January 2009, Listed Buildings SPD - Adopted July 2009, Trees & Development Sites SPD - Adopted January 2009, Landscape in New Developments SPD - Adopted March 2010, and District Design Guide SPD - Adopted March 2010
- Planning File References: S/2022/12/FL

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

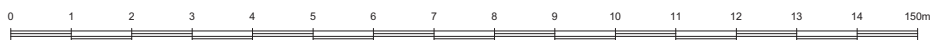
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/2133/12/FL - LINTON**Erection of 4 one-bedroom houses following the demolition of a block of 10 garages
at land between 76 and 92 Chalklands
for South Cambridgeshire District Council****Recommendation: Delegated Powers to Approve****Date for Determination: 01 December 2012****The application has been referred to the Planning Committee as the
application is made by South Cambridgeshire District Council for land in
its ownership.****Committee Members will visit the site on Tuesday 8th January 2013.****To be presented to the Committee by Dan Smith.****Site and Proposal**

1. The application site is a block of ten flat roof garages situated parallel to the road on a plot totalling approximately 560m². The site is approximately 32 metres wide on the road frontage and the garage block is located towards the rear of the site with hardstanding in front. Along the rear boundary of the site are trees, shrubs and hedging. The site slopes down to the south side and falls away steeply at the rear towards the public footpath which runs north-south on the line of the Icknield Way. At the south side of the site there is a link path from Chalklands to the public footpath to the rear of the site which includes a stepped portion towards the rear of the site. The neighbouring properties on either side of the site are semi-detached houses. The property opposite the front of the site is also a semi-detached house which has its gable end facing the site. The site lies within the Development Framework of Linton.
2. The proposed development is the erection of four one-bedroom dwellings in the form of two pairs of semi-detached houses, following the demolition of the existing garage block. The houses would be retained by the Council as affordable housing.

Policies

3. **ST/5** Minor Rural Centres
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing

NE/6 Biodiversity

NE/15 Noise Pollution

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

SF/11 Open Space Standards

TR/2 Car and Cycle Parking Standards

Consultations

4. Parish Council – has recommended approval and has put forward the following suggestions:

- The doors near the bedroom will collide if opened at the same time.
- Internal doors leading to the Hall could be arranged better e.g. the door to the kitchen should open outwards, so as not to block fittings. They could be vertically split doors to save space
- The landing area should be improved for use as a home office. It is likely that these houses will be used for a variety of age groups with variable needs. Working from home is to be encouraged and is an increasingly common style of working. Home office space (desk top and double electric sockets) could be created rather than have cupboards on the landing. Alternatively, windows (suitably obscured) could be added to the area designated for potential lift space. Home office space is probably more suited to these houses than future disabled access (there are other homes in the village better suited to disabled use). Flexibility in use is essential.
- The ancient hedge at the rear of the properties must be retained and replanted with suitable native species. These houses back onto the Icknield Way, and the ancient hedge-line should be retained and restored
- The planting scheme should be referred to the SCDC tree officer, as there have been recent instances of the wrong species having been planted by SCDC Housing Dept, which have had to be removed.
- Due to the loss of one public footpath, the alternative path adjacent to 90 Chalklands must be upgraded. The access from Rivey Lane is currently an informal earth bank leading to a tarmac footpath. This access must be upgraded to enable access for pedestrians, bicycles, buggies and wheelchairs – all of whom currently use this rather unsafe informal access.
- All roads should be kept clear of mud, during construction. Tyres of construction vehicles should be washed before exiting the site (to avoid a repeat of the current problems in relation to three sites on Back Road, Linton).

Council Building Control Inspector – has no objection to the proposed development.

Council Housing Development Officer – supports the proposed development noting that there are currently 3,275 applicants on the housing needs register and that the scheme will provide much needed single persons accommodation for which there is a high demand across the district.

Council Ecology Officer – has no particular concern regarding the principle of the development subject to the provision of nest boxes and the prevention of any removal of vegetation during the bird breeding season. He does however, have

concerns regarding the wholesale removal of planting to the rear of the site adjacent to the public footpath.

Council Scientific Officer – does not object to the proposed development but requests a condition requiring the investigation and remediation of any contamination on site.

Council Trees Officer – does not object to the removal of trees identified in the submitted arboricultural report and requests that tree protection is installed as per the report.

Local Highways Authority – has not objected to the proposed development but has raised concern regarding the width of the crossovers and the length of the dropped kerbs. It has requested that those crossovers be minimised in width and that the kerbs be raised where not adjacent to the crossovers. It has also expressed concern regarding the fact that the drive lengths are not equal multiples of 5 metres, which it is concerned will result in irregular parking which may lead to vehicles overhanging the footway. It has asked for the drive lengths to be shortened to multiples of 5 metres and has also requested conditions relating to visibility splays, drainage, hardsurfacing and the provision of a Traffic Management Plan. The LHA also notes the potential for increased demand for parking due to the loss of the garages and requests information as to how this would be mitigated. (This information has been provided in the application documents). It also notes the position of the existing lighting column and that this will need to be relocated at the cost of the applicant.

County Archaeology Team – notes that the site is within an area of high archaeological potential and that it is considered likely that important archaeological remains survive on the site and that these would be severely damaged or destroyed by the proposed development. It therefore considers that the site should be subject to a programme of archaeological investigation and recommends that this work should be commissioned and undertaken at the expense of the developer. It requests that such a programme of work is secured through the inclusion of a condition on any permission granted.

Council Environmental Health Officer – does not object to the proposed development but requests conditions relating to hours of construction, piled foundations and external lighting.

Representations

5. No representations have been received in respect of the proposed development.

Planning Comments

6. The main planning considerations in this case are the principle, the impact on the streetscene, Parking and Highway safety, Trees, Ecology, Archaeology, the impact on Residential Amenity and the provision for open space and community facilities in Linton.
7. Principle – The proposed dwellings would be located within the Development Framework of Linton and the provision of dwellings is therefore considered to be acceptable in principle. The site is approximately 560m² and the four dwellings proposed for the site would result in a density of approximately 70 dwellings per hectare. This is significantly above the required density of 30 dwellings per hectare of policy HG/1 – Housing Density and it is the proposed development therefore complies with the requirements of the density policy.

8. The application proposes four one-bedroom dwellings and this is above the minimum proportion of small (one or two bedroom) dwellings required by policy HG/2 – Housing Mix. The housing mix is considered to comply with that policy and given the identified need for such accommodation in the district, the provision of additional smaller units is welcomed.
9. As the scheme is for four dwellings, policy HG/3 – Affordable Housing is applicable and this requires a minimum of 40% of the housing provided to be affordable. The Council as applicant is however proposing that all of the units be affordable and will enter into a legal agreement prior to the issuing of permission to ensure the units remain in that tenure in perpetuity. The application is therefore considered to comply with the requirements of policy HG/3.
10. Impact on the Streetscene – The proposed dwellings would be two storey semi-detached situated behind short front gardens. The layout is similar to existing properties on either side, particularly to the South. The dwellings are considered to be of a simple, balanced design and would occupy a similar building line to neighbouring properties, albeit that the northern pair would be sited slightly behind the neighbour to the north as a result of the curve in the road. The dwellings would sit comfortably in the existing streetscene with separation from the boundaries of the site and between the two pairs and are considered to be acceptable in terms of their impact on the visual amenity of the area.
11. Parking and highway safety – The proposed development would result in the loss of a block of 10 garages. While not all garages in the block were rented and of those that were not all were used for the parking of cars, the impact on parking provision has nonetheless been considered by the applicant. It notes that the provision of on plot parking for many properties in the area has resulted in a diminished demand for communal garage areas and has offered those tenants still renting garages the option of renting other garages in the locality. It is considered that the loss of the garage block will have a limited impact in terms of parking provision and although it may result in a small amount of additional on street parking, the level of such additional parking would not cause any harm to highway safety or amenity.
12. The Local Highways Authority has requested that the existing dropped kerb be lifted where it is not adjacent to a proposed crossover and this will be the subject of a planning condition. It has also expressed concern regarding the length of drives stating that they are not strict multiples of 5 metres and may therefore encourage irregular parking and overhanging of the pavement. While it is accepted that some of the drives are in excess of 10 metres long, it is not considered that reducing the drive lengths would significantly reduce the likelihood of irregular parking in this instance.
13. The Local Highways Authority has also requested conditions relating to visibility splays, drainage, hardsurfacing and the provision of a Traffic Management Plan, all of which are considered appropriate and would be applied to any permission granted.
14. In terms of the level of parking provided for the proposed dwellings, two parking spaces are provided for each dwelling. This is slightly in excess of the Council's parking standards and is likely to be more than adequate for the needs of the single bedroom dwellings. Given the loss of garaging on site, it is considered that a slight over provision of spaces for the dwellings, which would reduce the need for visitors to the new dwellings to park on the street, is beneficial.
15. The proposed development is therefore considered to be acceptable in terms of its

impact on parking and highway safety.

16. Trees and Ecology – The proposed demolition of the garages and erection of the dwellings would require the loss of several of the trees at the rear of the site. The Council's Trees Officer is content that such removal is acceptable in accordance with the recommendations of the submitted arboricultural report. The Council's Ecology Officer does however have concerns regarding the potential removal of small trees and shrubs on the bank to the rear of the site adjacent to the public footpath. He suggests some of the existing planting should be retained and supplemented with native hedging. This is considered appropriate and given the location of the planting this would not impact on the ability of the site to be developed. A landscaping condition would be placed on any permission requiring the submission of further details relating to the retention of some of the existing planting and its supplementation with additional native hedging. He also requests the provision of nest boxes to enhance the site's ecological value and this would also be the subject of a condition. On that basis, the proposed development is considered to be acceptable in terms of its impact on trees and on the ecological interests on site.
17. Archaeology – The County Council's Archaeology Team has identified the site as lying within an area of high archaeological potential and that it is likely that significant archaeological remains survive on the site and would be damaged by the proposed development. It therefore recommends a programme of investigation prior to the commencement of development and on that basis does not object to the application. The request for that investigation to mitigate the harm to the archaeological interest of the site is considered reasonable and a condition will be attached to any permission to ensure such work is undertaken. On that basis the proposed development is considered to be acceptable in terms of its impact on archaeology on site.
18. Impact on residential amenity – The proposed pair of dwellings to the South of the site would be located due North of the gable end of No. 92. They would be set off the common boundary by over 3 metres and it is not considered that they would cause any significant loss of light, visual intrusion or overshadowing to that neighbour. The windows in the front of the pair would face the gable end and rear garden of No. 74 opposite which is sited perpendicular to Chalklands. However, it is not considered that they would result in any significant overlooking or loss of privacy to the neighbour, given the separation between the properties and the existing estate location of No.74 which is already obliquely overlooked from other properties.
19. The proposed pair of dwellings to the North of the site would be located behind the rear elevation of the neighbour directly to the North, approximately a metre from the boundary. It is considered that the two storey gable end located to the South of the neighbour would cause some loss of light and overshadowing to the garden and rear windows of the converted garage element of the dwelling closest to the common boundary. The application site is however lower than the neighbour to the north by approximately a metre with a steep bank on the northern boundary of the site. There is also an existing sycamore tree close to the boundary which shades some of the garden at present. On balance, given the lower land levels on the application site, the shading caused by the existing tree and the reasonable width of the garden of the neighbour, it is not considered that the proposed dwelling would cause any significant harm to the residential amenity of the neighbour to the North.
20. Neither of the northern or southern dwellings have first floor windows proposed in their side elevations and a condition would be applied to any permission to ensure this remained the case, given the overlooking which could result to neighbouring

properties were windows to be inserted into those elevations.

21. The proposed development is therefore considered to be acceptable in terms of its impact on residential amenity.
22. Open Space and Community Facilities – The proposed development would not provide open space or community facilities on site and would therefore be required to contribute to their provision off site, in order to mitigate the additional burden that the occupants of the four proposed new one-bedroom dwellings would place on such facilities locally. The applicant has agreed to enter into a Section 106 legal agreement to make such contributions. At present the amounts would be as follows: Public open space - £2,975.28; Community facilities - £1,136.32; Waste receptacles - £278 and a Section 106 monitoring fee of £250. The legal agreement would be prepared and entered into prior to the decision being issued.
23. Other matters – The Parish Council has commented on several matters relating to the internal design of the dwellings. While the detailed internal design of the houses may be able to be improved to suit some end-users, it is considered to be acceptable in planning terms as it stands. The Parish Council's comments have therefore been passed on to the Council's Housing Development Manager for her to address as she feels necessary.
24. The Parish Council also raises the question of the possible upgrade of an access link to the public footpath in light of the closure of the link which currently runs across the south side of the site. Negotiations with the Council's Housing Section on the possibility of such works are currently on-going and a verbal update will be provided to Committee on this matter.

Recommendation

25. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that the application be granted Planning Permission, subject to a S106 Agreement and conditions relating to:
 1. Timescale for implementation
 2. Approved Plans
 3. Programme of archaeological investigation
 4. Investigation and remediation of contamination
 5. Materials
 6. Hard and soft landscaping
 7. Restriction on windows in side elevations
 8. Tree Protection during construction
 9. Boundary treatments
 10. Provision of nest boxes
 11. Provision and retention of parking areas
 12. Works to kerbs and crossovers
 13. Drainage of parking area
 14. Provision of visibility splays
 15. Provision of Traffic Management Plan
 16. Wheel washing of construction vehicles
 17. Hours of demolition and construction
 18. External lighting scheme including moving of existing lamp-post
 19. Pre-development checks during bird breeding season

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

- **Local Development Framework Core Strategy 2007**
- **Local Development Framework Development Control Policies 2007**
- **Planning File ref: S/2133/12/FL**

Contact Officers: Daniel Smith – Senior Planning Officer
01954 713162

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/1487/10 - FOWLMERE
Ten Affordable Dwellings - Land Adjacent to 4, Cambridge Road
for Bedfordshire Pilgrims Housing Association

Recommendation: Approve

Date for Determination: Not applicable

This application has been reported to the Planning Committee for determination because the proposed tenure mix differs from that considered previously by Members.

To be presented to the Planning Committee by Paul Derry

Site and Proposal

Planning permission was granted following the Planning Committee of 11 May 2011 for the erection of ten affordable dwellings on land adjacent to 4 Cambridge Road, locally known as the triangle site. The decision notice is dated 23 June 2011. The applicant throughout the application was Circle Anglia, who sought all units to be social rented. Whilst this was not the 70/30% split between social rented and intermediate housing recommended by the Affordable Housing Supplementary Planning Document, the Council's Housing Team supported the rented units.

The scheme is now being brought forward by Bedfordshire Pilgrims Housing Association (BPHA). Their application for funding for the site has been based on a 50/50% split of rented and intermediate housing. They state the delivery of all units as social rented is not a viable option. The proposal under consideration if accepted by the Committee will result in a scheme different to that originally considered by Members and the Parish Council. If approved, it would permit the District Council to amend the tenure mix to five social rented units and five intermediate units. Members should note the plans are not being considered again.

Planning History

Application S/1487/10 granted planning permission for ten affordable dwellings on the site. An application to discharge the pre-commencement conditions is currently being considered by the District Council.

Planning Policy

Policy HG/5 of the Local Development Framework Development Control Policies (LDF DCP) adopted 2007.

Local Development Framework Affordable Housing Supplementary Planning Document adopted 2010.

Consultations by South Cambridgeshire District Council as Local Planning Authority

The Council are in discussions with Fowlmere Parish Council and the Local Member regarding the proposal. Members will be updated on comments received.

Materials Planning Considerations

Policy HG/5 (1a) of the LDF DCP requires affordable housing on rural exception sites is provided in perpetuity. The Affordable Housing SPD adds to ensure this is the case, the delivery of affordable housing on a rural exception site should be facilitated through a Registered Social Landlord (Registered Provider) rental scheme or shared ownership scheme and secured through a legal agreement, which ensures the units remain available to those in local need and at an affordable rate initially and in perpetuity, and is managed appropriately.

No more than three dwellings should be provided as shared ownership properties in order to meet the requirements of the Affordable housing SPD. At the time of writing, the Home-Link Housing Register shows there are nine people with a local connection to Fowlmere on the register. Of these nine, three have expressed an interest in shared ownership schemes. This interest in shared ownership may rise given the availability of the units. Given these figures and ultimately the reliance on the funding from the HCA, the change in tenure is considered acceptable in this instance.

Recommendation

It is recommended the scheme be approved on a 50/50% split between rented and intermediate housing.

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

- Local Development Framework Development Control Policies 2007.
- Affordable Housing SPD.
- Planning File refs: S/1487/10.

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/2317/12/FL – SHEPRETH**Part change of use of land to provide hand car wash service and installation and erection of hard standing, drainage and ancillary structures at Royston Garden Centre for Mr Festim Dara.****Recommendation: Approval****Date for Determination: 2 January 2013****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. Royston Garden Centre is a large commercial garden centre site (A1) located to the south of the village of Shepreth and on the southern side of the A10. The site comprises a large gravelled car park, large internal sales area building and an external display and sales area for plants and such.
2. The site falls outside of the Shepreth Development Framework and therefore within the defined countryside. The site is screened from the A10 by a turfed earth bund.
3. A hard surfaced area is proposed to facilitate the car wash service. It is proposed that the hard surface will collect all water from the washing of vehicles and that this will be filtered and recycled for use. Ultimately should the recycled water become too saturated for re-use then it would be exported off-site for external treatment. A system of three water tanks are proposed and these would be screened by fencing. In addition a small shed building is proposed.

4. Planning History

S/1249/12/FL - Part change of use of land to provide hand car wash service and installation and erection of hard standing, drainage and ancillary structures – refused due to lack of information submitted in order to assess ecological impact and noise and disturbance.

5. Planning Policy

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/7 - Development Frameworks
ET/5 – Development for the Expansion of Firms
NE/15 – Noise pollution
TR/1 - Planning for more Sustainable Travel
TR/2 - Car and Cycle Parking Standards

Consultation by South Cambridgeshire District Council as Local Planning Authority

6. **Shepreth Parish Council** - Recommends refusal on the application as originally submitted, commenting:

Policy ET/5 – Development for the expansion of Firms: *Granting permission for the car wash could establish a non-conforming use and cause problems with traffic, noise, pollution, and other damage to the environment. It also conflicts with other policies:*

Policy NE/8 – Ground water and NE/9 – Water and drainage infrastructure: *Whilst the proposed system recycles wastewater, it is not possible to recycle 100% of it. Surplus wastewater should go to sewerage, but airborne spray with suspended pollutants will land anywhere outside the enclosure. The installation of a septic tank with, or without, an interceptor or separator for this purpose is inadequate, as it will allow cleaning agents, detergents and chemicals from road dirt, salts, etc. to enter the ditch around the garden centre, the Guilden Brook, the groundwater system and local aquifer, which will also adversely affect all associated habitats, fauna and flora.*

Policy DP/3 – Traffic: *The Design and Access Statement indicates that there will be an anticipated 15 – 20 vehicles washed per day depending on demand, with no upper limit. Given that this is an average, it is likely that the greater number of vehicles to be washed and vacuumed will be at the weekend. Given this, the additional number of vehicle movements created at the entrance, which is on a road without a speed restriction, opposite the Lawn Mower centre, two bus stops, Shepreth allotments and just before the bend as the Cambridge Road joins the Old Dunsbridge Turnpike and the A10 would be detrimental to the safety of pedestrians (there is no pavement or street lights along this section of the road), cyclists and other road users. The weekend is also the busiest time of the week for the lawnmower centre, garden centre and Shepreth allotment tenants.*

Policy NE/15 – Noise: *The noise generated by pressure jet washer pumps, vacuum cleaners and waste water tanker lorries would have an unacceptable adverse impact on the indoor and outdoor acoustic environment of the existing dwellings opposite the proposed site in Frog End. The most affected would be those on the east side of the A10 where the backs of the houses and rear gardens are toward the application site; also affected would be the two or three dwellings nearest the A10 on the west side. There would be an even greater nuisance to residents from noise pollution and airborne spray at weekends when the majority of vehicles are likely to be washed and vacuumed.*

Policy CH/8 – Advertising: *Granting permission for the vehicle wash will, inevitably, lead to some kind of advertising visible above the earth bund along the A10. This would be detrimental to the visual aspects of the village at this point and distract drivers as they negotiate the very busy and dangerous staggered junction with Frog End.*

Policy NE/12 – Water Conservation: *The Parish Council consider that, as Shepreth is already served with other established car washes in the local area; one on the A10 at the Foxton level crossing (about 1.50 miles to the north), another at Arrington on the A1198 and two at Royston (Tesco and Murkets) on the Old North Road, a further car wash facility would be contrary to the principle of water conservation and further deplete this*

limited resource.

Finally, the garden centre has seen many changes to its retail aspects over the years. Whilst these additional businesses are retail related, the Parish Council is concerned that by granting a change of use to B1 or B2 for industry or light industry a precedent for other non- retail businesses would be established within the garden centre.

7. **Environmental Health Officer** – Raises no objections having regard to noise and environmental pollution.

8. **Local Highways Authority** – No comments received. However when commenting upon S/1249/12/FL advised that the development would have no significant impact upon the public highway.

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

The Agency has no objection, in principle, to the proposed development. Advising that the proposal for capturing and containing dirty water (trade effluent) from the car wash is adequate providing that the tanks are watertight, and emptied and maintained appropriately.

Trade effluent shall not be discharged to a septic tank; no part of the car wash operation shall be discharged to the septic tank.

The applicant must ensure that there is no discharge of effluent from the site to any watercourse or surface water drain or sewer. Any pollution to the water environment arising from the development may result in prosecution.

10. **Ecology Officer** - Raises no objections, commenting 'the drainage plan appears to confirm that all effluent from this operation will be self-contained'.

11. **Economic Development Panel** – Supports the proposals.

Public Consultations by South Cambridgeshire District Council as Local Planning Authority

12. 2 letters of representation received from the occupants of nos.120 & 124 Frog End, objecting to the proposals for the following reasons:

- Flood Risk
- Harm to highway safety
- Dispute employment benefits
- Noise and disturbance
- Harm from advertising

13. 1 Letter of representation received from Cllr Soond raising the following concerns:

- Harm to the Shepreth Conservation Area
- Contamination of local water course
- Harm to ecology of area (Otters) from contamination of water course
- Tree impacts
- Visual impact
- Potential harm from external lighting
- References to the reasons for various conditions on previous consents relating to the wiser site concerning; amenity, character and appearance and use

Material Planning Considerations

14. The key issues to consider in this instance are the principle of development, the impact upon residential amenity, highway safety, character and appearance, environmental pollution and ecological impacts.

Principle of Development

15. The National Planning Policy Framework at para 28 is clear that Local Planning Authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas. The proposed use is that of a car wash facility which is a sui generis use class. Whilst the use is not considered to be ancillary to the Garden Centre it is incidental to the current use of the existing site as it will rely upon visiting members of the public using the service. In this regard the proposals are not anticipated to generate a significant number of additional trips over the intensity of the current site, it could be comparable to the car wash facilities that one finds in supermarket car parks. As such the development is considered to be sustainable and providing there is no other serious harm the scheme should be supported.

Residential Amenity

16. Representation received from members of the public, the Parish Council and the Local Member for the Shepreth raise concerns for noise and disturbance impacts arising from the proposed car wash operation. However the Council's Environmental Health Officer (EHO) does not consider that there is any potential for the proposals to cause a statutory nuisance to the surrounding residential areas. In reaching this conclusion the EHO has had regard to para 5.2 of the applicants Design and Access Statement which confirms the specific jet wash and Hoover to be used, both of which are equivalent to domestic models in terms of noise output.
17. Furthermore the proposed car wash site is located approximately 100-140m to the west/south west of the nearest residential dwellings and Officers note that ambient noise levels from the highway and garden centre are relatively high at present. As such it is not considered that the level of noise generated by the pressure wash and vacuum would not cause significant harm to residential amenity.
18. The application specifies the intended hours of use. These are not considered by Officers to fall within anti-social hours however it is considered reasonable and necessary to apply a conditional requirement to any consent limiting the hours of use to those specified.

Character and Appearance

19. The existing site comprises a large garden centre sales building, external sales area and substantive aspects of gravelled car parking, the sales building is set back from the boundary with the highway (A10). The proposals comprise a utilitarian shed and tall fencing to screen the proposed holding and filtration tanks and would be sited in a location close to the highway. The structures are a maximum of 2.6m tall and as such would be afforded some screening from the existing bund that runs along the frontage of the site. It is possible that some views of the fencing would be afforded over the bund. Additional soft landscaping could mitigate this, but in the context of the wider site officers are reticent to recommend to the committee that a soft landscaping scheme be applied as it's difficult to justify. Members will also note that application ref S/2025/12/FL that was heard at the December Planning Committee to which

members resolved to apply a landscaping condition to seek additional screening to the site frontage.

20. There is not considered to be significant adverse visual harm as a result of the proposals.

Environmental Pollution & Ecology

21. When contending with the original development of the site the original application established the restoration of a large on-site pond and provision of a wildflower meadow, there is also believed to be an Otter Holt in the local water environment that forms part of the garden centre site.
22. The Council's Ecology Officer advises that the restored and created habitats should not adversely effected by this application due to the fact that all effluent from the operation will be self-contained.
23. The Parish Council raises concerns for airborne spray, including cleaning agents, from the service falling upon the wider site and entering the local watercourse. The amount of water falling in such a manner is unlikely to be substantial. Regardless the information submitted to accompany the proposals demonstrates that the three cleaning products proposed to be used; class clean, wash & wax and in car cleaner are all 'non-hazardous'.
24. Having regard to the above Officers are satisfied that the applicants have now reasonably demonstrated that there would be no harm to the local environment from pollution. The comments received from the Environment Agency are accepted and will be worded as a condition and an informative. In addition it is considered necessary to apply a condition that does not allow the car wash use to be carried out unless the recycling system is operational.

Highway Safety

25. Concerns are raised for the intensification of the site with regard to highway safety. There may be some intensification as a result of the proposals, but relative to the main use of the site these are unlikely to be substantive. Furthermore the Local Highways Authority (LHA), when commenting on the previous (similar) proposals, advised that the development would have no significant adverse effect upon the public highway. At the time of writing no further comments on the case at hand have been received from the LHA, should comments be received Officers will update the Planning Committee accordingly.
26. Having regard to the views of the LHA there is not considered to be any sustainable reasons for refusal on the grounds of highway or pedestrian safety.

Further Considerations

27. Concerns are raised by the Parish Council, local residents and local member regarding surplus signage and flood risk. None of those matters raised are material to the proposals under consideration.
28. Cllr Soond raises concerns for the impact upon trees and the character and appearance of the Shepreth Conservation Area. However, no trees are affected and the site lies well outside the conservation area. Thus these matters do not form a material consideration of the case at hand.

29. Cllr Soond raises concern for external lighting impact. No external lighting is proposed and a condition limiting only external lighting approved by the authority is considered reasonable in this instance.
30. Cllr Soond makes reference to the reasons for conditional requirements pertaining to a number of previous applications on the site. These references are a bit anomalous but relate to matters that have been included in the above discussion, namely residential amenity and visual impact.
31. The Parish Council raises concerns for the change of use of the site to B1 or B2. The application does not propose such a change, the car wash use is sui generis as confirmed above.
32. The Parish Council raises the question of need given the presence of other car washes in the area, this is not material to the case at hand as the fact that the development proposal has been made is sufficient to demonstrate need. The Parish Council suggests that over provision of car wash facilities would be detrimental to water conservation. Given the proposals to recycle water by the scheme at hand it is not considered that there would be any substantial harm in planning terms regarding water conservation.

Conclusion

33. 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

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.

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: 286/12/01, 286/12/02b, 286/12/03, 286/12/04, 286/12/05, 286/12/06, Health and Safety Data Sheet 7GLCN, Health and Safety Data Sheet 7WWAX & Health and Safety Data Sheet 7INCA**

(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990 and to ensure that only non-hazardous cleaning products are used.)

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

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

4. Trade effluent shall not be discharged to a septic tank; no part of the car wash operation shall be discharged to the septic tank.

(Reason – In the interests of minimising potential environmental pollution)

5. The car wash use, hereby approved, shall only be carried out at such time as the water recycling system approved by the application has been installed and is fully operational. At no time shall the car wash use operate should the water recycling system not be operational.

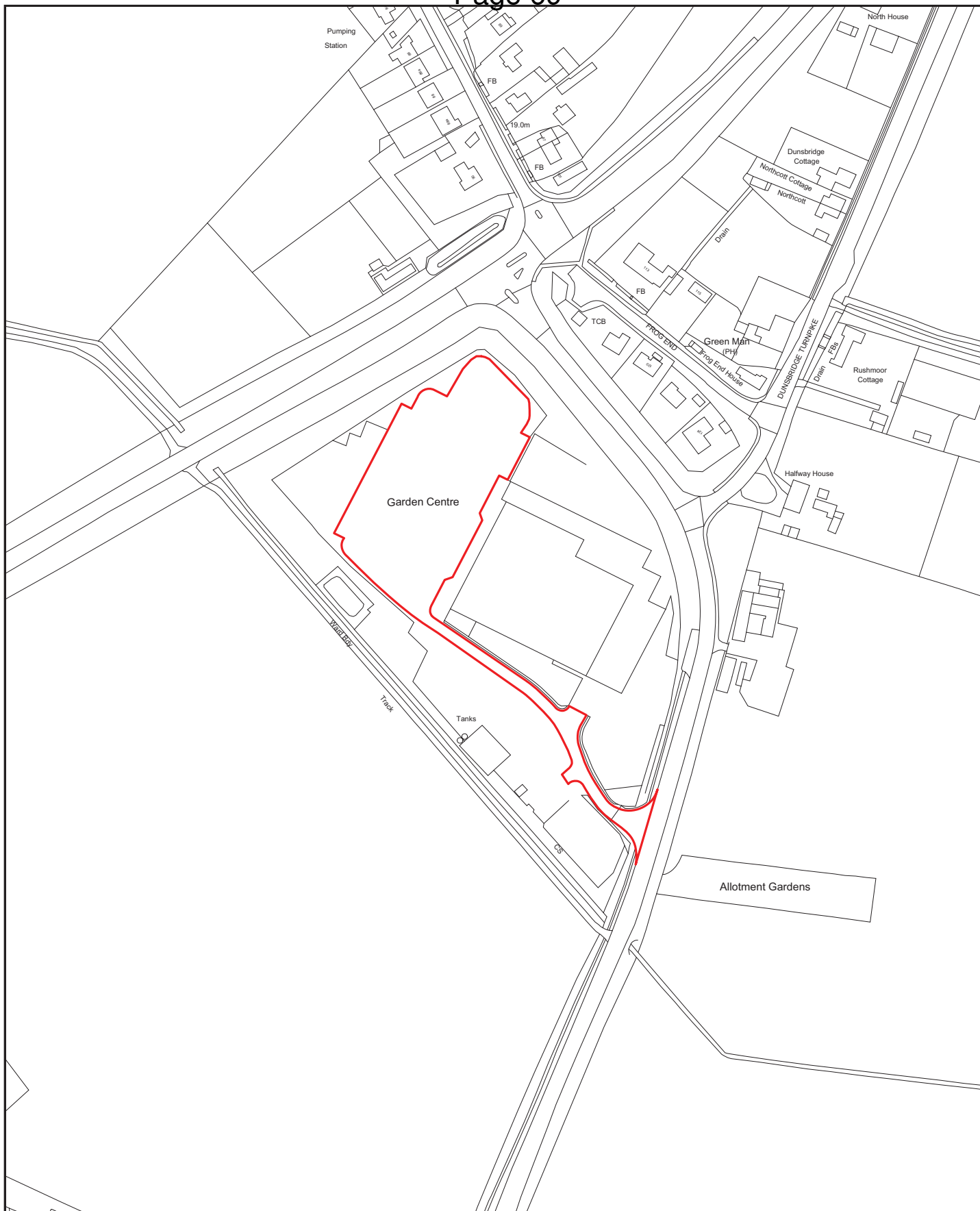
(Reason - To minimise environmental pollution and harm to the ecology of the area in accordance with Policy NE/6 of the adopted Local Development Framework 2007.)

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

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

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities

S/1896/12/FL - BARRINGTON**Dwelling (Revised Design S/1609/10) at Land to the rear of 36 High Street Barrington
for Mr C. Taylor****Recommendation: Approval****Date for Determination: 14 January 2013****Notes:**

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

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

1. The application site is land to the North (rear) of the Guildhall, a Grade II listed dwelling which faces the Green. The land falls within both the Barrington Conservation Area and the Protected Village Amenity Area (PVAA). There is an existing vehicle access serving the Guildhall on the West side of the frontage with a late 20th Century detached carport and area of hardstanding, as well as a privy on the East side of the Guildhall. The rear garden and land behind the existing dwelling is heavily wooded. There are neighbouring dwellings fairly close to the Western boundary of the site for its full depth, and one dwelling adjacent to the Eastern side boundary set back from the building line created by the Guildhall by approximately 20 metres.
2. The proposed development is a the erection of a detached dwelling on land to the rear (North) of the dwelling known as The Guildhall including the construction of a pedestrian path from the existing vehicular access and parking area for The Guildhall to the new dwelling. The vehicular access and parking area would be shared by both properties. This scheme is a revised design to an earlier approval that proposes a first floor extension to create an additional bedroom, an increased ground floor workshop/utility room and a revised hardstanding and storage building. There are also minor changes to the fenestration and elevational treatment.

Relevant Planning History

3. S/1609/10 - saw the approval of a new ecological dwelling. This was approved subject to condition at Planning Committee in December 2010.
4. S/1455/09/F – Planning permission was refused for the erection of an Ecological Dwelling, Carport and Store with New Access at Land to the North of 36 High Street, Barrington, on the grounds of impact on the character and setting of the Listed Building (The Old Guildhall), the Conservation Area and the special character of the

PVAA and because it failed to make sufficient provision for the additional burden the development would place on open space within the village.

5. An appeal against the refusal was dismissed by a planning inspector in April 2010, although the grounds on which he dismissed the appeal were more limited than those given by the Local Planning Authority (LPA) in its original reasons for refusal.
6. S/0613/09/F – Planning permission was refused for largely the same development as proposed in the S/1455/09 application on the same grounds as above and in addition because it was considered that the application failed to adequately consider the impact of the development upon the biodiversity value of the site.

Policies

South Cambridgeshire Local Development Framework (LDF) adopted January 2007.

7. **ST/6** - Infill Village
DP/2 – Design of New Development
DP/3 – Development Criteria
DP/7 – Village Frameworks
HG/1 – Housing Density
NE/1 – Energy Efficiency
NE/6 – Biodiversity
NE/9 - Water Drainage and Infrastructure
CH/4 – Development within the Curtilage or Setting of a Listed Building
CH/5 – Conservation Areas
CH/6 – Protected Village Amenity Areas (Combined with Local Plan 2004 Policy SE10)
SF/10 - Outdoor Playspace, Informal Open Space, and New Developments
SF/11 – Open Space Standards
TR/2 - Car and Cycle Parking Standards

Consultations by South Cambridgeshire District Council as Local Planning Authority

8. **Barrington Parish Council** – recommends refusal on the following grounds:
 - Impact on residential amenity, namely 34 High Street and 9 Back Lane
 - Impact on the Conservation Area and PVAA;
 - Added bulk will make the development more prominent
 - Car parking provision and access;
 - Allows for a greater number of vehicles
 - sufficiently different to the application dealt with by the Planning Inspector (S1455/09/F)
9. **Conservation Manager** – Follows pre-approval following Inspectors lead. Increase in height to single storey element minimal impact on the setting of the Listed Building on Inspector basis. Some concern regarding the increase in width of the access path from 1.3 m to 1.5m. Concern regarding the intensification of the parking area and the new building adjacent the listed building and the impact on the surrounding protected trees. The application is recommended for refusal based on the changes to the hard standing area adjacent the listed building and the modern bin store structure. Recommend refusal unless these parts are omitted from the scheme.
10. **Trees Officer** – does not object to the development, but comments that tree protection is in place prior to development commencing and that the development of the bin store is subject to conditions requiring no dig detailing.

11. **Local Highway Authority** - No objections, but request access is a minimum 3 metres wide and dimensions are shown for parking spaces. Additionally informatives should be included to ensure no work takes place in the Highway without consent, and public utility apparatus is appropriately protected.
12. **Environmental Health Manager** - raises no objection from a noise and environmental pollution viewpoint.

Representations by members of the public

13. Two letters of objection have been received from owners/occupiers of the properties at 34 High Street and 4C West Green regarding the following issues:
 - Harm to the setting of the Listed Old Guildhall and the Conservation Area;
 - Harmful impact on the Protected Village Amenity Area;
 - Impact on trees on site;
 - Inappropriate design;

Planning Comments

14. The main planning considerations in this case are the principle of the development, the impact on the setting of the Listed Building, Conservation Area and PVAA, Parking and Highway Safety, Ecology, Trees, Residential Amenity and Public Open Space provision.

Principle

15. Given the history of the application site the principle of the development is considered to be acceptable. Additionally the site is located within Barrington's Development Framework there is a general presumption in favour of residential development in this location, although given the site's location within the PVAA, Conservation Area and proximity to the Grade II Listed Building, the scheme for the dwelling has also had to address those constraints.

Impact upon Setting of Conservation Area, Listed Building and PVAA

16. In the consideration of previous applications, the LPA has taken the view that the proposed dwelling is within the setting of the Listed Building and that it, as well as a permanent vehicle access to the East side of the existing house, would have a harmful impact on that setting as well as the character and appearance of the Conservation Area, by providing a built form that would enclose the structure to the side and rear and providing a hard backdrop at odds with the current large, broadly treed setting. In addition, the LPA's view has been that the erection of any dwelling in the location proposed would erode the special tranquil, landscape character area that the PVAA is intended to protect by introducing a built form and associated traffic and other domestic activities into this currently undeveloped area.
17. However, in coming to a decision on the appeal against the most recent refusal of planning permission, a planning inspector took the view that the dwelling itself would not cause any significant harm to the setting of the Listed Building or the PVAA. This decision is considered to have material weight in the consideration of this similar proposal. Nonetheless, the inspector dismissed the appeal on the grounds that the creation of a new vehicle access to the East side of the Listed Building *would* harm the setting of the Listed Building as well as the character and appearance of the Conservation Area and the visual amenity of the area, contrary to the purposes of designating the site a PVAA.

18. As a result of this decision, the application has been resubmitted, once under S/1609/10 and again under this proposal. In both schemes the previously proposed permanent access to the East of the house is removed and a proposal to share the existing access and parking area for the Guildhall with the new dwelling has been considered acceptable. This would necessitate the removal of a lean-to element on the existing carport. A pedestrian path would lead from that parking area on the West side of the Guildhall to the new dwelling. The new access and parking arrangements under S/1609/10 as well as the proposed pedestrian path were considered to be acceptable in principle in terms of their impact on the setting of the Listed Building, character and appearance of the Conservation Area and PVAA but will still need to be covered by condition for additional planted screening to ensure the acceptability of the scheme in the long term.
19. Under the revised scheme the change to the hardstanding and the introduction of a modern storage building for bins, cycles and meters are considered to be harmful to the wider setting of the Listed Building and therefore discussion with the applicant has led to the agreement that this element of the application be removed. The arrangement agreed in the earlier scheme will remain in place.
20. In light of the planning inspector's decision on the impacts of the proposed dwelling, it is recommended that the house be considered to be acceptable in terms of its impact on the setting of the Listed Building, Conservation Area and PVAA subject to conditions regarding the following matters:
 - Details of landscaping scheme and its permanent retention;
 - Restrictions on additional boundary treatments or alteration to existing boundaries;
 - Restrictions on any additional access or alterations to the approved access;
 - Restrictions on alterations to hard surfacing other than as approved;
 - Removal of Permitted development rights for fencing, dormer windows, porches and new openings and alterations to openings;
 - Details of hard surfacing and boundaries including path and edgings and details of any alterations to existing boundaries;
 - Samples of materials for external surfaces;
 - Details of windows, doors, screens, eaves, verge, rooflight, canopy, to comprise 1:20 elevations and 1:5 sections;
 - Details of the extent and details of alterations to existing garage and lean-to.
19. The proposed development is therefore considered to be acceptable in terms of its impact on the setting of the Listed Building, the character and appearance of the Conservation Area and the visual amenity of the PVAA.
20. Additionally the comments of the Tree Officer are noted. The impact of the development is not considered to have an adverse impact on the retention of the trees on site and therefore the site further protected aesthetically and ecologically.

Residential Amenity

21. The proposed dwelling would be some 35 metres from the nearest dwelling and under the earlier application S/1609/10 it was not considered the built development would have any significant impact on the amenity of neighbouring residential properties. The first floor windows in the proposed property would not directly face neighbouring properties and it is not considered that there would be any significant overlooking of neighbouring properties. The revised scheme adds a first floor bedroom on what was study/bedroom 2 in the earlier scheme. This introduces roof lights into the new roof slopes facing north and south and no new openings in the

east facing elevation. The new additions do not suggest any new overlooking concerns.

22. The proposed parking and access arrangements, shared with the existing dwelling, are considered to be unlikely to cause any significant disturbance to any of the neighbouring properties. The pedestrian path to the dwelling would pass relatively close to the garden of No. 4b West Green, however given that it would not be used by motorised vehicles; it is considered that it would not cause any significant disturbance likely to affect the residential amenity of that property.
23. The proposed development is therefore considered to be acceptable in terms of its impact on residential amenity.

Parking and highway safety

24. The Highways Authority has previously commented that any shared access should be widened to 3 metres, however given that the existing access is adequate for vehicles to access the parking area, albeit that more cars will use it, it is not considered necessary to widen the access. The gravelled access road to the front is quiet and it is not considered that either the sharing of the existing access or having cars reversing out of the driveway would have any significant impact on highway safety.
25. The proposed arrangements have changed slightly from that of the original scheme proposing a larger area of hardstanding and a storage shelter for bins/cycles. The existing approved scheme provided two parking spaces for the new property and retained the existing two bay car port as well as the hardstanding in front as parking for the Guildhall. Although slightly in excess of the Council's maximum parking standards of 1.5 spaces per dwelling the provision of two spaces was considered to be acceptable and adequate for the likely needs of the property. The remaining car port and driveway parking spaces for the Guildhall were also considered to satisfy the parking needs of the property.
26. The additional parking area (and storage building) as part of the revised scheme was to allow for a better arrangement for the new property, however given the adverse impact it will have on the setting of the Listed Building the applicant has already indicated willingness to remove this part of the proposal from the scheme and refer back to the layout that was approved.

Open Space

27. The 2005 Audit and assessment of need for outdoor play space and informal open space showed that Barrington has a surplus of both sports pitches and play space. It also concluded, however, that the existing main pavilion was in poor condition and required updating.
28. This application increases the number of bedrooms from 3 to 4 and therefore there is a requirement to increase the contribution to open space and community facilities. The applicant submitted a draft Heads of Term with the application and is mindful of the increases.

Conclusion

29. The scheme proposes minimal changes to the approved dwelling under S/1609/10. The main change is that of a first floor addition, however, on balance this is not considered to cause any undue harm to neighbour amenity or on its wider setting. The changes to the fenestration are minor showing only small increases/decreases in window sizes at ground floor. The changes proposed to the ground floor utility/

workshop is also considered to be acceptable. The alteration of the hardstanding and addition of a bin/cycle store close to the listed building are not favoured, however the applicant is willing to remove this element from the application. With this in mind the scheme is considered to be acceptable.

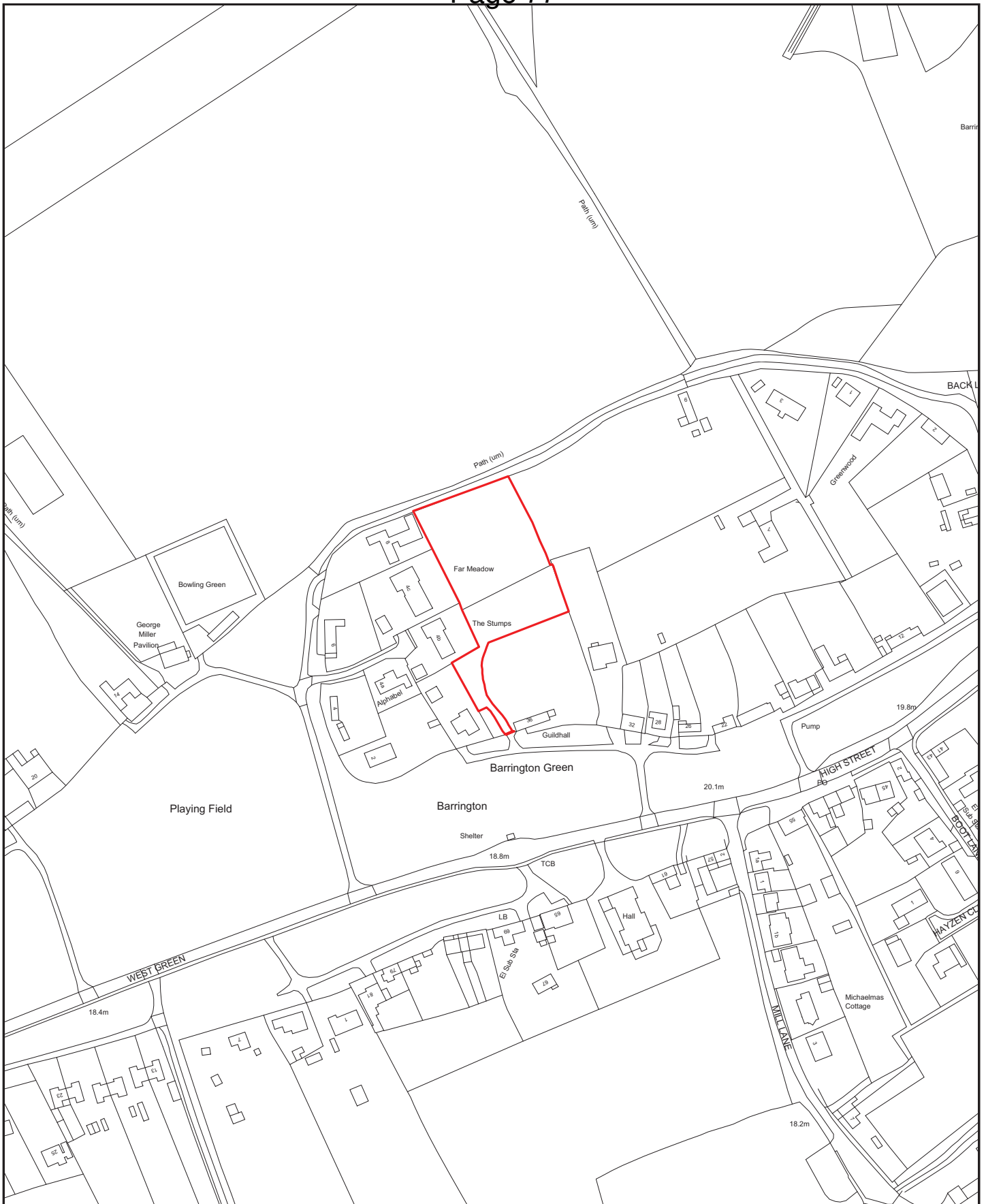
Recommendation

38. Planning Committee approves the application subject to conditions relating to the following would be applied to any such permission:
- a) Time Limit for implementation
 - b) Approved Plans
 - c) Materials to be approved
 - d) Details of windows, doors, screens, rooflights and canopy for the proposed dwelling in the form of 1:20 elevations and 1:5 sections
 - e) Landscaping
 - f) Landscaping implementation and retention
 - g) Method statement for installation of temporary access including tree protection, its use and a timescale for its removal
 - h) Additional details regarding removal of lean-to structure from existing garage
 - i) Details of proposed boundary treatments, restriction on additional boundary treatments and alterations to existing treatments
 - j) Restrictions on any additional access or alterations to the approved access
 - k) Details of proposed hard surfacing and restrictions on alterations to hard surfacing other than as approved
 - l) Removal of Part 1 and Part 2 permitted development rights
 - m) Disposal of spoil from the site
 - n) Scheme for biodiversity enhancement and bird breeding

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/1896/12, S/1609/10, S/1455/09

Contact Officer: Saffron Garner - Senior Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/2171/12/VC AND S/2173/12/VC – PAPWORTH EVERARD**Variation of Condition 13 of S/2481/11 (approved drawings) and Variation of Condition 9 of Planning Permission S/2480/11 (approved drawings) at land west of Ermine Street for Jim Rawlings (Barratt Homes)****Recommendation: Delegated Approval****Date for Determination: 10 December 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.

The site is within the Conservation Area

To be presented to the Committee by Andrew Phillips

Site and Proposal

1. The two applications for S/2171/12/VC and S/2173/12/VC are interconnected and should be considered together.
2. The application sites measure approximately 1.1 hectares. The two sites are within the village framework with the conservation area boundary almost running between the two sites. Planning application S/2171/12/VC is within the conservation area. The site also falls within an area of potentially contaminated land.
3. The Old Printer Works and the small building called Fairwood define the northern boundary. The Public Highway of Ermine Street defines the eastern boundary. To the south of the site is the most northern phase of housing development that falls within the development known as "Summersfield". To the west are the residential properties on Southbrook Fields. The Bernard Sunley Centre forms almost the central point of the two applications.
4. Whilst these two application sites do not form part of the outline consent area for the Summersfield Development they are adjacent in terms of land and the new road provides the second connection from the main road running through the development to Ermine Street. Condition 10 of the Outline Consent (S/2288/10) requires off site works to access junctions to be completed.
5. The application as a whole is for a new entrance road into the Summersfield Development, public open space, a new car park and driveway for Bernard Sunley Centre. The applications were amended on the 5 December 2012 in order to show a footpath on either side of the road, to prevent water draining onto the public highway

and to show appropriate visibility splays. The developer has also submitted technical details of the pumping station on the 12th December 2012.

Planning History

6. On site

S/2481/11 - Planning permission was granted for the extension of time for the implementation for S/1163/08/F

S/2480/11 – Planning permission was granted for the extension of time for the implementation for S/2286/07/F.

Nearby

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.

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.

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.

S/1688/08/RM – The proposal for the Siting design and external appearance of 166 dwellings was conditionally approved.

S/1424/08/RM – The proposal for the Approval of appearance, landscaping, layout & scale for the erection of 81 dwellings was conditionally approved.

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.

S/1101/10 – The proposal for the Variation of Conditions 12 & 26 of Planning Permission S/1688/08/RM was approved.

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.

S/2167/11 – Variation of Conditions 11, 12, 14 and 23 of planning application S/1624/08/RM was approved.

Planning Policy

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

ST/ 5 – Minor Rural Centres

8. **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

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

CH/5 – Conservation Areas

TR/1 – Planning for More Sustainable Travel

TR/2 – Car and Cycle Parking Standards

9. **Supplementary Planning Documents**

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

Papworth Everard Conservation Area Appraisal (June 2011)

Consultation by South Cambridgeshire District Council as Local Planning Authority

10. **Papworth Everard Parish Council** – (20th November 2012) The Parish Council recommended refusal on both applications, due to lack of information.

11. No written comments have been received on the amendment at the time of writing.

12. **Environment Agency** – (7th December 2012) The Agency has no comments to make.

13. (12th December 2012) The Agency confirms it has no objections subject to the former approval of Anglian Water Services.

14. **Local Highways Authority** – (20th November 2012) The Local Highways Authority requested that this application be refused on the grounds of highway safety; due to lack of footpath, water draining onto the public highway, lack of visibility splays and the potential number of car movements.

15. (10th December 2012) The Local Highways Authority states that the amendments that the developer has submitted has overcome its concerns. The relocation of the access to the car park away from Ermine Street onto a less heavily used route will potentially reduce the likelihood of an accident occurring. Given the lower speeds associated with the residents roads (i.e. a design speed of 20mph) the severity of any accident may be reduced as well. From the Highway Authority's perspective the relocation of the car park to the rear of the Bernard Sunley Building is likely to reduce the incidence of irregular parking by members of the public attending the hospital, due to its significantly reduced visibility from Ermine Street.

16. **Landscape Officer** – (28th November 2012) The Landscape Officer expresses concern over the poor route of the footpath across the public open space, the lack of footpaths adjacent the public highway and a significant lack in large scale trees.
17. (10th December 2012) – The Landscape Officer states that a direct path across or around this space at a suitable gradient for disabled access is an absolute priority. The gradient of the land needs to be configured to achieve this as it is unreasonable to expect disabled people to take such an indirect route. Others will make more direct routes across the grass, which would be unsightly. Is the configuration of the Aquacell giving rise to the circuitous path? If so a new layout needs to be devised or a different way of storing the water found e.g pipe storage. It is important that this area of open space and the area fronting directly onto Ermine Street forms a practical and aesthetically pleasing gateway to this part of the development, maintaining the character of large scale trees (20m+) in this part of Papworth.
18. The current layout of the Aquacell storage tank does not permit the growth of significant trees, particularly if a footway is ever to be put in alongside the roadway.
19. The Landscape Officer concludes that they would not support the application, unless both the path and trees can be redesigned. If alterations to the drainage are not possible then the application should be refused.
20. **Tree Officer** – No objections.
21. **Ecology** – The Ecology Officer recommends that the previous conditions are maintained. The Ecology Officer also points out that there does need to be dropped kerbs to the south and adjacent to the proposed pumping station in order to allow amphibians to travel. In addition the pond should not be made deeper but wider, allowing for a gentle slope. Finally water should still naturally drain towards the pond.

Representations by members of the public

22. No representations currently received.

Material Planning Considerations

23. The key issues to consider in this instance are:
 - Principle of Development
 - Historic Environment
 - Visual Impact
 - Highway Safety
 - Residential Amenity
 - Other Matters

Principle of Development

24. The principle of development has been previously accepted by the Local Planning Authority, most recently in planning permissions S/2480/11 and S/2481/11.

Historic Environment

25. The main historic feature on the site is the building known as the Old Estate Office, which was built between 1900 and 1918. The rear elements of this building are

unattractive 1960/70s additions but the front element makes a strong positive contribution to the Conservation Area. The developer is seeking to place a sewer pumping station adjacent to the modern extensions to the Old Estate Office; this is likely to involve some construction work to the Old Estate Office. A condition can be added to ensure that construction/demolition work does not lead to the deterioration of this historic building.

Visual Impact

26. The site is to form the northern entrance to the Summersfield Development, to provide a visually attractive frontage to the Bernard Sunley Centre and might form the gateway into future major development within Papworth Everard (West Central).
27. The main change from previous applications is that the driveway to Bernard Sunley Centre will cut through the public open space. This has left the public open space less useable, as it has now created two smaller spaces. With this being the case the landscaping scheme has to be of significantly better quality in order to create an attractive space. The developer has accepted that they will need to submit a high quality landscaping scheme and has accepted that the aquacells will need to be repositioned in order to achieve this.
28. The landscaping scheme will also lead to the improvements/enlargement of the pond to the south of sewer pump station and the Old Estate Office.
29. In conclusion, it is considered possible to achieve a visually attractive space with the use of the standard landscaping conditions and a condition to control furniture within the public realm. The visual impact of the proposal is therefore considered acceptable.

Highway Safety

30. The comments of the Local Highways Authority on the amendment are noted and accepted. It is considered that the proposal is acceptable in regards to highway safety.

Residential Amenity

31. The proposal does not raise any concerns in regards to residential amenity.

Other Matters

32. With no other significant changes from the determination of planning permissions S/2480/11 and S/2481/11 it is considered reasonable to maintain the majority of the previous conditions on these applications if approval is given, though rewording as necessary to reflect the change in plans and updating to ensure.

Conclusion

33. If suitable conditions are added the applications are considered to be acceptable.

Recommendation

34. Planning Committee approves the application, subject to the following conditions:

S/2171/12/VC

1. The development hereby permitted shall be begun before the 3rd February 2015. (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 and to accord with the timeframe of S/2481/11.)

2. 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.)

3. 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.)

4. No development of the pumping station shall take place until the technical specifications of the pumping station, to include details of its communication technology, and screening details have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.

(Reason - To ensure that the pumping station meets adoptable standards in the interests of mitigating flood risk and providing adequate foul water drainage to the site as well as ensuring that the development is satisfactorily assimilated into the area in accordance with Policies DP/2, DP/4 and NE/9 of the adopted Local Development Framework 2007.)

5. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage including pond enlargement calculations shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.

(Reason - To ensure a satisfactory method of surface water drainage, in accordance with Policy NE/9 of the adopted Local Development Framework 2007.)

6. No development shall take place until details of the design and method of construction for the furniture to be erected within the area of the public open space have been submitted to and agreed in writing by the Local Planning Authority; the scheme shall be carried out in accordance with agreed details.

(Reason - To ensure that any furniture is designed and constructed so as to not inhibit the growth and longevity of planting within the public open space in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

7. The area of open spaces located to the north of the approved access, illustrated on drawing number 0712/02/SK19-F shall not be permanently enclosed and shall not be used for any purpose other than public open space..

(Reason - To ensure that this important area of open space remains of a character and appearance of sufficient quality as appropriate to its prominent location within the village and serves to integrate the Summersfield Development with the existing village, in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

8. No development shall take place until a scheme of ecological enhancement, to include details of kerbing within the vicinity of the pond, 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.)

9. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

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

10. No development shall commence until a scheme for temporary parking for the Bernard Sunley Centre has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall be maintained until such time as a permanent alternative car park is provided.

(Reason - To ensure adequate parking is available for the Bernard Sunley Centre during the development of the site, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

11. The visibility spays specified on approved drawing no 0712/02/Sk19-F, at the junction of the access road with the public highway shall be provided before the commencement of the development.

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

12. No development or demolition shall commence until a schedule of works to the Old Estate Office (adjacent proposed pumping station) has been submitted to and agreed in writing with the Local Planning Authority. The developer shall commence work to and around the Old Estate Office in accordance with these agreed details.

(Reason – To ensure the development does not detrimentally harm the Conservation Area and to ensure that the Old Estate Office is not left in a state that is vulnerable to environmental damage in accordance with CH/5 of the adopted Local Development Framework 2007.)

13. The development hereby permitted shall be carried out in accordance with the approved plan: drawing number 0712/02/Sk19-F.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

S/2173/12/VC

1. The development hereby permitted shall be begun before the 3rd February 2015.
(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 and to accord with the timeframe of S/2480/11.)

2. 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 those to be retained, together with measures for their protection in the course of development. All tree surveys and tree protection works to retained trees and hedges shall be in accordance with BS 5837 2012 and the approved drawings. No physical works shall be undertaken to any retained tree or hedgerow without the written approval of the Local Planning Authority. If within 5 years from completion of the hereby approved development any retained tree or hedgerow is damaged or uprooted during construction, it shall be replaced with another of a similar size and species, as specified by the Local Planning Authority.

Landscaping details shall also include specification of all proposed trees, planting, turfing and seeding, including 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.)

3. 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, dies, becomes diseased, or fails to establish or make reasonable growth, 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.)

4. No development shall take place until details of the materials to be used in the construction of the external surfaces of the retaining walls 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.)

5. The proposed car park hereby approved, shall be completed and in use, prior to the removal of any of the existing car parking spaces serving this Centre (indicated on Drawing Number 10342-1006 P1 in planning application S/2286/07/F), unless otherwise agreed in writing by the Local Planning Authority.

(Reason - To ensure that the Centre has useable car parking facilities at all times.)

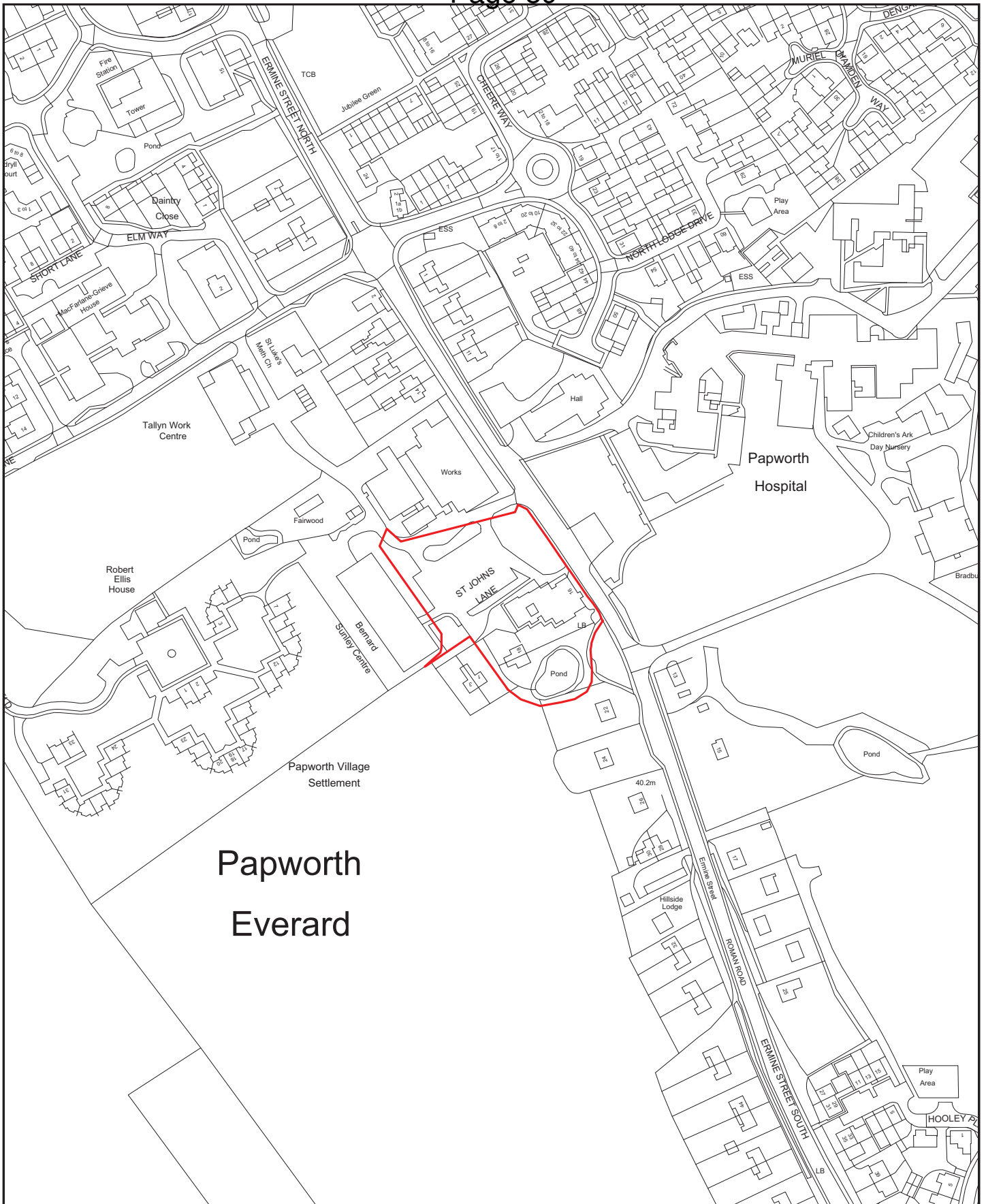
6. The development hereby permitted shall be carried out in accordance with drawing number 0712/02/SK21.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

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

- **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

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Everard



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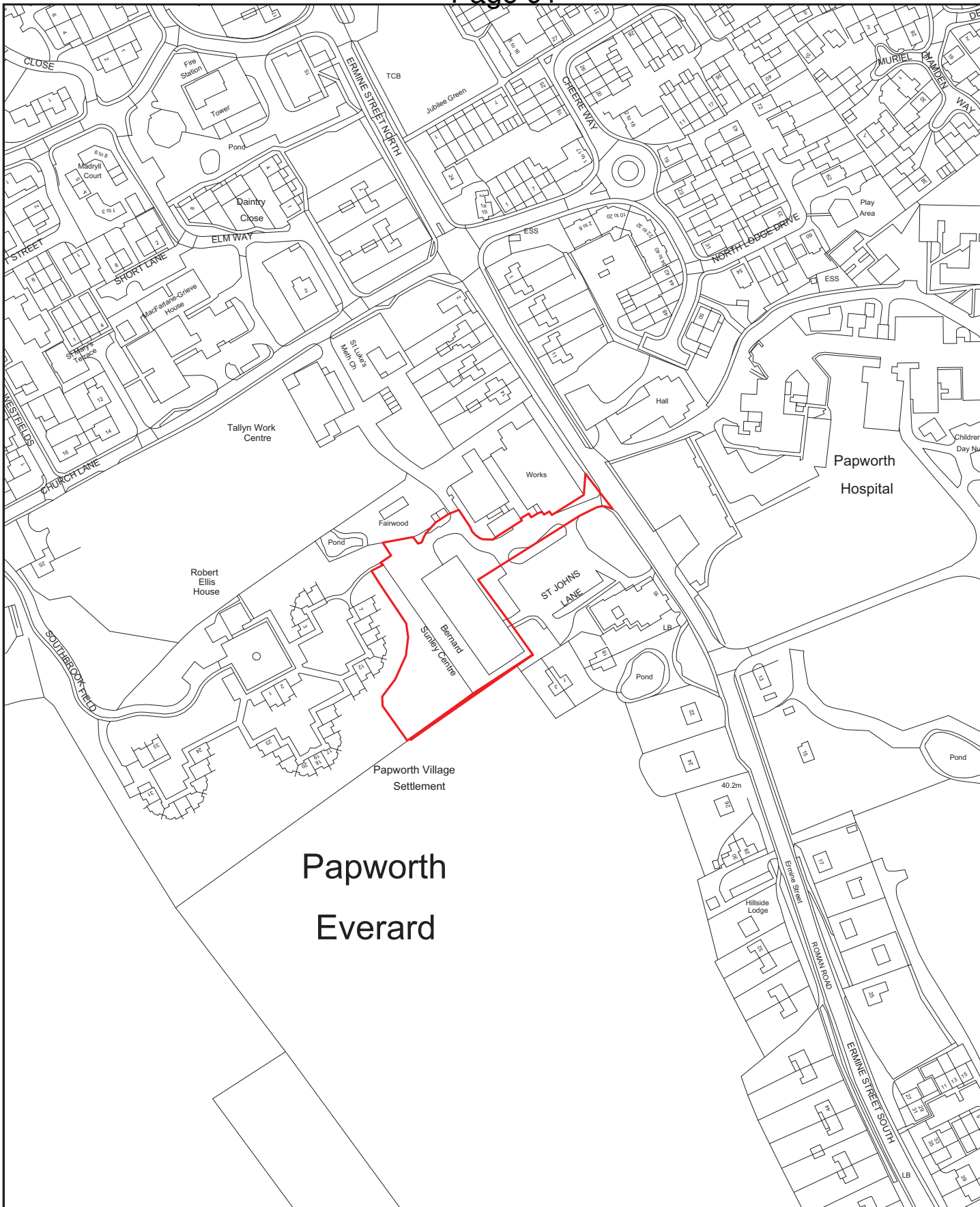


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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/2270/12/FL – FEN DRAYTON

**850m long flood defence embankment ranging in height from approx 0.3m to approx 2.5m above existing ground level – North of Daintrees Farm/Recreation Ground, Springhill Road
for Mr Patrick Matthews, South Cambridgeshire District Council**

Recommendation: Approval**Date for Determination: 28 December 2012**

This Application has been reported to the Planning Committee for determination because the application has been made by the District Council and an objection has been received on material planning grounds.

To be presented to the Committee by Paul Derry

Site and Proposal

1. The application site is located to the north of the village of Fen Drayton. It is outside of the designated village framework. The western end lies within the Fen Drayton Former Land Settlement Association estate. The majority of the site is located within flood zone 3a. The drain running north from High Street is an Awarded Watercourse. There are two public rights of way within the site, Public Byway No. 5 Fen Drayton and Public Footpath No. 2 Fen Drayton, and the site also runs very close to Public Footpath No. 10.
2. The full application, validated on 2 November 2012, seeks the construction of a flood defence embankment. This would be approximately 850m in length, and ranges in height from 0.3m to 2.5m above the existing ground level. The application is supported by a Design and Access Statement, a Biodiversity Statement, a Statement from the Trees and Landscape Officer, and a Project Report including a Flood Risk Assessment.

Site History

3. There have been a number of planning applications in the area, none of which are considered to be relevant to the determination of this application.

Planning Policy

4. **Local Development Framework Development Control Policies (LDF DCP) 2007: DP/1 Sustainable Development, DP/2 Design of New Development, DP/3 Development Criteria, DP/7 Development Frameworks, NE/11 Flood Risk, and NE/6 Biodiversity**

5. **Biodiversity** – adopted July 2009, & **District Design Guide SPD** – adopted March 2010.
6. **National Planning Policy Framework:** Advises that 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

7. **Fen Drayton Parish Council** recommends approval.
8. The **Environment Agency** has no objections in principle. They confirm the proposal would not impact upon third party properties elsewhere. Detailed design of the structure within the Oxholme Brook award drain would be agreed with the Lead Local Flood Authority (LLFA). A permit would also be required from the Environment Agency for the works.
9. The **Local Highways Authority** recommends refusal given insufficient information on expected traffic flows generated as a result of the construction of the scheme and the subsequent traffic impact on the surrounding highway network. A Method Statement of the proposed number of vehicles and their timings in and out of the site is required, along with details for the control of vehicles on and off the public highway.
10. The **County Definitive Map Assistant** notes that two public rights of way would be affected (Public Byway No. 5 Fen Drayton and Public Footpath No. 2 Fen Drayton). There are no in-principle objections provided changes are agreed with the County Council prior to commencement of works and that changes recognise the needs of pedestrians. A number of informatives are proposed.
11. The **County Council Archaeology Team** notes the development would have no substantial impact on sub-surface archaeological remains, and no mitigation is therefore required.

Representations by Members of the Public

12. A letter has been received from the occupiers of Home Close, Horse and Gate Street. They agree with the siting of the western edge of the bank. However, there are objections to the eastern element beside Browns Road. Here an earth bund would need to be huge to prevent flood water, and would be very visible. It is suggested the hard gravel road from Oxholme Bridge to Amen Corner is raised by approximately six inches, keeping the river water in the northern lakes.
13. Four letters of support have been received from occupiers of Daintrees Farm, The Brambles, Church Street, 9 The Orchard, and Ivy House, High Street. They note the benefit to the village in times of high water flow. There is a concern that back-up from water flowing through the village towards the river at times of high flood would increase flood potential. Moving the bank further north could solve this issue.

14. Members should be aware that the site notices expire on 8th January 2012, and they will be updated on any further comments received.

Planning Comments

15. The key issues in the determination of this application are the impact upon flood risk, impact upon the character of the area, and impact upon the public rights of way and public highway.

The Impact upon Flood Risk

16. The northern edge of the village of Fen Drayton sits within the flood zone 3a. The site is within the flood zone of the River Ouse. Its floodplain includes the lakes that form the RSPB reserve to the north of the proposal. The High Street is also within the flood zone given the Awarded watercourse that runs parallel. The applicant (the Council's Drainage Manager) has been in negotiations with landowners and the Environment Agency to find a solution to the flooding problem that regularly affects the village. During the officer site visit, High Street was flooded between Cootes Lane and Daintrees Road, with the majority of the recreation ground under water.
17. The embankment seeks to form a barrier for flood water to protect the village in times of high water levels. It is located across an area where the land naturally falls, and the embankment is effectively a method of "levelling" this area. The result would be the reassessment of the flood zones moving the recreation ground and Daintrees Road from this designation. It is predicted 45 dwellings would be protected as a result.
18. The Environment Agency is supportive of the scheme in principle, subject to agreement from the Lead Local Flood Authority. Members will be updated on any comments from this Authority. The accompanying Flood Risk Assessment shows that the embankment should not cause any flood risk in any other areas down river.
19. In order to prevent a backwash of water southwards in the Awarded Watercourse, a new box culvert is proposed in the watercourse. This would allow a one-way sluice to be added preventing such a backwash. Details of this have not been submitted with the application, and a condition can ensure precise details are provided prior to the commencement of works. Subject to such detailing, the scheme would bring significant benefits to the residents of Fen Drayton, especially those to the northern part of the village.
20. The location of the embankment followed discussions with the Parish Council. Other suggestions for the siting and flood protection have been provided by third parties. These ideas would require further modelling and there is no knowledge without this work as to whether there would be serious impacts elsewhere. The Environment Agency have also indicated they would not wish the embankment to move further north, as it would not protect any further dwellings, and would give a greater chance of impacts downstream.

Impact upon the Character of the Area

21. The proposal varies in height, with a maximum height of 2.5m to the west of the Awarded Watercourse. The proposal continues for approximately 190m to the eastern side of this watercourse. There are many public vantage points

around the site. It would be clearly visible from the entrance to Daintrees Road, given the flatness of the area and lack of screening along High Street. There are also views from various public footpaths in the vicinity, some of which are crossed or run parallel with the embankment.

22. There is local concern that the embankment would be prominent in the countryside views. There is no doubt that it would be visible. However, no serious harm is likely to result, especially when the embankment matures and grasses and plants begin to grow. In any event, it is considered that any visible harm that would result is outweighed by the benefit of protected the village from flood water.

Impact upon the Public Rights of Way and Public Highway

23. The Local Highways Authority has objected to the scheme given the lack of information regarding the construction phase. Details regarding traffic flows and their timings, and how they are controlled on and off the public highway are requested. Given the scheme, it is considered possible to be able to agree this information through a pre-commencement planning condition.
24. Comments from the County Definitive Map Assistant are noted. The embankment crosses two of the public rights of way, and a condition can ensure this is to the specifications of the County Council. The various informatives can also be added to any approval.

Other Matters

25. The comments from the County Archaeology team are noted, and no investigation and mitigation condition is considered necessary.

Recommendation

26. 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: SK1FD, FD161012-F, FD-161012-G and FD-161012-H date stamped 2 November 2012.**

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

- 3. No development shall commence until a Transport Method Statement has been submitted to and agreed in writing by the Local Planning Authority. This should include details of the proposed journey numbers, areas of parking, loading and unloading for construction vehicles, and timings of vehicle journeys. Development should take place in accordance with the agreed details.**

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

4. **No development shall commence until precise details of the changes to the public rights of way affected by the proposal have been submitted to and agreed in writing by the Local Planning Authority. This should include details of gradients of the rights of way. Development should take place in accordance with the agreed details.**

(Reason – To ensure the rights of way remain practical for future users in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

5. **No development shall commence until precise details of the box culverts to be built across the watercourses are submitted to and agreed in writing with the Local Planning Authority. Development should take place in accordance with the agreed details.**

(Reason – To ensure appropriate detailing whilst retaining flood prevention measures in accordance with Policies DP/2, DP/3 and NE/11 of the adopted Local Development Framework 2007.)

Informatives

Detailed design of the structure within the Award Drain, Oxholme Brook, will need to be agreed with the Lead Local Flood Authority (LLFA), in this case Cambridgeshire County Council. Works will require the prior written Consent of the LLFA for this location under the Flood and Water Management Act 2010 (powers transferred from the Environment Agency by DEFRA on 6 April 2012).

Information (best practice and guidance) on issues such as works and maintenance in or near water is given in Pollution Prevention Guideline 5 (PPG5) which can be downloaded from the Agency's website: www.environment-agency.gov.uk/ppg Hard copies of these documents can be obtained from your local Environment Agency office.

Where the soils and other materials imported to create the bund are recovered (i.e. are waste rather than virgin materials) an appropriate exemption or permit from the Environmental Permitting (England and Wales) Regulations 2010 must be registered with the Environment Agency prior to these materials being imported and used on site. The applicant is advised to contact the Agency's National Customer Contact Centre on 08708 506 506 for further information on applying for a permit.

Handling of soils should be such as to ensure that pollution of controlled waters cannot arise.

The effect of development on a public right of way is a material consideration in the determination of applications for planning permission (Defra Rights of Way Circular 1/09 para 7.2 (<http://www.defra.gov.uk/publications/2011/06/15/pb13553-row-circular-109/>))

It is an offence under s 137 of the Highways Act 1980 to obstruct a public right of way. Should the proposed works require the closure of, or cause an obstruction to either the byway or footpath The Rights of Way and Access Team at Cambridgeshire County Council should be contacted well in advance of the works commencing. If the proposed works require the closure of Public Byway No. 5, Fen Drayton or Public Footpath No. 2 Fen Drayton the applicant will also need to apply to the Street Works Team for a Temporary Traffic Regulation Order.

Any works to the public rights of way should recognise the needs of pedestrians. The applicant is responsible for complying with all relevant Health and Safety Regulations and for posting appropriate safety notices whilst works are carried out.

There must be reasonable provision for people with disabilities (The Equality Act, 2010). A ramp has been proposed on Footpath No. 2, ideally the gradient should be 1:20, but should be less than 1:12, to ensure the path remains suitable for members of the public. The ramp proposed on Public Byway No. 5 should be suitable for all pedestrians and those on horseback or bicycles, as well as motorised vehicles, the gradient of the ramp should ideally be 1:20 and should be less than 1:12. The specifications of the ramps will need to be approved by Cambridgeshire County Council well in advance of the works commencing.

No alterations to the surface of the byway or footpath is permitted without our consent (it is an offence to damage the surface of a public right of way under s 1 of the Criminal Damage Act 1971). Changes to the surface of the public rights of way should be agreed in advance with the Rights of Way and Access Team at Cambridgeshire County Council. The applicant is responsible for maintaining the footpath and byway whilst works are being undertaken and repairing any damage during this period.

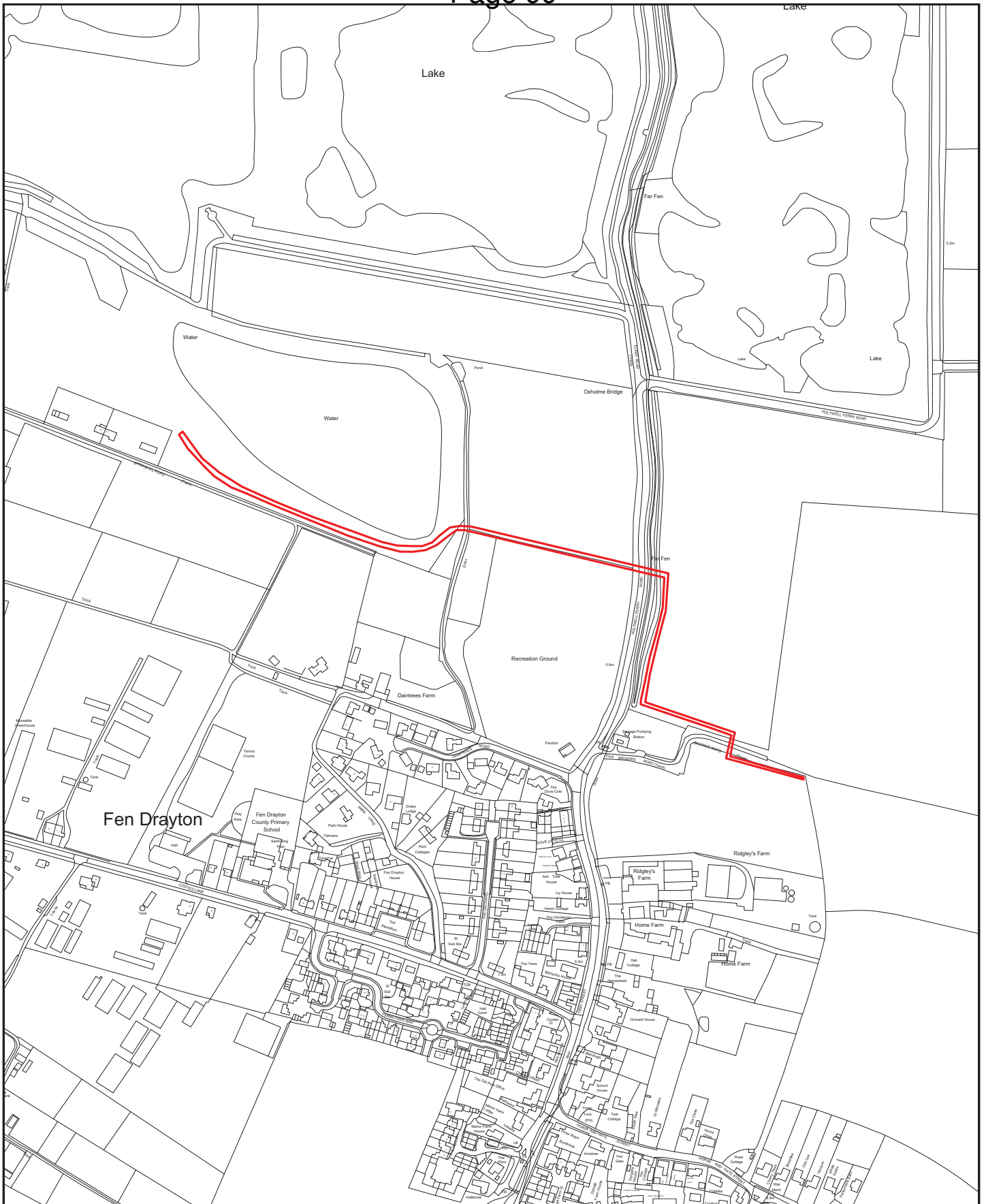
We do not consider it necessary for the applicant to apply for a public path diversion order to adjust the gradient of the public rights of way. If realignment to the routes of the footpath or byway is proposed a diversion order may be required and The Rights of Way and Access Team at Cambridgeshire County Council should be consulted.

Further guidance notes for developers and planners in relation to public rights of way are available on our website at:
<http://www.cambridgeshire.gov.uk/environment/countrysideandrights/definitivemapandstate/>

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

- Local Development Framework Development Control Policies 2007.
- Biodiversity SPD & District Design Guide SPD.
- National Planning Policy Framework.
- Planning File: S/2270/12/FL

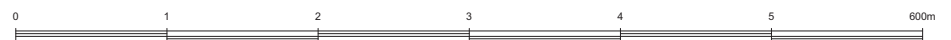
Contact Officer: Paul Derry - Senior Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/0840/12/FL – SAWSTON**Proposed 6 no. small business units with associated car parking and cycle parking at
Sawston Storage Depot, Mill Lane
for Mr Paul O'Keefe, Conrad Bay Ltd****Recommendation: Refusal****Date for Determination: 13 June 2012****Members of Committee will visit the site on 8 January 2013****Notes: Departure Application****This application has been reported to the Planning Committee for determination at
the discretion of the Head of Planning and Economic Development****To be presented to the Committee by Kate Wood****Site and Proposal**

1. The site extends to 0.33 hectares and lies within the countryside and Cambridge Green Belt approximately 1 kilometre to the west of the village of Sawston. It consists of a narrow triangular shaped parcel of vacant and disused land located at the junction of Mill Lane to the north with the Sawston bypass (A1301) to the east. To the west, beyond a drainage ditch, lies the Cambridge-London railway line and level crossing, whilst the northern and eastern boundaries are defined by an approximately 1.8 metre high bund, with mature trees and shrubbery along the boundary with the bypass. There is a large drainage pipe and ditch (an awarded watercourse) to the south. Beyond the level crossing to the north-west is the Spicers commercial site. Vehicular access to the application site is obtained to the north via Mill Lane. The site is identified within the Local Development Framework as lying within Flood Zone 2 (medium probability of flooding).
2. The application proposes the erection of 6 no. small business support units on the site. The buildings would provide a total floor space of 504m² (84m² per unit) for B1 business purposes, and would be arranged as 3 no. semi-detached single-storey buildings comprising timber-clad walls under green sedum roofs, with solar panels on the south-west facing roof slopes. The structures would be located adjacent to the western boundary of the site, backing onto the railway line. A gabion wall and landscaped bund would be provided along the eastern boundary, on the inner side of which it is proposed to provide car parking (for 20 cars) and a secure cycle store (for 18 cycles). Vehicular access would be obtained off Mill Lane to the north, with the existing access being modified to increase its width from 5 metres to 7.3 metres, to provide 2 metre footways to either side, and to increase the eastern kerb radius. Hard

surfaced areas within the site would consist of permeable paving, and foul drainage would be routed to a reed bed filtration system.

3. The supporting documentation explains that the proposed business units are specifically intended to provide low-cost accommodation for small starter businesses taking their first steps from home working to more formal commercial premises, possibly taking on their first employees. The units are designed so that occupants would benefit from low servicing and running costs, in order to encourage sustainable growth and business longevity.

History of the site

4. This section outlines the planning history of the site, and also refers to information and photographic evidence provided by the applicant's agent relating to the historical usage of the land prior to planning records.
5. Historical maps indicate that there were buildings on the site before the construction of the bypass in the late 1960's. An 1886 map indicates the presence of structures near to the level crossing, whilst maps dating from 1903 and an undated pre-1960 plan show the presence of dwellings/structures on the site (these are believed to relate to the operation of the railway and to include a signalman's cottage). The supporting information advises that the site was occupied as a residential property until 1968, when it was conveyed along with adjacent land to the County Council. The site was then stripped and the land used by the County Council for the storage of machinery and storage/filling of materials associated with the construction of the bypass. An aerial photograph dating from 1974 indicates that the site was being used to store construction materials at this time.
6. Surveys carried out on the site indicate that the materials dumped on the land have raised the ground levels by 1.5 – 2 metres above the original level in places.
7. In 1987, an application by the County Council to use the site as a household waste disposal site was refused deemed consent (Reference S/0058/87/F). It appears that NTL used the site in around 1991-2, when they were providing services in the Sawston area, but no formal planning application was ever made and the County Council has no record of entering into a formal agreement with NTL for their use of the land. The current application states that a significant amount of their waste material has been uncovered on the site.
8. According to the Council's records, a local resident, Mr Dockerill, began using the site for storage purposes in March 2005. Following investigations by the Council into complaints received at the time, a retrospective application was submitted in June 2005 for the storage of plant and materials on the site (Reference: S/1649/05/F). This application was refused for the following reasons (summarised):
 - The site is located in the countryside and Green Belt. The use of land for the storage of plant and materials represents inappropriate development in the Green Belt by definition and alters the rural character of the site, to the detriment of the character of the countryside and the openness of the Green Belt.
 - In the absence of a Flood Risk Assessment, insufficient evidence has been provided to demonstrate that the use of the land would not represent a flood risk.
9. Following this decision, an enforcement notice was served by the Council requiring the removal of all plant and machinery, storage containers, vehicles not associated

with agricultural use, and hardcore from the land within 3 months of the date of the notice. The applicant appealed this notice and, following a hearing, the appeal was dismissed and the enforcement notice upheld (in part). In coming to this decision, the Inspector concluded that the use of land for storage purposes had no particular need to be located in a rural area, and he therefore considered the use of the land for such purposes to be unacceptable in principle. In addition, he considered the storage use had a harmful visual impact on the character of the area and openness of the Green Belt. In the decision, he stated that the use of the land for storage of plant and materials constituted inappropriate development in the Green Belt, which by definition is harmful, and explored whether there were any very special circumstances to justify granting permission. The applicant argued that the land had not been open agricultural land in the past, that the areas of hardstanding were proven to be of some age, that the land could not be used for agricultural purposes, and that the cessation of the use would affect up to 8 people dependent on the land for employment. Save for the last issue, the Inspector did not dispute the points made, but did not consider these amounted to the very special circumstances required to clearly outweigh the harm to the Green Belt. The notice was upheld. The requirement to remove hardcore from the land was deleted, as the Council accepted the hardcore areas dated from well before the applicant's occupation of the site, and the compliance period was extended to 6 months in order to provide the applicant with sufficient time to find suitable alternative premises.

10. Following the refusal of the enforcement notice, Mr Dockerill handed back possession of the site to the County Council in April 2007. The property has been vacant and disused since this time, but, according to the supporting information provided with the application, the site has continued to be beset by problems of unauthorised dumping of waste material and fly tipping.
11. The current applicant purchased the site from the County Council at an auction in May 2011.

Planning Policy

12. National Planning Policy Framework 2012
13. South Cambridgeshire Local Development Framework Development Control Core Strategy 2007:
ST/1: Green Belt
14. South Cambridgeshire Local Development Framework Development Control Policies DPD, 2007:
DP/1: Sustainable Development
DP/2: Design of New Development
DP/3: Development Criteria
DP/4: Infrastructure and New Developments
DP/7: Development Frameworks
GB/1: Development in the Green Belt
GB/2: Mitigating the Impact of Development in the Green Belt
ET/1: Limitations on the Occupancy of New Premises in South Cambridgeshire
ET/4: New Employment Development in Villages
NE/1: Energy Efficiency
NE/6: Biodiversity
NE/10: Foul Drainage – Alternative Drainage Systems
NE/11: Flood Risk

NE/15: Noise Pollution
TR/1: Planning for More Sustainable Travel
TR/2: Car and Cycle Parking Standards

15. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
Trees and Development Sites – Adopted January 2009
Biodiversity – Adopted July 2009
Landscape in New Developments – Adopted March 2010
District Design Guide – Adopted March 2010
16. Circular 11/95 (The Use of Conditions in Planning Permissions) - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultation by South Cambridgeshire District Council as Local Planning Authority

17. **Sawston Parish Council** – Initially recommended approval, stating:

“We support the application.”

Following the receipt of the Transport Assessment, the Parish Council changed its recommendation to one of refusal, stating:

“Do not support due to dangerous access and also concerned over train movements. They don't appear to have taken into account the freight trains in relation to the traffic building up (only passenger trains).”

Following the submission of additional site history information, the Parish Council has reiterated its objection, stating:

“Object for same reasons before. This is a dangerous access, traffic build up with train movements etc. onto the bypass.”

18. **The Trees and Landscape Officer** – Raises no objections, stating that the trees along the frontage of the site with the A1301 are important for screening and have been shown for retention. The trees should be protected in accordance with the details set out in the submitted arboricultural impact assessment.
19. **The Landscape Design Officer** – States that the opportunity should be taken to provide some sitting-out spaces between the buildings. Landscape conditions should be added to any consent. Details of the reed bed water treatment plant would also be required.
20. **The Economic Development Officer** – Supports the application, stating that the Council's Economic Development Strategy 2010-2015 and Economic Assessment and Strategy (dated July 2010) identify the need for affordable business space for small businesses. One of the key ways to support business is to enable access to the support and infrastructure needed. In this case, using planning to achieve small business space that the market does not easily supply in a good location and at a favourable rate should be welcomed.
21. **The Environmental Health Officer** – Raises no objections, subject to conditions being added to any consent requiring details of power-driven plant or equipment,

restricted hours of use of power-operated machinery during the construction period, and details of any external lighting.

22. ***The Environmental Health Officer (Contaminated Land)*** – States that the submitted desk-study identifies an area of the site with raised levels from tipping from activities on the adjacent site. A condition should therefore be added to any consent requiring the submission of a remediation strategy for any previously unidentified contamination being found on the site during the course of development.
23. ***The Drainage Manager*** – Objects to the application, stating that the location of the pond is in breach of Land Drainage byelaws as it prevents future access to the award drain. There is a lack of information regarding proposed levels for the pond. The existence of large quantities of waste material close to the watercourse means that maintenance is not possible. The use of the pond for disposal of both surface water and foul sewage will make routine maintenance very difficult and result in a risk of polluted water entering the award drain.
24. ***The Local Highways Authority*** – Recommends refusal, stating that the use of the access would be detrimental to highway safety, due to the location and speed that vehicles would be approaching the entrance to the development and the proximity to the level crossing on the adjacent Cambridge-London line, which carries a large number of trains. The visibility splays indicated on the drawings also appear unachievable leaving vehicles entering from the A1301 significantly obscured to vehicles exiting the site. No empirical data in the form of a Transport Statement has been provided to support the development.
25. ***The Environment Agency*** initially objected to the application, stating that the submitted Flood Risk Assessment (FRA) used strategic information, instead of survey data, to assess the flood risk for the site, and did not therefore provide a suitable basis for flood risk assessment.

Following the submission of further details relating to the site levels, the Environment Agency has advised that its concerns relate to the reed bed pond system, rather than to the development itself. The discussions that have taken place in relation to flood risk are set out in paragraphs 43-47 of this report.

26. ***The Cambridgeshire Fire and Rescue Service*** – Raises no objections subject to a condition being added to any permission to require adequate provision to be made for fire hydrants.

Representations by members of the public

27. None

Material Planning Considerations

Principle of development

28. The site lies outside the defined village framework for Sawston and within the countryside and Green Belt.
29. Policy DP/7 of the 2007 Local Development Framework states that, outside village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses that need to be located in the countryside will be permitted. LDF Policy GB/1 contains a presumption against inappropriate development in the

Green Belt, as defined within PPG2, which has since been superseded by the National Planning Policy Framework 2012 (NPPF). Paragraph 89 of the NPPF states that planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, with exceptions to this being:

- Buildings for agriculture and forestry;
 - Provision of appropriate facilities for outdoor sport, outdoor recreation and cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
 - The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - The replacement of a building, providing it does not result in disproportionate additions over and above the size of the original building, and providing the new building is in the same use and not materially larger than the one it replaces;
 - Limited infilling in villages and limited affordable housing to meet defined local needs;
 - Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
30. The erection of new commercial buildings on the site would be contrary to LDF Policy DP/7, as the proposal has no particular link to the countryside and does not relate to a use that requires a rural location. In addition, the development would not fall within the aforementioned list of exceptions to the general presumption against the construction of new buildings in the Green Belt. The NPPF does allow for development of previously developed land if it would not have a greater impact on the openness of the Green Belt or the purpose of including land within it. In this instance, the site is not considered by Officers to fall within the definition of previously developed land. Whilst this definition does include land that was previously occupied by permanent structures, and there is evidence from historical maps that there were permanent structures on the site, it specifically excludes land that was previously developed but where the remains of the permanent structure have blended into the landscape in the process of time. Evidence suggests that the original permanent buildings were demolished in the late 1960's, with a series of ad-hoc and unauthorised uses taking place after that in association with the construction of the bypass and provision of services in the area. In view of these circumstances, it is considered that the site cannot be classified as previously developed (brownfield) land. In addition, the erection of buildings on the site would clearly have a greater impact on the openness of the Green Belt than the existing use. It would also conflict with the purpose of designating the land as Green Belt, namely to prevent urban sprawl by keeping land open, to safeguard the countryside and to aid urban regeneration by encouraging the recycling of urban land. As a result, the proposal would constitute inappropriate development in the Green Belt and has therefore been advertised as a Departure from the Development Plan. The guidance in the NPPF makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It is for the applicant to show why permission should be granted. 'Very special circumstances'

will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other material considerations.

31. It is therefore next necessary to consider whether the development results in any additional harm.

Visual impact and openness of the Green Belt

32. The site forms part of an open swathe of countryside between the Sawston bypass and railway line. In the enforcement appeal relating to the use of the site for the storage of plant and materials (see paragraph 9), the Inspector stated that, although there are commercial buildings and an electricity sub-station on the other side of the railway line, this part of the District is essentially an area of open countryside. He referred to the site being visible from the north and east, and concluded that the use had materially affected the openness of the area. Whilst there has been some infilling of material on the site in the past, which has raised the site levels up beyond the surrounding ground level, this is only evident from the site entrance and is not discernible in wider views. The site therefore reads as open land that is part of the rural landscape. The proposed buildings would be visible in wider views of the site from all directions, including above the bund that forms part of the boundary with the bypass, and the development would therefore harm the openness of the Green Belt and have an adverse visual impact upon the rural character of the area.
33. Notwithstanding concerns regarding the impact of any development on the openness of the Green Belt, the buildings would be single-storey structures, with construction materials comprising larch or sweet chestnut timber-clad walls, sedum roofs, and zinc cladding. They would be set back along the western boundary and partially screened by trees along the eastern boundary with the Sawston bypass. The proposed buildings are considered to be attractive structures in their own right, incorporating a palette of materials that would normally be deemed appropriate within more rural location. As such, Officers do not have any additional concerns regarding the design of the development.

Highway safety, car parking and cycle parking

34. The site would be accessed via Mill Lane to the north, a short stretch of road located between the A1301/Sawston bypass to the east and the level crossing over the Cambridge-London railway line to the west (the latter leading to the Spicers commercial site). Beyond the bypass to the east, Mill Lane continues into the centre of Sawston. The A1301 is a single carriageway with a speed limit of 60mph. Access to Mill Lane from the south is provided by a decelerating lane for vehicles turning left, whilst there is a segregated turn facility for vehicles approaching from the north or east. The application proposes to increase the width of the existing entrance off Mill Lane to 7.3 metres, and to provide a visibility splay of 2.4 metres x 28.5 metres in the eastern direction. To improve accessibility by other modes, it is proposed to provide 2 metre wide footways on both sides of the entrance along the southern edge of Mill Lane, and to renew the existing crossing facilities at the A1301/Mill Lane junction.
35. The Local Highways Authority has recommended refusal of the proposal on the grounds that the intensification in the use of the access would be detrimental to highway safety. This is due to the location and speed that vehicles would be approaching the entrance to the development and the proximity to the level crossing on the adjacent Cambridge-London line, which carries a large number of trains. The LHA has also advised that the visibility splays indicated on the drawings do not appear to be achievable, resulting in vehicles entering from the A1301 being

significantly obscured to vehicles exiting the site, and has commented that no empirical data in the form of a Transport Statement has been provided to support the development.

36. The applicant's agent has disputed the validity of the highway safety objection to the proposal, pointing out that the LHA raised no objections to the 2005 application (for the use of the land for the storage of plant and materials), subject to the access being improved to set its centre line a minimum of 19 metres from the north-western corner of the site, to increase its width to 7.3 metres and to ensure any gates would be at least 10 metres away from the channel line of Mill Lane. In response to this, the LHA has advised that the current proposed development would result in a greater volume and frequency of vehicle movements than associated with the use of the site for the storage of plant and materials, and the comments made in respect of the previous application are not therefore applicable in this instance.
37. Following the LHA's response to the application, the applicant has appointed transport consultants who have carried out and submitted a Transport Statement (TS). The TS states that surveys carried out in the vicinity of the site show an 85th percentile wet weather speed of 23.6mph for left turning vehicles from the A1301, and visibility splays of 2.4m x 28.5m are therefore proposed in an easterly direction from the site access (this is between the 25m required for a 20mph road and 43m required for a 30mph road). In order to achieve this splay and improve visibility for drivers exiting the site, the alignment of the proposed entrance to the site would be modified, and existing vegetation within the splay area would need to be removed. The proposed access arrangement would also improve visibility of the level crossing for vehicles turning left into Mill Lane from the A1301 by 23 metres. The statement predicts that the site would generate approximately 70 two-way trips on an average weekday, with a maximum of 7 two-way movements in the AM peak. Accident data shows that there have been 5 accidents in the vicinity of the junction in the last 5 years, but none of these have been attributed to the left slip lane from the A1301 northbound or to the site access point. The TS states that there have been no recorded accidents associated with the level crossing junction over the last five years, thereby showing that no recorded conflicts have arisen between traffic queuing at the crossing and traffic turning into Mill Lane. The level crossing is closed anywhere between 5 and 9 times per hour, with the development peak flows coinciding with 8 closures in the morning and 7 in the afternoon (an average of 1 every 7-8 minutes). The TA states that the predicted traffic generation equates to 1 additional vehicle per closure period in peak hours.
38. Following consideration of the TA, the LHA expressed concern that the speed data upon which the visibility splay is based is skewed, and that there is an absence of any supporting evidence that data was collected during free-flow conditions. In response to this, the applicant's consultant has confirmed that the results of the submitted survey are representative of free-flow conditions, and also expresses the view that, if the level crossing was to have an impact on 'free flow' speeds, a greater range of speeds would have been recorded (contrary to the findings of the survey). The consultant contends that the following site characteristics dictate actual free flow conditions:
- The radius at the end of the deceleration lane results in a significant slowing of vehicles before turning left into Mill Lane.
 - Traffic travelling from the east or north has to give way to northbound traffic and approaches the site from a standing start, resulting in lower vehicle speeds.
 - Forward visibility of the crossing is restricted by vegetation along the site boundary, and drivers adjust their behaviour to compensate for this.

- The section of Mill Lane beyond the crossing is not a through route, and drivers using the road would therefore be familiar with the operation of the level crossing.
39. The LHA has maintained its objection to the application, stating that the raw data upon which the TS is based was collected in a series of 'bins' (ie – vehicles travelling at a range of speeds and grouped together), rather than based on individual vehicle speeds. As a result, and due to the small sample size taken, the LHA considers the data collection method has resulted in the 'average speed' referred to in the TS being artificially lowered. It also expresses concern that increasing visibility of the level crossing for vehicles turning left into Mill Lane from the A1301 would enable vehicles to clearly see if the level crossing is open, and may therefore increase approach speeds. The LHA also remains of the view that visibility from the site entrance would be inadequate – whilst visibility along Mill Lane itself would be acceptable, it is considered that visibility of the deceleration lane off the A1301 and the start of the splay line would be obscured.
40. Discussions between the LHA and the applicant's consultants are presently on-going, and Members will be advised of any progress in an update prior to the Committee meeting. As it stands, and based upon the guidance provided by the LHA, the application is considered to result in an unacceptable impact upon highway safety.
41. For a B1 business use, the Council's parking standards require the provision of car parking at a maximum ratio of 1 space per 25m² of gross floor area. The proposed buildings have a total floor space of 504m², resulting in the need for 20 parking spaces. The scheme includes 20 spaces located adjacent to the eastern boundary of the site and therefore complies with the requirements of this policy.
42. The Council's standards require the provision of 1 secure cycle space per 30m² of gross floor area, resulting in the need for 17 spaces for the scale of development proposed. The scheme includes covered, secure storage for 18 cycles and is therefore in accordance with the requirements of this policy.

Flood risk

43. The site is identified within the Local Development Framework plans and also within the Environment Agency's records as falling within an area of medium flood risk (Flood Zone 2). Contrary to this, the SCDC Strategic Flood Risk Assessment (SFRA), based on detailed modelling, identifies the site as falling within an area of low flood risk (Flood Zone 1). The application has been accompanied by a Flood Risk Assessment (FRA), which concludes that the site is at a low risk of flooding, being protected from flooding by a railway embankment to the west and A1301 to the east, and being raised relative to the boundaries.
44. The Environment Agency (EA) initially objected to the application, stating that the submitted FRA uses strategic information, instead of survey data, to assess the flood risk for the site, and does not therefore provide a suitable basis for flood risk assessment.
45. Following this objection, there have been on-going discussions between the applicant's consultants and the EA, as a result of which further topographical survey information relating to the site (verifying its levels relative to ground levels) has been provided. In response to this, the EA has advised that it is likely that high flows would not remain in channel at this location and that the development itself would be located outside a flood risk area. However, the proposed reed bed foul water treatment area would be located at the lower end of the site (ie – within Flood Zone 2) and would

therefore be at risk of inundation during a flood event, resulting in pollution issues for the site and the adjacent awarded watercourse. The EA has advised that, if the reed bed can be placed above the highest recorded flood contour (of 20.15m ODN), it may be prepared to remove its objection to the proposal. These concerns have been echoed by the Council's Drainage Manager.

46. In response to the above, the applicant's consultant has proposed to relocate the pond 100 metres to the north in an area that would be located on the higher part of the site and that would not obstruct access to the awarded watercourse, and suggests that a planning condition could be added to any consent in order to agree a maintenance regime for the pond and all drainage infrastructure.
47. The response of the Environment Agency and Drainage Manager to this proposed revision will be reported to Members in an update prior to the Committee meeting.

Sustainability

48. The proposed buildings are designed to be as self-sufficient as possible. In accordance with the requirements of LDF Policy NE/1, the development would be constructed using natural, sustainable materials. The sedum roofing would be low maintenance and provide added insulation and rainwater attenuation; PV solar cells would be used to generate electricity and provide power for lighting; and heating would be provided by bio-mass boilers, ground source heat pumps and solar collectors.

Impact on trees

49. A tree survey has been carried out. 25 trees on the site were surveyed and found to be semi-mature to mature in age range, and all in acceptable or good condition. Existing trees on the site would be retained, and landscaping reinforced. The Trees and Landscape Design Officers have been consulted and have raised no objections to the proposed development.

Ecology

50. A Phase 1 Habitat Survey has been carried out. This concludes that the site is not of biodiversity value, and that ecological enhancements could be secured through an appropriately worded condition.

Very special circumstances

51. In addition to the harm by reason of inappropriateness, the development is also considered to result in harm to the rural character of the area, to the openness of the Green Belt, and to highway safety interests. In addition, unless the Environment Agency and Drainage Manager's concerns regarding the reed bed pond system can be resolved, the development would also cause unacceptable risk of pollution as a result of inundation of the treatment area during a flood event.
52. It is next necessary to consider the justification and 'very special circumstances' that have been put forward by the applicant's agent in support of the proposal. This justification is set out and considered below:
 - It is argued that the development would provide new employment and would fill a gap in the market for low cost, low energy units that are specifically focussed on small businesses in the south Cambridge area. At present, with increasing

energy prices, no new premises are being provided to cater for small-medium enterprises in a sustainable way. Larger units are being constructed locally, but these are of sizes not suited for starter enterprises. The development would also act as a catalyst for the creation of new business.

- The applicant's agent states that there is significant local support, demand and need for the proposal. A petition giving details of the proposed development was made available to a wide selection of the local business community and local residents. Over 100 signed letters of support have been received. In addition, numerous genuine enquiries to lease and purchase the units have been received from local companies that have been searching for some time for small premises like those being proposed in the application. One example is from a company called Coffee Solutions, a small firm currently based in Babraham – the company states it has been looking for over 12 months for a base to support the growth and development of the company, but there is a lack of modern, small commercial property in the south Cambridge area. A letter has also been received from Cheffins, expressing the view that there would be demand for this type of unit south of Cambridge. It states that a scheme at Waterbeach containing units of a similar small size is progressing well with lettings and sales, and Cheffins consider there is a need for this type of facility south of Cambridge.
- The NPPF 2012 actively encourages sustainable development that provides for local needs, with its core principles promoting empowerment of local people to shape their surroundings and the use of land of lesser environmental value. The site is of low environmental quality, due to the nature of its previous uses, and the proposal is considered by the applicant's agent to be in compliance with the objectives of the NPPF.
- The proposed development is considered by the applicant's agent to be supported by LDF Policy ET/4. This states that permission will be granted for new small-scale employment in the B1 to B8 use classes on previously developed sites adjoining or very close to the frameworks of Rural Centres or Minor Rural Centres. The policy goes on to say that sensitive small-scale employment development can: help sustain the rural economy, and achieve a wider range of local employment opportunities; and provide the opportunity to make best use of a previously developed site, including vacant, derelict or under used land, by redeveloping land adjoining or near to the more sustainable villages. The proposal seeks to provide a small-scale employment development that will cater for small local businesses on a site on the outskirts of Sawston.
- The applicant's agent considers that the site has an established commercial use. It is listed on the Council's commercial rates register as a storage compound with a rateable value of £12000, and business rates of around £6,000 per annum have been charged on the site since April 2005.
- The development would generate income for SCDC in the form of business rates.
- The site has been allowed to deteriorate over the years, creating an area that has no intrinsic rural aesthetic qualities, and that will be likely to become more dilapidated over time through activities such as fly tipping. It is argued that the proposed development would make good use of a poor quality site, prevent further dilapidation of the land, and would enhance the landscape and character of the area.

- The site is in a good, sustainable location that is accessible by bus, on a cycle route and within walking distance of the centre of Sawston.
- The development would be designed to high standards of design and sustainability and would have a low impact on the environment.

Officer assessment of the 'very special circumstances'

53. In summary, the above justification argues that the site offers an opportunity to make the best use of poor quality land, and to fulfil an unmet need and demand for low-energy low-cost commercial premises for small starter businesses in the south Cambridge area. The likely demand for the type of accommodation proposed within the application is set out within Cheffins' letter. In addition, the letter to the applicant from Coffee Solutions highlights the difficulties small local companies are facing in trying to find suitable premises to support their development, with the inevitable outcome that their growth will be stifled.
54. The NPPF states that planning policies should support economic growth in rural areas by taking a positive approach to sustainable new development. In addition, the need for affordable business space is identified within the Council's Economic Development Strategy (EDS) 2010 - 2015. The EDS states that one of its key aims is to ensure South Cambridgeshire continues to underpin its economic role in the area, and states that key sectors underpinning the local economy should be enhanced. It identifies existing problems as including a shortage of very small units at a lower cost, and states that small-medium enterprises have identified premises as a constraint due to the inadequate quality, accessibility, parking, transport access and planning policies that are perceived to be inflexible. The EDS states that greater stimulation and start-up support for small businesses should be provided and that, along with other measures such as business rate relief and training, this can be achieved by increasing the supply of premises in the villages. The Council's Economic Development Officer (EDO) is strongly in favour of the proposal, stating that there is a need and demand for small business space, and that accommodation such as that being proposed within this application is not available and is not coming forward in new schemes. The EDO has commented that one of the key ways to support business is to enable access to the support and infrastructure needed, and that in this case, using planning to achieve small business space that the market does not easily supply in a good location and at a favourable rate should be welcomed.
55. Since the EDS was published, an Employment Land Review Update has been undertaken and was completed in July 2012. South Cambridgeshire District Council and Cambridge City Council jointly commissioned a study to carry out employment research to inform an on-going review of planning policies, focussing on the period from 2011 - 2031. This study observed that there is currently sufficient overall provision of employment land across the City and South Cambs to meet existing demand. However, it states that forecasts suggest there is likely to be a shortage of office space in the future, particularly focussed on the city centre and northern fringe. The review states that market signals are clear that increasing provision elsewhere will not solve this problem and that supply has to be increased in the locations where firms want to be (ie – the city and northern fringe). In considering the availability of existing employment sites, the review refers to the Spicers site that is vacant and for sale, stating that it has a mix of industrial buildings and could potentially be extended along with a mix of smaller, commercial office buildings.
56. Taking into consideration the EDS, comments made by the EDO and the content of the Employment Land Review, Officers consider that the need in the South

Cambridgeshire area for low-cost business units that are specifically designed for very small start-up businesses cannot be disputed. However, the recent Employment Land Review suggests that there is sufficient supply of employment land in the area to cater for existing demand. In addition, whilst both documents refer to the need to introduce more flexibility into employment related planning policies, neither document gives any indication that this flexibility should extend to the creation and development of new sites in the countryside and Green Belt.

57. It should be stressed that this proposal relates to speculative development on land located outside any defined village framework and within the Green Belt. The NPPF sets out clear criteria for instances where new buildings in the Green Belt are deemed acceptable in principle, whilst the adopted LDF policies are very clear in dictating that new employment development should be sited within village frameworks, or on previously developed sites adjacent to the more sustainable villages. As set out elsewhere in this report, the site is not considered to fall within the classification of previously developed land, and it is also too isolated from the services and facilities within the centre of Sawston to be classed as adjacent to the village, so Officers do not concur that the proposal is in compliance with Policy ET/4. Outside village frameworks, policies generally support the principle of new employment proposals through the conversion of existing buildings, or within established employment areas in the countryside. Spicers, which is vacant and lies in close proximity to the site, is one example of the latter. There is therefore available employment land in close proximity to the site that could potentially meet any demand in the area for small, low-cost units, either through the conversion of existing buildings or potentially through the erection of new buildings on that site.
58. In this case, the proposed site is not one that has been put forward after going through a standard sequential process of, for example, trying to find suitable premises for an existing local company, including a thorough investigation of existing buildings or brownfield land. Conversely, the applicant has firstly acquired the site and then has sought to put forward arguments justifying its development. Whilst the proposed development would help to satisfy an unmet demand for small business accommodation and would undoubtedly bring forward economic benefits to the area, the presumption against such development in the Green Belt is very clear. On balance, Officers consider that there is no compelling argument to justify why this development must be located on this particular site, and the economic benefits of the development are not therefore considered to clearly outweigh the harm to the Green Belt, by reason of inappropriateness, as well as the other harm referred to elsewhere within this report.
59. In the justification for the development, reference has been made to the historic use of the land, and the likelihood that the site would become further dilapidated over time. These arguments were also put forward in connection with the 2005 enforcement appeal against the enforcement notice relating to the use of the site for the storage of plant and materials. The Inspector did not dispute that the land had not been used as open, agricultural land in the past, but reiterated that the main objection related to the impact on the openness of the Green Belt. He concluded that these reasons did not constitute very special circumstances to outweigh the harm to the Green Belt. Reference has also been made to the fact that this Council is charging business rates for the land, and has been doing so since April 2005. Based on the timings set out in the history section of this report, these charges coincide with the date on which Mr Dockerill began using the site for storage purposes. It can only be assumed that he then failed to notify this Authority once the use had ceased (further to the enforcement notice appeal), and certainly does not constitute sufficient grounds or reason to justify the development.

Recommendation

60. Refusal, for the following reasons:

1. The site lies outside the defined village framework for Sawston, and within the countryside and Cambridge Green Belt. The proposed development of the site for small B1 business units would constitute inappropriate development in the Green Belt, as defined within the National Planning Policy Framework 2012 ('the NPPF 2012'), and would therefore be contrary to Policy GB/1 of the South Cambridgeshire Local Development Framework 2007 ('the LDF'), and to LDF Policy DP/7 which state that there is a presumption against inappropriate development in the Green Belt and resist the erection of new buildings unless required for a use that needs to be located in the countryside.
2. Notwithstanding the harm by reason of inappropriateness, the development would result in additional harm to the rural character of the area and to the openness of the Green Belt as a result of the construction of buildings. Consequently, the proposal would be contrary to Policy DP/3 (m) of the adopted Local Development Framework 2007, which states that development will not be permitted if it would have an unacceptable adverse impact on the countryside and landscape character.
3. Notwithstanding the harm by reason of inappropriateness, the use of the access would be detrimental to highway safety due to the location and speed that vehicles would be approaching the entrance to the development, the proximity to the level crossing on the adjacent Cambridge-London line, and inadequate eastbound visibility in an eastbound direction for vehicles exiting the site. Consequently, the proposal would be contrary to Policy DP/3 (k) of the adopted Local Development Framework 2007, which states that development will not be permitted if it would have an unacceptable adverse impact on highway safety.
4. Notwithstanding the harm by reason of inappropriateness, the application has failed to demonstrate that foul water and surface water flows can be accommodated such that the proposed reed bed treatment plant would not become inundated in a major flood event. Consequently, the proposal would be contrary to Policy DP/3 (p & r) of the adopted Local Development Framework 2007, which states that development will not be permitted if it would have an unacceptable adverse impact on flood risk and on the quality of ground or surface water.
5. Insufficient very special circumstances have been put forward to demonstrate why the harm, by reason of inappropriateness in the Green Belt and other harm identified above, is clearly outweighed by these considerations. The application therefore fails to satisfy the requirements of paragraph 88 of the NPPF 2012.

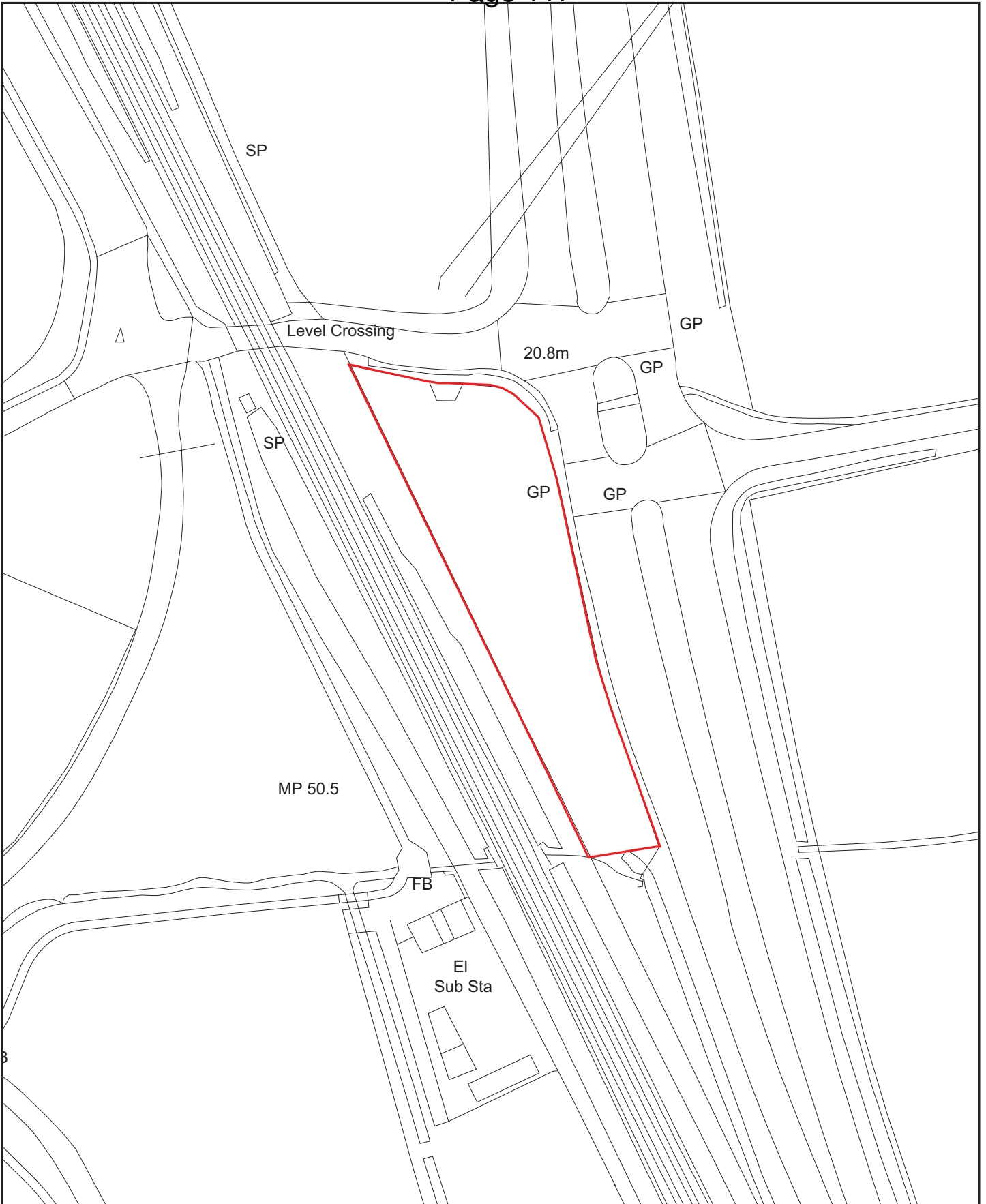
Background Papers: the following background papers were used in the preparation of this report:

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

- Supplementary Planning Documents: Trees and Development Sites, Landscape in New Developments, Biodiversity, District Design Guide
- National Planning Policy Framework 2012
- Circular 11/95
- Planning File References: S/0840/12/FL, S/1649/05/F and S/0058/87/F

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/1783/12/FL & S/1792/12/CA - SAWSTON**Extensions, Alterations, and Conversion of School Buildings to Six Dwellings and Erection of Three Dwellings and Associated Works following Partial Demolition of Existing School Buildings at former John Falkner Infants School, The Baulks/Hammonds Road for Dr H. Fani****S/1786/12/FL & S/2541/12/LB****Erection of Dwelling following Demolition of Existing Tool Shed at former John Falkner Infants School, The Baulks/Hammonds Road for Iran's Children Charity****Recommendation: Delegated Approval****Date for Determination: 6 November 2012****Notes:**

These applications have been reported to the Planning Committee for determination because the officer recommendation conflicts with the view of Sawston Parish Council

Members will visit this site on 8 January 2013

Conservation Area

To be presented to the Committee by Karen Pell-Coggins

Site and Proposal

1. The site is located within the Sawston village framework. It measures 0.6 of a hectare in area and currently comprises the former John Falkner Infants School and playing field. The former school is situated to the north of The Baulks that is a single track unmade road and public footpath off Mill Lane and to the south of Hammonds Road that is a single track unmade private road off the High Street. It is situated within the conservation area and comprises a grade II listed dovecote. It also lies adjacent a number of grade II listed buildings (Nos. 26 and 28 High Street, Nos. 1 and 2 Hammonds Road, and No. 11 Mill Lane). The former school consists of the following buildings: -

Building 1 - Victorian (1866) yellow brick and slate building situated gable end to The Baulks with tall sash windows on its long east and east elevations and arched windows on its north and south gable elevation. Immediately abuts the edge of The Baulks.

Building 2 - Victorian (1882), single storey, red brick with yellow brick details and slate building with its ridgeline parallel to The Baulks and a central gable feature on

its front elevation. Set back from The Baulks behind an open grassed area and low wall with railings.

Building 3 - Victorian (1876), two-storey, red brick with yellow brick details and slate building with its ridgeline parallel to The Baulks and and three gable features and two porches on its front elevation. Large rear modern rear extension (1960). Set back from The Baulks behind an area of hardstanding with partial low wall and railings, partial low wall, and partial open boundary.

It also consists of further buildings as described below: -

Building 4 - Modern (1960) single storey flat roof classroom block. Set back from The Baulks behind an open grassed area and low wall with railings and a hedge.

Building 5 - Modern (1960) single storey flat roof temporary portakabin. Set behind Building 1.

Building 6 - Modern brick and timber sheds. Set behind Building 1.

Building 7 - Modern single storey flat roof tool shed building on to a curtilage listed wall. Set behind Buildings 3 and 4.

Building 8 - 17th century grade II listed dovecote. Render timber frame with red brick plinth and clay tile gabled roof. Set behind Building 7.

Building 9 - 19th century single storey pitched roof timber clad barn. Set behind dovecote.

Buildings 1, 2, 3, and 9 are undesignated heritage assets. The school comprises two playgrounds to the north of Buildings 2 and 4 and a grass amenity area to the the westernmost portion of the site. The former playing field is situated to the south of the Baulks and to the north of Mill Lane. It comprises a number of mature trees. The site lies with flood one 1 (low risk).

2. The High Street is situated to the east of the site that comprises a number of commercial premises and residential properties. Hammonds Road lies to the north of the site, The Baulks lies to the west of the site, Mill Lane lies to the south of the site that comprise residential properties.
3. The applications seek the following: -

S/1783/12/FL

Retention, alteration and conversion of buildings 1, 2 and 3 (Victorian school buildings) to six dwellings and the erection of three new dwellings (as amended). A commuted sum is offered towards affordable housing if the scheme is financially viable. The former playing field would be retained as public open space or contributions would be offered towards the provision or improvement of open space within the village.

S/1792/12/CA

Demolition of buildings 4, 5, 6, and 7 (modern classroom buildings).

Building 1 would comprise Plots 1 and 2 that are two bedroom dwellings. External alterations include the insertion of first floor windows to the east and west elevations.

Internal alterations include the insertion of a first floor, partition walls and stairs. These dwellings have small gardens to the east of the building. No on-site parking would be provided. Cycle parking and bin storage would be provided within the rear gardens.

Building 2 would comprise Plot 3 that is a three bedroom dwelling. External alterations include the insertion of first floor roof lights to the north, south and west facing roof slopes, alterations to the ground floor windows in the north elevation, and the provision of a fire escape area on the flat roof to the east of the building. Internal alterations include the insertion of a first floor, partition walls and stairs. This dwelling would have front and rear gardens. Two on-site parking spaces would be provided. Building 3 would comprise Plots 4, 5 and 6 that are a 2 bedroom dwelling and 2 x three bedroom dwellings. External alterations include the insertion of first floor roof lights to the north, south and west facing roof slopes, alterations to the ground and first floor windows in the north elevation and the insertion of front doors to the porches to Plots 6 and 6. Internal alterations include the insertion of a first floor, partition walls and stairs. Each dwelling would have front and rear gardens. One on-site parking space would be provided for Plot 4 and two on-site parking spaces would be provided for Plots 5 and 6.

Building 4 would be demolished and Plots 7 and 8 would comprise two new detached, two-storey, four bedroom new dwellings. Each dwelling would be set back from The Baulks behind front elevation of Building 3 and forward of the front elevation of No. 12 The Baulks. The buildings would have a T shape floor plan and measure 10 metres in width, 15 metres in depth, and have a height of 5.2 metres to the eaves and 8.25 metres to the ridge. The dwellings would have front and rear gardens. Two on-site parking spaces would be provided for each dwelling. The design of the dwellings has forward projecting front and rear subservient gable features. The materials of construction would be red bricks for the walls and slate for the roofs.

Buildings 5 and 6 would be demolished and Plot 9 would comprise a new detached, single storey, three bedroom bungalow. The dwelling would be set back from Hammonds Road in line with the rear elevation of No. 5 Hammonds Road. The building would have an L shape floor plan and measure 15 metres in width, 11 metres in depth, and have a height of 2.2 metres to the eaves and 5.1 metres to the ridge. The materials of construction would be buff bricks for the walls and manmade slate for the roof. The dwelling would have a rear garden. Two on-site parking spaces would be provided.

S/1786/12/FL

Erection of one new dwelling (as amended).

S/2451/12/LB

Demolition of building 7 (tool shed).

Building 7 would be demolished apart from the curtilage listed wall. The listed dovecote and historic barn would be retained. Plot 10 would comprise a new detached, two-storey, five bedroom dwelling. The dwelling would be set slightly forward of the front elevation of No. 7 Hammonds Road. The building would have an L shape floor plan and measure 16 metres in width, 14 metres in depth, and have a height of 4.8 to the eaves and 7.7 to the ridge. The materials of construction would be buff bricks for the walls with render to the window bays and slate for the roof. The

dwelling would have front and rear gardens. Two on-site parking spaces would be provided.

Planning History

4. **S/2420/02/F** - Security Fence - Approved
S/0738/91/F - Extension to Three Classrooms - Approved
SC/0690/73/O - Two Dwellings and Garage - Refused (Access off Hammonds Road)
SC/0651/73/O - Dwelling - Refused (Access off Hammonds Road)
SC/0557/70/D - Extension to School - Approved

Planning Policy

5. **South Cambridgeshire Local Development Framework (LDF) Core Strategy DPD, adopted January 2007**
ST/4 Rural Centres
6. **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 and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
CH/3 Listed Buildings
CH/4 Development Within the Setting of Curtilage of a Listed Building
CH/5 Conservation Areas
NE/1 Energy Efficiency
NE/3 Renewable Energy Technologies in New Development
NE/6 Biodiversity
NE/11 Flood Risk
NE/12 Water Conservation
NE/15 Noise Pollution
SF/1 Protection of Village Services and Facilities
SF/6 Public Art
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards
7. **South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD):**
Development Affecting Conservation Areas SPD - Adopted January 2009
Listed Buildings SPD - Adopted July 2009
Open Space in New Developments SPD - Adopted January 2009
Public Art SPD - Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
District Design Guide SPD - Adopted March 2010
Affordable Housing SPD - Adopted March 2010

Consultation by South Cambridgeshire District Council as Local Planning Authority

S/1783/12/FL

8. **Sawston Parish Council** – Recommends refusal and makes the following comments:-

“Overdevelopment of the site: It is larger than SCDC previously recommended in their letter (21 June 2010). There are now 10 dwellings.
Access is a major issue from both sides. 2 dwellings need access from Hammonds Road, this road is a single unadopted narrow lane with visibility problems on to the High Street.
Construction traffic: Whilst construction traffic is relatively short term, this road is inadequate for this use.
Parking: Increase density of development causes issues with parking. The number of parking spaces is inadequate for the size of the houses leading to potential problems of parking at The Baulks.
Light and Privacy: reduction in light and privacy to surrounding properties (this is in a conservation area).
If South Cambs Planners feel this application should be approved, then SPC would require a site visit.
SPC has concerns for pedestrian safety using the public footpath running from the baulks to Crampton Terrace cause by the increase in traffic. The Parish Council would like to see a footpath put around the perimeter of the green on the inside.
SPC also want to be consulted about any community money for this application as it has not yet been discussed with us.”
9. **Local Highways Authority** – Comments that the proposal will lead to a significant reduction of vehicular movements and represents no significant detriment to highway safety. Requires a condition in relation to a traffic management plan for vehicles visiting the site during demolition and construction. Questions turning for Plots 6, 7 and 8 as the area is very constrained.
10. **Cambridgeshire County Council Rights of Way and Access Team** – Comments that Public Footpath No. 4, Sawston runs along The Baulks. Has no objections as there is already access to existing dwellings along the footpath and it would not be affected by any works. However, it is a popular footpath that links to Public Footpath Nos. 3, 19 and 20 and motorists should be aware of this. Requests informatives in relation to points of law with regards to the public footpath.
11. **Conservation Officer** – Recommends approval (as amended).
12. **Affordable Housing** – Comments that there is a need for affordable housing across the district and Sawston is one of the most heavily subscribed villages. Four out of the ten properties proposed should contribute towards the affordable housing provision. The applicants have investigated the provision of affordable housing on site and have approached three RP's and this has been declined. A commuted sum is therefore agreed with the amount sought based upon the viability of the scheme.
13. **Section 106 Officer** – Contributions required towards education and public art.
14. **Environmental Health Officer** – Has concerns that problems may arise from noise and suggests a condition in relation to the hours of use of power operated machinery during demolition and construction in order to minimise disturbance to neighbours. Also requests a condition in relation to external lighting and informatives with regards

to the burning of waste on site, pile driven foundations, demolition notices, and air source heat pumps.

15. **Contaminated Land Officer** – Comments that the Contamination Report submitted with the application recommends further ground investigation to be carried out into contamination on the site. Therefore a condition in relation to the investigation and recording of contamination is suggested to secure these works.
16. **Trees and Landscapes Officer** – Has no objections providing tree protection is installed as set out in the arboricultural report to ensure that retained trees are not compromised.
17. **Landscape Design Officer** – Requests landscape and boundary treatment conditions.
18. **Ecology Officer** – Comments are awaited.
19. **Cambridgeshire County Council Archaeology Section** – Comments that records indicate that the site lies in an area of high archaeological potential and that important archaeological remains survive on the site that would be severely damaged or destroyed by the development. Requires a condition for a programme of archaeological investigation.

S/1792/CA

20. **Sawston Parish Council** – Recommends approval.
21. **Conservation Officer** – Recommends approval.

S/1786/12/FL

22. **Sawston Parish Council** – Recommends refusal and makes the following comments: -
“Access is a major issue from both sides. Hammonds Road is a single unadopted narrow lane with visibility problems on to the High Street.
Construction traffic: Inadequate access for construction traffic whilst the work is being done.
If this area is to be developed it needs to be done at the same time as the rest as the construction traffic would not be able to go down Hammonds Road.
SPC want it clarified that the site is not in Hammonds Road.
It is not clear to the Parish Council the future use of this building.”
23. **Local Highways Authority** – Comments that no significant adverse impact upon the public highway should result from this proposal as Hammonds Road is not public highway.
24. **Cambridgeshire County Council Rights of Way and Access Team** – Comments that Public Footpath No. 4, Sawston runs along The Baulks. Has no objections as there is already access to existing dwellings along the footpath and it would not be affected by any works. However, it is a popular footpath that links to Public Footpath Nos. 3, 19 and 20 and motorists should be aware of this. Requests informatives in relation to points of law with regards to the public footpath.
25. **Conservation Officer** – Recommends approval (as amended).

26. **Affordable Housing** – Comments that there is a need for affordable housing across the district and Sawston is one of the most heavily subscribed villages. Four out of the ten properties proposed should contribute towards the affordable housing provision. The applicants have investigated the provision of affordable housing on site and have approached three RSP's and this has been declined. A commuted sum is therefore agreed with the amount sought based upon the viability of the scheme.
27. **Environmental Health Officer** – Has concerns that problems may arise from noise and suggests a condition in relation to the hours of use of power operated machinery during demolition and construction in order to minimise disturbance to neighbours. Also request informatives with regards to the burning of waste on site and pile driven foundations.
28. **Contaminated Land Officer** – Comments that the Contamination Report submitted with the application recommends further ground investigation to be carried out into contamination on the site. Therefore a condition in relation to the investigation and recording of contamination is suggested to secure these works.
29. **Trees and Landscapes Officer** – Has no objections providing tree protection is installed as set out in the arboricultural report to ensure that retained trees are not compromised.
30. **Landscape Design Officer** – No reply (out of time).
31. **Ecology Officer** – Comments are awaited.
32. **Cambridgeshire County Council Archaeology Section** – Comments that records indicate that the site lies in an area of high archaeological potential and that important archaeological remains survive on the site that would be severely damaged or destroyed by the development. Requires a condition for a programme of archaeological investigation.

S/2451/12/LB

33. **Sawston Parish Council** – Comments are awaited. Recommended approval on original conservation area consent application but the made the following comments:
-
“There is concern about the historic wall and SPC have no objection to the demolition of the shed but ask that someone from the conservation team supervises the demolition so that no damage is caused.”
34. **Conservation Officer** – Recommends approval.

Representations by members of the public

35. A large number of letters have been received from neighbours in relation to the above proposals. They raise the following issues: -
- i) Both applications should be considered together;
 - ii) Redevelopment of site supported in principle;
 - iii) Overdevelopment of site with increased number of dwellings and higher density than previously advised;
 - iv) Size and scale of dwellings dominant and out of keeping with area;
 - v) Massing and proportions of dwellings not acceptable;
 - vi) Materials need to be of high quality;
 - vii) Increase in traffic along Hammonds Road and The Baulks;

- viii) Concern over the safety of pedestrians as Hammonds Road is narrow and unadopted with no footpath;
- ix) Concern over the safety of pedestrians as The Baulks is a well-used public footpath;
- x) Hammonds Road not suitable for construction traffic;
- xi) Poor visibility from Hammonds Road access to the High Street;
- xii) Poor visibility from Butlers Way access to Mill Lane;
- xiii) Lack of on-site parking;
- xiv) No parking for visitors or deliveries;
- xv) Damage to services on Hammonds Road;
- xvi) Capacity of sewer and drain on Hammonds Road and possible flood risk;
- xvii) Inaccurate plans showing the incorrect width of Hammonds Road;
- xviii) Some buildings already removed;
- xix) Biodiversity and retention of habitats within existing meadow;
- xx) Proximity to boundary wall;
- xxi) Damage to listed dovecote and walls;
- xxii) Care and maintenance of dovecote;
- xxiii) Noise and disturbance to neighbours in Hammonds Road;
- xxiv) Loss of light, privacy and outlook to neighbours;
- xxv) Missed opportunity for community hub.

Material Planning Considerations

36. The key issues to consider in the determination of this application relate to the principle of the development, housing density, housing mix, affordable housing, developer contributions and the impact of the development upon the character and appearance of the conservation area, the setting of listed buildings, trees and landscaping, biodiversity, highway safety, and the amenities of neighbours. Both planning applications have been considered as a cumulative development.

Principle of Development

37. The proposal would not result in the loss of an existing village service that would be contrary to Policy SF/1 of the LDF. The former John Falkner Infant School closed in 2010 when children from this school and the John Paxton Junior School transferred to the new purpose built Bellbird Primary School.
38. No objections are raised to the proposed demolition of Buildings 4, 5, and 6. These existing buildings on the site are not considered to have any significant historic or architectural merit. The demolition of Building 7 is supported providing the curtilage listed walls are protected and remain. Buildings 1, 2, 3, 8 and 9 are the most important heritage assets and these would be retained.
39. Policy ST/4 identifies Sawston as a Rural Centre where there is a good level of services and facilities. Residential developments with no limit in size are acceptable in principle within the village framework of the settlement subject to all other material planning considerations. The creation of 10 dwellings is therefore supported in policy terms.

Housing Density

40. The site measures 0.6 of a hectare in area. The development of 10 dwellings would equate to a density of 17 dwellings per hectare. Whilst this density would not meet the density of at least 40 dwellings per hectare set out under Policy HG/1 of the LDF required for sustainable villages such as Sawston, it is considered acceptable in this

case given the character and appearance of the conservation area. The comments from Sawston Parish Council and neighbours in relation to the density of the proposed development in comparison to the information provided within the sales documents are acknowledged. However, this advice was an informal view only and not resulting from a formal planning application.

Affordable Housing

41. At least 40% of the total number of dwellings within the development should be affordable to meet local needs to be in accordance with Policy HG/3 of the LDF. The applicant has demonstrated that the on-site provision of affordable housing is not appropriate in relation to the proposal. Three RP's (Registered Providers) have been approached but declined to take on such a development. The reason for their refusal is that the conversion scheme would not meet their requirements. Therefore, a commuted sum is considered acceptable. The amount offered is dependent upon the viability of the scheme. A viability report has been submitted and this will be independently assessed by an expert valuer appointed by the Council to determine the contribution required.

Housing Mix

42. The total scheme of 10 market dwellings would provide 3 x two bedroom dwellings (30%), 4 x three bedroom dwellings (40%), and 3 x four bedroom plus dwellings (30%). Whilst it is acknowledged that this mix would not comply with the requirements of Policy HG/2 of the LDF that seek at least 40% of the development to comprise of one or two bedroom units, it is considered appropriate in this case given that the scheme would not be economically viable with a greater number of small units due to the costs of conversion of existing important buildings and the character of the area that comprises larger sized properties.

Developer Contributions

43. A Heads of Terms has been submitted with the application that agrees to contributions in relation to public open space (unless playing field owned by applicants is provided as on-site public open space), community facilities, and waste receptacles to meet Policies DP/4 and SF/10 of the LDF and make the development acceptable in planning terms. The contributions would be secured via a section 106 agreement that would be attached as a condition to any consent. Contributions towards education are accepted providing the scheme is economically viable. The viability report is currently being assessed by an independent valuer. Contributions towards public art are not agreed. However, this is likely to be acceptable given that Policy DP/4 of the LDF only requires contributions subject to economic viability and Policy SF/6 of the LDF encourages rather than requires public art.

Conservation Area/ Listed Building

44. The conservation area surrounding the site is characterised by the large former playing field that comprises an area of open space surrounded by mature trees, the former red brick and slate neo-Gothic school buildings, the listed dovecote, and Crampton Terrace, a 19th century terrace of gault brick and slate dwellings with bay window features to the front elevations. The area has a fairly low density of built form that comprises of a variety of building sizes and designs.
45. The proposed scheme (as amended) is considered to preserve the character and appearance of the conservation and protect the setting of adjacent listed buildings.

46. The setting of the dovecote would be preserved through the removal of the existing poor quality buildings and hard surfacing on the site. Although the new dwelling on Plot 10 would be situated within the setting of this building, it is considered to be situated a sufficient distance away. A condition would be attached to any consent to secure a scheme of works and future maintenance for the dovecote.
47. The important school buildings that are considered heritage assets would be retained and converted sympathetically with minor alterations that are considered satisfactory. The siting, scale, design, proportions, and details of the new dwellings are considered appropriate. This would ensure the character and appearance of the conservation area is preserved. Materials and precise details would be agreed through a condition of any consent.

Trees and Landscaping

48. The proposal is not considered to result in the loss of any significant trees or landscaping that make a positive contribution to the visual amenity of the area. The mature trees within the former playing field are unlikely to be affected and would be retained and protected. A small number of inconsequential trees, hedges and shrubs would be removed. A condition would be attached to any consent to mitigate for the loss of existing landscaping on the site and enhance the quality of the development

Biodiversity

49. A biodiversity survey was submitted with the application that demonstrates there is limited evidence of protected species or other wildlife habitats at the site that would be adversely affected by the development. The proposal would not therefore result in the loss of any important ecological features on the site. Conditions in relation to the provision of bird and bat boxes would be a condition of any consent in order to enhance the ecological value of the site.

Highway Safety and Parking

50. A transport survey was submitted with the application that gives details of trip generation data for the former use of the site as a school and the proposed use of the site for residential purposes. The results of the survey show that there would be a significant reduction in vehicle trips to and from the site from the proposed use when compared to the former use. The proposal is not therefore considered to be detrimental to highway safety. Whilst the comments of the neighbours in relation to the poor standard of the access roads and limited visibility on to Mill Lane and the High Street are noted, a decrease in the level of use of these roads would not justify refusal of the application. It should also be mentioned that the roads would be likely to be used for a longer period of time throughout the day rather than at school peak times only. A traffic management plan for the control of contractors' vehicles during the period of demolition and construction would be a condition of any consent.
51. The Council's parking vehicle standards require an average of 1.5 vehicle parking spaces per dwelling for residents plus 0.25 vehicle parking spaces per dwelling for visitors. The development would provide a total of 15 vehicle parking spaces for 10 dwellings that would result in average of 1.5 spaces per dwelling. Whilst it is noted that on-site parking would be below average and that Plots 1 and 2 would not have any on-site parking, the site is within a sustainable village within very close walking distances to public transport links and the centre and there is unrestricted on-street parking along The Baulks and Mill Lane in close proximity to the site for any

additional parking. At least one secure and undercover cycle parking space would be provided within the rear garden of each dwelling to meet the Council's cycle parking standards.

Neighbour Amenity

52. The proposal is not considered to adversely affect the amenities of neighbours through being unduly overbearing in mass, through a significant loss of light, through severe overlooking, or through a substantial rise in the level of noise and disturbance.
53. The development is not considered to adversely affect the amenities of the neighbour at No. 12 The Baulks. Although it is noted that there is a ground floor kitchen window in the east side elevation of that dwelling would have a poor outlook and reduced amount of light due to the two-storey brick side elevation of the new dwelling on Plot 8 being located a distance of 5 metres away, it is not considered to be seriously harmful given the change from the existing building and the non-habitable nature of the room affected. The first floor windows in the side elevation of the new dwelling would not result in overlooking as they serve bathrooms and conditions would be attached to any consent to control their glazing and opening. The first floor windows in the rear elevation would be set off the boundary and result in a normal oblique angle of view to the garden from dwellings situated side by side.
54. The development is not considered to adversely affect the amenities of the neighbours at Nos. 5 or 7 Hammonds Road through a loss of privacy or being unduly overbearing in mass. The dwelling on plot 10 would have first floor windows in its side elevation that would face towards the rear gardens of these properties. However, given that they would be located a distance of 28 metres off the boundary with No. 7 and partially screened by the dovecote, they are not considered to result in severe overlooking. The dwellings on Plots 3 to 6 would not result in a loss of privacy to Nos. 5 or 7 as there would be a window-to-window distance of at least 28 metres that would exceed the standard of 25 metres set out in the Council's District Design Guide SPD and a window-to-boundary distance of 15 metres that would comply with the standard of 15 metres set set out in the Council's District Design Guide SPD. Whilst it is acknowledged that the dwelling on Plot 9 would be located just one metre off the boundary with No. 5 the is not considered to result in an unduly overbearing mass when viewed from the garden or dwelling of that property, as it would have a low eaves height and a roof sloping away from the boundary that would not obstruct the 45 degree/ 25 degree line drawn from the facing window in No. 5. It is therefore considered to result in an acceptable relationship between properties.
55. The development is not considered to adversely affect the amenities of the neighbour at No. 28 High Street through a significant loss of light. Although the bungalow on Plot 9 would result in some loss of light to the garden of that property, it is not considered seriously harmful given that it would be low in scale and only affect the very rear portion of the garden. Although there would be ground floor window that serve habitable rooms on the north elevation of the bungalow to Plot 9, they are not considered to lead to a loss of privacy given that a boundary fence could be erected to screen the windows.
56. The development is not considered to adversely affect the amenities of the neighbour at No. 30 High Street through overlooking. There would be a ground floor window that serves a bathroom in the east elevation of the bungalow on Plot 9. This is not considered to lead to a loss of privacy given the overlooking from the existing classroom building, the window serves a non-habitable room and its glazing could be controlled by condition, and a boundary fence could be erected to screen the window.

57. The development is not considered to adversely affect the amenities of the neighbour at Vine Cottage, 2 Hammonds Road through a rise in the level of noise and disturbance. The proposal would result in a decrease in the level of traffic using Hammonds Road.

Other Matters

58. The safety of pedestrians using the public footpath along The Baulks are not considered to be harmed by the development given that traffic already uses the access road and the development would result in a reduction in the amount of traffic.
59. The impact upon existing services along Hammonds Road is a civil matter between the applicants and the owners of the road. However, conditions would be attached to any consent to ensure a satisfactory method of foul and surface water drainage.
60. A Water Conservation Strategy and Renewable Energy Scheme would be conditions of any consent.
61. The Council can only comment on the application under consideration and cannot consider any other uses for the site such as a community hub.

Recommendations

S/1783/12/FL

62. It is recommended that the Planning Committee gives officers delegated powers to approve the application as amended subject to consideration of the viability assessment and the prior signing of a section 106 resulting from that consideration. The following conditions and informatives are suggested: -

Conditions

- (a) Time Limit
- (b) Approved Plans
- (c) Materials
- (d) Details of Building
- (e) Hard and Soft Landscaping
- (f) Landscaping Implementation
- (g) Tree Protection
- (h) Boundary Treatment
- (i) Removal of Permitted Development rights- all classes
- (j) Control of Windows (opening and glazing)
- (k) Power Operated Machinery
- (l) External Lighting
- (m) Traffic Management Plan
- (n) Contamination Investigation
- (o) Archaeological Investigation
- (p) Ecological enhancement
- (q) Foul Water Drainage
- (r) Surface Water Drainage
- (s) Water Conservation Strategy
- (t) Renewable Energy Scheme
- (u) Developer Contributions
- (v) Scheme for Local Area of Play

- (w) Scheme for Works and Maintenance of Dovecote
- (x) Fire Hydrants

Informatives

- (a) Burning of Waste
- (b) Pile Driven Foundations
- (c) Demolition Notices
- (d) Air Source Heat Pumps
- (e) Public Footpath

S/1786/12/FL

63. It is recommended that the Planning Committee gives officers delegated powers to approve the application as amended subject to consideration of the viability assessment and the prior signing of a section 106 resulting from that consideration. The following conditions and informatives are suggested: -

Conditions

- (a) Time Limit
- (b) Approved Plans
- (c) Materials
- (d) Details of Building
- (e) Hard and Soft Landscaping
- (f) Landscaping Implementation
- (g) Tree Protection
- (h) Boundary Treatment
- (i) Removal of Permitted Development rights- all classes
- (j) Control of Windows (opening and glazing)
- (k) Power Operated Machinery
- (l) External Lighting
- (m) Traffic Management Plan
- (n) Contamination Investigation
- (o) Archaeological Investigation
- (p) Ecological enhancement
- (q) Foul Water Drainage
- (r) Surface Water Drainage
- (s) Water Conservation Strategy
- (t) Renewable Energy Scheme
- (u) Developer Contributions
- (v) Scheme for Local Area of Play
- (w) Scheme for Works and Maintenance of Dovecote
- (x) Fire Hydrants

Informatives

- (a) Burning of Waste
- (b) Pile Driven Foundations
- (c) Demolition Notices
- (d) Air Source Heat Pumps
- (e) Public Footpath

S/2541/12/LB

64. It is recommended that the Planning Committee approves the application. The following conditions are suggested: -

Conditions

- (a) Time Limit
- (b) Approved Plans

S/1792/12/CA

65. It is recommended that the Planning Committee approves the application. The following conditions are suggested: -

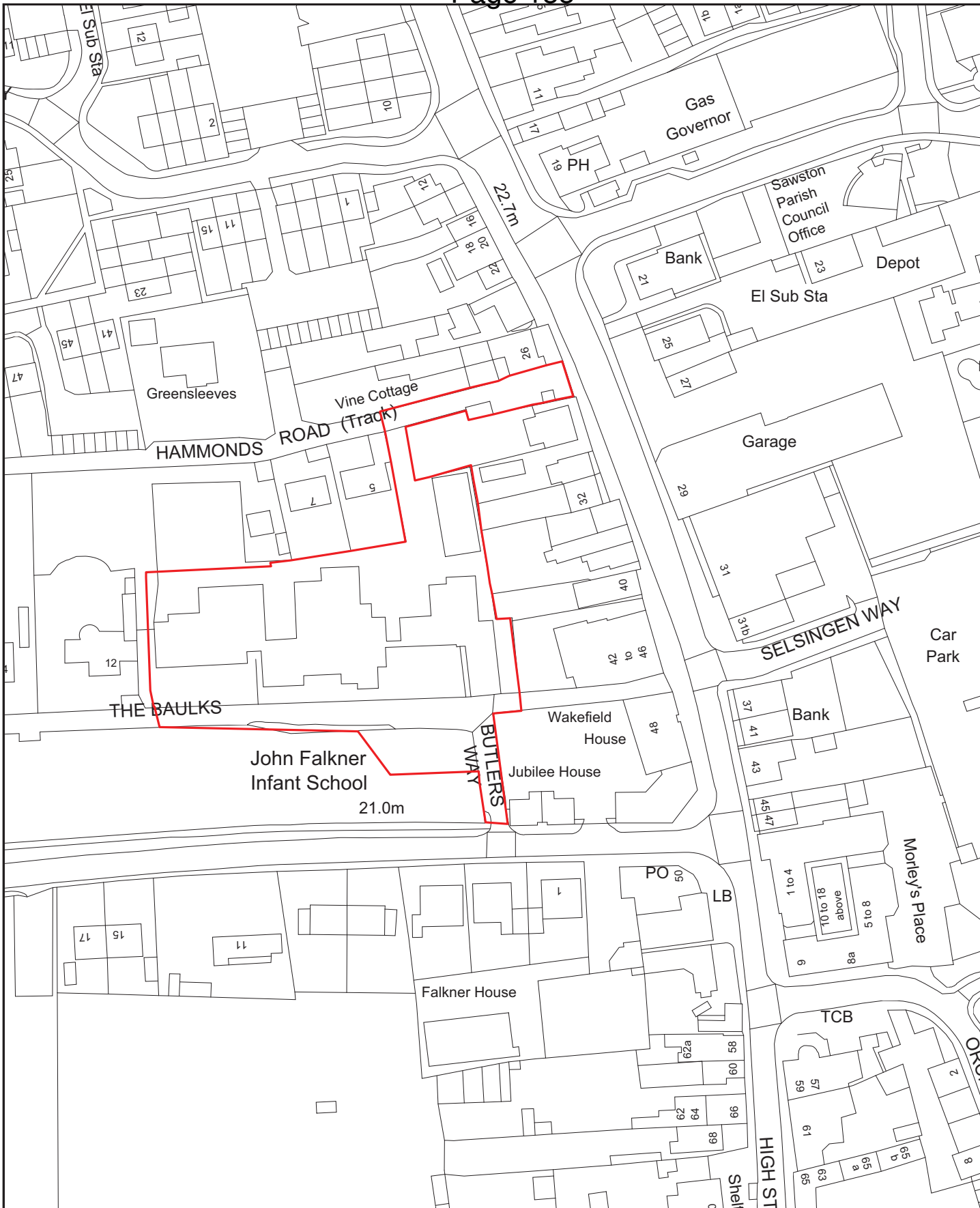
Conditions

- (c) Time Limit
- (d) Approved Plans

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: Development Affecting Conservation Areas SPD - Adopted January 2009, Listed Buildings SPD - Adopted July 2009, Open Space in New Developments SPD - Adopted January 2009, Public Art SPD - Adopted January 2009, Trees & Development Sites SPD - Adopted January 2009, Landscape in New Developments SPD - Adopted March 2010, Biodiversity SPD - Adopted July 2009, District Design Guide SPD - Adopted March 2010, and Affordable Housing SPD - Adopted March 2010
- Planning File References: S/1783/12/FL, S/1786/12/FL, S/1787/12/CA, S/1792/12/CA

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



**South
Cambridgeshire
District Council**

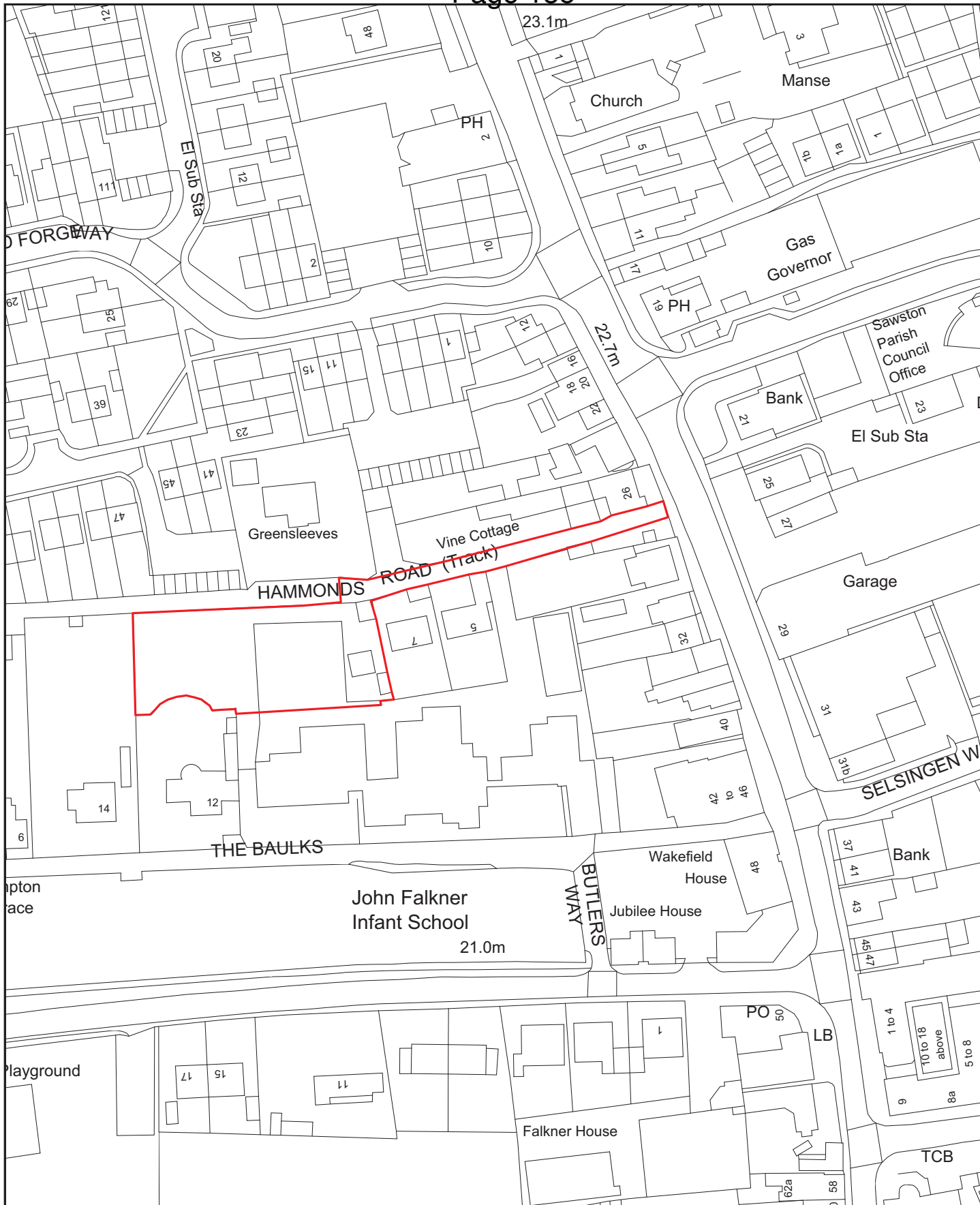
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/1329/12/FL – GREAT SHELFORD**Detached two-storey dwelling – Land off Chaston Road for Mr & Mrs Cullum****Recommendation: Delegated Approval****Date for Determination: 9 January 2013****Notes:**

This application has been reported to the Planning Committee for determination as part of the site is owned by the District Council

To be presented to the Committee by Kate Wood

Site and Proposal

1. The application site is located on the south side of Chaston Road and comprises part of a District Council owned car park at its northern end and the rear section of the garden of No.19 Hinton Way at its southern end. The land slopes downwards and the site also narrows in width from east to west. Beyond the eastern boundary is the remainder of the Council car park, beyond which are two-storey brick dwellings, Nos. 21 and 23 Hinton Way. To the south, the site adjoins the garden of No.17 Hinton Way, whilst to the south-west are two-storey detached brick houses, the nearest of which (No.1 Chaston Road) is set approximately 22 metres back from the frontage. On the opposite side of the road to the north are two-storey maisonettes. Along the front boundary, the site is defined by a trimmed hedge and there are a number of mature trees on the site, particularly towards its western end. There is an existing vehicular access at the western end of the site.
2. The application proposes to erect a detached two-storey three-bedroom dwelling on the site. The property would comprise brick walls under a tiled roof, and would be 7 metres high to the ridge and 5 metres high to the eaves. Two parking spaces would be provided on the western side of the dwelling and these would be accessed via the existing vehicular access point.

Planning History

3. C/0136/67/D – 3 houses and garages – refused
4. S/0622/93/O – 2 dwellings (r/o 15-19 Hinton Way) - refused
5. S/1929/93/O – Dwelling (r/o 15-19 Hinton Way) - approved

Planning Policy

6. South Cambridgeshire Local Development Framework Development Control Core Strategy 2007:
ST/4: Rural Centres
7. South Cambridgeshire Local Development Framework Development Control Policies DPD, 2007:

DP/1: Sustainable Development
DP/2: Design of New Development
DP/3: Development Criteria
DP/4: Infrastructure and New Developments
HG/1: Housing Density
NE/1: Energy Efficiency
NE/6: Biodiversity
NE/15: Noise Pollution
SF/10: Outdoor Playspace, Informal Open Space and New Developments
SF/11: Open Space Standards
TR/2: Car and Cycle Parking Standards
8. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
Open Space in New Developments – Adopted January 2009
Trees and Development Sites – Adopted January 2009
Biodiversity – Adopted July 2009
Landscape in New Developments – Adopted March 2010
District Design Guide – Adopted March 2010
9. Circular 11/95 (The Use of Conditions in Planning Permissions) - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultation by South Cambridgeshire District Council as Local Planning Authority

10. **Great Shelford Parish Council** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
11. **The Trees and Landscape Officer** – Raises no objections, stating that there would not be a significant impact on protected trees adjacent to the site, and the front boundary will be improved with management. Should planning permission be granted, a condition would need to be added requiring the submission of tree protection details.
12. **The Landscape Design Officer** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
13. **The Ecology Officer** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
14. **The S106 Officer** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.

15. **The Lands Officer** – Supports the application. The site is partly in Council ownership and partly in the applicant's ownership. The Council has agreed to sell part of its parking area to the applicant, subject to planning permission for one dwelling on the site and on condition that a sufficient portion of the parking area remains in order to retain parking provision for local residents. The existing shape of the parking area with its narrow end makes it difficult for cars to park and exit the area without obstruction. If consent is granted, the Council proposes to mark out 9 parking bays in the remaining parking area. This is subject to at least 17.5 metres being left between the south-east boundary and rear boundary wall of 21 and 23 Hinton Way (to enable the provision of 2 new rows of bays each 5m deep with 6m turning aisle between and kerbing). The applicant was granted vehicular right of access over Council land in 2007 and this forms the proposed access to the new dwelling.
16. **The Environmental Health Officer** – Raises no objections providing a condition is added to any permission to control the hours of use of power-operated machinery during the construction period.
17. **The Local Highways Authority** – States that the existing access would need to be remodelled to provide a minimum width of 5 metres so that two cars can park wholly off the adopted highway. Any permission should be subject to conditions requiring the provision of 2m x 2m pedestrian visibility splays, driveway construction to prevent surface water draining onto the highway, and the use of a bound surface for the driveway construction.

Representations by members of the public

18. Letters of objection have been received from the owner/occupiers of No.1 Chaston Road and Nos.9a, 21 and 23 Hinton Way. The main points raised are:
 - The development would harm the view from No.1 Chaston Road, with the current outlook consisting of trees and shrubs.
 - The development would result in overlooking of Nos. 9a and 21 Hinton Way from the first floor windows.
 - It is understood there should be a distance of 25 metres between the boundary fence of the new house and the boundary wall of Nos. 21 and 23 Hinton Way. The distance is only 13 metres.
 - A two-storey dwelling would harm the landscape and be too high for such a small site.
 - The development would adversely affect the natural environment. Owls, bats and other wildlife regularly use the area.
 - The proposal would have an adverse impact on a number of mature trees situated near to and on the site.
 - Would the development restrict access to the car park for those residents who are entitled to two parking spaces?
 - Several people from the surrounding area use the car park. The reduction in size would make it impossible to prevent long-established parking by others and would affect local residents that need the spaces.

Material Planning Considerations

Principle of the development and housing density

19. LDF Policy ST/4 identifies Great Shelford and Stapleford as a Rural Centre and, in such locations, residential development without any limit on scheme size is

acceptable in principle providing development would be in accordance with other policies of the Development Plan.

20. The erection of 1 dwelling on the site equates to a density of 40 dwellings per hectare, and the development therefore accords with LDF Policy HG/1, which requires residential schemes to achieve an average net density of at least 40 dwellings per hectare in the most sustainable locations.

Design and visual impact

21. The site occupies a parcel of land that slopes downwards from east to west and comprises part of a Council owned car park and part of the rear garden of No.19 Hinton Way. The land is bounded by mature trees and a hedgerow along the frontage, and concerns have been raised by the owner of the adjacent dwelling to the south-west (No.1 Chaston Road) that the development would result in the loss of trees and also harm the character of the area.
22. The street scene in the vicinity of the site is characterised by two-storey brick and tile dwellings, and the proposed dwelling would be a simple two-storey structure that would be very much in keeping with the character of houses in the immediate area. The site is part of a larger area of land (including the remainder of the Council car park and rear gardens of Nos. 15-19 Hinton Way) that is presently undeveloped, and the proposal would result in the loss of some of the existing trees along the site frontage and along the current boundary between the car park and garden of No.19 Hinton Way. However, the site is located within a suburban area within which there is a high density of residential development, particularly on the opposite side of the road where the dwellings are sited in close proximity to the pavement edge. The proposed development is not therefore considered to have an unacceptable adverse impact upon the character of the area.

Residential amenity

23. Concerns have been raised by the owner of No.1 Chaston Road to the south-west on the basis that the dwelling would result in the loss of the existing attractive lookout from this neighbouring property. Whilst it is accepted that the development would alter the outlook from this property, the loss of a private view is not a material planning consideration.
24. The proposed dwelling would be sited 22 metres from the front elevation of No.1 Chaston Road, 21 metres from 9a Hinton Way (a backland property to the rear of Nos. 11-13 Hinton Way) and 29 metres from the rear of Nos. 21-23 Hinton Way. There would therefore be sufficient separation between the dwelling and surrounding properties to ensure it would not be an overbearing presence, or result in a loss of light to, or overshadowing of, any of the neighbouring properties.
25. The rear boundary of the site would be just 2 metres away from the rear elevation of the dwelling. To prevent overlooking of the adjacent garden areas, the only first floor windows in the rear elevation of the property serve a landing and en-suite bathroom. These windows can be required by condition to be fixed shut and obscure glazed (up to a minimum height of 1.7 metres above the internal finished first floor level). A first floor bedroom window is proposed in the east side elevation of the dwelling in a position just 5.5 metres away from the boundary with the remaining garden of No.19 Hinton Way. This relationship is considered to be unacceptable and Officers have therefore requested amended plans to ensure that any first floor habitable room windows are only positioned in the front and west side elevation of the dwelling (with

the latter elevation overlooking the entrance and parking areas serving Nos. 1 and 3 Chaston Road).

Highway safety and parking

26. The development would involve the loss of part of an existing Council owned car park. The Council's Lands Officer has raised no objections to this, pointing out that the proposal relates to the narrower section of the parking area which is difficult to use for the intended purpose. A large part of the existing parking area would be retained and laid out with 9 spaces to serve the needs of existing residents. The Lands Officer has advised that, to achieve this, a width of 17.5 metres needs to be retained, and this is a condition of the sale of part of the site to the applicant. Based on dimensions within Ordnance Survey plans, it appears that sufficient space may not have been set aside to meet these requirements. The applicant's agent has been requested to provide a dimensioned plan to show the remaining space in the Council car park and, if applicable, to reduce the width of the site accordingly to ensure the proposal meets the conditions of the sale of the land. The responses received from local residents indicate that there may be some abuse of the existing parking area. This is not a matter that can be controlled through this application, but should instead be addressed through improved signage and enforcement of restrictions by the Council as owner of the land.
27. The Local Highways Authority has raised no in-principle objections to the proposal subject to the access being increased in width to 5 metres to enable access to the two proposed parking spaces. Officers have requested an amended plan to address this issue.

Ecology issues

28. The concerns raised by local residents regarding the wildlife value of the site have been forwarded to the Council's Ecology Officer, and his response will be reported to Members in an update prior to the meeting.

Developer contributions

29. The proposal would result in the need for a financial contribution towards the provision and maintenance of open space, in accordance with the requirements of Policies DP/4 and SF/10 of the Local Development Framework. Based on the proposed two-bedroom dwelling, this amounts to £3,104.38. It would also result in the need for contributions towards the provision of indoor community facilities (£513.04), and household waste receptacles (£69.50), together with additional costs relating to Section 106 monitoring (£50) and legal fees (minimum £400). The applicant has submitted a completed Heads of Terms confirming agreement to these payments.

Recommendation

30. Delegated powers are sought to approve the application subject to the receipt of amended plans to resolve the overlooking issue of No.19 Hinton Way and to increase the width of the access to the site, and to confirmation that 17.5m of the Council parking area would be retained:
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: [amended plan number to be inserted].
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. The development, hereby permitted, shall not commence until details of the materials to be used for the dwelling hereby permitted been submitted to and approved in writing by the Local Planning Authority. The development shall be completed 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 South Cambridgeshire Local Development Framework 2007.)
4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the commencement of and shall be retained in accordance with the approved details thereafter.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
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 demolition, site clearance or building operations shall commence until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Local Planning Authority following BS 5837. Such fencing shall be maintained to the satisfaction of the

Local Planning Authority during the course of development operations. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority. (Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

8. Apart from any top hung vent (which must be positioned at least 1.7 metres above the internal finished floor level), the proposed first floor windows in the rear/south elevation of the dwelling shall be fixed shut and fitted and permanently glazed with obscure glass.
(Reason – To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
9. No windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the south and east elevations of the dwelling at and above first floor level unless:
 - (i) permanently fitted with obscure glazing and fixed in place; or
 - (ii) installed with a sill height of not less than 1.7m above the finished internal floor level; or
 - (iii) otherwise expressly authorised by planning permission granted by the Local Planning Authority in that behalf.(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
10. During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays or Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason – To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)
11. No development shall begin until details of a scheme for the provision of recreational and community facilities infrastructure, and household waste receptacles, 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 that the development contributes towards infrastructure in accordance with the Policies DP/4, SF/10 and SF/11 of the adopted Local Development Framework 2007.)
12. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
13. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in

accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

(Reason – To prevent surface water discharging to the highway in the interests of highway safety, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

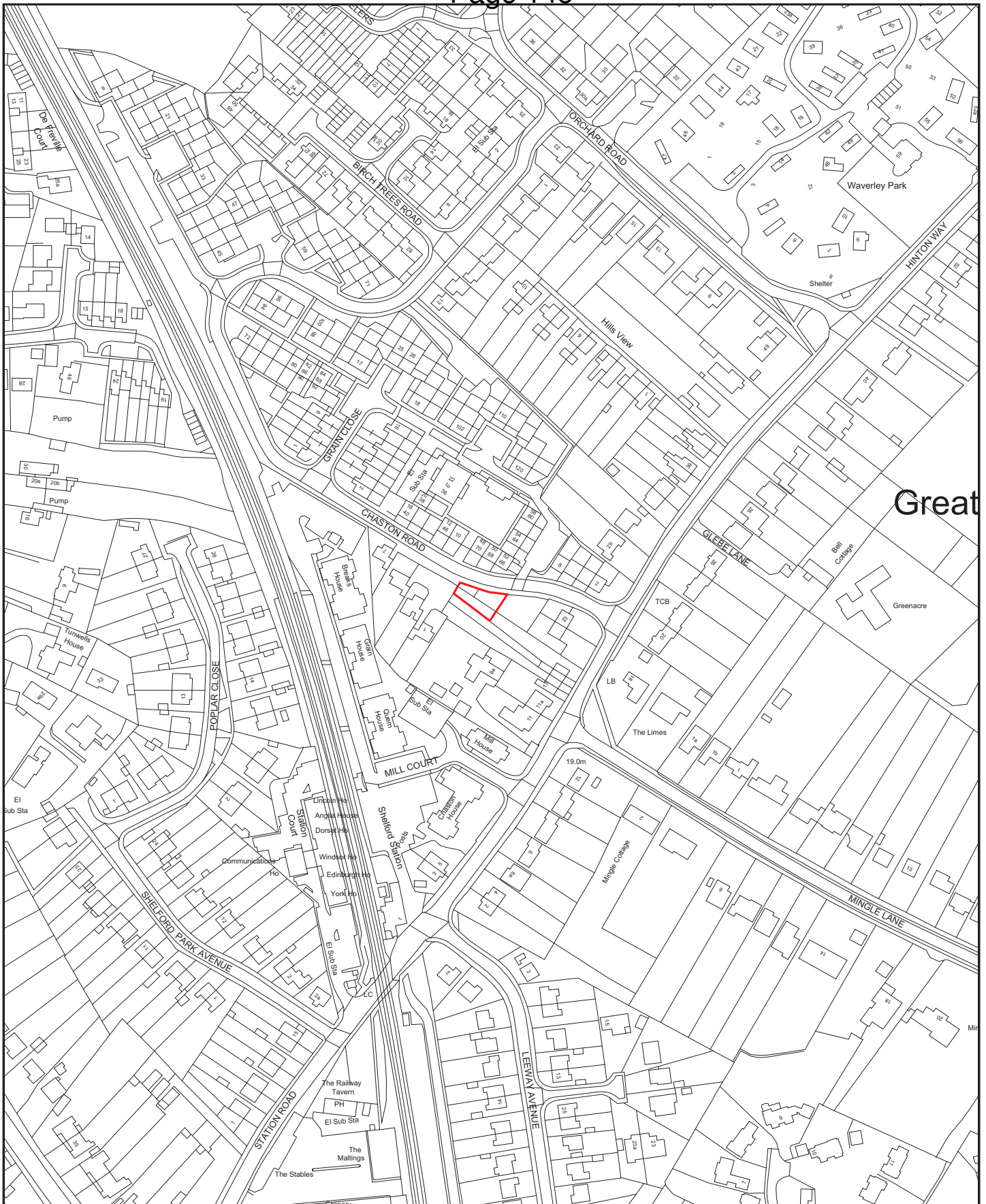
14. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

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

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: Open Space in New Developments, Trees and Development Sites, Biodiversity, Landscape in New Developments, District Design Guide
- Circular 11/95
- Planning File References: S/1329/12/FL, S/1929/93/O, S/0622/93/O and C/0136/67/D

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



Great



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/2064/12/FL – WATERBEACH**Demolition of existing 35 no. shared amenity apartments for the homeless and the erection of 30 no. self-contained apartments for the homeless with associated parking and amenity space, at Robson Court for Sanctuary Housing Group****Recommendation: Delegated Approval****Date for Determination: 11 January 2013****Major Development****Notes:**

This application has been reported to the Planning Committee for determination as it has been submitted on behalf of the District Council.

To be presented to the Committee by Kate Wood

Site and Proposal

1. The 0.39 hectare application site is located within the Waterbeach village framework on the west side of Waddelow Road. It comprises a range of two-storey buff brick and tile buildings that provide 35 units of accommodation for the homeless (34 no. one-bed apartments with shared facilities and 1 no. three-bed family house). The site lies within a residential area and is bounded by bungalows to the north and two-storey dwellings on the opposite side of Waddelow Road to the east. Beyond a mature tree screen defining the rear/western boundary are two-storey houses located within Winfold Road. To the south, the site is bounded by a road that provides access to a parking area in the south-western corner of the site as well as a shared parking area serving dwellings further to the south. There is a vehicular access, parking and turning area at the northern end of the site, accessed from Waddelow Road. In total, the site presently has parking for approximately 20 cars, with 14 spaces to rear and 6 within the front parking court.
2. The application proposes the demolition of the existing buildings and the erection of 30 no. self-contained apartments for the homeless with associated parking and amenity space. The apartments would consist of 24 no. 1-bed units and 6 no. 2-bed units. The proposed building would be a two-storey structure standing approximately 9.8 metres high and comprising buff brick walls under a concrete tiled roof. At the northern end of the site, the forwardmost part of the building reduces to single-storey height. To the front, it is proposed to provide 9 parking spaces (including 2 disabled spaces), each of which would be accessed directly off the highway, whilst the existing spaces in the south-western corner would be retained. To the rear, the building would wrap around a central shared amenity space, whilst the northern arm (currently occupied by the warden's house) would provide a children's play area.

Planning History

3. S/2139/00/F – Alterations to mono pitch roofs, reposition cycle shed and extension to paving – approved
4. S/0482/94/F – Residents car park - approved
5. S/1147/93/F – Garage for No.35 Robson Court – approved
6. S/0110/92/F – Extension to common room - approved
7. S/1200/83/F – Wardens house – approved
8. S/0112/83/F – Extension to wardens flat – approved
9. C/0054/73/F – Erection of single garage for use by warden – approved
10. C/1252/72/F – Erection of single garage for use by warden with access from private parking area - approved

Planning Policy

11. National Planning Policy Framework 2012
12. South Cambridgeshire Local Development Framework Development Control Core Strategy 2007:
ST/5: Minor Rural Centres
13. South Cambridgeshire Local Development Framework Development Control Policies DPD, 2007:

DP/1: Sustainable Development

DP/2: Design of New Development

DP/3: Development Criteria

DP/4: Infrastructure and New Developments

HG/1: Housing Density

HG/2: Housing Mix

HG/3: Affordable Housing

NE/1: Energy Efficiency

NE/3: Renewable Energy Technologies in New Development

NE/6: Biodiversity

NE/10: Foul Drainage – Alternative Drainage Systems

NE/11: Flood Risk

NE/12: Water Conservation

NE/14: Lighting Proposals

NE/15: Noise Pollution

NE/16: Emissions

SF/6: Public Art

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

SF/11: Open Space Standards

TR/1: Planning for More Sustainable Travel

TR/2: Car and Cycle Parking Standards

14. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
 - Open Space in New Developments – Adopted January 2009
 - Trees and Development Sites – Adopted January 2009
 - Public Art – Adopted January 2009
 - Biodiversity – Adopted July 2009
 - Landscape in New Developments – Adopted March 2010
 - District Design Guide – Adopted March 2010
 - Affordable Housing – Adopted March 2010
 - Health Impact Assessment – Adopted March 2011
15. 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

16. **Waterbeach Parish Council** – Recommends approval, stating:

“The Council regards the statement at the end of the paragraph on Vehicular Access in the Design and Access Statement (C1439DA1) that: “should the requirement arise there is scope for more spaces along Waddelow Road (subject to LA approval)” as both inaccurate and misleading, giving rise to concerns that they would like noted.”
17. **The Trees and Landscape Officer** – Raises no objections to the trees identified for removal, noting that the important trees within the site would be retained.
18. **The Landscape Design Officer** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
19. **The S106 Officer** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
20. **Affordable Homes** – Supports the application, stating that the proposal would allow the Council to meet its statutory homeless duties in a cost effective manner whilst providing a much better standard of accommodation for homeless households. The Council currently provides 20 units of temporary accommodation hostel units across the District, 16 of which are located on this site. Accommodation is typically in one room, regardless of family size, with access to shared amenities. The current provision is outdated and in need of refurbishment or replacement. In addition, homelessness and the associated demand for temporary accommodation is increasing. The proposed 30 purpose-built units would greatly improve the quality of the provision and enable the Council to meet the growing demand for such accommodation. At present, the increased demand is being met through utilising emergency bed and breakfast accommodation, but this is costly and often located outside the District.
21. **The Arts Officer** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
22. **The Sustainability Officer** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
23. **The Environmental Health Officer** – Expresses concern that problems could arise from noise during the construction period and from any external lighting. As such, any

consent should be subject to conditions to control the hours of construction and demolition and to require details of any lighting.

24. ***The Environmental Health Officer (Public Health Specialist)*** – Raises no objections, stating that the submitted Health Impact Assessment has been assessed as Grade B. This meets the required standard of the HIA SPD, which states that only grades A or B are acceptable. The only area of concern is that the HIA has not addressed possible health impact during demolition and construction due to noise and dust, and a condition should therefore be attached to any consent to mitigate any adverse affects for existing residential properties surrounding the site.
25. ***The Environmental Services Department (Waste Management)*** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
26. ***The Local Highways Authority*** – Recommends refusal, stating that the applicant needs to provide justification for the over provision of parking, as the proposed design has the potential to impact on highway safety. The applicant should be required to confirm if the proposed spaces are intended for the development or for local residents.
27. ***The County Archaeologist*** – States that the site lies in an area of high archaeological potential. The site lies next to land investigated in 1996 that revealed Saxon industrial remains. It is likely that important remains survive on the site and that these would be damaged by development. As such, any permission should be subject to a condition requiring a programme of archaeological investigation to be undertaken before commencement of development.

Representations by members of the public

28. Letters of objection have been received from the owner/occupiers of Nos. 2 Jubilee Close and 61 Winfold Road. The main points raised are:
 - In order to protect the privacies and views of dwellings to the rear, trees along the rear boundary should be retained.
 - Existing residents often have cars (sometimes up to 2 cars), and the use therefore generates a demand for parking spaces. Residents often park on the road, rather than in designated spaces, thereby resulting in parking difficulties for surrounding residents. Adequate parking should be provided for the dwellings.

Material Planning Considerations

Housing density, mix and affordable housing

29. Waterbeach is designated within Policy ST/5 of the Core Strategy as a Minor Rural Centre. In such settlements, development and redevelopment, up to a maximum indicative size of 30 dwellings, is acceptable in principle on sites within village frameworks, subject to other material considerations. The application proposes the demolition of the existing buildings, comprising 35 no. units, and the erection of 30 apartments in their place. The proposed level of development is therefore in accordance with the requirements of Policy ST/5.
30. Whilst the proposal could result in concerns that the proposed development would provide fewer units than the existing, the supporting Design and Access Statement

makes it clear that the site is presently under-occupied. In addition, the Housing Team has stressed that the existing accommodation provides sub-standard accommodation, with occupants (whether they be single people or families) being accommodated in one room. The proposed development would provide completely self-contained apartments, including a small number of two-bedroom units, and would therefore be much better suited to meet the nature and level of the demand for such housing.

31. The site extends to 0.385 hectares. The erection of 30 dwellings on the site equates to a density of approximately 77 dwellings per hectare. Policy HG/1 requires new development schemes to achieve a minimum density of 30 dwellings per hectare, unless material planning considerations indicate a different density of development would be more appropriate.
32. LDF Policy HG/3 requires a minimum of 40% affordable housing on sites proposing two or more dwellings. The scheme would provide 100% affordable housing (which will be owned and managed by Sanctuary Housing) and is therefore in compliance with the requirements of this policy.

Highway safety

33. The Local Highways Authority (LHA) has raised concerns that there would be an overprovision of parking given the intended use of the building, and that the layout has the potential to give rise to highway safety problems. The LHA has clarified that its concerns relate to the spaces that would be accessed directly off Waddelow Road. It has no objections to the disabled spaces, as these are appropriately located adjacent to the entrance to the building, but it is concerned that the remaining 7 spaces along this frontage would result in cars backing out into Waddelow Road in an area where there is a significant amount of on-street parking and, hence, be detrimental to highway safety. To resolve this issue, it has advised that the 7 spaces at the front of the site should be removed from the scheme (which would provide the opportunity to enhance the appearance of the development with landscaping), and that any additional parking could be accommodated in front of the southern elevation of the building. 4-5 spaces could be provided in this area. Whilst cars would still need to reverse out from these spaces, this would be onto a cul-de-sac, where vehicle speeds would be slower and the number of movements less frequent, rather than onto a relatively busy narrow residential through-road. The LHA has advised that, if the scheme is amended along these lines, it would resolve its concerns regarding the highway safety implications of the development.
34. There are presently 20 parking spaces on the site, 14 within the parking area in the south-western corner and 6 spaces to the front of the building. The application would decrease the number of units from 35 to 30. At present, the scheme proposes to increase the level of parking provision from 20 to 23 spaces, but the changes requested by the LHA would result in the total parking provision being 20 or 21 spaces. The number of spaces would be below the 1.5 spaces per dwelling average set out within the LDF. However, the nature of the accommodation (which would be restricted by way of a legal agreement) would be expected to result in a lower level of car ownership than would usually be the case. In addition, the site is in a sustainable location, within easy walking distance of the nearest bus stop and services and facilities in the centre of Waterbeach. As such, the location is one where it would not be necessary to own a car. The level of parking provision is therefore considered to be appropriate for the proposed use.

Design and visual impact

35. The application has been submitted following extensive pre-application discussions with Officers, and following a public consultation exercise in Waterbeach. The site lies within an area characterised by brick and tile two-storey dwellings and bungalows. The proposed development seeks to adopt a similar palette of materials to surrounding dwellings (namely buff brick under a concrete dark tiled roof), but also picks up on features characteristic of the more traditional properties in Waterbeach (such as red brick banding and quoins and vertically proportioned windows). The development is considered to relate well to its surroundings, and to represent an enhancement to the character of the area when compared to the existing buildings.
36. The existing site has a scattered layout with three separate blocks of buildings separated by grassed areas and pathways between the buildings. There is no single definable amenity space. As the existing structures are being demolished, the applicants were encouraged in pre-application discussions to bring the main part of the new building closer to the road. This results in a stronger presence to the street frontage, and enables the provision of a communal amenity space for residents' enjoyment to the rear and a children's play area at the northern end of the site.

Impact on trees

37. There are a number of trees within the curtilage of the site, and the application has been accompanied by a Tree Survey and Arboricultural Impact Assessment. The Council's Trees Officer has advised that the most significant trees on the site, including the field maples to the rear, would be retained and protected during the course of development. No objections have been raised to the loss of the poorer quality trees identified on the drawings.

Residential amenity

38. In order to protect the amenities of surrounding residents, the Council's Adopted District Design Guide recommends a distance of 25 metres be achieved between opposing first floor windows. The proposed layout achieves this relationship. During pre-application discussions, Officers have raised particular concerns regarding the impact of any development upon the amenities of occupiers of the adjacent bungalow to the north, No.1 Jubilee Close. Previous iterations of the design proposed that the two-storey development would extend close to the common boundary with the bungalow and also included first floor windows to habitable rooms that directly overlooked this property's garden area. The scheme has been amended prior to formal submission to address these issues by setting the nearest part of the development to the bungalow down to single-storey height only. In addition, two of the first floor windows in the two-storey element that is set behind the single-storey part of the building would be obscure glazed.

Sustainability issues

39. The application proposes that the 10% renewable energy requirements would be achieved through the use of solar panels.

Developer contributions/S106 Agreement

40. A Section 106 Agreement would be required to regulate the provision and occupation of affordable housing in accordance with Policy HG/3 and the Affordable Housing SPD.

41. LDF Policy SF/6 (Public Art) and the Public Art SPD 2009 encourages the provision of public art for all residential developments comprising 10 or more dwellings. During pre-application discussions, the Council's Arts Officer advised that the development would provide the opportunity for an arts intervention that would enhance the site. Normally, a contribution equating to approximately £500 per dwelling is required.
42. The application has been accompanied by a Heads of Terms that confirms agreement towards the provision of 100% affordable housing and a contribution (as per the above ratio) towards public art.
43. As the development would provide fewer units than exists on site at present, the proposal would not give rise to the need for contributions towards public open space, community facilities or household waste receptacles.

Recommendation

44. Delegated powers are sought to approve the application subject to the receipt of amended plans to address the Highways Authority's concerns:
 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1:500 site location plan, [amended drawings numbers to be inserted]
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
 3. The development, hereby permitted, shall not commence until details of all materials to be used for the buildings and hard surfaced areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed 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 South Cambridgeshire Local Development Framework 2007.)
 4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the commencement of and shall be retained in accordance with the approved details thereafter.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
 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 site clearance or building operations shall commence until tree protection has been erected on site in accordance with the details shown within the Arboricultural Impact Assessment Reference JF/675046/R5. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) or hedges removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.
(Reason - To protect trees and hedges which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
8. Apart from any top hung vent (which must be positioned at least 1.7 metres above the internal finished floor level), the proposed first floor kitchen and bathroom windows in the north elevation of the development shall be fixed shut and fitted and permanently glazed with obscure glass.
(Reason – To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
9. No windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the north side elevation of the northern element of the building at and above first floor level unless:
 - (i) permanently fitted with obscure glazing and fixed in place; or
 - (ii) installed with a sill height of not less than 1.7m above the finished internal floor level; or
 - (iii) otherwise expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
10. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - i) Contractors' access arrangements for vehicles, plant and personnel;
 - ii) Contractors' site storage area(s) and compounds(s);

iii) Parking for contractors' vehicles and contactors' personnel vehicles; Development shall not be carried out other than in accordance with the approved details.
(Reason - In the interests of residential amenity and highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

11. During the period of construction and demolition, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays or Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason – To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)
12. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
(Reason -To minimise the effects of light pollution on the surrounding area and upon the amenities of adjacent residents in accordance with Policies DP/3 and NE/14 of the adopted Local Development Framework 2007.)
13. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
14. The development shall not begin 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:
 - i. The numbers, type and location on the site of the affordable housing provision to be made;
 - ii. The timing of the construction of the affordable housing;
 - iii. The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
 - iv. 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 an agreed mix of affordable housing in accordance with Policy HG/3 of the adopted Local Development Framework 2007.)
15. No development shall begin until details of a scheme for the provision of public art, to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/6, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for

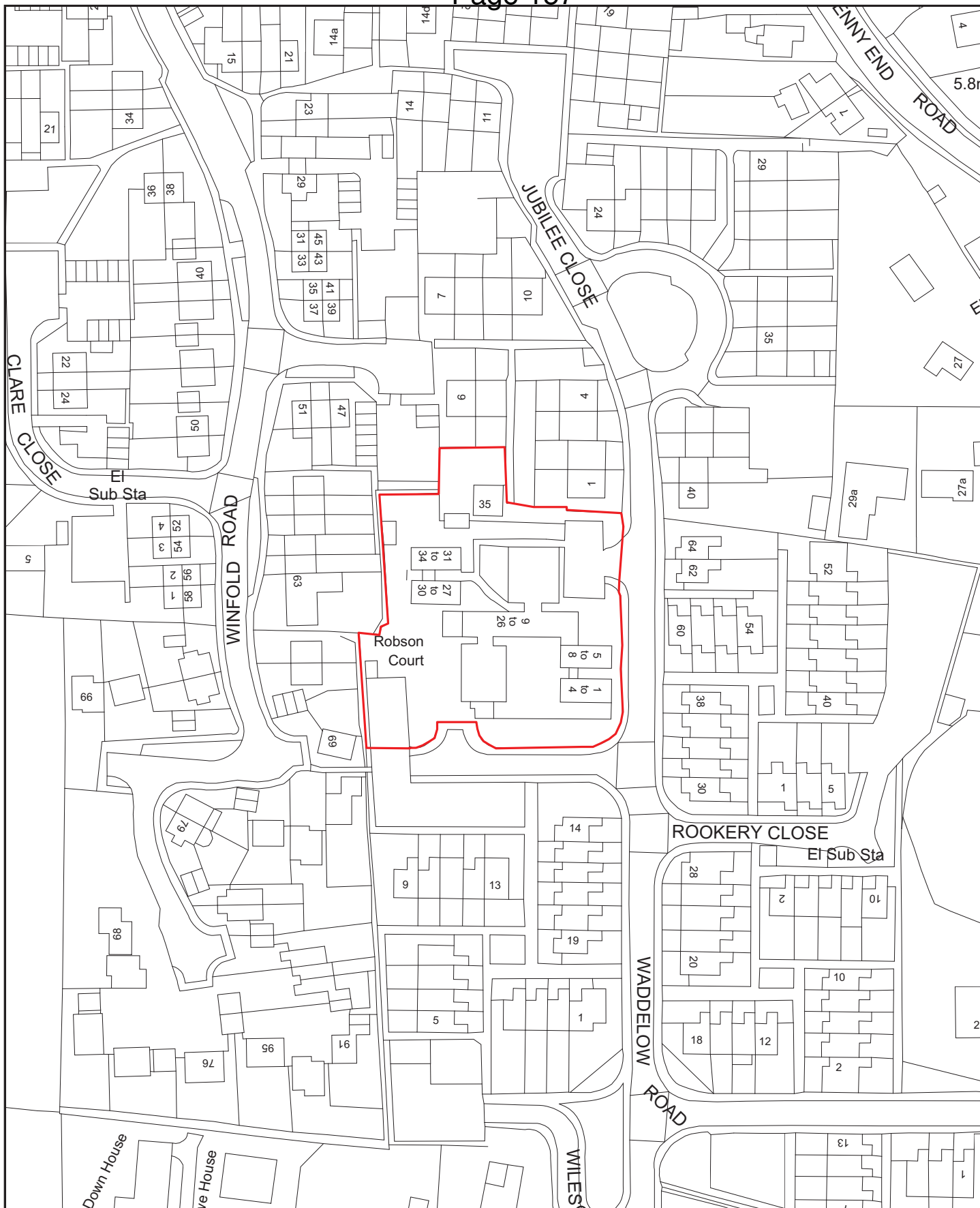
the provision to be made and shall be carried out in accordance with the approved details.

(Reason - To ensure a contribution is made towards public art in accordance with Policy SF/6 of the adopted Local Development Framework 2007)

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: Open Space in New Developments, Trees and Development Sites, Public Art, Biodiversity, Landscape in New Developments, District Design Guide, Affordable Housing, Health Impact Assessment
- National Planning Policy Framework 2012
- Circular 11/95
- Planning File References: S/2064/12/FL, S/2139/00/F, S/0482/94/F, S/1147/93/F, S/0110/92/F, S/1200/83/F, S/0112/83/F, C/0054/73/F, C/1252/72/F.

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



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

**S/2096/12/FL - WILLINGHAM
Dwelling at 94 Rampton Road
for Mr and Mrs Jones****Recommendation: Approval****Date for Determination: 3 December 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 8 January 2013

Site and Proposal

1. The application site is located within the designated Willingham village framework, the boundary for which is located along the rear garden line. Residential properties are located to the north, east and south, with an orchard located to the west. The existing dwelling is a detached two-storey property, with a single storey outbuilding set deeper into the plot along the southern boundary. A hedgerow divides the rear garden area into two distinct areas.
2. The full application, validated on 8th October 2012, seeks the erection of a dwelling into the rear garden area. The property would be set over three floors, with a subterranean basement below the main ground floor space. At first floor level would be a master bedroom. The proposal is contemporary in style. Access would be gained to the southern side of the existing property. The application is accompanied by a Design and Access Statement, a Tree Survey, an Arboricultural Implications Assessment, a Unilateral Undertaking, a Car Turntable Brochure, and a Planning Statement incorporating a Waste Design Guide Statement.

Site History

3. Application **S/1635/83/F** granted planning permission for an extension to the dwelling.

Planning Policy

4. **South Cambridgeshire Local Development Framework Core Strategy (LDF CS), adopted January 2007: ST/5 Minor Rural Centres**

5. **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/10** Foul Drainage – Alternative Drainage Systems, **NE/15** Noise Pollution, & **TR/2** Car and Cycle Parking Standards.
6. **Open Space in New Developments SPD** – adopted January 2009, **Biodiversity** – adopted July 2009, & **District Design Guide SPD** – adopted March 2010.
7. **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

8. **Willingham Parish Council** recommends refusal on grounds of the scheme being large background development with limited access which may set a precedent.
9. The **Local Highways Authority** requests details regarding vehicle-to-vehicle visibility splays and pedestrian splays. Conditions are also recommended regarding drainage of private water from the access and materials to be used for the ace. An informative regarding works to the public highway is also recommended.
10. The Council's **Trees Officer** notes the trees along the northern boundary are afforded no statutory protection, and there is space for protection under the British Standard. No objections.

Representations by Members of the Public

11. None were received.

Planning Comments

12. The key considerations in the determination of this application are the principle of development, impact upon the street scene, impact upon the amenity of the occupiers of adjacent properties, highway safety and parking provision, impact upon trees, and infrastructure provisions

The Principle of Development

13. Willingham is classified as a Minor Rural Centre in the LDF CS, where residential development up to an indicative maximum scheme size of 30 dwellings will be permitted within village frameworks, subject to site-specific

issues. There is in-principle support for the scheme, subject to site specific issues.

14. Policy HG/1 of the LDF DCP 2007 seeks residential developments to make best use of land and achieve minimum densities of 30 dwellings per hectare. The application site has an area of approximately 0.061 hectares excluding the access and turning area. A single dwelling would represent development of 16 dwellings per hectare, below the requirement of the policy. However, given potential impacts upon the character of the area and access, a single dwelling is considered acceptable in this instance.

Impact upon the Street Scene

15. Rampton Road is characterised by single dwellings on large plots all fronting the road. There is no residential backland development in this area. The only buildings to the rear of the main dwellings are single storey outbuildings, as expected in such locations given the long garden lengths. The designated village framework boundary runs along the rear boundary of the plot, and the long gardens provide a more semi-rural character, especially given the proximity of the orchard to the rear of the site. The introduction of backland development in this area would create more formal development to the rear of the existing dwellings, and also introduce the division of curtilages in this location.
16. However, having visited the site, it is considered that development of a residential unit could not be ruled out, and a single storey unit was encouraged during the pre-application discussions. The proposal does include a first floor element. The design is contemporary with sections of flat roofs above the ground floor elements. These roofs are proposed to be green with wildflowers grown above. The first floor element has a shallow monopitch roof.
17. The dwellings along the frontage of Rampton Road do vary in character and style. There is no contemporary style in the vicinity. However, as the scheme would introduce backland development to the local vicinity, there is no objection to the modern design of the unit in this location. The advantage of the flat roof is the reduction in bulk of the buildings. At its highest point, the dwelling measures 5.88m, whereas 94 Rampton Road itself has a height of 7.65m. The dwelling will be visible between units, but the design should ensure no serious harm would result to the street scene.

Impact upon the Amenity of the Occupiers of Adjacent Properties

18. To the north of the site is the long rear garden of 92 Rampton Road. This property is a bungalow although it has a two storey extension to the side, with a flat roofed element to the rear. Its main private area would be towards the rear of the property. There would be a 17m separation between the rear of the existing dwelling and the proposal site. The proposed dwelling would be located approximately 1.7m and 2m from the shared boundary. At this point, the dwelling would measure 2.75m in height for a distance of 15.2m. Whilst the dwelling would clearly be visible from the rear garden of 92 Rampton Road, it should not be viewed as overbearing from this location. Some loss of light would result, but not to a degree that would warrant refusal of the application.

19. The windows in the northern elevation are all set at high level, and therefore no overlooking would result. A condition can ensure no windows are added to the northern elevation of the two storey section, which at 6.6m from the shared boundary, would cause serious overlooking. Subject to conditions, no serious harm would result to the occupiers of 92 Rampton Road.
20. To the south of the site is 98 Rampton Road, a bungalow with a long range running parallel with the shared boundary of the application site. It has numerous windows in its north elevation. Two high levels windows are set behind the existing outbuilding at the application site. There are also two large obscure glazed windows, and a clear kitchen window. This window is set opposite the existing parking area, and therefore there would be a neutral impact from vehicle traffic. Other openings would hear vehicles passing, but no serious noise disturbance is likely to result that would warrant refusal of the application.
21. The development would be visible from the rear garden of 98 Rampton Road. It is set due north, so no light would be lost. The single storey element is 1.5m from the shared boundary, but only 2.75m in height. The two-storey element is just 4.5m from the boundary, but should not be viewed as seriously overbearing. The scheme does include a south facing window to the master bedroom. This would have the potential to cause overlooking, and therefore a condition can ensure it is obscure glazed. A further condition would restrict any further first floor windows in this elevation. Subject to conditions, no serious harm would result to the occupiers of 98 Rampton Road.
22. There is adequate separation between the proposed unit and the existing dwelling at 94 Rampton Road to ensure no serious loss of amenity results to future occupiers of either property. A condition would be required to ensure no first floor windows are added to the east elevation in the future, given its potential to overlook the rear garden of no. 94, as it is set 5.5m from the shared boundary.

Highway Safety and Parking Provision

23. The development seeks the use of a shared access, which would be required to run slightly across the front of the existing dwelling. Parking for 94 Rampton Road would be to the front of this property behind the frontage hedge. A gate is shown, and a new boundary would be formed. A boundary/landscape condition can ensure this is hedge rather than inappropriate fence or wall. There appears adequate pedestrian and vehicle-to-vehicle visibility at the entrance, and conditions can be added to retain these.
24. A new access would continue adjacent the southern boundary of the site. At pre-application stage, space for turning was discussed and it was considered tight for the manoeuvring of vehicles. The applicant has added a turntable to the access to ensure that vehicles can leave the site in forward gear. A condition can ensure the access and parking space, and the turntable are added and retained for such uses. The local Highways Authority seeks details of materials for the access, and this can be added to the landscape condition. Drainage details can be sought through condition.

Impact upon Trees

25. The comments from the Trees Officer are noted. There are trees in the rear garden to be removed, but these are offered no statutory protection. There is no objection to their removal. Some trees are to remain which would soften the rear garden area. There are a line of trees in the rear garden of 92 Rampton Road. These would be offered protection from construction, and a condition would be required.

Infrastructure Contributions

26. The application is accompanied by a Unilateral Undertaking agreeing to the payment of contributions towards open space, community facilities and waste receptacles, and £50 towards section 106 monitoring. Members will be updated as to whether the Undertaking is satisfactory.

Recommendation

27. 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: Dwgs L01, P01, P02, P03, P04, P05, P06, P07, P08, P09, P10, P11 and P12 date stamped 8 October 2012.
(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 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; and materials for the newly created access.
(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.)
 4. 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.)

5. 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.)
6. The materials to be used in the construction of the external surfaces of the dwelling hereby permitted shall be as described on the application form (chapter 10) or shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Where materials are approved by the Local Planning Authority, the 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.)
7. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
8. 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 north, south and east elevations of the dwelling at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
9. Apart from any top hung vent, the proposed first floor window in the south (side) elevation of the dwelling, hereby permitted, shall be fitted and permanently glazed with obscure glass.
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
10. 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.)

11. The pedestrian visibility splays and vehicle-to-vehicle visibility splays, as shown on approved plans P01 and P02 date stamped 8 October 2012 respectively, should be laid out prior to occupation of the proposed dwelling, and shall thereafter be maintained free from any obstruction over a height of 600mm.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
12. The access, parking areas to both the approved dwelling and 94 Rampton Road, and the turntable, shall be laid out as per approved plan P01 date stamped 8 October 2012, and the land shall not be used for any other purpose.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Informative

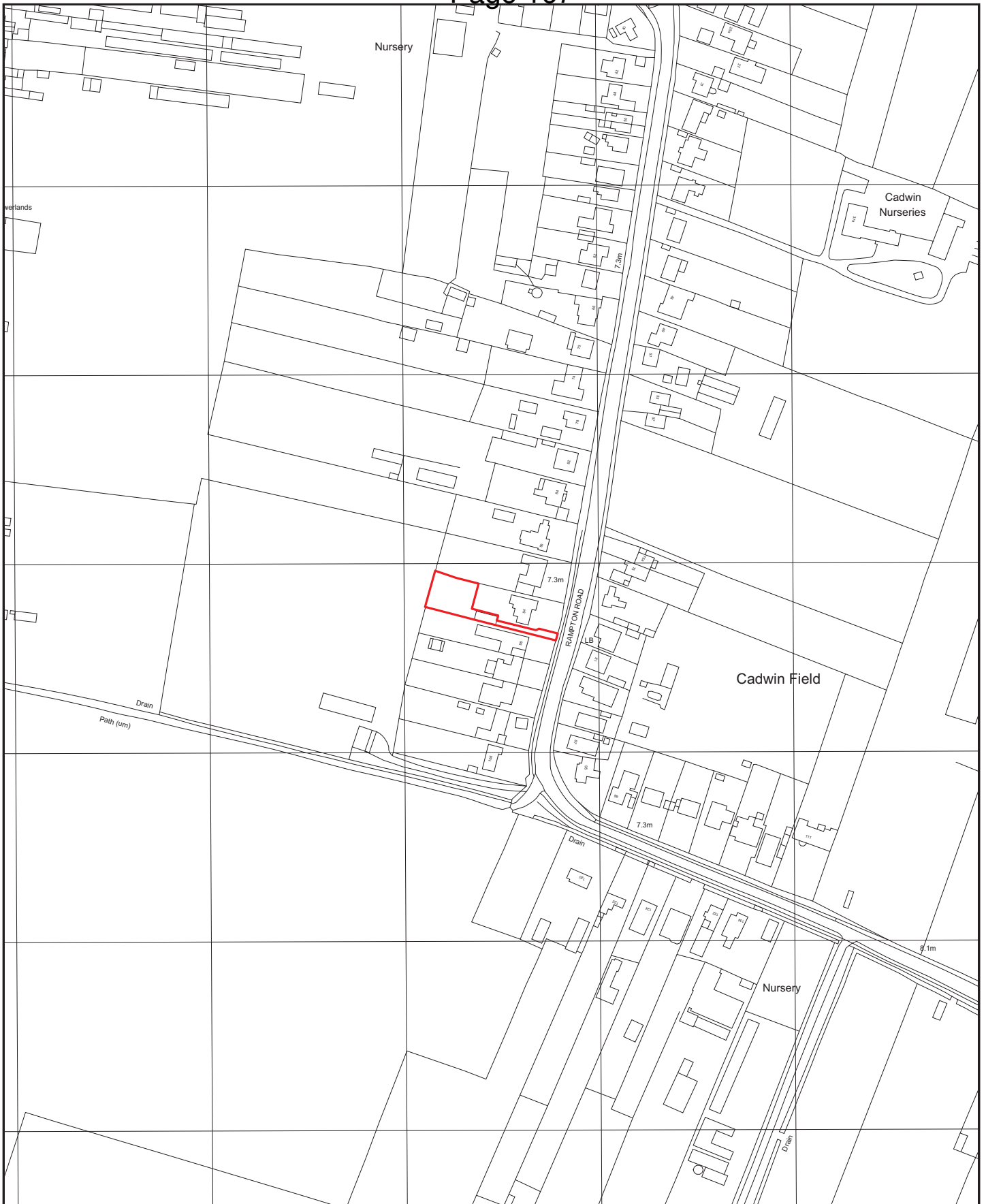
This development involves work to the public highway that will require the approval of Cambridgeshire County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. It is the 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 Core Strategy 2007).
- Local Development Framework Development Control Policies 2007.
- Open Space in New Developments SPD, Biodiversity SPD & District Design Guide SPD.
- National Planning Policy Framework.
- Planning File refs: S/2096/12 and S/1635/83/F.

Contact Officer: Paul Derry – Senior Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/2114/12/FL - WILLINGHAM**Change of Use of Land for stationing of 1 Static caravan, 1 touring caravan, 1 utility block (retrospective) - 4 Longacre, Meadow Road for Mr Pender Smith****Recommendation: Approval****Date for Determination: 04 December 2012**

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

To be presented to the Committee by Paul Derry

Site and Proposal

1. The site lies to the east side of the village of Willingham, and is outside the defined village framework, as identified in the South Cambridgeshire Local Development Framework 2007. The site measures approximately 28m by 29m excluding the access, and is set back from Meadow Road. Access is achieved from the west side of the site, where the access track serves this and adjacent units.
2. The north boundary of the site is a 1.8m high panel fence, with some planting in the northwest corner. There is a traveller plot to the north recently granted a permanent personal consent. The eastern boundary is a continuation of the 1.8m fence, with a leylandii hedge. There is also a big tree inside the application site boundary. Land further west forms part of a temporary travellers pitch, with associated land to the south of that. The southern boundary is a further 1.8m fence, beyond which is a temporary traveller plot. The southern boundary to this adjacent pitch is a good hedgerow. To the west beyond the access is a further temporary traveller pitch.
3. The application, validated on 9 October 2012 seeks the change of use of the land to the stationing of one static caravan, one touring caravan and one utility block. All were on site during the case officer site visit.

Site History

4. There is a long planning history of the site. It has been included previously within other plots for a series of temporary and personal consents. These all appear to have expired.

Planning Policy

5. **Planning policy for traveller sites (PPTS)** (March 2012) requires local planning authorities to make their own assessment of need for traveller sites based on fair and effective strategies. Local Plans should include fair, realistic and inclusive policies such that travellers should have suitable accommodation in which to access education, health, welfare and employment infrastructure but for lpa's to have due regard to the protection of local amenity and the local environment. 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 "Issues and Options 2 Consultation July 2009" identified the site 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 was undertaken from 12 July to 28 September 2012 and is intended to 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. 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. It also states that a second temporary permission should not normally be granted. A trial period should be set that is sufficiently long for it to be clear by the end of the first permission whether permanent permission or a refusal is the right answer. Usually a second temporary permission will only be justified where highway or redevelopment proposals have been postponed, or in cases of hardship where temporary instead of personal permission has been granted for a change of use.

Consultation by South Cambridgeshire District Council as Local Planning Authority

15. **Willingham Parish Council** recommends refusal of the application on the grounds of it being a retrospective application and sites should be fully reviewed. Previous objections regarding proportionality also apply.

Representations by Members of the Public

16. None were received.

Planning Comments

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

The Development Plan

19. The requirement of RSS Policy H3 to significantly meet demand and provide at least 69 additional (permanent) pitches in the district between 2006 and 2011 was not met and fell short by about 15 pitches. However, while RSS Policy H3 remains part of the development plan, the Secretary of State's intention to revoke this is clearly a material consideration to be taken into account. Thus only very limited weight should be given to Policy H3. In addition PPTS now requires Local Planning Authorities to make their own assessment of need rather than relying on a regional target (see below).

20. Since the loss of Policy HG23 from the previous 2004 Local Plan, the current development plan does not contain any specific criteria-based policies against which to assess the impact of proposals for gypsy sites. While saved policy CNF6 allocates land for use as gypsy sites at Chesterton Fen, a number of previous appeal decisions have ruled out the possibility that there is still land that is suitable, available and affordable.
21. The Council therefore relies upon the 'General Principles' policies DP/1 - DP/3, albeit these need to be utilised in accordance with the advice in PPTS. This and numerous appeal decisions confirm that gypsy sites are often located in the countryside and that issues of sustainability should be seen in the round with a more relaxed approach taken to gypsies' normal lifestyle.
22. The principal concerns in this case are the impact on the character and appearance of the area and the capacity of the village to accommodate further permanent traveller sites.
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 the nearest built form is the properties along Spong Drove. It forms the fourth pitch of a group of five to the southern side of Meadow Road. In its wider context, the local area as a whole forms three "rows" of pitches, with the application site being in the middle "row". The pitch directly north has permanent consent albeit personal to the existing occupier, whilst those to the east, west and south have temporary permission.
24. Given its location surrounded by existing pitches, there would be limited views if any of the application site itself from the public domain. The Issues and Options 2 Consultation July 2009, now withdrawn, described the group of pitches as having a "relatively low impact" on the surrounding landscape. Adding the additional pitch to this group would not alter this view. The application site would only become prominent in its own right if the other pitches were removed, along with their boundary fencing.
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, and is within 520m of a bus stop.
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.
27. In the event 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. There is no set formula to calculate contributions where caravans are the accommodation. If permanent consent is granted, then the decision should be delegated to negotiate these contributions with the applicant.

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 15 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 24 pitches (65 – (15 + 26)) for which permanent sites need to be identified for the period up to 2016. There are, however, currently 65 pitches across the district with temporary planning permission and while there can be no certainty which of these will be turned into permanent permissions, there is a reasonable expectation that some of these will be approved, thus further reducing the overall identified 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). The two public sites at Milton and Whaddon have remained full with waiting lists of at least a year. However, The Council has secured HCA funding to refurbish the site at Whaddon which also provides for the addition of two new pitches. Members will also be aware of the recent decision regarding Mettle Hill in Shepreth.

The Applicant's Personal Needs and Circumstances

31. The applicant lives on the site with his partner, and their two daughters. Both daughters are registered at Willingham Primary School. All residents are currently registered at the doctors surgery in St Ives. The applicant considers himself local, having moved around Cambridgeshire for the majority of his life. He also has extended family in Cambridgeshire.

Conclusion

32. The site is not considered to cause harm to the surrounding countryside. The lack of suitable alternative sites and the family's general needs also carry weight in favour of the proposal, albeit their need for this particular site is not compelling. Nonetheless, given the lack of any identified harm and the likelihood of new sites becoming available in the foreseeable future, a permanent planning permission is appropriate.

Human Rights Issues

33. Refusal of permanent planning permission would lead to interference with the applicant's rights under Article 8 of the European Convention on Human Rights. This must, however, be balanced against the protection of the public interest in seeking to ensure needs arising from a development can be properly met, or that they do not prejudice the needs of others. These are part of the rights and freedoms of others within Article 8 (2). Officers consider

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

Recommendation

34. 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. 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.)

- 3. 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.)

- 4. No more than one mobile home (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended)), one touring caravan and one utility block, shall be stationed on the site at any one time.**

(Reason – To minimise the visual impact of the development on the surrounding area in accordance with policies DP/3 and NE/4 of the Local Development Framework 2007.)

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

(Reason - 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.)

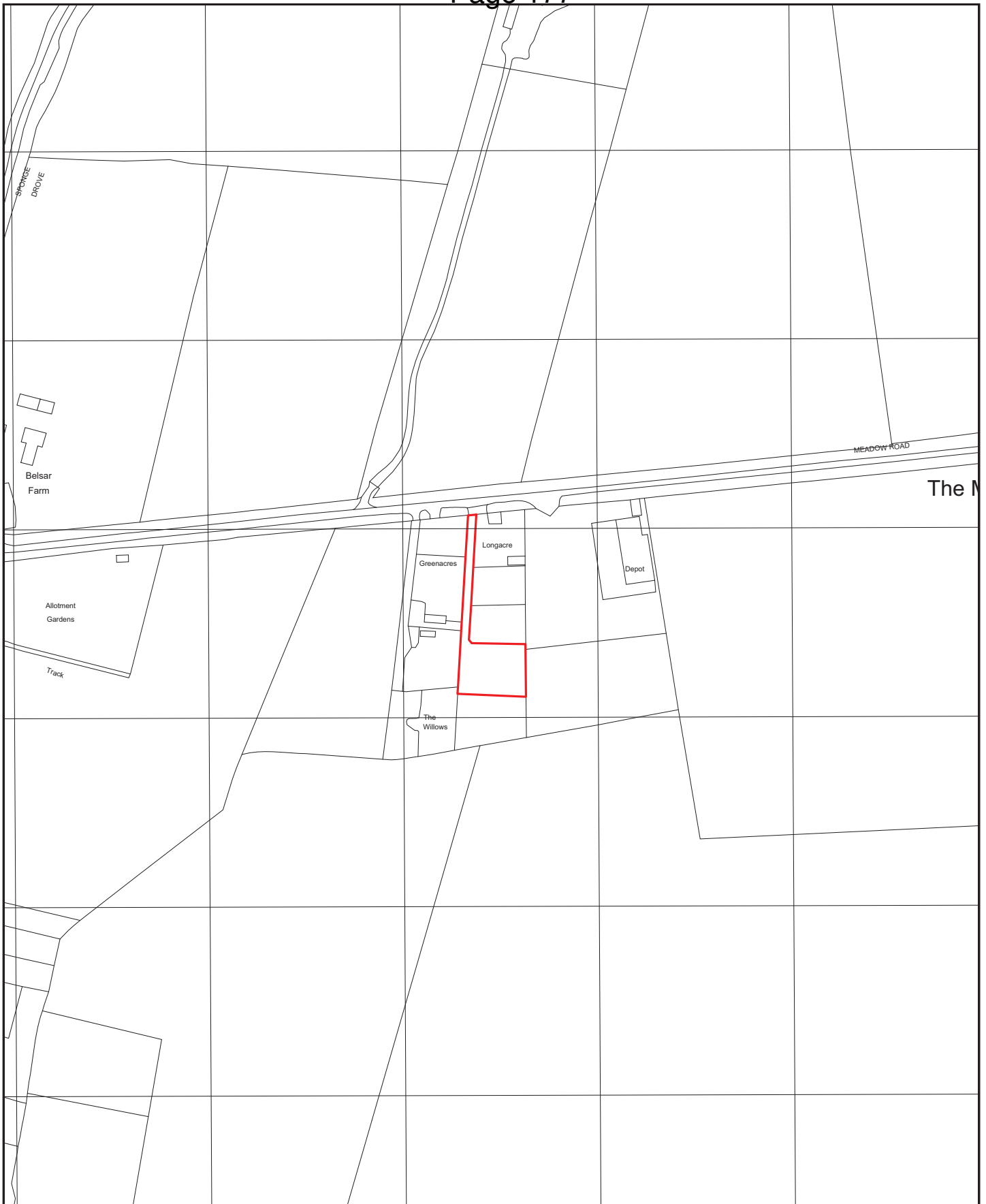
If Members decide infrastructure provisions are required, a further condition would be needed to ensure this provision.

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 DPD**
- **National Planning Policy Framework**
- **Planning policy for traveller sites**
- **Planning file reference S2114/12/FL**
- **Gypsy and Traveller Needs Assessment Internal Review. Report to Housing Portfolio Holder 13 June 2012**

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/1987/12/VC – WILLINGHAM**Removal of agricultural occupancy condition on permission S/0077/74/F (Condition 1), as amended at appeal by ref S/1392/10, Cadwin Nurseries, 37a Rampton Road for Dr S Sangray****Recommendation: Delegated Approval****Date for Determination: 12 November 2012****Notes:**

This Application has been reported to the Planning Committee for determination because the officer recommendation of delegated approval is contrary to the recommendation of refusal from Willingham Parish Council

To be presented to the Committee by Paul Sexton**Site and Proposal**

1. This application, submitted on 14 September 2012, seeks the removal of condition 1 of planning consent S/0077/74, as amended at appeal by planning consent S/1392/10, which imposes an agricultural occupancy restriction on the property (see Planning History below).
2. 37a Rampton Road is a detached bungalow set back 90m from Rampton Road and served by a driveway which runs between residential properties at Nos 37 and 39 Rampton Road. Immediately to the rear of the bungalow is the former shop building, beyond which is an area of land comprising the former nursery area itself. The total site area is 3.88ha.
3. The application is accompanied, amongst other documents, by a report of the recent marketing of the property from January 2012. This included national advertising comprising 6 advertisements in the Farmers Weekly and 5 advertisements in the Farmers Trader from February to July 2012, along with local advertising in the Cambridge News in January and April 2012. In addition the applicant's agent states that the property would have been placed on its website throughout the marketing period, has appeared on Rightmove, and other web sites such as Property Link, and details were sent to 90 local holdings in May 2012.
4. Prior to advertising an independent valuation of the property were obtained and the property was advertised in two lots. Lot 1 comprised the bungalow and 0.81ha of land, with a guide price of £285,000. Lot 2 comprised 3.1ha of land and buildings, with a guide price of £160,000.

History

5. **S/1392/10** – Removal of agricultural occupancy condition (condition 1) on planning permission S/0077/74/F – Refused – Appeal Allowed (in so far as wording of original condition updated but not removed)

S/0077/74 – Erection of bungalow and garage – Approved

6. Condition 1 originally stated 'The occupation of the dwelling shall be limited to persons employed locally in agriculture as defined in Section 290 of the Town and Country Planning Act 1971 or in forestry and the dependants of such persons.'
7. The reason for the condition stated that the consent would not have been granted for the erection of houses on this site unconnected with the use of the adjoining land for agriculture or similar purposes. The occupation of the dwelling was not however restricted specifically to someone working at the nursery.
8. In 'allowing'; the appeal against the 2010 refusal the Inspector agreed with the Council's view that the price at which the property had been advertised (guide price £465,00) did not reasonably reflect the encumbrance of the occupation condition, and that as a consequence, the potential to find a prospective occupant will have been materially compromised. He concluded that the appellant had not conclusively demonstrated that the condition had outlived its usefulness and consequently the proposal failed to comply with both national and local planning policy.

Planning Policy

9. National Planning Policy Framework 2012
10. **Local Development Framework Development Control Policies 2007:**
DP/7 – Development Frameworks
HG/9 – Dwelling to Support a Rural-Based Enterprise

Consultation by South Cambridgeshire District Council as Local Planning Authority

11. **Willingham Parish Council** recommends refusal and 'feels that the property should remain in agricultural use in accordance with the appeal decision'.
12. An **Independent Report** commissioned by the District Council into the marketing of the property is attached at Appendix A. It raises concerns about the marketing exercise and the price for both the bungalow and the land/buildings

Representations by Members of the Public

13. None received.

Representations on behalf of the Applicant

14. In response to the appraisal undertaken on behalf of the Council the applicants agent has submitted a further letter which is attached as Appendix 2. It argues that the Inspectors issue was with marketing price and not the process of marketing. The guide price for the bungalow is in line with that suggested by the Inspector, and it is the bungalow to which the condition applies. It does not agree with the valuation of the land and buildings set out in the report undertaken by the Council.

Material Planning Considerations

15. The key issue to be considered in the determination of this application is whether the applicant has satisfactorily complied with the requirements of Policy HG/9 (6), and in particular whether the recent marketing of the property had satisfactorily addressed the concerns raised by the Inspector, mainly regarding the value at which the property has been marketed. In coming to a recommendation officers have had regard to the independent report, the view of the applicant and have balanced these against the Inspector's conclusions
16. It is clear that the property is currently being occupied in breach of the planning condition, and that the condition may not have been fully complied with for a number of years. Notwithstanding this the current application still falls to be determined under the above policy. If the District Council were to refuse the request to remove the occupancy condition it would then have to consider whether it would be expedient to instigate enforcement action.
17. Officers are of the view that the scope of the marketing undertaken is acceptable, given the views of the Inspector. It includes a trawl of local farms as well as advertising in both the local press and national agricultural journals. In his decision letter the Inspector commented that whether a more localised marketing approach, coupled with the use of additional umbrella internet arrangements such as 'Rightmove' may have elicited a more positive outcome could only be speculation, however the recent marketing exercise includes the use of Rightmove.
18. The main concern of the appeal Inspector was the price at which the property had been marketed. Prior to the 2010 application the bungalow and its garden, the agricultural land and buildings were marketed as a single lot with a guide price of £465,000. At the appeal parties broadly agreed that a reasonable valuation of the bungalow with a reasonable sized curtilage would have a value of around £350,000 without the tie, and that this could rise to around £400,000 with a plot in the region of 1ha. The Inspector concluded that a reduction in value of 30% was reasonable to reflect the tie, suggesting that a reasonable valuation for the bungalow at that time with the tie would lie somewhere within the range of £245,000-£280,000 or close to it, depending on the amount of land put with it.
19. The bungalow has been marketed with 0.81ha of land at a guide price of £285,000, which in officer's view, is a figure which reflects the conclusions of the Inspector, and would allow for offers within a reasonable range.
20. At the appeal there was disagreement between parties over the valuation of the agricultural land and other buildings on the site, which given the valuation accepted for the bungalow would have equated to around £200,000. The Inspector supported the Council's view that this figure was too high and that as the property had been marketed as a whole the resultant guide price of £465,000 was too high and the potential to find a prospective occupation will have been materially compromised. The land and buildings have subsequently been marketed with guide price of £160,000, which officers have expressed concern about, however it would not have precluded someone interested in the property from coming forward with a reduced offer for the land and buildings.

21. Officers are of the view that advertising the property in two lots, with the guide price for the bungalow reflecting that broadly agreed at the appeal, has adequately addressed the previous valuation concerns.
22. The applicant's agent has advised that two requests to view the property were received and one offer was subsequently received in March of £320,000 for the whole property, £125,000 below the combined guide price. This offer was rejected and officers are of the view that given the low figure that it was reasonable to do so.
23. In respect of the requirement to assess the on-going demand for the property with the occupational condition, the Inspector concluded that a sound judgement could not be made that there was no demand for the property at a price which reflected the tie due to the price at which it was originally marketed.
24. Officers are of the view that the revised marketing of the property, at a price for the bungalow which, in the Inspectors view, reflects encumbrance of the agricultural tie, has reasonably demonstrated that there is no longer a demand for the property with the tie, and are of the view that the condition should be lifted.

Recommendation

25. That having considered the available information and balanced this against the Inspector's views in the appeal decision that application is approved.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/1987/12/VC, S/1392/10 and S/0077/74

Case Officer: Paul Sexton – Principal Planning Officer
Telephone: (01954) 713255

APPENDIX 1

Removal of agricultural occupancy condition at RECEIVED SCDC

Cadwin Nursey, 37A Rampton Road, Willingham 26 NOV 2012

DEVELOPMENT CONTROL

A further planning application has been submitted to the council following the previous appeal decision, requesting removal of the "agricultural occupancy condition". As a local Chartered Surveyor and Estate Agent who has dealt with residential property sales in this immediate area for more than 50 years, I have been asked by the council to look at the marketing exercise carried out by the applicant's agents and to comment on whether or not I feel that there is sufficient evidence of the effective marketing of the property at a realistic price level to establish that no demand exists for the property with the present restrictive occupation.

In considering the matter, I have looked at all the information provided by the applicant's agents and would make the following comments:

1. Their letter accompanying the planning application states that the property has been marketed for 38 months but it has already been accepted at the earlier appeal that the process, up to that point, had been unsatisfactory and had not demonstrated adequate efforts to sell. It was placed back on the market in January of this year at a more realistic price and appears to have been withdrawn from the market in July – a total period of 6 months.
2. The revised basis of marketing offered the property in two lots – a bungalow with approximately 2 acres at a guide price of £285,000, the remaining 7.5 acres with the large barn at £160,000. The guide price for the bungalow with around 2 acres is some 14% above what I considered to be a realistic price in my evidence at the last appeal and it is my belief that there has been no material change in property values in that time. I have never sought to claim that I am a particular expert in agricultural values but the main part of the land appears generally to be in a poor state with a need to carry out a lot of clearance and, unless the barn is of very special use to a specific buyer it could be considered a liability. All in all I find it difficult to accept that the value of this second "lot" is anywhere near £160,000. Something around £50,000/£70,000 is, I think, more appropriate. A satisfactory "agricultural" purchaser is far more likely to

be interested in buying the entire holding and the inflated price of this second lot is likely to be a serious deterrent. The previous view I expressed is that a total of £300,000 for the whole property is probably fair with the restriction and it appears from the applicant's agents comments that an offer well above that figure (£320,000) has, in fact, been rejected. I quite understand that the applicant has no desire to sell at well below what he actually paid but that is not a matter on which I can comment.

3. Item 5 in the agents supporting evidence states that the lack of car parking is a problem if a commercial nursery use of the property was resurrected but clearly there is ample space on the site to create whatever car parking might be required for almost any use of the property.

4. The various appendices show evidence of advertising. This advertising appears mostly to be in the form of a small insertion in the standard advertising section taken up by Acorus in national agricultural publications rather than the more effective local media. It seems to me to be very unlikely that prospective local buyers with or without the appropriate agricultural "qualification" will be looking through magazines primarily aimed at those people actively running farming operations. I have found it difficult to establish whether any real effort has been made to promote the property through local advertising and the only evidence I have seen is two small advertisements in the local Homes Now publication where they are lost in pages primarily featuring new homes and luxury city apartments.

5. All the press advertising seems to feature only a very brief description and just one photograph which happens to be a very poor uninspiring view of the property, not from its best angle and with no internal photographs to help the promotion.

6. Most agents would expect to promote the properties they are selling on several of the major property portals as well as their own web site. I could find no evidence of this property being available on any of these sites (all of which have to be paid for) other than Right Move where it is

certainly no longer featured and is said to have been removed from the market in July.

7. The applicant's agent advises that the property is being adequately promoted on the Acorus web site. Searches under "bungalows" or "small farms" in Cambridgeshire and Bedfordshire (the smallest area available in the search criteria) reveal that there are no properties available in this region irrespective of price. I am unable to tell whether or not the property was at some stage listed on this site but, in any event, it seems unlikely that local buyers looking for this kind of property will make visits to a web site where a property in the general Cambridge area might only occasionally be available. Many of the local agents will have, on their web sites, available property in Willingham all the time and this is where prospective purchasers are much more likely to be looking. The copy of particulars produced by Acorus, shown in the appendix, certainly does not in any way flatter the property and lacks the internal photos that really should be available.

8. The last enquiry generated by Acorus, according to their records, appears to be on the 18th July indicating that the property has not been available on the market since then.

9. In the first round of marketing when the price was much too high, Acorus show that they approached 53 local agricultural businesses to advise them of the availability of this property. A letter with brief information about the property was sent to all of these people in 2009. Their present supporting evidence claims that a further letter dated the 8th May this year was sent to all "interested parties" from that initial circularisation in 2009, to advise them of the reduced price. At the previous very inflated figure it seems unlikely that any of the 53 people would have been "interested parties" and Acorus might like to clarify how many of the 53 were actually advised of the new price. In any event, it seems unlikely that those already running a local agricultural business would, in the current climate, be particularly interested in expansion unless the terms were attractive for the entire site.

10. Much information is provided about the need for agricultural properties of this kind in the Willingham area. I cannot comment on the facts and figures provided but, as far as I am concerned, the need and demand can only be established by effective local promotion on a realistic basis. In my view this does not yet appear to have happened.

11. By way of comparison, I am enclosing a copy of the particulars of one property in the next village of Rampton which, in many ways is comparable which has just been sold at £295,000. I am also enclosing details of a property currently being offered for sale by Messrs Tylers just a few yards away from Cadwin Nurseries which has not yet been sold but is a 3/4 bedroomed bungalow with a large garden at less than £300,000. Neither of these properties has an agricultural occupancy restriction.

21 November 2012

Signed ...

A large black rectangular redaction box covers the signature area.

John Pocock FRICS

S/1987/12/VC - CADWIN NURSERIES, 37a RAMPTON ROAD, WILLINGHAM
Page 18 Appendix 1x2



RECEIVED SUFFOLK
05 DEC 2012
DEVELOPMENT CONTROL

CHARTERED SURVEYORS & PLANNING CONSULTANTS
THE OLD MARKET OFFICE · 10 RISBYGATE STREET · BURY ST EDMUNDS · SUFFOLK · IP33 3AA

TEL: 01284 753271 · FAX: 01284 748750

5 December 2012

Mr P Sexton
Planning & Development
South Cambs District Council
South Cambs Hall
Cambourne Business Park
Cambourne
Cambridge CB23 6EA

Dear Mr Sexton

S/1987/12/VC - CADWIN NURSERIES, 37a RAMPTON ROAD, WILLINGHAM

Further to your e-mail addressed to my colleague Leanne Frost dated 4 December 2012 attaching a report and appendices from Mr John Pocock dated 21 November 2012, I comment as follows:-

- 1) The Inspector's issue was regarding price. He did not say the process was unsatisfactory and had not demonstrated inadequate effort to sell. This statement is therefore misleading. The marketing methods etc were accepted.
- 2) The Inspector, based on the evidence, suggested a valuation of £245,000 - £280,000. The guide of £285,000 was perfectly in line with that allowing for offers. Mr Pocock states he is not an expert in agricultural values. His suggestion of £50,000 to £70,000 for a block of land on the edge of a popular village with a good building and yard is totally out of line with what the land is worth. I attach some details of land and buildings for sale in Willingham. It is not edge of village so not as good a location which proves the point albeit with more land at a higher price. Land which abuts housing and villages is always more in demand and often makes significantly more than agricultural value.
- 3) This was a point regarding access and parking and the cost of providing it.
- 4) The vast majority of farmers and farm workers read the Farmers Weekly which Mr Pocock probably doesn't realise. Also they get extra readers when the Country Properties section is run. This property has been on Rightmove which is the most popular advertising medium by a considerable margin.

BURY ST EDMUNDS · EXETER · LEEDS · WOLVERHAMPTON
Page 1 of 2



ACROSS RURAL PROPERTY SERVICES LTD - REGISTERED IN ENGLAND NO. 04514427
REGISTERED OFFICE: THE OLD MARKET PLACE, 10 RISBYGATE STREET, BURY ST EDMUNDS, SUFFOLK, IP33 3AA
DIRECTORS: TED ROGERS MRICS NIGEL BELTON MRICS MICK ROSSON MRICS BRIAN BARROW MRICS
ASSOCIATES: MIKE BAMFORTH MRICS JAMES WHILDING MRICS JEMMA STENNETT MRICS DAVID ELLIS MRICS
www.acorus.co.uk

5&6) Rightmove accounts for approximately 85% of on-line marketing, I don't understand the point being made? This had a number of photos and a plan and would have come up on all searches.

7) This is a specialist property for persons employed in agriculture, I am not sure Mr Pocock understands this? The vast majority of other agents' listings in Willingham do not have similar properties. Buyers for such properties typically use specialist agents and look further afield. The agent who sold to Dr Sangray was an example of this. Mr Pocock readily admits this is not his sort of property and that local adverts puts it alongside unrelated property.

8) Correct.

9) The local survey was part of the marketing and helps in the assessment of need.

10) I don't believe there can be anyone after all this time who is employed in agriculture who doesn't know this property is for sale through one of the mediums. There are approximately 6000 persons employed in agriculture other than on a casual basis in the whole of Cambridgeshire. The vast majority of the local ones will work for the businesses approached in the survey, the vast majority will read the Farmers Weekly and those looking to buy will have visited Rightmove. Buyers from further afield would seek out specialist agents.

I think it is agreed at least within an acceptable margin allowing for offers that the bungalow has been marketed at a reasonable price. Your Authority was informed of this in advance and made no comment, and it was in line with the Inspector. It is the bungalow that has the tie and it is its demand you are assessing. Comments about the land value from someone who agrees has no experience and whose own background is based on more urban properties, is merely a personal unsubstantiated view that doesn't get to the core of the argument. The land is not the key issue as it merely offers more options, your decision should be based on the bungalow which has been available if there was demand.

Yours sincerely



Brian Barrow BSc (Hons) MRICS
Managing Director
For Acorus Rural Property Services Ltd

Enc

Further to your meeting with Brian, he has supplied the following notes.

The bungalow for sale in the village adjacent to the site is noted; at £299,950 it is priced at £15k more than Cadwin yet the bungalow itself is much smaller in footprint and the overall plot about 1/10 the size. This backs up the Inspectors conclusion regarding the bungalow being worth approximately £400k with approximately 2 acres. You can easily see that Cadwin must be worth at least £100k more. Mr Pocock doesn't seem to dispute this other than referring to his original thought of £250k which even if it were correct is within offer territory. On the key and only issue i.e. the bungalow it seems there is nothing of significance to suggest the price and marketing were wrong.

The land there is still some difference, I don't think this is central to the case but in any case I don't agree with the valuation, I supplied another 4 sets of details.

Grunty Fen – you will recall some land and a building we sold off Grunty Fen for approximately £170k, this was about 19 acres, there is a current block for sale just a few fields away with about 14 acres at £85k even though land has gone up in price. This shows the difference a building with services makes, that building was similar in size to Cadwin, I don't think Mr Pocock has taken into account the building and yard.

The particulars of the building at Great Barford illustrates this, a smaller building with only ½ acre priced at £165k.

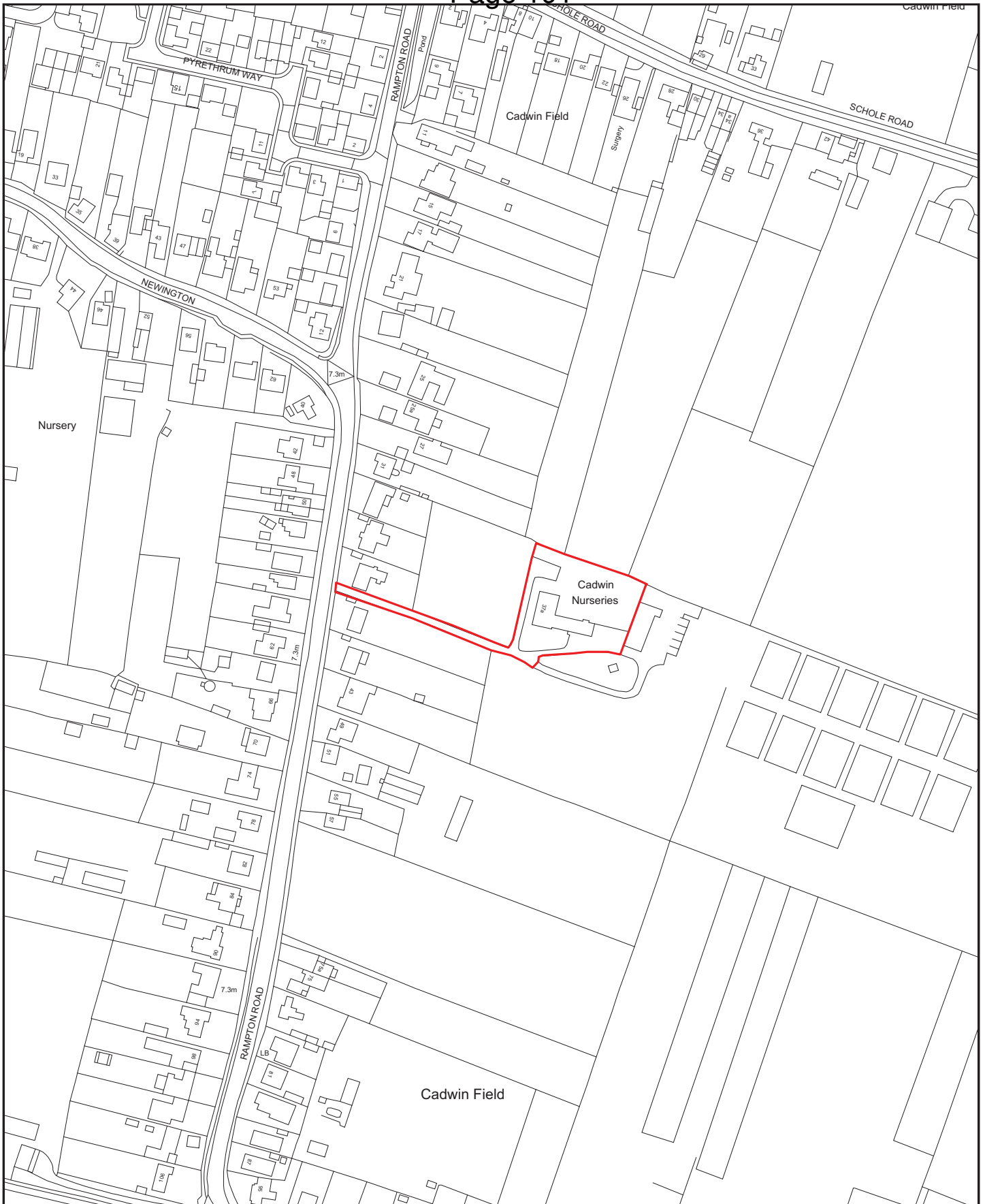
The closet comparable is the site at Croydon, less in terms of buildings as 3 stables and a store and 8 acres, priced at £150k, probably a better location but Cadwin has better buildings with services.

The site at Rampton has no services, a rather small timber shed and what looks poor land that could flood, yet it is still £100k.

I think the £160k was justified as a guide allowing for the land and the fact it abuts housing in part and a very good building with yard and concrete. It would have invited offers at say £130k plus.

Overall your decision needs to be based on the need for the dwelling. You would need to believe there is demand somewhere not tapped into to refuse the application in my view. The current owners tried to make the site work, and I think attempts to push the price massively lower than they paid for it despite the money they have spent is not reasonable.

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Cambridgeshire
District Council**

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Date of plot: 16/11/2012

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

Background

- To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as 21 December 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/1725/11	Heddon Management Ltd Land West 20 Church Street Ickleton Dwelling and Associated works	Dismissed	22/11/12
S/0163/12/FL	Camstead Homes 42 Wimpole Road Gt Eversden Two Dwellings	Dismissed	27/11/12

Appeals received

Ref. no.	Details	Decision	Decision Date
S/1766/12/FL	114 Hinton Way Great Shelford First Floor Rear extension and alterations to dwelling	Refused	03/12/12
S/0507/12/DC	Mr P Macarthy Land west Ermine Street South Papworth Everard Discharge of condition No 23 in planning permission S/1101/10	Refused	07/12/12
S/1646/12/FL	Mr P Webster 29 Duddle Drive Longstanton Extension and Alterations	Refused	06/12/12
S/1379/12/FL	Mr Henry-Warby	Refused	10/12/12

	10 Elin Way Meldreth Extension		
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Local Inquiry and Informal Hearing dates scheduled before the next meeting on 9 January 2013.

4.

Ref. no.	Name	Address	Hearing
S/0440/12/F	Weston Homes (Housing) Ltd	Adjacent 7 Station Road Over	15-17 January 2013 Confirmed
S/0041/12/FL	Mrs K O'Brien	Water Lane Smithy Fen, Cottenham	12- February 2013 Offered
S/2317/11	Barretts Eastern Counties & CJ Abbs	Long Lane Cottenham	19 February 2013

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