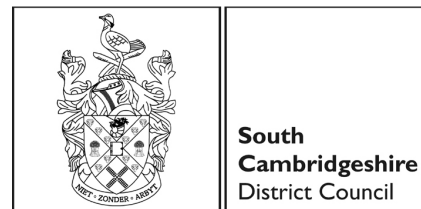


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30 July 2013

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

Quorum: 4

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 7 AUGUST 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 (revised May 2013) attached to the electronic version of the agenda on the Council's website.

PROCEDURAL ITEMS

1. **Apologies**
To receive apologies for absence from committee members.
2. **General Declarations of Interest**
3. **Minutes of Previous Meeting**
To authorise the Chairman to sign the Minutes of the meeting held on 3 July 2013 as a correct record.

1 - 2

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

- | | | |
|-----------|---|----------------|
| 4. | S/1174/13/FL-Fulbourn (8 Lucerne Close) | 3 - 10 |
| 5. | S/0941/13/FL - Girton (Trinity Farm, Huntingdon Road) | 11 - 20 |
| 6. | S/1101/13/FL- Impington (27 Pepys Terrace) | 21 - 30 |
| 7. | S/1196/13/FL - Longstanton (38 Prentice Close) | 31 - 38 |
| 8. | S/0757/13/FL - Longstanton (High Street/Nelson Crescent) | 39 - 46 |

INFORMATION ITEMS

- | | | |
|------------|--|----------------|
| 9. | Enforcement Action Update
An Enforcement Action Progress Report is attached to the electronic version of this agenda available by visiting www.scambs.gov.uk and following the links from Your Council. | 47 - 50 |
| 10. | Appeals against Planning Decisions and Enforcement Action | 51 - 56 |

OUR LONG-TERM VISION

South Cambridgeshire will continue to be the best place to live, work and study 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 focusing on the priorities, needs and aspirations of our residents, parishes and businesses.

OUR VALUES

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

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

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

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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.

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

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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.

Smoking

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

Food and Drink

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

EXCLUSION OF PRESS AND PUBLIC

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

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

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

Notes

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

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

7 August 2013

AUTHOR/S: Planning and New Communities Director

**S/1174/13/FL – FULBOURN
Erection of Dwelling at 8 Lucerne Close, Fulbourn, CB1 9YR
(for Mr Gledhill & Ms Wade)**

Recommendation: Approval

Date for Determination: 31st July 2013

This Application has been reported to the Planning Committee for determination as the recommendation of Fulbourn Parish Council differs from the officer recommendation.

To be presented to the Committee by Katie Christodoulides

Site and Proposal

1. The application site is located outside of the main village of Fulbourn in the part of the parish associated with Cherry Hinton. The area is predominantly residential with the properties comprising an estate of modern dwellings. The area proposed for the new dwelling is part of the garden area of No.8 Lucerne Close. The site for the new dwelling measures 0.014 of a hectare in area. No. 8 Lucerne Close is a two storey end of terrace property, attached to dwellings Nos. 6, 4 & 2 Lucerne Close. The site boundaries comprise of part hedging and part fencing, with vehicular access to the north from a shared driveway off Lucerne Close. An area of hard standing to the front of the dwelling denotes parking for the site.
2. The application, validated on 5th June 2013, seeks permission for a one-bedroomed dwelling to the west of No.8 Lucerne Close, within its garden area.

Planning History

3. **S/1132/10/O**-Outline planning application for a dwelling and associated car parking was approved at planning committee.
4. **S/1523/09/O**-Outline planning application for a dwelling was withdrawn.

Planning Policy

5. The **National Planning Policy Framework (NPPF)** promotes a presumption in favour of sustainable development.
6. **South Cambridgeshire Local Development Framework (LDF) Core Strategy**, adopted January 2007:

ST/4 Rural Centres

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

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
HG/1 Housing Density
HG/2 Housing Mix
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards
NE/1 Energy Efficiency
NE/6 Biodiversity
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards

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

District Design Guide SPD – adopted March 2010
Open Space in New Developments SPD - adopted January 2009
Landscapes in New Developments SPD - adopted March 2010

9. **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.

Consultation by South Cambridgeshire District Council as Local Planning Authority

10. **Fulbourn Parish Council** – Recommends refusal and states that this is inappropriate development on a small plot, which would encroach on the little green space in this dense development. The required additional parking space would take more of the grassed area. Approval of this application would set a precedent.

11. **Scientific Officer (Environmental Health)**–Raises no objections and recommends conditions and an informative to protect neighbouring amenity during construction.

12. **Trees Officer**–No objections, given there are no significant trees on the site.

13. **Local Highways Authority**–No significant adverse effect upon the Public Highway should result from this proposal should it gain benefit of Planning Permission. Recommends conditions and informatives in relation to highway safety.

14. **Landscape Design Officer**–No objections and recommends condition in relation to soft and hard landscape works are submitted for approval.

Representations by members of the public

15. None were received.

Material Planning Considerations

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

Principle of Development

17. The site is located within the Village Framework of a 'Rural Centre' where development and redevelopment without any limited on individual scheme size will be permitted within village frameworks provided that adequate services, facilities and infrastructure are available or can be made available as a result of the development.
18. The site measures 0.014 hectares in area. The erection of one dwelling would equate to a density of 71 dwellings per hectare. Whilst this would be significantly higher than the minimum density of 40 dwellings per hectare in more sustainable locations such as Fulbourn, given the character of the area, the proposal is considered to be an appropriate density of development in this instance.

Character and Appearance of the Area

19. The properties in Lucerne Close are characterised by two storey terraced houses set within small plots in a linear form of development. Within the surrounding residential area lies a mixture of two storey semi-detached, detached and terraced properties sited within a variety of plot sizes.
20. The proposed development site forming the garden area of No.8 Lucerne Close lies adjacent to Lucerne Close, with the dwelling being sited close to the public highway. Whilst it is noted that the proposed dwelling would result in the loss of private green space, the area is characteristic of dense residential development. The proposed dwelling would be sited slightly forward of the linear row of terraced dwellings forming Nos 2, 4, 6 and 8 Lucerne Close. The proposed dwelling would therefore be clearly seen in street scene views, however given the design of the dwelling which would be simple, with the size and scale being in keeping with the adjacent properties, the proposal is considered appropriate and would not result in harm to the character and appearance of the area.

Neighbour Amenity

21. The proposed dwelling would be sited to the west and slightly forward of No.8 Lucerne Close. Given the proposed dwelling would be set off from the common boundary with No.8 Lucerne Close by 2.6 metres and 4 metres from the common boundary with No.6 Lucerne Close, with the proposed dwelling being modest in terms of its design, size height and window layout, the proposal has been assessed in terms of loss of light, loss of privacy and overbearing impact and is considered to be acceptable in terms of neighbour amenity.

Highway Safety and Parking Provision

22. Access to the site would be via Lucerne Close, and the existing shared driveway to the north of the site. Four off street car parking spaces are proposed for the new dwelling and existing dwelling at No.8, which would satisfy the District Council's parking standards. The proposal is not considered to result in any significant adverse effect upon the public highway.

Trees and Landscaping

23. The proposal would not result in the loss of any important trees within the site. Following comments received from the Landscape Officer, a condition shall be added to any consent granted for a landscaping scheme to be submitted for approval.

Developer Contributions

24. The South Cambridgeshire Recreation Study 2005 identified the sport and play space within Fulbourn is excellent. No open space is shown within the development. The increase in demand for sport and play space as a result of the development requires a financial contribution of £743.82 (index linked) towards the provision and management of open space off site and in the village to comply with Policy SF/10 of the LDF.
25. The South Cambridgeshire Community Facilities Assessment 2009 states that Fulbourn has an excellent standard of facilities. Due to the increase in the demand for the use of this space from the development, a financial contribution of £284.08 (index-linked) is sought towards the provision of new facilities or the improvement of existing facilities in order to comply with Policy DP/4 of the LDF.
26. The South Cambridgeshire District Council has adopted the RECAP Waste Management Design Guide which outlines the basis for planning conditions and obligations. In accordance with the guide, developers are requested to provide for the household waste receptacles as part of the scheme. The fee for the provision of appropriate waste containers is £69.50 per dwelling.

Conclusion

27. 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

28. Approve, subject to the completion of the S106 Agreement and the following conditions:

Conditions

- (1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: D.2001, JMA3119.01 & D.100.1
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (3) No development shall take place until details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (4) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- (5) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- (6) No construction site machinery or plant shall be operated, no noisy works shall be carried out and no construction related deliveries taken at or despatched from the site except between the hours of 0800-1800 hours on weekdays, 0800-1300 hours on Saturday, and not at any time on Sundays or Bank or Public Holidays.
(Reason - To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

Informatives

- (a) There shall be no burning of any waste or other materials on the site.

- (b) No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.
- (c) No part of any structure shall overhang or encroach under or upon the public highway and no gate/door/ground floor window shall open outwards over the public highway.
- (d) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppressions for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact Environmental Health Service.
- (e) This development involves work to the public highway that will require the approval of the County Council as the 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. Please note that it is the applicant's 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.
- (f) Public utility apparatus may be affected by this proposal. Please contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

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 2007: District Design Guide SPD - Adopted March 2010, Open Space in New Developments-Adopted January 2009, Landscape in New Developments SPD - Adopted March 2010
- National Planning Policy Framework
- Planning File References: S/1132/10/O & S/1523/09/O

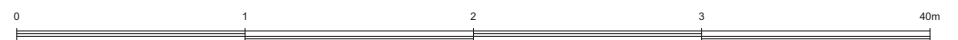
Case Officer: Katie Christodoulides – Planning Officer
Telephone: (01954) 713314



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Scale - 1:331

Time of plot: 12:24

Date of plot: 29/07/2013

1174-13 Fulbourn Map, Planning Committee 7/8/13

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 August 2013

AUTHOR/S: Planning and New Communities Director

S/0941/13/FL – GIRTON**Erection of New Dwelling at Trinity Farmhouse, Trinity Farm, Huntingdon Road,
CB3 0LG
(for Mr Mark Dean)****Recommendation: Refusal****Date for Determination: 28 June 2013****This Application has been reported to the Planning Committee for
determination on the request of District Councillor Thomas Bygott.****Members will visit the site on 6 August 2013.****To be presented to the Committee by Andrew Winter****Site and Proposal**

1. The application site comprises existing garden area to the dwelling known as Trinity Farm, which hosts a tennis court, swimming pool, garden outbuildings and treed boundaries. The site is encircled by neighbouring, detached residential properties and is located outside of the village framework and in the Cambridge Green Belt. South of the site and beyond the neighbour at Arcady is the approved 91 hectare North West Cambridge development site - a major mixed use expansion of the City provided in connection with the needs of Cambridge University.
2. The application, validated on 3 May 2013, seeks permission for subdivision of the site and the erection of a two storey dwelling to the north-west of Trinity Farm with a partly shared vehicular access on to the public highway.

Site History

3. C/0340/70/O - Planning permission was refused for 3 detached dwellings and a garage on paddock land adjoining Trinity Farm due to its conflict with Green Belt policy and highway safety.
4. S/2001/84/O – A new dwelling adjacent to Trinity Farm was refused and dismissed at planning appeal due to inadequate justification for the development in the Green Belt. The fact that the development need not be conspicuous was not considered sufficient reason for setting aside strong Green Belt policies.
5. S/0984/97/F – A new dwelling was previously refused adjacent to Trinity Farm by virtue of its harm to Green Belt objectives and lack of justification for being located in the countryside. Reference was also made to the increased threat

posed by the development to the coalescence between the built up areas of Cambridge and Girton.

6. S/1886/11/O - Outline permission has been granted for a major development site to the south of Huntingdon Road (on behalf of the University of Cambridge) comprising up to 3,000 dwellings; 2,000 student bedspaces; 100,000 sq.m. employment floorspace, of which: up to 40,000 sq.m. commercial floorspace (Class B1(b) and sui generis research uses) and at least 60,000 sq.m. academic floorspace (Class D1); up to 5,300 sq.m. gross retail floorspace (Use Classes A1 to A5) (of which the supermarket is 2,000 sq.m. net floorspace); Senior Living, up to 6,500sq.m. (Class C2); Community Centre; Indoor Sports Provision; Police; Primary Health Care; Primary School; Nurseries (Class D1); Hotel (130 rooms); Energy Centre; and associated infrastructure including roads (including adaptations to Maddingley Rd and Huntingdon Rd), pedestrian, cycle and vehicle routes, parking, drainage, open spaces and earthworks.

Planning Policy

7. The **National Planning Policy Framework (NPPF)** promotes a presumption in favour of sustainable development having regard to the soundness of the development plan and the policies therein.

8. **South Cambridgeshire Local Development Framework Area Actions Plans:**

North West Cambridge Area Action Plan (adopted 2009)

9. **Local Development Framework Core Strategy 2007:**

ST/1 Green Belt

ST/6 Group Villages

South Cambridgeshire Local Development Framework Development Control Policies 2007:

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/7 Development Frameworks

GB/1 Development in the Green Belt

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

NE/6 Biodiversity

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

SF/11 Open Space Standards

TR/2 Car and Cycle Parking Standards

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

District Design Guide SPD – adopted March 2010

Open Space in New Developments SPD - adopted January 2009

Landscapes in New Developments SPD - adopted March 2010

11. **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..

Consultation by South Cambridgeshire District Council as Local Planning Authority

12. **Girton Parish Council** – “The Council seeks officers’ judgement on whether this is the sort of circumstance in which greenbelt can be developed, but unless officers have objections the Council will approve the application.”
13. **Cllr Tomas Bygott** – “Trinity Farm is designated as Green Belt, as it is adjacent to land separating Girton village from Cambridge City. The majority of that land has now been taken out of the Green Belt in order to build the Cambridge North West Development, but the strip of land along the south western side of Huntingdon Road in Girton has remained Green Belt.
14. Although the proposal for a new dwelling in the Green Belt would in most cases be contrary to policy, there are very special circumstances which apply in this case. The North West Cambridge development to the west of the site has severely affected this part of the Green Belt so that it no longer performs all the functions of the Green Belt as defined in paragraphs 79 and 80 of the National Planning Policy Framework (NPPF). Nonetheless, the designation of that strip of land as Green Belt should remain, as it protects the character of the local area and prevents inappropriate development.
15. The above application can be considered as an exceptional circumstance requiring a departure from Policy GB/1 in the Development Control Policies DPD of the 2007 LDF, in accordance with the NPPF (and formerly PPG2):
 - The application fulfils the requirements of Policy GB/2 ‘Mitigating the Impact of Development in the Green Belt’, particularly with respect to landscaping and being sited adjacent to other buildings.
 - It would not erode the open and rural character of the area in Policy GB/2.
 - It fulfils the criterion of ‘limited infilling in an existing village’ in paragraph 89 of the NPPF.

It would also enhance the character of the local area in Policy DP/2”.
16. **Local Highway Authority** – Recommends approval subject to conditions governing: access width, access surface drainage and bound material. A planning informative is recommended to convey general advice of any works to the public highway.
17. **Scientific Officer** – A condition relating to contaminated land investigation is not required in this instance.
18. **Landscape Officer** – No objection to the application but recommends conditions to secure full details of both hard and soft landscape works and boundary treatments.
19. **Tree Officer** – The trees on site are not afforded any statutory protection and the trees to be removed are within the domestic curtilage of the property and would be considered domestic specimens with limited value outside of the site.

Representations by Members of the Public

20. Representations from 3 neighbours have been received raising the following points:

Objections to:

Scale
Visual Intrusion
Cramped appearance
Impact upon trees and hedges

Support to:

Good use of land
Good design to meet local housing demand
The proposal is 'infill development' in accordance with paragraph 89 of the NPPF.
No impact/harm to openness of Green Belt
The NIAB and North West Cambridge Site are significant factors to support the proposal

Material Planning Considerations

21. The main issues in this case are:

- the impact of the proposal upon the Green Belt and countryside;
- the residential amenity of immediate neighbours
- highway impact
- community open space and infrastructure

Green Belt and Countryside Impact

Inappropriate Development

22. New dwellings in the Green Belt are considered inappropriate development by definition under paragraph 89 of the NPPF, except for "limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan." No such plans exist for this site under current adopted policy and consequently the proposal is defined as inappropriate development in the Green Belt, which will require 'very special circumstances' to clearly outweigh its harm in principle, and any other harm, to the Green Belt.

Other Harm

23. The site is situated amongst several spacious, low density plots to the southern side of Huntingdon Road all of which contribute to its open and verdant character. The proposed subdivision of the site and erection of a dwelling would add further built development to this predominantly rural context that would inevitably reduce the open, undeveloped quality of the Green Belt. Screening from mature vegetation would afford some mitigation to the visual impact of the proposal but, as with refused application S/2001/84/O, the fact that the development would be relatively inconspicuous

is not sufficient reason for setting aside strong Green Belt policies. Therefore, the development would erode and undermine the openness and permanence of the Green Belt – both of which are key factors that define its character under paragraph 79 of the NPPF.

The development would be sufficiently divorced from neighbouring properties to avoid any adverse overbearing or overshadowing impact. Overlooking would be controlled by high level windows at first floor level in the side elevations and consequently the proposal is not found to adversely harm residential amenity.

Very Special Circumstances

24. The applicant has put forward several factors that are claimed to represent very special circumstances in this instance that clearly outweigh the in principle harm of the development to the Green Belt. These are summarised below:
- (i) The proposal would not have a material adverse impact on the visual openness of this part of the Green Belt;
 - (ii) The dwelling to the east of Trinity Farm is proposed to be demolished in the outline plans for the North West Cambridge site and the proposal can therefore be considered as replacing existing floorspace in this part of the Green Belt;
 - (iii) The North West Cambridge site substantially undermines the value of this site as Green Belt to such an extent that it no longer achieves the purposes of the Green Belt as defined in the NPPF;
 - (iv) Trinity Farm makes no contribution to maintaining a 'critical gap' separating Girton from Cambridge;
 - (v) The site has a village edge character and would not extend the outer limit of the built environment to encroach upon the countryside;
 - (vi) In terms of preserving and enhancing key views of the historic setting of Cambridge, the openness of Trinity Farm is considered to be of little significance when bearing in mind the extent of the approved North West Cambridge site.
25. The above considerations purport to outweigh the aforementioned harm to the Green Belt and to determine this the contribution of the site to the Green Belt must be assessed in context with its surroundings. Extensive reference has been made to the North West Cambridge site and its release from the Green Belt involving a significant change and impact to the outer fringe of the City. But the salient point here is summarised in paragraph 3.8 of the North West Cambridge Area Action Plan:
- "Whilst the [major] development will abut the existing development in Girton Parish that fronts onto Huntingdon Road, the development is unlikely to have any direct links with that part of Girton, and will function as an urban extension to the built up area of Cambridge, to which it will link across a strategic gap, As such, it should be regarded as a new neighbourhood of Cambridge."

26. The approved North West Cambridge development represents a substantial increase in the built form of the City and its proximity to Girton village is argued to reinforce the purpose of the existing Green Belt to the south of Huntingdon Road (including the application site) in preventing urban sprawl and coalescing of neighbouring built up areas. The Green Belt area comprising Trinity Farm and its neighbours remains and is intended to remain firmly distinct from the built up area of the City and is not proposed to be removed from the Green Belt in the Local Plan Issues and Options 2 (2011-2031). These properties form a strip of Green Belt running perpendicular to the proposed strategic gap (Girton Gap) to the Cambridge North West site and, together, their open, spacious and verdurous character plays a significant part in preserving the separation and peripheral green setting of Girton village from the outer developed City limits.
27. The approved demolition of the neighbouring dwelling to the east of Trinity Farm (S/1886/11/O) will contribute to enhancing the open character of this strip of Green Belt to the south side of Huntingdon Road and the Girton Gap. However, it is not considered to be a like for like development given its physical separation from the application site.
28. Were the application accepted on the grounds put forward by the applicant, the LPA would likely struggle to resist, in principle, similar developments on the immediate neighbouring plots in the Green Belt. This would only serve to further undermine the Green Belt character and function in this area contrary to the aims of the NPPF. Lastly, the Planning Committee is reminded that it is not open to it to conclude the site should no longer be considered as Green Belt land. That designation remains with no proposal to remove it.
29. Consequently, very special circumstances are not considered to exist in this application to outweigh the harm of the development to the Green Belt; the development is thus strongly recommended for refusal in accordance with paragraph 87 of the NPPF.

Highway Impact

30. The development is considered to have an acceptable impact upon highway safety, subject to the conditions recommended by the Local Highway Authority.

Community Open Space and Infrastructure

31. The new development would put extra demand on community infrastructure and community open space in Girton and the applicant has confirmed that should planning permission be granted a contribution towards these elements, and refuse bins, in accordance with Policies DP/4 and SF/10, can be secured via a Section 106 agreement with the submitted heads of terms.

Recommendation

32. Refuse, for the following reasons:
 1. The development is located outside of the village framework of Girton and in the Cambridge Green Belt representing inappropriate development by definition contrary to paragraph 89 of the National Planning Policy Framework (NPPF) and GB/1 of the South

Cambridgeshire Local Development Framework Development Control Policies 2007.

2. The site is situated amongst several spacious, low density plots to the southern side of Huntingdon Road all of which contribute to an open and verdant character. The proposed subdivision of the site and erection of a dwelling would add further built development to this rural context that would inevitably reduce the open, undeveloped quality of the Green Belt. Screening from mature vegetation would afford some mitigation to the visual impact of the proposal but the fact that the development would be relatively inconspicuous is not sufficient reason for setting aside strong Green Belt policies. Therefore, the development is found to erode and undermine the fundamental character of the Green Belt: that being its openness and permanence as defined in paragraph 79 of the NPPF.
3. The application site and several properties adjoining it to the south and north-west form a strip of Green Belt running perpendicular to the proposed strategic gap (Girton Gap) to the Cambridge North West site (S/1186/11/O). Their open, spacious and verdurous character, along with 'Girton Gap', play a significant part in preserving the separation and peripheral green setting of Girton village from the outer developed City limits. The approved North West Cambridge development (S/1886/11/O) represents a substantial increase in the built form of the City and its proximity to Girton village is argued to reinforce the purpose of the existing Green Belt to the south of Huntingdon Road (including the application site) in preventing urban sprawl and coalescing of neighbouring built up areas. Consequently, the development would undermine this purpose and does not present very special circumstances to clearly outweigh the harm to the Green Belt mentioned in reasons 1 and 2 above, contrary to paragraph 88 of the NPPF.

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

- Local Development Framework Development Control Policies DPDs and Supplementary Planning Documents.
- North West Cambridge Area Action Plan
- National Planning Policy Framework

Contact Officer: Andrew Winter – Senior Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 August 2013

AUTHOR/S: Planning and New Communities Director

S/1101/13/FL - IMPINGTON**Erection of detached dwelling at 27 Pepys Terrace for Mr O Lines****Recommendation: Approval****Date for Determination: 1 August 2013**

This Application has been reported to the Planning Committee for determination because the recommendation of Histon and Impington Parish Council does not accord with the officer recommendation of approval.

Members will visit this site on 6 August 2013

To be presented to the Committee by Kate Wood

Site and Proposal

1. Pepys Terrace is located close to Histon and Impington village centre and is predominately comprised of pre-war two-storey dwellings in short terraces or semi-detached. The application relates to a vacant side garden area to the east of No.25 Pepys Terrace. The site has an area of 0.06 ha. To the east the adjoining dwelling at No.29 is located 8.0 metres from the common boundary. To the north the rear garden adjoins the guided busway.
2. The footway on much of the northern side of Pepys Terrace is narrow and substandard. Due to the age of the dwellings many are not provided with off-street parking. As a result extensive on-street parking on the southern part of the carriageway takes place.
3. The proposal is to erect a detached two-and-a-half-storey dwelling with three bedrooms. The ridge height of 8.0 metres will match the height of the existing adjacent dwelling at No.25, also with a matching eaves height. The siting of the dwelling is shown to be set back 3.0 metres from the existing front building line in order to accommodate external parking. A gap of 0.6 metre is to be provided on the western side of the plot to facilitate access to bins storage. The external materials of buff facing brick with red brick arches and slate roof are also widely used in Pepys Terrace.
4. The proposal is shown to have two parking bays, one of which is to serve the existing dwelling at No.27. Pedestrian visibility splays are to be maintained on each side of the parking bays.
5. The density of 17 dwellings per hectare appears low due to the extensive depth of garden of approximately 28 metres. The frontage width of 6.0 metres is similar to a number of existing plots on in the street.
6. The application is accompanied by a Planning Statement and a Transport Appendix.

7. The Transport Appendix indicates that a count of traffic using Pepys Terrace over a seven-day period in April was undertaken. This has found that traffic generated by the 38 existing dwellings is 45% less than may be expected from a suburban development, reflecting the sustainable location of the development. The report concludes that the net increase of one parking space represented by the proposed development is likely to have no significant impact on traffic safety.

Planning History

8. *Application site*
S/0068/13/FL – Erection of three-bedroom detached dwelling Withdrawn 15.3.13
The applicant wished to gather additional information on the use of Pepys Terrace by traffic to be considered in conjunction with the proposal.

No.27 Pepys Terrace
S/0069/13/FL – Extension to existing dwelling Approved 7.3.13

Adjacent No.2 Pepys Terrace
S/2270/10 – Erection of dwelling Approved 4.3.11
S/1431/05/F – House- Refused 13.9.05 on the grounds of reduction of parking provision, substandard parking provision, and harm to the visual appearance of Pepys Terrace.

Planning Policy

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

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)
HG/1 (Housing Density)
TR/1 (Planning for More Sustainable Travel)
TR/2 (Car and Cycle Parking Standards)
SF/10 (Outdoor Playspace, Informal Open Space, and New Developments)
SF/11 (Open Space Standards)

South Cambridgeshire Local Development Framework Supplementary Planning Documents
District Design Guide SPD (2010)

10. **South Cambridgeshire Local Plan Proposed Submission (July 2013)**
S/7 Development Frameworks
S/8 Rural Centres
HQ/1 Design Principles
H/7 Housing Density
H/11 Residential Space Standards for Market Housing
H/15 Development of Residential Gardens
SC/6 Indoor Community Facilities
SC/7 Outdoor Play Space, Informal Open Space and New Developments

SC/8 Open Space Standards
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation by South Cambridgeshire District Council as Local Planning Authority

11. **Histon and Impington Parish Council** – Recommendation of refusal, commenting: 'Strong concern raised regarding the two off-street parking spaces and current problems with emergency and refuse collection vehicles on this narrow street. If SCDC are minded to make a recommendation of approval, condition restricting construction and plant parking and movements on the site should be applied.'
12. **Local Highway Authority** – No objection. Recommended conditions to require a site management plan during the construction period, to ensure that no surface water from the site flows onto the public highway, and to require the driveway to be constructed with a bound material.

Representations by members of the public

13. Objections have been received from Nos 1, 3, 11, 13, 14, 17, 18, 20, 21, 23, 24 and 25 Pepys Terrace. The grounds of objection are:
 - i) the provision of one parking space is inadequate for a three-bedroom house;
 - ii) there is insufficient parking space for existing residents as it is; residents are having to park on Cambridge Road where commuters for the guided bus are also parking. A survey has been provided that shows that existing and proposed dwellings in Pepys Terrace will have 17 off-street spaces and 17 on road spaces for 33 dwellings, with a car ownership amounting to 41 vehicles;
 - iii) the new dwelling to be built adjacent to 2 Pepys Terrace has resulted in the loss of one existing off-road parking space;
 - iv) there is no footpath on Pepys Terrace so any pedestrians have to use the road and step onto private property to avoid any traffic;
 - v) there is no footpath in front of No 25, as is incorrectly shown on the submitted layout plan;
 - vi) the development will result in the loss of the garage currently serving No 27, where there is also room for a second off-street space or more due to the extended driveway;
 - vii) only one additional parking space will be created, not two as stated in Question 10;
 - viii) prior to the extension its recent extension No.27 had two bedrooms. Following the implementation of this extension, and taking into account the current proposal, the parking provision on these plots will have changed from a 2-bed house with two parking spaces to two 3-bed houses with one parking space each; this could result in 4 to 6 extra cars coming into Pepys Terrace;
 - ix) there is no safe space on the frontage to leave out bins on collection days;
 - x) the parking spaces will not be useable due to the narrow width of the street and the presence of parked cars on the street;
 - xi) No.27 is opposite the only turning point in Pepys Terrace. Cars pulling in and out of No.27 will amount to another hazard on the road;
 - xii) there will be unacceptable disruption during the construction period and larger construction vehicles will not be able to gain access along Pepys Terrace;
 - xiii) emergency vehicles and refuge vehicles already have difficulty using Pepys Terrace;

- xiv) the access onto Cambridge Road is already dangerous due to parked cars blocking visibility;
- xv) the lower level of car ownership described for Pepys Terrace in the Traffic Study is due to the limited available parking on the street and the general demographic which will change over time, so making the situation less sustainable;
- xvi) the new dwelling will be out of line with the rest of Pepys Terrace;
- xvii) the existing drainage and sewerage systems will not support further properties.
- xviii) in the event that planning permission is granted, a condition should be attached to show that the proposed parking spaces are useable when other vehicles are parked on the highway.

Material Planning Considerations

Principle of development

- 14. The village of Impington is defined as a Rural Centre under Policy **ST/4** of the Core Strategy. Development and redevelopment without any limit on individual scheme size is permitted within the village frameworks of Rural Centres, provided that adequate services, facilities and infrastructure are available or can be made available as a result of the development. Rural Centres including Impington provide a good range of services and facilities and are considered to be sustainable settlements that can accommodate medium to large-scale residential developments.
- 15. As the property is located within the village development framework within walking distance of services and facilities such as local shops, public houses, bus stops and the Cambridge Guided Bus the development is considered to be acceptable in principle in accordance with policies DP/7 and ST/4.

Highway safety and parking

- 16. The Local Highway Authority has confirmed that the proposed development would not result in an adverse impact upon highway safety subject to the provision of pre-development conditions.
- 17. Pepys Terrace is a narrow cul-de-sac with limited off-road car parking provision. As a consequence on street parking is prominent and in peak times hinders the free flow of traffic and pedestrians. The proposal would result in the loss of a generous car parking area serving No.27 and would fail to provide the recommended maximum standard of 1.5 car parking spaces per dwelling or provide any visitor car parking. The application states that this level of parking provision is justified due to the site's close proximity to public transport links. At nearby Cambridge Road there are two bus stops serving the Citi 7 bus route. In addition further down Cambridge Road is the platform to the Cambridgeshire Guided Bus (CGB), which serves as a through route to Cambridge City, nearby villages and St Ives. The CGB route also serves as a cycle route. The immediate area around Pepys Terrace is also serviced by a local shop and public house, with bus, pedestrian and cycle routes to the village centre, with other facilities on route.
- 18. The narrow width of 4.2 metres of Pepys Terrace and the proximity of parked vehicles on the southern side of the carriageway has created a situation where entry and manoeuvring out of off-street parking spaces is already difficult for many dwellings. In the case of the current proposal, the siting of the proposed dwelling is opposite the public turning head adjacent to No.16 Pepys Terrace, and the short length of kerbing

along the frontage of No.16 is insufficient to accommodate on-street parking. Any constriction of the manoeuvring space required to access the proposed parking bays due to parking on the opposite kerb is likely to be occasional and temporary, and to have only limited impact due to the close availability of the vehicular turning head.

19. In light of the above it is considered that the current proposal provides an adequate level of usable car parking in accordance with local policy and would not result in a detrimental impact upon highway safety. This is consistent with the approach taken in the approval of planning permission S/2270/10 for an infill dwelling adjacent to No.2.
20. Notwithstanding the above, the construction of the proposed development could be problematic and it is considered necessary to attach a condition requiring a construction methodology statement to be submitted, prior to development commencing on site. This statement will outline the methodology will define the proposed means of access, parking and storage of materials and equipment during construction.

Other matters

21. The setting out of bins on collection days will be likely to obstruct the path to the front door for a temporary period every week. This is not sufficient harm to justify a recommendation of refusal of planning permission.
22. The connection to the local sewer would be a matter between the developer and the relevant utility company and not a material consideration of the determination of this planning application.
23. The proposed dwelling is considered to be acceptable in terms of its design, scale and appearance, and is not considered to have any adverse impact on the amenity of the adjoining dwellings at No.27 or 29 Pepys Terrace.

Planning Obligations

24. The development would be required to contribute towards public open space infrastructure within the village in accordance with Policies **DP/4**, **SF/10** and **SF/11**. Financial contributions are index linked and calculated on the number of additional bedrooms created and would be secured by a legal agreement. The provision of a three-bedroom dwelling on the site would attract a financial contribution of approximately £3,100.
25. In order to meet the increased demand resulting from this development, the Council would also seek to secure a contribution towards community facilities space within the village. This would be secured by legal agreement. The provision of a three-bedroom dwelling on the site would attract a financial contribution of approximately £510.
26. A contribution for £69.50 per dwelling is required in accordance with the RECAP waste management design guide. In addition to the above there would be a monitoring fee of £50 associated with any legal agreement. The applicant has agreed to meet the above terms by way of a legal agreement prior to the issue of any planning permission.

Recommendation

27. It is recommended that the Planning Committee approves the application subject to the prior completion of a Section 106 Agreement and the following conditions:

Conditions

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 12/65/NH/02** (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected at the front of the dwelling, hereby approved. 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 boundary treatment does not impede vehicle manouvring in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. **The dwelling, hereby permitted, shall not be occupied until parking spaces have been laid out in accordance with the approved details, and shall thereafter be permanently maintained for the purpose of parking.**
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
5. **Pedestrian visibility splays shall be provided on each side of the car parking spaces, hereby approved, in accordance with a scheme which shall have previously been submitted to and approved in writing by the Local Planning Authority before the dwelling is first occupied. These splays are to be included within land under the control of the applicant and shall be kept free of obstruction to a height of 600mm.**
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. **The construction of the drive shall ensure that its falls and levels are such that no surface water from the site drains across the adopted public highway.**
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. **No unbound material shall be used in the surface finish of the parking spaces 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.)

8. No construction works shall commence on site until a traffic management plan has been agreed in writing by the Local Planning Authority in consultation with the Local Highway Authority. The principle areas of concern that should be addressed are:

- i. **Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)**
- ii. **Contractor parking (all such parking should be within the curtilage of the site and not on street)**
- iii. **Movements and control of all deliveries (which should be undertaken off the public highway)**
- iv. **Control of dust, mud and debris (It is an offence to deposit mud or debris onto the adopted public highway).**

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

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

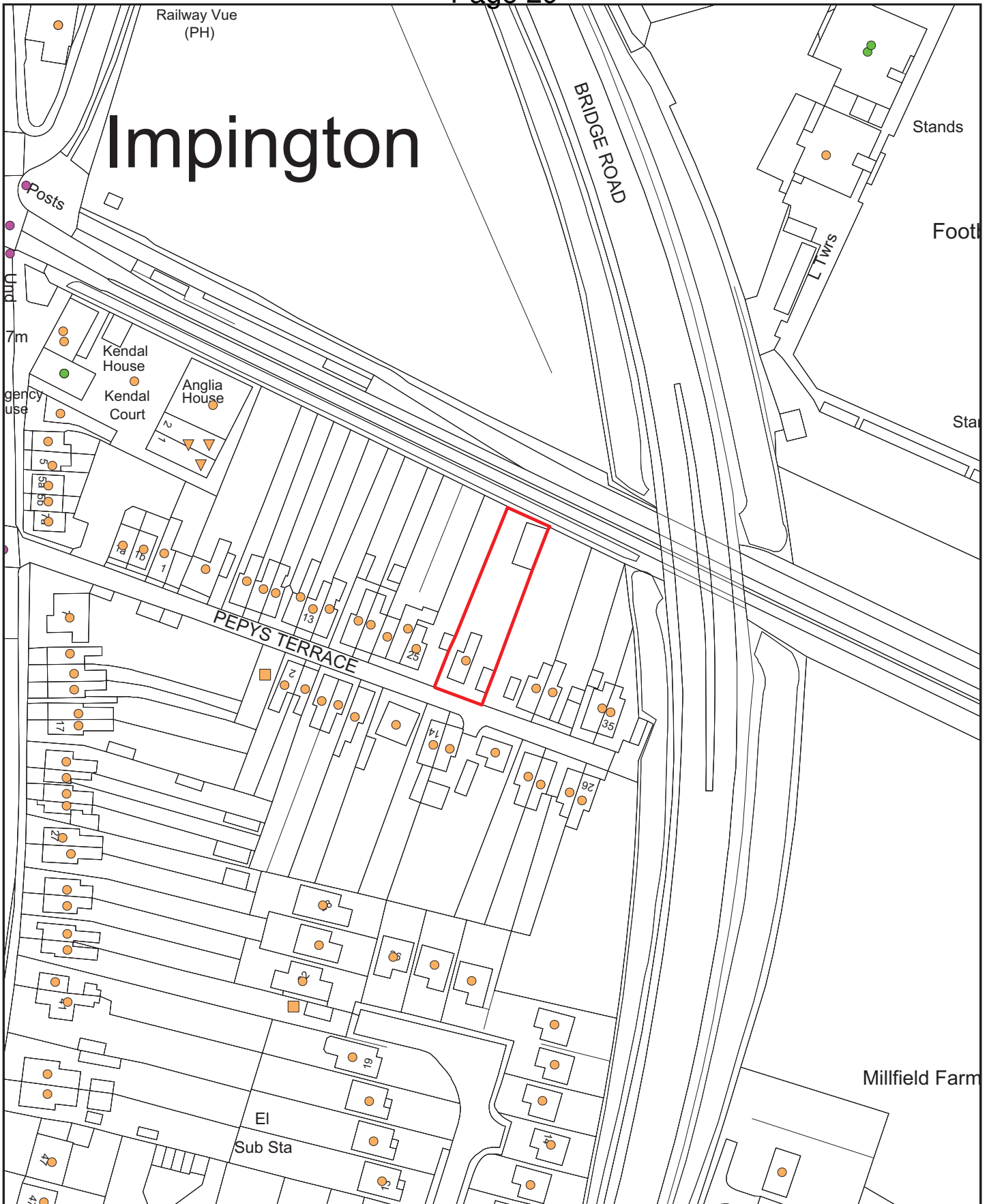
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

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 Development Control Policies Development Plan Document (2007)
- South Cambridgeshire Local Plan Proposed Submission (July 2013)
- Planning file refs S/1101/13/FL; S/0068/13/FL; S/0069/13/FL; S/2270/10

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee
AUTHOR/S: Planning and New Communities Director

7 August 2013

**S/1196/13/FL – Dwelling house
38 Prentice Close, Longstanton CB24 3DY
For Mr F Monaghan**

Recommendation: Refusal

Date for Determination: 26 July 2013

Notes:

This Application has been reported to the Planning Committee for determination at the request of the Team Leader due to conflicting pre-application advice.

Members will visit this site on 6 August 2013

To be presented to the Committee by Rebecca Ward

Site and Proposal

1. This full planning application seeks permission for a dwelling house.
2. The application site is located in the village development framework of Longstanton, outside of the conservation area and not close to any listed buildings. The site was formally part of the rear garden of No.36 High Street under planning reference S/0287/10. The land has been since divided up and is now owned by the applicant of No.38 Prentice Close. The site is predominately unused for any purpose.
3. No.36 High Street is a bungalow with the rear garden backing onto the proposed application site. The application site also abuts the rear of No.34 High Street which is a veterinary practice.
4. The property to the north east (No.38 Prentice Close) is a two storey property with a single garage located along the shared southwest boundary with the application site. The entrance onto the site is proposed via that of No.38, thus aiming to avoid the area of land that runs parallel with Prentice Close from the High Street. This land is owned by the residents of Prentice Close as communal garden land.
5. A previous application was refused under delegated powers (S/1874/12/FL) for a two storey dwelling, see reasons below; further to this pre application discussion was had with officers to find an acceptable scheme.
6. The amended application seeks permission for a one and a half storey detached dwelling house with two bedrooms, parking allocation for up to two

cars and small patio/garden area. The plot has an area of 230m² which would be accessed via a shared drive with No.38.

Planning History

7. **S/0297/10/FL** Approved – Dwelling (No.36)

S/1874/12/FL Refused – Dwelling

- The design of the dwelling was not considered appropriate with its location in terms of scale, sitting or design in relation to the surrounding area.
- The height of the ridge (7m) and the distance from the boundary (1m) was considered to have an unacceptable overbearing impact to the occupiers of No.36.

PRE/0521/12/FL Advice sort for a one and a half storey dwelling

Planning Policy

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

DP/1 Sustainable Development

DP/2 Design of new Development

DP/3 Development Criteria

DP/4 Infrastructure and New Development

DP/7 Development Frameworks

HG/1 Housing Density

SF/10 Outdoor Play space, Informal open space and new developments

SF/11 Open Space Standards

TR/2 Car and Cycle Parking Standards

District Design Guide (Adopted March 2010) SPD

Consultation by South Cambridgeshire District Council as Local Planning Authority

9. **Parish Council** The Parish Council objected to the proposal for the following reasons:

- Location of the land is historically the garden of the High Street property and not Prentice Close therefore access should be via the High Street.
- Prentice Close has a specified number of developments i.e. 38
- Number 38 has already been extended and it is felt that this development is too large for the remaining plot
- Access is insufficient for potentially 4-5 cars.

If SCDC do approve the development the PC would like a condition to be that no access for developers or residents is to be via Hatton's Park, which is unsuitable due to the location of the primary school.

10. **Local Highways Authority** Conditions to be added in the case of approval; visibility splays, driveway is constructed in a bound material, no water from the site drains across the adopted public highway. A further informative added to ensure the developer does not carry out works within or disturbance to the public highway.

Representations by members of the public

11. Representations were received by No.32 and No.2 Prentice Close, No.34 and No.36 High Street, Prentice Close Residents Association. Material matters raised are as follows;
- Not in keeping with the area
 - Overdevelopment of the site
 - Potential to cause on street parking
 - Removal of front garden for the drive
 - Construction traffic causing impacts to the High Street
 - Private land being damaged during construction
 - Noise and light pollution to No.36 (bound material and fencing should be used)
 - Over looking to veterinary premises.
 - Potential to open up a rear access from No.38

Material Planning Considerations

12. The main impacts of this proposal are with regard to neighbouring amenity and impact upon the street scene. Whilst the Local Highway Authority have not raised any objections with regards to highway safety a number of objections have been received from members of the public so it will be addressed in the following comments. The applicant has submitted a draft heads of terms with regard to offsite contributions which will require the completion of a S106 agreement should the application be approved.

Neighbouring amenity

13. The proposal is for a detached one and a half storey dwelling with a ridge height of 6m and approximately 3m to the eaves. The proposed dwelling is to be located 3m from the shared boundary of No.36 High Street. The distance between these two units at the closest point is 10m, 15m at its furthest point. Due to the siting of the proposed dwelling the closest rear opening of No.36 would be offset from the blank elevation. Therefore it is not considered to cause significant harm to the outlook from No.36.
14. The proposal is not considered to have an overbearing effect on the garden amenity space of No.36 due to its positioning 3m from the shared boundary. Furthermore any over shadowing will only be apparent in morning and cover a corner of the south west boundary. Therefore it is not considered to cause significant harm.
15. The rear garden to the proposed unit is quite shallow equating to 5.3m in depth. Whilst this is in close proximity to the rear car park of the veterinary practice, the dormer window on the rear elevation can be conditioned so that it is obscure glazed and non-opening unless the parts which can be open are 1.7m above floor. The roof lights can be conditioned to sit above 1.7m of floor level to reduce from any further overlooking. All of which have been agreed by the agent/applicant.
16. Notwithstanding the above the scheme is considered to have an acceptable impact on occupiers of No.36 High Street and the vets.

Impact to street scene

17. The unit has been positioned closer to No.38 in order to resolve neighbouring amenity impacts to No.36. In doing this it has created a narrow gap between No.38 and the proposed unit, giving it a cramped appearance that is not in keeping with the rest of Prentice Close.
18. The design of the property is unlike any other in the street scene or the immediate vicinity. The dormer windows are unfamiliar in the wider area of Longstanton and as a result the development would appear dominant in the street scene. In previous pre application discussion an informal view was given that the unit would grade between No.36 High Street (bungalow) and No.38 Prentice Close (two storey house). However it is considered that these properties are viewed from the public realm along two different streets rather than a group. As such the proposed dwelling would be out of context and not reflect local distinctiveness.
19. The front garden of No.38 will be converted into an area of hard landscaping for the provision of car parking spaces. In correspondence with the agent a landscaping scheme was agreed to soften the appearance of the new hard surfacing to the front of No.38 with additional shrubs and small trees (see *drawing 5988/2 as amended 20 June 2013*). Whilst it would see the loss of a front garden the landscaping provision will help the ease in which the bound drive sits in with the street scene.

Parking and highway safety

20. The application site is proposed to be accessed via the existing access of No.38 Prentice Close and the LHA has not raised any concerns with regard to this approach. Shared accesses are no uncommon and in this instance it would appear to be the most practical. Due to the proximity of the drive to neighbouring amenity, any approval should be condition to ensure the drive is made from a bound material so the noise of parking cars is kept to a minimal.
21. The dwelling will have two onsite parking spaces and the turning point will be provided on the shared access with No.38. As proposed the scheme meets the requirements set out by policy TP/2 of the Local Development Framework. Concerns were expressed about on street parking, however as there is no parking restrictions in Prentice Close and the proposal meets the relevant criteria set out by the said policy it is not considered be a concern.

Other considerations

22. As previously addressed the car parking spaces to the unit will sit opposite an opening belonging to No.36 High Street. At present a 1.8m high fence sits along this boundary and in the amended block plan this will remain in place. Therefore any light pollution from parking cars will be obscured.
23. Due to the substantial separation between No.38 and No.36 Prentice Close, the proposed car parking arrangement at the front of No.38 is not considered to cause significant harm in terms of light pollution to the occupiers of No.38
24. If minded for approval conditions could be put in place to control construction traffic preventing the use of the 'Association' land for storage of materials and the protection of the trees located outside of the application area.

25. Concerns were raised over the potential to access the site through Hattons Park to the rear of No.38. This aspect was not included on the planning permission set before us and therefore has not been considered in this decision.
26. Comments stating that access should be made via the High Street and the specific number of dwellings on Prentice Close should be kept to 38, are not material planning considerations and have not been taken into account in this decision.

Conclusion

27. Whilst neighbouring amenity issues have been resolved in this application, the alterations to the scale, siting and design of the proposed dwelling are not considered to overcome the dominant and incongruous appearance of the unit upon the street scene.
28. Therefore having regard to nation and local planning policy and taken all other considerations into account it is considered that planning permission should not be granted in this instance.

Recommendation

29. It is recommended that the Planning Committee refuses the application for the following reasons;

The design of the dwelling is not considered to be appropriate with its location in terms of scale, siting or design in relation to the surrounding area. These factors combined cause harm to the street scene and adversely impact the character of the local area. The proposal therefore is considered to create an unduly prominent building that is contrary to the requirements of policy DP/2 a and f. and DP/3 I. of the Local Development Framework Development Control Policies adopted 2007 which aims to prevent development that is not of high quality design or has an adverse impact on the village character.

Conditions

In the case of any approval the following conditions should be attached;

- (a) Timescales
- (b) Approved plans
- (c) Restriction to rear first floor openings
- (d) Drive to be constructed in bound material
- (e) Visibility splays
- (f) Water run-off
- (g) Control construction traffic – preventing use of the 'Association' land for storage of materials.

Informatives

In the case of any approval the following informatives should be attached;

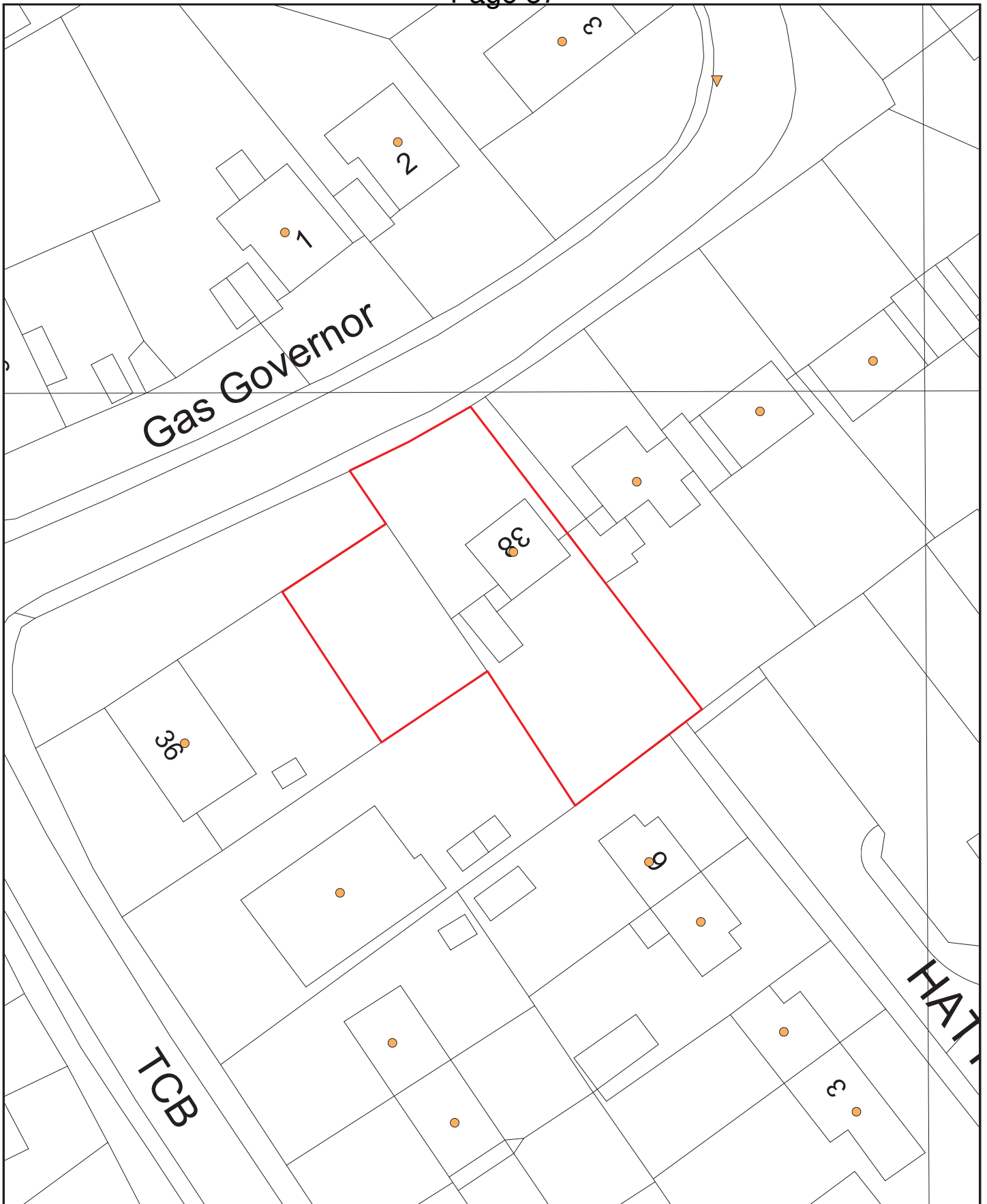
- (a) Works are not carried out in disturbance with the public highway

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 Plan 2004 (Delete as appropriate)
- Cambridgeshire and Peterborough Structure Plan 2003 (Delete as appropriate)
- Planning File Ref: (These documents need to be available for public inspection.)
- Documents referred to in the report including appendices on the website only and reports to previous meetings

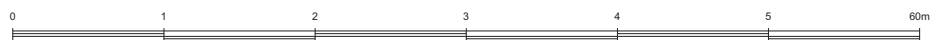
Case Officer: Rebecca Ward- Planning Officer
Telephone: (01954) 713236



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 August 2013

AUTHOR/S: Planning and New Communities Director

S/0757/13/FL– LONGSTANTON

Provision of refrigeration plant and AC condensers, attenuated enclosure for plant and AC condenser, honeycomb brickwork wall, autodoor and shop fronts, roller shutters, satellite dishes, anti-ram bollards, ATM and mechanical extract vents (alterations and additions to building approved as part of planning application S/1463/10/F), Land adj to Nelson Crescent, Longstanton for The Co-operative Group

Recommendation: Delegated Approval**Date for Determination: 6 June 2013****Notes:**

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

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

1. This full application, as amended by a revised Acoustic Assessment received 15 July 2013, proposes refrigeration plant, air conditioning and associated attenuated enclosure, honeycomb brickwork wall, autodoor and shop fronts, roller shutters, satellite dishes, anti ram-raid bollards, ATM and mechanical extract vents for the proposed convenience store approved under application S/1463/10.
2. The site is currently an area of disused grassland to the west of High Street, Longstanton, immediately to the north of Nelson Crescent.
3. To the west of the site are the side and rear gardens of existing houses in Nelson Crescent and Collingwood Drive. To the north the site abuts a surfaced public footpath, which links High Street to the Home Farm development to the west, beyond which are the gardens of houses in Collingwood Drive and High Street, and a pumping station. To the south of the site, on the other side of the entrance to Nelson Crescent, is a large area of public open space, provided as part of the Home Farm development. To the east of the site, on the other side of High Street, is a planted boundary which forms the rear gardens of properties in Brookfield Drive.
4. The convenience store will be located at the south east corner of the site
5. The proposed refrigeration plant and air conditioning units are to be located on the rear (east) facing elevation of the building within the service yard, which it is proposed to enclose by an additional section of honeycomb brickwork 2.2m high. The refrigeration plant is 3.3m high, and the air conditioning unit 1.2m high. The two mechanical extract vents are also to be located in this area.

6. An auto sliding door is proposed in the north facing side elevation towards the car park, with the other openings in the east elevation and south east corner being polyester powder coated aluminium shop front sections. The shop fronts and door will be fitted with part perforated steel roller shutters, which will allow vision into the store when in use, whilst providing security. The roller shutter boxes will be incorporated into the fascia sections above each window so as not to be visible.
7. An ATM is to be installed to the side of the sliding door and 4 one metre high anti ram-raid bollards are to be sited on the pathway 1.5m in front of the door and ATM. Two satellite dishes, to provide necessary data transfer required as part of a modern retail operation, are to be located at the rear on the flat roof area above the first floor of Unit 1.
8. The application is accompanied by a Design and Access Statement and Acoustic Assessment.

History

9. **S/1463/10/F** – Erection of convenience store and four commercial units (Classes A1, A2, A3, A5 or D1), with six flats above, the erection of four new dwellings with associated stores, garages and parking areas, and formation of access - Approved

Planning Policy

10. National Planning Policy Framework 2012
11. **South Cambridgeshire LDF Core Strategy DPD 2007**
ST/6 Group Villages
12. **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
SF/2 – Applications for New Retail Development
SF/4 – Retailing in Villages
NE/15 – Noise
NE/16 – Emissions
CH/9 – Shop Fronts

13. South Cambridgeshire LDF Supplementary Planning Documents
District Design Guide SPD – adopted March 2010

Consultation by South Cambridgeshire District Council as Local Planning Authority

14. **Longstanton Parish Council** recommends refusal on the grounds that the noise levels exceed the required limits in the report.
15. The **Environmental Health Officer** comments that the site is extremely near to existing residential properties and care is needed in approving this application so as not to generate unreasonable levels of noise so as to result in noise nuisance. Whilst the noise report originally submitted with the application is comprehensive in respect of general noise criteria to be used and the sources and propagation of sound, the type of equipment to be used was not known when the report was written and

therefore an updated report was requested with specific plant and equipment details included. This should include suspected levels at the façades of noise sensitive properties. The report concluded that all plant should not exceed a free field sound pressure level of 28dB(A) at 10m, which equates to a sound power level of the plant being 56dB(A). The Arctic Circle refrigeration data sheet states 43/37dB(A) at 10m, which equates to 71/65 dB(A) sound power level and 49/43dB(A) sound pressure level at the nearest façade (5m distance). This is in excess of the 35dB(A) limit suggested as being suitable. It was not possible to comment on the effectiveness of the acoustic enclosure proposed as there was no indication as to the level of attenuation this is likely to offer.

The updated report, whilst substantially the same, differs in that it contains site specific information and data. The Environmental Health Officer agrees with the findings of the updated report and the levels predicted. It is recommended that a condition is attached to any consent requiring a post installation noise test and report to be submitted to ensure that the levels quoted in the submitted noise report are actually being achieved.

In addition it is requested that conditions are included restricting hours of operation of power driven machinery during the construction process, requiring details of any external lighting, restricting hours of delivery, and informatives relating to the use of driven pile foundations, bonfires and burning of waste and minimising potential for disturbance.

16. The **Local Highway Authority** has no objection subject to conditions requiring that no part of any structure should overhang or encroach under or upon the public highway and that no gate/door/ground floor window shall open outwards over the public highway. In addition it requests a condition requiring the submission of a traffic management plan

Representations by Members of the Public

17. Letters have been received from the occupiers of Nos 6, 8, 16, 24 and 26 Nelson Crescent, objecting specifically to the refrigeration plant and AC condensers, on the following grounds:
 - a. This is a quiet residential area next to the village green which is quiet during the day and virtually silent at night, when there is little passing traffic since the bypass opened. The installation of electrical equipment operating 24 hours a day is therefore completely unreasonable in this setting.
 - b. The submitted details quite clearly exceed the recommended output by some margin.
 - c. If permission is given for this equipment will it be automatically refused for the other units as the maximum sound threshold will have been exceeded?
 - d. Concern that the Co-op has put a 'coming soon' billboard in the land as if planning permission will be ushered through.

One letter objects on the grounds that there is no need for more retail units in the area, the lack of car parking resulting in cars parking on surrounding roads, litter and youths congregating with alcohol being sold, and the houses being out of character.

Three letters have been received from residents of properties in Stokes Close, Stevensons Road and Thatchers Wood supporting the proposal, stating that the additional facilities, Co-op and cash machine are welcomed, and that the Parish Council is in the minority in objecting. This area was always earmarked for this type of development

Material Planning Considerations

18. The principle of the development of this site by the erection of a convenience store, four commercial units and residential development has been accepted by the extant planning consent granted in 2011 (S/1463/10). The key issues for Members to consider therefore relate to the specific items proposed by this application in terms of impact on residential amenity and visual impact. Material representations have only been received in respect of the refrigeration plant and AC condensers, and therefore whilst Members are considering the whole application specific attention should be paid to these aspects.

Residential amenity

19. In granting consent for the convenience store and commercial units in 2011 it would have been accepted that there would be a need to install associated plant and machinery to support the approved uses, however in recognition of the close proximity of residential properties, conditions were attached to that consent requiring details of such works to be submitted for approval, and an informative included pointing out the need to ensure that existing background levels were not exceeded by more than 3bD(A), . The informatives also set out the information that should be submitted with any assessment. The condition also sought to have regard to the cumulative impact of equipment installed on the units
20. Rather than submitting an application for approval of these works for this unit under the condition of the earlier consent a separate planning application has been submitted, however this does not negate the need to discharge conditions. The application needs careful assessment to ensure that the amenity of nearby residents will not be adversely affected, and that the ability to find appropriate occupiers of the other units is not prejudiced by consent given for any works to the convenience store.
21. The nearest residential dwellings to the proposed refrigeration plant and air conditioning condensers will be the new properties within the proposed development area, however there are existing residential properties in Nelson Crescent and Collingwood Drive, the boundaries of which will be within 25 metres of the proposed equipment. The refrigeration unit will operate 24/7, however the air conditioning units will only operate during trading hours.
22. The revised acoustic report has been accepted by the Environmental Health Officer. It states that without any attenuation the proposed plant would produce levels of approximately 52dB(A) at the nearest noise sensitive location during the day and 44dB(A) at night. The acoustic enclosure will attenuate sound levels so that they comply with the recommendations of 35dB(A) in the report.
23. Officers have asked the Environmental Health Officers to confirm that these levels will be at those required by the conditions and informatives attached to the 2011 consent, and that the installation of the proposed equipment will not compromise the cumulative should any equipment be required by other units in the approved development. Officers will update Members on this point at the meeting.

24. A condition requiring post installation testing/monitoring can be included in any consent, however this should include the provision to require further mitigation work if necessary. Other conditions suggested by the Environmental Health Officer are included in the existing consent for the site. A condition can be included which restricts the use of the air conditioning condensers to trading hours only.

Visual impact

25. Officers are of the view that the proposed refrigeration plant and air conditioning condensers will not have an adverse visual impact as they will be site behind a 2.2m high wall, which although part of this application, has already been agreed as a non-material amendment to the existing consent. The two satellite dishes, whilst visible from the rear, will not have a material adverse impact on visual amenity.
26. The proposed auto door, shop fronts and roller shutters are acceptable. There are no objections to the incorporation of the ATM and the 4 one metre high bollards

Other matters

27. The condition requested by the Local Highway Authority regarding no encroachment onto the public highway can be included in any consent. The requirement for a Traffic Management Plan is a condition of the 2011 consent.

Conclusion

28. Whilst the installation of the plant and machinery is required to support the proposed occupier of the premises, for a retail use permitted by the 2011 consent, it is important to ensure that the amenities of the occupiers of nearby residential properties are suitably protected. The further comments of the Environmental Health Officer will be reported and these will hopefully confirm that the proposed acoustic work will achieve the protection sought by condition so the 2011 consent.

Recommendation

29. That subject to the further comments of the Environmental Health Officer that delegated powers be given to approve the application subject to conditions

3 year time limit

Approved plans

Post installation testing/monitoring and further remediation works as required

Restrict operation of AC condensers to trading hours of premises only

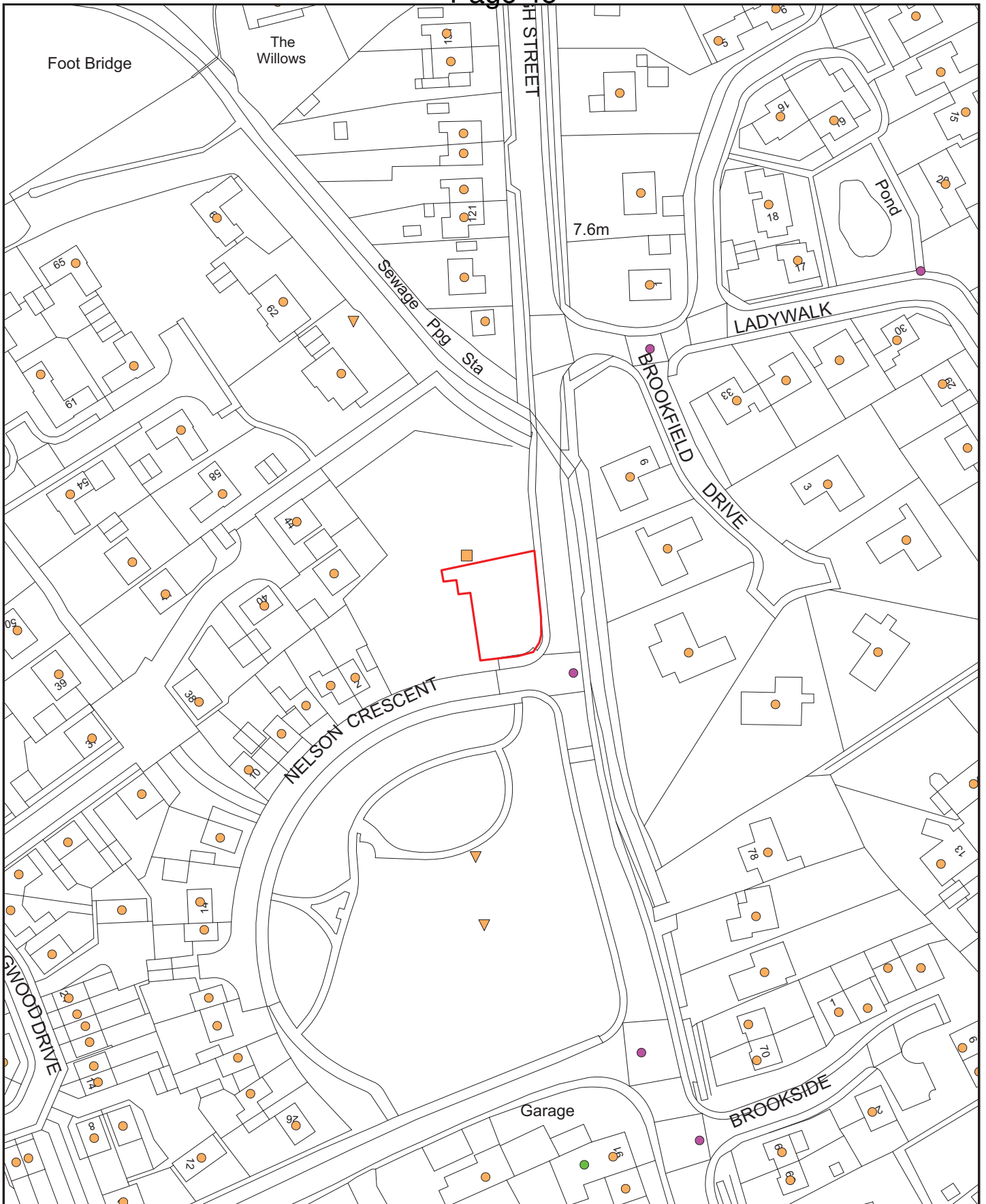
No encroachment onto the public highway

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/0757/13/FL and S/1463/10

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

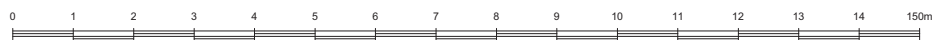
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 August 2013

AUTHOR/S: Planning and New Communities Director

ENFORCEMENT REPORT**Purpose**

1. To inform Members about planning enforcement cases, as at 22nd July 2013. Summaries of recent enforcement notices are also reported, for information.

Enforcement Cases Received and Closed

2.

Period	Cases Received	Cases Closed
June	48	51
May	51	46
April	48	60
1 st Qtr. 2013	108	133
2013 YTD	255	290
Q 1 (Jan – March) 2012	127	107
Q 2 (April – June) 2012	107	96
Q 3 (July – September) 2012	98	148
Q4 (October – December) 2012	125	110
2012 YTD	457	461

Enforcement Cases on hand:

3. Target 150
4. Actual 101

Notices Served

5.

Type of Notice	Period	Year to date
	June 2013	2013
Enforcement	0	5
Stop Notice	0	0
Temporary Stop Notice	0	0
Breach of Condition	0	1

S215 – Amenity Notice	0	3
Planning Contravention Notice	0	3
Injunctions	0	0
High Hedge Remedial Notice	0	0

Notices issued since the last Committee Report = Nil

6.

Ref. no.	Village	Address	Notice issued

7. Details of all enforcement investigations are sent electronically to members on a weekly basis identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.
8. Full details of enforcement cases can be found on the Councils Web-site

Updates on items outstanding from the disbanded Planning Enforcement Sub-Committee

9. Updates are as follows:
- a. **Stapleford: Breach of Enforcement Notice on land adjacent to Hill Trees, Babraham Road.**
 Work still in progress regarding legal action relating to the current breach of enforcement. Additional concern rose since the March report regarding the stationing of a mobile home on the nursery land section and the importation of brick rubble to form a track to link the upper field to the main residence. Assessment to the Planning Contravention response and the site inspection 10th May 2013 has confirmed the breach of planning control relating to the engineering operation to the new track, and breaches relating to the planning enforcement notices. No further update at this time
 - b. **Q8, Foxton**
 Planning application in preparation - No further update available at this time
 - c. **Moor Drove, Histon**
Application for two stables now validated, Site visited and consideration of application underway. No further update available at this time.

Summary

10. The number of enforcement cases investigated during the June period showed a 4.34% increase when compared to the same month in 2012. Year to date 2012 revealed that the overall number of cases was down by approximately 1.51% which equates to 7 cases. With the exception of 2009 the number of cases reported in June 2013 is the highest they have been since 2004

The numbers of cases on hand are 33% below the expected maximum number of cases per enforcement officer for the same period.

11. In addition to the above work officers are also involved in the Tasking and Coordination group which deals with cases that affect more than one department within the organisation, including Environment Health, Planning, Housing, Anti-Social behaviour Officers, Vulnerable Adults and Safeguarding Children Teams.

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

Contact Officer: Charles Swain
Principal Planning Enforcement Officer

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 August 2013

AUTHOR/S: Planning and New Communities Director

APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

1. To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as 26 July 2013. Summaries of recent decisions of importance are also reported, for information.

Decisions Notified By The Secretary of State

2.	Ref.no	Details	Decision	Decision Date
	S/2464/12/FL	Mr & Mrs A Riddell 2 Pyrethrum Way Willingham Front/Rear Dormer Window	Dismissed	03/07/13
	S/1539/12/FL	Mr Liao 45 Mayfield Way Cambourne Conservatory, Fences, culvert and garden works	Allowed and enforcement noticed quashed	05/07/13
	PLanenf.288	Mr Liao 45 Mayfield Way Cambourne Conservatory, Fences, culvert and garden works	Allowed	05/07/13
	S/2411/12/FL	Mr C Galpin 21 Church Street Haslingfield Erection of Pool House	Allowed	08/07/13
	S/2411/12/FL	Mr C Galpin 21 Church Street Haslingfield Erection of Pool House	Award of Costs Refused	08/07/13
	S/0507/12/DC	David Wilson Homes Land west of Ermine Street, Papworth Everard Discharge of condition 23	Allowed	15/07/13
	S/2094/12/FL	Mr M Haining 29 Cambridge Road Linton	Withdrawn	18/07/13

S/2020/12/FL	Dr S Sangray Cadwin Nurseries 37a Rampton Road Willingham Potacabin for educational purposes	Allowed	18/07/13
S/2020/12/FL	Dr S Sangray Cadwin Nurseries 37a Rampton Road Willingham Potacabin for educational purposes	Award of Costs is Allowed	18/07/13
S/2193/12/FL	Mr S Gardner The Old Rectory Rectory lane Kingston Retention Timber Pergola	Allowed	19/07/13
S/1150/12/LB	Mr S Gardner The Old Rectory Rectory lane Kingston Replace existing French doors	Allowed	19/07/13
S/2624/12/LB	Mr S Gardner The Old Rectory Rectory lane Kingston Demolition of Wall	Listed Building consent not required	19/07/13
S/1814/12/FL	Mr & Mrs P Owers Summerhill Tinkers Lane Kingston Demolition of existing dwelling and erection of 2 dwellings	Allowed	23/07/13
S/2256/11/F	Mr I Quince Mulberry Farm Hatley Road Gamlingay Retrospective application for construction of a free range egg producing unit	Allowed	24/07/13
S/2256/11/F	Mr I Quince Mulberry Farm Hatley Road Gamlingay Retrospective application for construction of a free range egg producing unit	Award of costs refused	24/07/13

Appeals received

3.

Ref. no.	Details	Decision	Decision Date
S/0033/13/FL	Mr & Mrs E Wiseman 37 South Road Great Abington Two storey rear, single storey side extension	Refused	02/07/13
S/1344/12/FL	Mr Impington Village College New Road Impington Alteration to gallery in auditorium	Refused	02/07/13
S/0649/13/CA	Mr Clifford 7 Middle Street Thriplow Wall, Gates & Railings	Refused	03/07/13
S/0325/13/FL	Mr Clifford 7 Middle Street Thriplow Wall, Gates & Railings	Refused	03/07/13
S/0690/13/LB	Ms J O'Shaughnessy 40 High Street Babraham Replace existing staircase & internal alterations	Refused	04/07/13
S/0956/13/FL	Mr G Fenn 42 High Street Over Cambridge CB24 5ND	Refused	23/07/13

Local Inquiry and Informal Hearing dates scheduled before the next meeting on 5 June 2013.

4.

Ref. no.	Name	Address	Hearing
S/0041/12/FL	Mrs K O'Brien	WaterLane Smithy Fen, Cottenham	November 2013 Offered
S/0824/12/FL	Saunders/Wisson	Meridian Court Comberton	10 September 1013 Offered

S/0840/12/FL	Mr O 'Keeffe	Sawston Storage Depot, Mill Lane Sawston	19 September 2013 Confirmed
S/0552/12/FL	Falck Renewables Land off Ermine Way Arrington	Land off Ermine Way Arrington	24 September 2013 Confirmed
S/1987/12VC PLAENF.423	Dr Sangray	Cadwin Nurseries 37a Rampton Road Willingham	8 October 2013 Confirmed

Summaries of Appeals

5. **Dr S Sangray – Siting of portacabin for educational purposes – Cadwin Nurseries, Rampton Road, Willingham – Appeal dismissed. Appellant's claim for costs allowed**

1. The main issue in this case was whether the proposal complies with development plan policies which seek to prevent inappropriate development in the countryside. The aims of plan policy are to protect the countryside from gradual encroachment and to guard against incremental growth in unsustainable locations.
2. The portacabin is to be sited within a former horticultural nursery and would be located on an area of hard standing between the agricultural building and storage bays. As such, it would not encroach onto undeveloped land. It would be used by a limited number of students to write up their field studies into the soils and ecology of the surrounding land.
3. Whilst education does not feature in the list of policy exceptions, the inspector found that in this case, the proposal would be for a purpose specifically related to the adjoining land. That linkage can be controlled by condition. Moreover, the scale of the proposal would be very limited and the physical changes would be temporary and readily reversible. There was no substantive evidence to indicate that the siting of the portacabin would have a harmful effect on the character and appearance of the wider countryside. Consequently, he considered that the portacabin meets the broader aims of plan policy.
4. Willingham Parish Council expressed concern about the number and use of parking spaces proposed. However, clarification was subsequently provided regarding the scale and nature of the proposed use and there was nothing to indicate that the traffic generated by the proposal would have adverse effects on highway safety or convenience. The Parish Council also considered that the proposed activity could take place in the existing building on the site. However, having concluded that the proposal would be acceptable in its own right, there was no need for the inspector to consider alternative schemes.
5. The appeal was therefore allowed subject to conditions making it temporary for a period of 5 years and restricting the use for the purposes of field studies associated with the land.

6. In response to the appellant's claim for costs, the inspector noted that whilst the application was refused contrary to officer recommendation, the reason for refusal was based on relevant, up to date development plan policies. Nevertheless, policy DP/7 does allow for 'other uses which need to be located in the countryside.' There was nothing in the Council's evidence to indicate that the Committee took this element of the policy into account in determining the application or in supporting that decision at appeal. The costs Circular advises that local planning authorities are at risk of an award of costs if they prevent development which should clearly be permitted having regard to the development plan and any other material considerations. This includes the use of conditions and there was no evidence of this.
7. The inspector therefore found that unreasonable behaviour resulting in unnecessary expense has been demonstrated and that a full award of costs was justified.

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

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