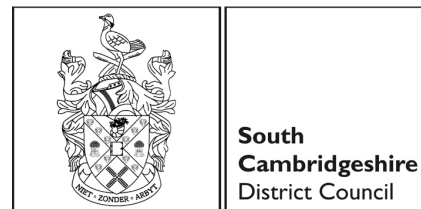


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29 September 2015

To: Chairman – Councillor Lynda Harford

All Members of the Planning Committee – Councillors Charles Nightingale (substitute for David Bard, Brian Burling, Anna Bradnam, Pippa Corney, Val Barrett (substitute for Kevin Cuffley), Sebastian Kindersley, Charles Nightingale, Des O'Brien, Deborah Roberts, Tim Scott, Ben Shelton and Robert Turner

Quorum: 3

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 OCTOBER 2015 at 10.00 a.m.**

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

Yours faithfully  
**JEAN HUNTER**  
Chief Executive

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

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## AGENDA

## PAGES

### **PUBLIC SEATING AND SPEAKING**

Public seating is available both in the Council Chamber (First Floor) and the Public Gallery / Balcony (Second Floor). Those not on the Committee but wishing to speak at the meeting should first read the Public Speaking Protocol (revised June 2015) attached to the electronic version of the agenda on the Council's website.

### **PROCEDURAL ITEMS**

- 1. Appointment of Vice-Chairman of the meeting**  
In the absence of Councillor David Bard
- 2. Apologies**  
Councillors David Bard and Kevin Cuffley have sent apologies for absence. Councillors Charles Nightingale and Val Barrett are their respective substitutes. To receive apologies for absence from other

committee members.

- |           |  |              |
|-----------|--|--------------|
| <b>3.</b> | <b>Declarations of Interest</b>  | <b>1 - 2</b> |
| <b>4.</b> | <b>Minutes of Previous Meeting</b><br>To authorise the Chairman to sign the Minutes of the meeting held on 2 September 2015 as a correct record. | <b>3 - 8</b> |

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

- |            |  |                  |
|------------|--|------------------|
| <b>5.</b>  | <b>S/0495/14/FL - Shingay (Church Farm Barn)</b><br>Retrospective application for the retention of building nos. 4, 5 & 6, biomass boiler, solar panels and car park. Appendix 2 is available on the website only as it is a colour photograph. Visit <a href="http://www.scams.gov.uk">www.scams.gov.uk</a> and follow the links from 'Your Council'. | <b>9 - 24</b>    |
| <b>6.</b>  | <b>S/1474/15/FL- Histon (Red Lion Public House, High Street)</b><br>Guest Accommodation Block  | <b>25 - 34</b>   |
| <b>7.</b>  | <b>S/1829/15/FL - Histon (28 Station Road)</b><br>Erection of 3 no. dwellings and formation of new highway access following demolition of existing bungalow  | <b>35 - 44</b>   |
| <b>8.</b>  | <b>S/1160/15/OL - West Wickham (95 High Street)</b><br>Demolition of garage and construction of a single storey dwelling and garage  | <b>45 - 52</b>   |
| <b>9.</b>  | <b>S/1431/15/OL- Waterbeach (Land to the North of Bannold Road)</b><br>Residential Development (144 Dwellings) and Access  | <b>53 - 70</b>   |
| <b>10.</b> | <b>S/1744/15/FL - Waterbeach (Land at 9 Burgess Road)</b><br>Erection of dwelling  | <b>71 - 80</b>   |
| <b>11.</b> | <b>S/2009/15/FL - Shudy Camps (Mill Green)</b><br>Proposed replacement dwelling  | <b>81 - 90</b>   |
| <b>12.</b> | <b>S/1765/15/FL - Great Chishill (6 Maltings Lane)</b><br>Erection of a three bedroomed barn-style dwelling with integral garage and associated new access and driveway  | <b>91 - 100</b>  |
| <b>13.</b> | <b>S/1437/15/FL - Fulbourn (24 Shelford Road)</b><br>Installation of External Wall Insulation to dwelling  | <b>101 - 106</b> |
| <b>14.</b> | <b>S/1703/15/FL - Harston (Land to the rear of 168 High Street)</b><br>Erection of a dwelling  | <b>107 - 118</b> |
| <b>15.</b> | <b>S/1660/15/FL - Swavesey (32 Boxworth End)</b><br>Erection of a three bedroom dwelling and associated new access and driveway  | <b>119 - 126</b> |
| <b>16.</b> | <b>S/3035/14/FL - Great Wilbraham (Land r/o 12-18 The Lanes)</b><br>Erection of 6 dwellings, carports and associated access  | <b>127 - 138</b> |
| <b>17.</b> | <b>S/1888/15/FL - Cambourne (Unit 1, Back Lane)</b><br>Retention of 3 metre high fence   | <b>139 - 144</b> |

## **INFORMATION ITEMS**

<b>18.</b>	<b>Enforcement Report</b>	<b>145 - 150</b>
<b>19.</b>	<b>Appeals against Planning Decisions and Enforcement Action</b>	<b>151 - 152</b>

### **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.

### **OUR VALUES**

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

- Working Together
- Integrity
- Dynamism
- Innovation

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

### **Notes to help those people visiting the South Cambridgeshire District Council offices**

While we try to make sure that you stay safe when visiting South Cambridgeshire Hall, you also have a responsibility for your own safety, and that of others.

#### **Security**

When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

Public seating in meeting rooms is limited. For further details contact Democratic Services on 03450 450 500 or e-mail [democratic.services@scambs.gov.uk](mailto:democratic.services@scambs.gov.uk)

#### **Emergency and Evacuation**

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

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

#### **First Aid**

If you feel unwell or need first aid, please alert a member of staff.

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

We are committed to improving, for all members of the community, access to our agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can get both neck loops and earphones from Reception.

#### **Toilets**

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

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

We are open and transparent about how we make decisions. We allow recording, filming and photography at Council, Cabinet and other meetings, which members of the public can attend, so long as proceedings at the meeting are not disrupted. We also allow the use of social media during meetings to bring Council issues to the attention of a wider audience. To minimise disturbance to others attending the meeting, please switch your phone or other mobile device to silent / vibrate mode.

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

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. Failure to do so, will result in the Chairman suspending the meeting until such items are removed.

#### **Disturbance by Public**

If a member of the public interrupts proceedings at a meeting, 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. The meeting will be suspended until order has been restored.

#### **Smoking**

Since 1 July 2008, South Cambridgeshire District Council has operated a Smoke Free Policy. No one is 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. You 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'.

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# Agenda Item 3

## 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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# Agenda Item 4

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on  
Wednesday, 2 September 2015 at 10.00 a.m.

PRESENT: Councillor Lynda Harford – Chairman  
Councillor David Bard – Vice-Chairman

Councillors: Anna Bradnam Pippa Corney  
Kevin Cuffley Sebastian Kindersley  
Des O'Brien Deborah Roberts  
Tim Scott Robert Turner  
David McCraith (substitute) Charles Nightingale (substitute)

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), Katie Christodoulides (Planning Officer), Gary Duthie (Senior Lawyer), Andrew Fillmore (Principal Planning Officer), Alistair Funge (Planning Enforcement Officer), Susan Heinrich (Senior Planning Officer), John Koch (Planning Team Leader (West)), Karen Pell-Coggins (Principal Planning Officer), Tony Pierce (Interim Development Control Manager), Mike Salter (County Highways), Ian Senior (Democratic Services Officer), Paul Sexton (Principal Planning Officer (West)), Dan Smith (Planning Officer), David Thompson (Principal Planning Officer), Rebecca Ward (Senior Planning Officer) and Andrew Winter (Senior Planning Officer)

Councillors Ray Manning and Nick Wright were in attendance, by invitation.

### 1. APOLOGIES

Councillors Brian Burling and Ben Shelton sent Apologies for Absence. Councillors David McCraith and Charles Nightingale respectively attended the meeting as substitutes.

### 2. DECLARATIONS OF INTEREST

Declarations of interest were declared as follows:

Councillor David McCraith Non-pecuniary interest in respect of Minute 16 (S/1399/15/FL) in Bassingbourn as having attended Bassingbourn-cum-Kneesworth Parish Council meetings at which the application had been discussed. Councillor McCraith was considering the matter afresh.

Councillor Charles Nightingale Non-pecuniary interest in respect of Minutes 10 and 11 (S/1278/15/FL and S/0822/15/FL) in Great Shelford as a member of Great Shelford Parish Council. Councillor Nightingale was considering the matter afresh.

Councillor Des O'Brien Non-pecuniary interest in respect of Minute 20 (S/1170/15/FL) in Cambourne as having discussed the application with Cambourne Parish Council. Councillor O'Brien was considering the matter afresh.

Councillor Tim Scott

Non-pecuniary interest in respect of Minute 19 (S/1238/15/FL) in Comberton as a member of Comberton Parish Council. Councillor Scott was considering the matter afresh.

### 3. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign the Minutes of the meeting held on 5 August 2015 as a correct record.

### 4. S/1109/15/FL - GREAT ABINGTON (ZONE 1, PHASE 2, GRANTA PARK)

Members visited the site on 1 September 2015.

Justin Bainton (applicant's agent) addressed the meeting. He summarised the steps taken in finalising the application.

Councillor Sebastian Kindersley welcomed such a significant project as being beneficial to South Cambridgeshire not least as an employment hub. Councillor Robert Turner noted the applicant's national importance.

In response to Councillor David Bard's concern about cumulative pressure on the local road network, Mike Salter from Cambridgeshire County Council's Highways Division expressed confidence that the application would not compromise the existing transport strategy for the area. However, if it did, the County Council had set aside £700,000 to mitigate the situation. In response to the Chairman, Mr. Salter said traffic flows would be monitored through a combination of surveys and gate-counts.

Members also expressed concern about cycling facilities and pressure on housing.

The Committee gave officers **delegated powers to approve** the application, subject to the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing financial contributions to mitigate off-site impacts of the development on the local road network and ensure that the development supersedes rather than adds to the development previously permitted, the Conditions referred to in the report from the Planning and New Communities Director, and further Conditions requiring submission of new plans in respect of the service yard area, and remediation of the site.

### 5. S/1110/15/OL - GREAT ABINGTON (ZONE 2, PHASE 2, GRANTA PARK)

Members visited the site on 1 September 2015.

The Committee gave officers **delegated powers to approve** the application, subject to the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing financial contributions to mitigate off-site impacts of the development on the local road network and ensure that the development supersedes rather than adds to the development previously permitted, the Conditions referred to in the report from the Planning and New Communities Director, and a further Condition regarding the remediation of the site.

### 6. S/1093/15/OL - WILLINGHAM (155 RAMPTON ROAD)

Members visited the site on 1 September 2015.

Councillor Ray Manning (a local Member) addressed the meeting. He commended the application as sustainable and said there had not been any neighbour objections.

Councillor Pippa Corney (a Committee and local Member) could not see any demonstrable, material harm that would be caused by the grant of planning permission.

Following further discussion, it was noted that, although the lack of a five-year housing land supply had changed the circumstances under which the Council had now to consider planning applications, it was by no means the only relevant factor.

The Committee **approved** the application contrary to the recommendation in the report from the Planning and New Communities Director. A majority of Members agreed that there was no demonstrable and adverse harm to the countryside and that, therefore, the application did not conflict with paragraphs 7, 17 or 55 of the National Planning Policy Framework or with Policies DP/1, DP/2, DP/3 or NE/4 of the South Cambridgeshire Local Development Framework 2007. They also identified, as a material planning consideration, South Cambridgeshire District Council's current inability to demonstrate that it had a five-year supply of housing land.

**7. S/0259/15/FL - LINTON (LINTON INFANTS SCHOOL)**

Louise Clark (Headteacher) addressed the meeting. She emphasised the motivation behind the application. Together with Lawrence Powell (Chairman of the Governors), she answered questions relating to car parking provision on site.

Councillor Sebastian Kindersley read out a statement of support from Councillor Henry Batchelor, a local Member.

The Committee **approved** the application subject to the Conditions referred to in the report and an Informative requiring all vehicles leaving the site to do so in forward gear.

**8. S/1570/15/FL - LINTON (LINTON VILLAGE COLLEGE)**

The Committee **approved** the application subject to the Conditions set out in the report from the Planning and New Communities Director.

**9. S/1291/15/FL - HORSEHEATH (THE STABLES, HAVERHILL ROAD)**

Charlotte Burton (applicant's agent) and Stuart Miller (Horseheath Parish Council) addressed the meeting. The agent maintained that the proposal would not harm local amenity. Mr. Miller's concerns related to scale and the proposal being out of keeping with the immediate area.

The Committee **approved** the application subject to the Conditions and Informative set out in the report from the Planning and New Communities Director, and an additional Condition removing Permitted Development Rights.

**10. S/1278/15/FL - GREAT SHELFORD (11 HIGH GREEN)**

Members visited the site on 1 September 2015.

The Committee **approved** the application subject to the Condition set out in the report from the Planning and New Communities Director, and an additional Condition requiring the construction, within the curtilage of the access (not the public highway), of two pedestrian visibility splays measuring two metres by two metres, such areas to be kept

clear of enclosures exceeding 600 millimetres in height.

**11. S/0822/15/FL - GREAT SHELFORD (197 HINTON WAY)**

Members visited the site on 1 September 2015.

Matt Hare (applicant's agent) addressed the meeting. He commended the application as sustainable and appropriate within the Green Belt given its compliance with Policy ET/10 of the South Cambridgeshire Local Development Framework 2007.

There was some discussion about change of use, and occupancy issues. The Senior Lawyer said that a change of use would require planning permission, and occupancy could only be controlled on receipt of reasonable evidence that permitted use was being flouted. In response to a further question, the Senior Lawyer said that the Council could not require that it be notified about a change in ownership. However, that information would be readily available at H.M. Land Registry.

The Committee **approved** the application subject to the Conditions set out in the report from the Planning and New Communities Director.

**12. S/1439/15/FL- WATERBEACH (5 GREEN SIDE)**

Shaun Downey (objector) and Richard Bettison (applicant's agent) addressed the meeting. Mr. Downey's concerns centred on car parking, the poor quality of the access, proximity to a dangerous junction, and absence of a pedestrian crossing point, Mr. Bettison argued that the proposal would not have an adverse impact on the street scene, and was necessary to meet the needs of an expanding population in Waterbeach.

Councillor Peter Johnson (a local Member) had submitted an e-mail in which he suggested that the applicant was prepared to pay for marking the nearby bus bay.

The Committee **approved** the application subject to the Conditions referred to in the report from the Planning and New Communities Director.

**13. S/1440/15/LB - WATERBEACH (5 GREEN SIDE)**

The Committee **approved** the application subject to the Conditions referred to in the report from the Planning and New Communities Director.

**14. S/1603/15/FL - WATERBEACH (8 PIECES COURT)**

The Committee **approved** the application subject to the Conditions referred to in the report from the Planning and New Communities Director.

**15. S/0303/15/FL - HARSTON (2 HIGH STREET)**

Members visited the site on 1 September 2015.

Nick Bowden (applicant's agent) addressed the meeting.

Councillor Janet Lockwood (local Member) had submitted a written request for a visibility splay. In response, officers said that, because the Local Highways Authority could not require a visibility splay in this instance, it would not be possible to impose a Condition.

The Committee **approved** the application subject to the Conditions set out in the report

from the Planning and New Communities Director, amended as follows:

- In Condition (e), by deleting the words "...of the access..." and replacing with the words "...of both accesses..."
- In Condition (f), by deleting the words "The new vehicular accesses and parking areas to the existing dwelling..." and replacing with the words "The two new vehicular accesses and parking areas proposed" and deleting the words "... (known as no. 2 High Street, Harston)..."
- In Condition (g), by deleting the words "...72 South End..." and replacing with the words "...no. 2 High Street, Harston..."

**16. S/1399/15/FL - BASSINGBOURN (72 SOUTH END)**

Members visited the site on 1 September 2015.

Dr. Julian Drewe (applicant) addressed the meeting. He said that the dwelling would be moved slightly so as to reduce impact on, and preserve views of, the adjacent Listed Building. He said the proposal had the support of neighbours, and would enhance the area.

The Committee **approved** the application subject to the Conditions referred to in the report from the Planning and New Communities Director.

**17. S/2363/14/FL - ELSWORTH (CONSTELLATION MOBILE HOME PARK)**

Members visited the site on 1 September 2015.

Councillor Nick Wright (a local Member) addressed the meeting, and drew Members' attention to the poor state of repair of the access road.

The Committee **approved** the application subject to the Conditions referred to in the report from the Planning and New Communities Director.

**18. S/0287/15/OL - MELBOURN (LAND AT 36 NEW ROAD)**

Members visited the site on 1 September 2015.

Shane Lawrence (objector) and Robert Barton (applicant's agent) addressed the meeting. Mr. Lawrence described the site as representing the defining edge of Melbourn. He said that the proposal was unsustainable and that it offered insufficient Affordable Housing. Mr. Barton highlighted the contribution the proposal would make to the Council's five-year housing supply.

The Committee was told that both local Members (Councillors Val Barrett and Jose Hales) supported the application.

Councillor Deborah Roberts regretted that New Road was being developed in a piece meal fashion. She claimed that there were several potentially serious implications, not least in terms of on-site car parking.

The Committee gave officers **delegated powers to approve** the application, as amended, subject to the prior completion of a Legal Agreement under Section 106 of the Town and

Country Planning Act 1990 securing

- Seven Affordable Housing units, first refusal being given to those with a local connection
- Financial contributions towards the provision of public open space, community facilities, and health and education facilities within Melbourn

And the Conditions referred to in the report from the Planning and New Communities Director.

**19. S/1238/15/FL - COMBERTON (19 LONG ROAD)**

Members visited the site on 1 September 2015.

The Committee noted that Comberton Parish Council had changed its recommendation from refusal to one of approval. Accordingly, this application had been **withdrawn** from the agenda and would be determined by officers under the Committee's scheme of delegation.

**20. S/1170/15/FL - CAMBOURNE (6 GARSTONES)**

Members visited the site on 1 September 2015.

Councillor Des O'Brien (a local Member) drew the Committee's attention to the car parking issues and poor vehicular access to the site. Councillor Anna Bradnam agreed, but acknowledged that two modest houses, as proposed, were preferable to what currently existed on the site.

In response to Councillor O'Brien's concern that there was no public footpath on the other side of the road, and pedestrians would be inconvenienced should the only footpath become privately owned, the Senior Planning Officer said that the footpath would remain in the public domain and that there would be a right of way granted across it.

The Committee gave officers **delegated powers to approve** the application, subject to no objections to Ownership Certificate B being received prior to the end of the 21-day consultation period, and to the Conditions and Informative set out in the report from the Planning and New Communities Director.

**21. ENFORCEMENT REPORT**

The Committee **received and noted** an Update on enforcement action.

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

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

Councillor Deborah Roberts welcomed the appointment of consultants to work with local Members and enhance the Council's presence at Appeal Hearings.

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**The Meeting ended at 2.38 p.m.**

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# Agenda Item 5

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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<b>Application Number:</b>	S/0495/14/FL
<b>Parish(es):</b>	Shingay-cum-Wendy
<b>Proposal:</b>	Retrospective application for the retention of building nos. 4, 5 & 6, biomass boiler, solar panels and car park.
<b>Site address:</b>	Church Farm Barn High Street, Shingay Cum Wendy
<b>Applicant(s):</b>	Monkfield Nutrition Ltd, Douglas Wise and Robin Wise
<b>Recommendation:</b>	Refusal
<b>Key material considerations:</b>	Principle, Residential amenity, Visual Impact, Flooding
<b>Committee Site Visit:</b>	6 October 2015
<b>Departure Application:</b>	No
<b>Presenting Officer:</b>	John Koch, Team Leader
<b>Application brought to Committee because:</b>	The application and the general use of the site has generated significant local interest
<b>Date by which decision due:</b>	28 April 2014

### Executive Summary

1. The site has a lawful use for the intensive breeding, rearing and sale of insects and reptiles; and the storage and sale of frozen animal products and dry goods associated with the keeping of reptiles. The application seeks to retain buildings used for storage and packing as well as other development that supports the business use.
2. Consultation responses and objections received centre mainly on the intensification of the use of the site. Highway safety and the impact on residential amenity are identified as the key issues. Members are specifically required to consider if the development that is the subject of this application has led to a further intensification of the lawful use of the site and if so, whether this is acceptable.
3. The biomass boiler and car park are not considered to have intensified the use of the site and it would not be expedient to take enforcement action to seek their removal. Buildings 4, 5 and 6 are considered to have added to traffic generation to and from the site. This in turn has led a further intensification of the use of the site resulting in harm

to highway safety and residential amenity of surrounding residents. The application is therefore recommended for refusal and enforcement action as necessary.

### **Relevant Planning History**

4. S/0470/14/LD – Use of barn as a house in multiple occupancy in which six people reside - Withdrawn  
  
S/0471/14/LD – Erection of Buildings 1, 2 and 3 and their subsequent use for the intensive breeding, or support thereof, of insects for use as reptile feed – Lawful Certificate Granted  
  
S/2309/14/LD - Use of the site for the sale of insects, including their intensive breeding and rearing; the sale of reptiles, including their breeding and rearing; the storage and sale of frozen animal products and the storage and sale of dry goods associated with the keeping of reptiles – Lawful Certificate Granted  
  
S/1933/15/LD - Residential use of the flat for the occupation of 6 people (but occasionally by an additional two people) with no more than 2 people occupying each bedroom, and all of whom are employees of Monkfield Nutrition Limited – Still to be determined

### **Planning Policies**

5. *National Planning Policy Framework  
Planning Practice Guidance*
6. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007*  
  
ST/7 Infill Villages
7. *South Cambridgeshire LDF Development Control Policies, adopted July 2007*  
  
DP/1 Sustainable Development  
DP/2 Design of new Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Development  
DP/7 Development Frameworks  
CH/7 Important Countryside Frontages  
ET/5 Development for the Expansion of Firms  
CH/4 Development within the Curtilage or Setting of a Listed Building  
NE/1 Energy Efficiency  
NE/2 Renewable Energy  
NE/3 Renewable Energy Technologies in New Development  
NE/11 Flood Risk  
NE/14 Lighting Proposals  
NE/15 Noise Pollution  
TR/2 Car and Cycle Parking Standards
8. *South Cambridgeshire LDF Supplementary Planning Documents (SPD)*  
  
District Design Guide SPD – adopted March 2010
9. *Draft Local Plan*



HQ/1 Design Principles  
S/3 Presumption in Favour of Sustainable Development  
S/7 Development Frameworks  
TI/2 Planning for Sustainable Travel  
S/11 Infill Villages  
NH/13 Important Countryside Frontage  
NH/14 Heritage Assets  
E/16 Expansion of existing businesses in the Countryside  
CC/2 Renewable and Low Carbon Energy Generation

### **Consultation**

10. **Shingay –Cum-Wendy Parish Meeting** – Recommend refusal and in doing so have provided an extract of a parish meeting minute. A copy of the minute is attached to the agenda as **Appendix 1**. The minute provides a summary of the points raised by speakers at the meeting and a record of the vote taken. The vote was refuse 21; approve 19; and no recommendation 3.
11. **Local Highway Authority** (7 October 2014) - The Highway Authority (still) wishes to recommend refusal in respect to the above planning application following the submission of a Transport Statement and visibility splays as shown on drawing number Vis\_001 for the following reasons:
  12. The proposal has lead (due to it being retrospective) to an intensification of use of an access onto Flecks Lane which is a principal route through Shingay Cum Wendy and if continued would cause unacceptable interference with the safety and free flow of traffic on this highway.
  13. As far as can be determined from the submitted plan Vis\_001, the applicant does not control sufficient land to provide adequate inter vehicle visibility splays at the site access.
  14. The proposed development would therefore be detrimental to highway safety.
15. **Local Highway Authority** (19 June 2015 in response to a request for a fuller response) - The Highway Authority can confirm that the whole site appears to be an intensification of use which we believe to be severe in transport terms. This conclusion has been formulated by investigating each part of the site individually.
16. Utilising the same numbering as the applicants plan the Highway Authority comments as follows:
  - 1) Building 1 & 2 Insect breeding areas: to be a new traffic generator.
  - 2) Building 3 Storage: to be a new traffic generator
  - 3) Building 4 Storage : to be a new traffic generator
  - 4) Building 5 Cold Storage: to be a new traffic generator
  - 5) Building 6 Packing Shed: to be a new traffic generator
  - 6) Building 7 Biomass Boiler: to be a new traffic generator
  - 7) Building 8 Solar Panels: These solar panels have already been installed and will require minimal additional motor vehicle movements only for maintenance purposes until the solar panels are decommissioned.

- 8) Building 9 Car Park : to be a new traffic generator as at present the application site has zero car parking spaces and is proposing to introduce 52 car parking spaces which the Highway Authority believes is significant and therefore considered severe.
- 9) Building 10 House of Multiple Occupation: Please could the applicant confirm how this house is accessed as it is not shown on any of the submitted plans.
17. The existing access does not have the benefit of any inter-vehicle visibility splays and those shown within the Transport Statement cross third party land over which the applicant has no control. The Highway Authority believes that number 1 Jubilee Bungalows has objected to the scheme and therefore it is highly unlikely that these splays will ever be achievable.
18. The Transport Statement that has been submitted as a part of this application needs to show the difference between the lawful i.e. that what has already been granted planning permission and the current unlawful use of the site. The applicant has also failed to state what the proposed use of the site will be as they have stated that it will be 2,325 sq m 'other' but has failed to specify as requested what the other class is to be. The Highway Authority believes that the only lawful use of the site is the Grain and Storage/Potato storage building that was granted application number S/0172/60.
19. **Cambridgeshire County Council Asset Information Definitive Map Officer** – Public Footpath No. 6 runs through part of the application site, however none of the proposed development actually affects the route of the path. Given the development has been completed, we do not anticipate that this proposal will cause any additional traffic or damage to the footpath surface, so we have no objections to the proposal.
20. Requests an informative should planning permission be granted to ensure the footpath remains open and unobstructed at all times.
21. **Environment Agency (EA)** – No objection in principle. The entire site appears to fall within Flood Zone 1. The Agency therefore has no comment to make in respect of flood risk. Informatives are recommended in respect of pollution control
22. **Cambridgeshire County Council Flood and Water Management Team** – No development should commence until details of surface water drainage works have been submitted and approved. The details should be in accordance with the Flood Risk Assessment which accompanies the application.
23. **Drainage Manager** – No concerns if the EA has no objection.
24. **Contaminated Land Officer** – No objection and does not require a contamination assessment to be submitted.

### **Representations**

25. 7 local residents have submitted individual letters and a letter on behalf of a group of residents have been submitted raising the following concerns:
- (i) The business operating from the site is of an inappropriate size, scale and nature for the village, operating 24/7. This is an unsustainable location.
  - (ii) The business use has intensified and expanded without planning permission.
  - (iii) Increase in HGV's, vans and cars using an inappropriate narrow access to site which is also a public footpath and provides access to the rear of the frontage



- (i) The erection of 3 buildings, namely a dry goods store (building no. 4), a cold store (building no. 5), and a packing shed (building no. 6). The dry goods store is 11.2m by 15.9m, with an overall floor area of 166m<sup>2</sup> and is constructed using profile metal sheeting. The cold store is an external freezer with a metal roof covering structure. The structure varies between 4.85m and 8.4m in width and 9.3m and 13.1m in length and has an overall floor area of 118m<sup>2</sup>. The packing shed is 5.3 m by 18m with an overall floor area of 93m<sup>2</sup> and is constructed from painted concrete blocks and a flat felted roof
- (ii) A Biomass boiler and its enclosing structure (building no. 7). The building is 4.4m by 11.75m with an overall floor area of 52m<sup>2</sup> and is constructed from painted concrete blocks with a flat felt roof.
- (iii) Solar panels (building no. 8) consisting of two rows, each 50 m in length, 3m in depth and 3.5m in height.
- (iv) A car park (area 9) surfaced with compacted hardcore and providing space for approximately 52 cars.
33. The application is accompanied by amongst other things a Flood Risk Assessment and a Transport Statement.
- 34.. *Key Considerations*  
Progress on this application has been delayed pending the formal determination of applications S/0471/14/LD and S2309/14/LD. These were applications to determine whether the development as applied for is lawful and as a result can continue free of any potential enforcement action. In determining a lawful development certificate application, it is not open to the local planning authority to consider the planning merits and therefore whether the development in question is appropriate for a particular location. The decision is made based on the evidence available to the local planning authority and whether on the “balance of probability” that the uses/operations claimed are lawful.
35. The two applications were approved on 25 September 2015. Between them, they confirm that the use of the site for the sale and intensive breeding and rearing of insects; the sale and breeding and rearing of reptiles; the storage and sale of frozen animal products and the storage and sale of dry goods associated with the keeping of reptiles along with the retention of buildings no. 1, 2 and 3 can continue without the need for any (further) planning permission.
36. It is important to recognise this as it provides the necessary basis against which to judge the various aspects of this retrospective application. The issue is not simply whether the existing use of the site is appropriate in planning terms, but whether the matters that are the subject of this application are themselves unacceptable.
37. Monkfield Nutrition Ltd first occupied the site in about 1997 and what was then a small business has expanded and intensified over time. Having regard to the various representations received it appears that the use of the site has significantly intensified since 2009 and has led to numerous complaints, the main substance of which is set out in the objections to this application. It is apparent from the vociferousness of the representations received that the use of the site as it is now is harmful to both the residential amenity of surrounding residents and the free flow and safety of traffic through the village. Residents have also raised other related matters.
38. However, the key consideration in this case is the extent to which the elements that

make up this particular application, whether taken individually or collectively, have led to a further intensification of use of the site and as such have led to further planning harm in their own right.

39. *Principle*

Wendy is one of the smallest villages in the district (population 140 in 2011) and is designated as an "Infill Village". It is fair to say it is one of the least sustainable in the district. Nonetheless, Policy ET/5 provides for the expansion of an existing business for their own occupation or use either within village frameworks or on previously developed sites next to or very close to village frameworks. This is subject to there not being problems with traffic, noise pollution or other damage to the environment and does not conflict with other policies of the Plan.

40. Policy NE/2 supports the principle of proposals to generate energy from renewable sources. The purpose of the solar panels and biomass boiler would be to generate heat and energy for the business and reduce the business's carbon footprint and reliance on energy sourced from fossil fuels. No electricity would be sold to the grid and the heat would be used on site. It is considered that the installation of solar panels and a biomass boiler on the site is consistent with policy and these aspects of the proposal are acceptable in principle.

41. The increase in the size of the car park has been to provide additional car parking spaces for employees and improve the circulation space required by HGV's. The business employs some 90 employees and therefore there is a need to provide sufficient off road parking provision. Before it was extended, the car park is understood to have provided car parking for approximately 20 vehicles and now provides for 52 car parking spaces. In accordance with the Council's car parking standards a sui generis use such as this employing 90 staff would require 63 car parking spaces. On-site parking provision appears from site inspections to be generally fully taken up although there is no evidence that employees and/or visitors are forced to park off site and in this respect the provision of this level of parking per se is appropriate. A requirement to reduce the car parking area to its former level could lead to unwanted on-street parking.

42. *Visual Impact*

The buildings are relatively small scale in relation to the overall footprint and scale of the existing buildings. They are positioned in between existing buildings and therefore relate well to the existing development and are not visually intrusive. The solar panels are relatively low, and there is a reasonable degree of separation and screening from neighbours immediately to the south. The car park is located to front of the site between the existing buildings and the residential properties to the south.

43. As such, the development preserves the character of the local area and complies with Policies DP/2 and DP/3. The Important Countryside Frontage (Policy CH/7) which lies to the east of the site access and in front of Church Farm is not materially affected by the development per se. However, it is evident that vehicles entering and leaving the site have overrun part of this area resulting in a loss of verge. This causes some visual harm, albeit the fundamental aim behind the Local Plan designation has not been prejudiced.

44. *Setting of listed buildings*

Given their distance from the development itself, the setting of the two nearest listed buildings would not be harmed. This aspect of the proposal therefore accords with Policy CH/4.

45. *Residential Amenity*  
The main issue is whether the component parts of the development have increased activity on the site, which in turn has resulted in an increase in noise and disturbance and vehicular traffic and thus whether such intensification has had a materially detrimental impact on residential amenity.
46. The location of the buildings and solar panels are not considered themselves to have led to any material increase in noise and disturbance arising from their use. Other objections relating to smells and light pollution are also unlikely to have increased. On the other hand, there is no evidence that car parking levels – and the consequent comings and goings by vehicles – were at the same level before either the buildings were erected or the car park was enlarged.
47. No 2 Jubilee Bungalows is accessed off the main access road and the increase in vehicles has as a matter of fact and degree intensified over time to a level that has materially impacted on the reasonable enjoyment of that property. In addition there are several residential properties in close proximity to the site access. The additional traffic movements, particularly by HGVs, have also had a harmful effect on the reasonable enjoyment of those properties. As such, the increased vehicular activity is contrary to Policy DP/3.
48. *Highway safety*  
The LHA recommends refusal on the basis that the development has led to an intensification of the use of the site as a whole. It states that Fleck's Lane is the main road through the village and is a principal traffic route. The LHA requires 2.4m x 43 m visibility splays for vehicles generally but splays of 4.5m x 43 for HGVs. The first five metres of the access back from the public highway should be 5m wide. These distances are necessary to allow for safe access and egress and to maintain the safety and free flow of traffic along Fleck's Lane.
49. The submitted drawing showing existing visibility splays clearly shows that the splays particularly for HGVs cross land outside the applicant's control (Church Farm). While this land is currently open, the splays can only be achieved with the consent of the third party and they have objected to the application. The splay on the other side crosses nos. 1 and 3 Jubilee Bungalows and while the location plan submitted with the application does not suggest this, it is understood no.1 is within the applicant's control. Nonetheless, adequate visibility cannot be achieved in either direction.
50. There is ample photographic evidence and visible signs of verge overrun to confirm that larger vehicles have great difficulty in turning into and out of the site. Access into the site in particular involves a number of lorry movements and results in delays to the passage of through traffic. The lack of adequate visibility splays for vehicles and the narrowness of the front part of the access has to be considered to be prejudicial to highway safety.
51. The buildings themselves are used for storage, packing and a biomass boiler along with a car park that has been doubled in size. The LHA argues that all of the buildings on the site are traffic generators in their own right. The extent to which this is true must be a matter of fact and degree and is difficult to quantify. The applicant has argued that the previous area for car parking incorporated grassed areas and accommodated the same number of vehicles. There is no evidence of this and the Council's own aerial photograph suggests parking was previously restricted to a hard surfaced area roughly half the size.
52. The applicant's Transport Assessment advises that the "typical" daily traffic generation

based on information provided by the applicant. This is calculated to be 63 two-way vehicle trips made of 2 HGVs, 2 7.5 tonne vehicles, 12 vans and 47 cars. Similarly uncorroborated evidence for local residents, states it is higher than this. Whatever the figure, the buildings and car park have had the capacity to increase vehicle movements. While some of the assumptions of the LHA may be wrong, it is still considered that there has been some increase in traffic movements which are harmful to highway safety contrary to Policy DP/3.

53. *Flooding*

There is photographic evidence of flooding of the neighbouring property at Church Farm, albeit the specific cause for this is unclear. There does not appear to be evidence that is as a direct result of the development in question. In contrast, the FRA identifies that the site is within Flood Zone 1 (albeit close to Flood Zones 2 and 3). Flood Zone 1 is considered to be at a low risk of flooding from all sources except surface water flooding. The site is considered to have a medium risk of surface water flooding due to the increased impermeable area created by the development over the recent years. The FRA has recommended implementing a surface water drainage strategy using sustainable drainage techniques to mitigate the flood risks posed by the development. The strategy would incorporate a restricted discharge into the adjacent watercourse, no greater than the pre-development discharge rate and the provision of on site attenuation.

54. The County Council as Flood Lead Authority has also raised no objection subject to a condition requiring the submission of details in respect of the surface water drainage details in accordance with the submitted FRA. The proposals therefore accord with Policies DP/4 and NE/11 in this respect.

55. *Public Right of Way*

The public footpath, which crosses through the site, is obstructed by buildings, but not those that form part of this application. The agent has confirmed that following the determination of the application an application to formally divert the public footpath would be submitted. The use and enjoyment of the public right of way is unlikely to have been materially affected.

56. *Conclusion*

The submitted Transport Assessment asserts that each of the component parts of the application play a vital role in the operation of the business. The difficulty in considering this application is the extent to which the various component parts have led to a material intensification of the activity on the site and its consequent impact beyond that which either existed previously or would have occurred irrespective of the development in question.

57. Officers have concluded that the biomass boiler and solar panels have simply improved the efficiency and sustainability credentials of the site as a whole. They are not in locations where they can be said to have given rise to any harmful impacts and are therefore acceptable.

58. The additional buildings 4, 5 and 6 and the car park are unlikely to have had a nil effect. While they too have improved the operational efficiency of the site, as a matter of fact and degree, they will have further intensified the use of the site beyond the level before they were erected/laid out.

59. In the event that the application is refused, members will need to consider the expediency of taking enforcement action. The first point to make is that the lack of adequate visibility splays and a substandard access will not prevent the continued

comings and goings particularly of HGVs. Neither will it prevent the business from continuing for as long as the company wish to operate from the site. Enforcement action to secure the removal of buildings 4, 5 and 6 is relatively straightforward. However, a reduction in the size of the car park may simply result in cars parking on the resulting unsurfaced areas within the site. If this was not possible, it could result in an increase in on-street parking and this would create additional problems.

60. Thus while officers fully understand the problems that the use of the site currently creates, officers consider that the only sustainable grounds for refusal relate to the additional buildings 4, 5 and 6.

### **Recommendation**

61. Officers recommend that the Committee refuse the application for the following reasons:
1. The existing site access is not provided with adequate inter vehicle visibility splays, particularly for use by HGVs. This has a prejudicial impact on highway safety. The erection of buildings 4, 5 and 6 has further assisted the intensification of the existing use of the site and as such this has had a further prejudicial impact on highway safety contrary to Policy DP/3 of the adopted South Cambridgeshire Local development Framework 2007.
  2. The unsuitability of the site access and increase in vehicular activity has as a result of the erection of buildings 4, 5 and 6 had a further material adverse impact on the residential amenity of surrounding residential properties contrary to Policy DP/3 of the adopted South Cambridgeshire Local development Framework 2007.
61. Officers recommend that in the event that planning permission is refused an enforcement notice is issued to secure the removal of buildings 4, 5 and 6 and to return the land to its condition before the works took place. The reasons for taking enforcement action are as set out in the above reasons for refusal. The suggested compliance period is three months.

### **Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted July 2007)
- Planning File Ref: S/049514/FL

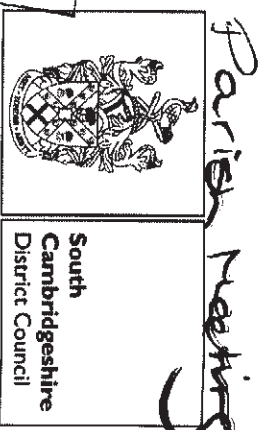
### **Report Author:**

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Telephone Number:

Team Leader (West)  
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*Parish Meeting*

RECEIVED SUBDC  
 21 APR 2014  
 DEVELOPMENT CONTROLLING and New Communities

Mr Stuart Rye,  
 Shingay-Cum-Wendy Parish Council  
 Field House  
 Shingay-cum-wendy  
 Royston  
 SG8 0HL

Contact: Ross Leal  
 Direct Dial: 01954 713159  
 Fax: 01954 713152

Direct email: ross.leal@scambs.gov.uk  
 Our Ref: S/0495/14/FL  
 Your Ref:  
 Date 31 March 2014

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

Dear Sir/Madam

**Proposal:** Retrospective Application for the Development of: Agricultural Buildings, Biomass Boiler, Building Solar Panels and Car Park  
**Location:** Church Farm Barn, High Street, Shingay Cum Wendy, Royston, Cambridgeshire, SG8 0HJ  
**Applicant:** Monkfield Nutrition Ltd,

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

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

**Comments of the Parish Council:-**

*PLEASE SEE ATTACHED EXTRAS OF PARISH MEETING MINUTES.  
 THIS MEETING WAS CHAIRED BY JAY DERRIST, IN PLACE  
 OF THE ABSENT STUART RYE.*

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

App	<input checked="" type="checkbox"/>	use	<input type="checkbox"/>	No Recommendation	<input type="checkbox"/>
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Signed: [Redacted] Clerk of the Parish Council Date: *23<sup>rd</sup> APRIL 2014*

**EXPLANATION OF APPLICATION SUFFIX**

- |                                      |   |
|--------------------------------------|---|
| OL Outline                           | LD Lawful Development Certificate                       |
| FL Full                              | PA Prior Notification of Agricultural Development       |
| RM Reserved Matters                  | PD Prior Notification of Demolition Works               |
| LB Listed Building Consent           | PT Prior Notification of Telecommunications Development |
| CA Conservation Area Consent         | HZ Hazardous Substance Consent                          |
| AD Advertisement Consent             | DC <i>Page 19</i> of Conditions                         |
| VC Variation or Removal of Condition |   |

**VILLAGE MEETING on TUESDAY 22<sup>nd</sup> APRIL 2014 at 8pm in the CHURCH HALL.**

**To discuss & vote on Planning applications submitted by MONKFIELD NUTRITION**

Jo Wise (from Monkfield Nutrition) explained how Monkfield had expanded, without planning permission, over the last 16 years & that there is no more planned expansion of the site.

Proposed improvement to the site

- The cause of the smell has been moved / removed
- The lighting issue has been reduced by turning to low level lighting
- Vehicle movements will be improved by a one way system on site which will help with noise reduction
- They intend to reduce the noise level by moving the delivery vans & distribution to the rear of the site
- Staff are to be asked to turn the music down in their own vehicles & to drive more slowly / carefully
- They intend to expand the earth mound round the car park to reduce noise
- And to repair pot holes on the access road
- Mr Wise hopes to pre-empt any further / future problems & encouraged neighbours to contact him with any concerns
- He also stated that the site employs 85 staff & to relocate would be horrendously expensive

Mrs Thornton-Swan asked why there wasn't any mention of HGV volume & movements. Mr Wise was unable to confirm figures – sometimes 2 sometimes 5 a day. She explained that the large vehicles sometimes have difficulty negotiating the entrance & that she was concerned about damage to her property from these vehicles.

Mr Viner asked why in 16 years the shared access road had not been maintained – Jo Wise replied that he believed that the entrance was maintained by the highway agency.

Mrs Ralston asked why the (Bidwells) HMO form indicted 'no flood risk' as she has had a lake on her front lawn. Jo Wise said it was springs, Mr Ralston said it wasn't but that the development [of Monkfield Nutrition] that was causing the problem / blockage but Mr Doug Wise has routinely / regularly pumped water off Church Farm lawn.

Lynda Bath stated that she has lived in the village for 30 years & recalled that flooding has taken place over that time.

Ian Beard said it was a very sad day for Shingay cum Wendy. He then went on to say that in essence we are looking at 3 retrospective planning applications, which by the admission of the Managing Director of Monkfield Nutrition, are now being discussed because the company chose to evade the lawful planning process as it did not fit their commercial ends & was too slow. Logically, the argument should be that we vote for Mr. Wenzel (solar farm) as all he has done is to follow the due process & consult the village & apply for planning permission. He might have been better served to hang up the solar panels & apply for retrospective permission, giving the village some money, thereby evading due process, denying the village the right to comment & the appropriate bodies to investigate. It means in likelihood the villagers will be paying to upgrade the drains for his benefit.

Mr Chris Swan asked everyone to think carefully before voting to consider those directly affected by the development.

David Bath & family who live very close to the Monkfield site have no complaints, have not been affected and have no objections.

James Paxman (not a local government elector) allowed to speak by the Chairman, stated that he had been invited to visit the site by Mr Wise & had spent 2 hours reviewing the logistics & complaints, with a view to help alleviate & resolve the issues raised by local neighbours. He also commented that Mr Wise is keen to resolve the problem raised & was impressed / struck with their plans.

Roger Ralston said he would like to raise a number of objections to the three applications that Monkfield Nutrition have submitted to SCDC for consideration:

Application No: S/0470/14 Use of a barn as a house in multiple occupancy in which 6 people reside.

1. The applicant has not produced sufficient evidence to prove ten years usage by 6 people.
2. This is not a sustainable development within the village.
3. The building is not fit for purpose.
4. It is believed that the sewerage facility is not adequate & is overloading the infrastructure.
5. I contest the number of people that have lived in the building.
6. The barn has shared ownership with Church farm which in my view creates serious safety issues eg. storage of petrol.

Application No: S/0471/14 LDC erection of buildings 1, 2, &3 (as indicated on the submitted plan)

1. Significant traffic & highway issues have not been addressed.
2. The enterprise being carried out on the site is out of proportion to the size of the village & is significantly at odds with South Cambs. planning policy.
3. There are significant environmental issues with regard to Noise, Lighting, Health & Safety & Flooding. Pollution is a major concern as the site is adjacent to a large ditch that flows into the river Rhee/Cam & regularly overflows its banks during periods of heavy rain. I am particularly concerned that the single track driveway, which is the only access to the site, is being used by HGV's, cars & pedestrians, as a public footpath follows the same route.
4. The applicant has not produced sufficient evidence to prove that the building were substantially complete for years prior to the application.

Application No: S/0495/14 Restrospective application for the development of Agricultural buildings, Biomass boiler, Building Solar panels & Car park.

1. Significant traffic & highway issues have not been addressed.
2. The enterprise being carried out on the site is out of proportion to the size of the village & is significantly at odds with the S.Cambs. planning policy.

3. There are significant environmental issues with regard to Noise, Lighting, Health & Safety & Flooding. Pollution is a major concern as the site is adjacent to a large ditch that flows into the river Rhee/Cam & regularly overflows its banks during periods of heavy rain. I am particularly concerned that the single track driveway, which is the only access to the site, is being used by HGV's, cars & pedestrians, as a public footpath follows the same route.

He thanked the Chair for allowing him to make these objections.

Mrs Ralston stated that although friends with Mr & Mrs D Wise for a number of years, they were unaware of the house of multiple occupancy, as they thought only two people lived there.

Mr Page stated that he had moved into the Black Barn annexe in 2005 (with two children) - people living in the flat / house of multiple occupancy have not encroached on them in anyway & wondered why there had not been any complaints in 12 years.

David Bath stated that in his opinion traffic was no heavier now than when the site was a farm. Mr Swan disagreed.

The Chair started the voting process:

Interrupted by Mr Alex Mellanby, stating that he had raised the issue of the legitimacy of the last meeting not to be partisan but to protect the parish from a potential legal challenge – the Chair stated the he was not alone in questioning the legitimacy of the original meeting

The voting process then continued & vote taken.

Vote 1 –S/0471/14/LD Lawful Development Certificate – approve – 20 / refuse – 21 / no recommendation – 3

Vote 2 – S/0470/14/LD – approve – 20 / refuse – 21 / no recommendation 2

Vote 3 – S/0495/14/FL – approve – 19 / refuse – 21 / no recommendation 3



FOR INTERNAL USE ONLY

Scale - 1:1250

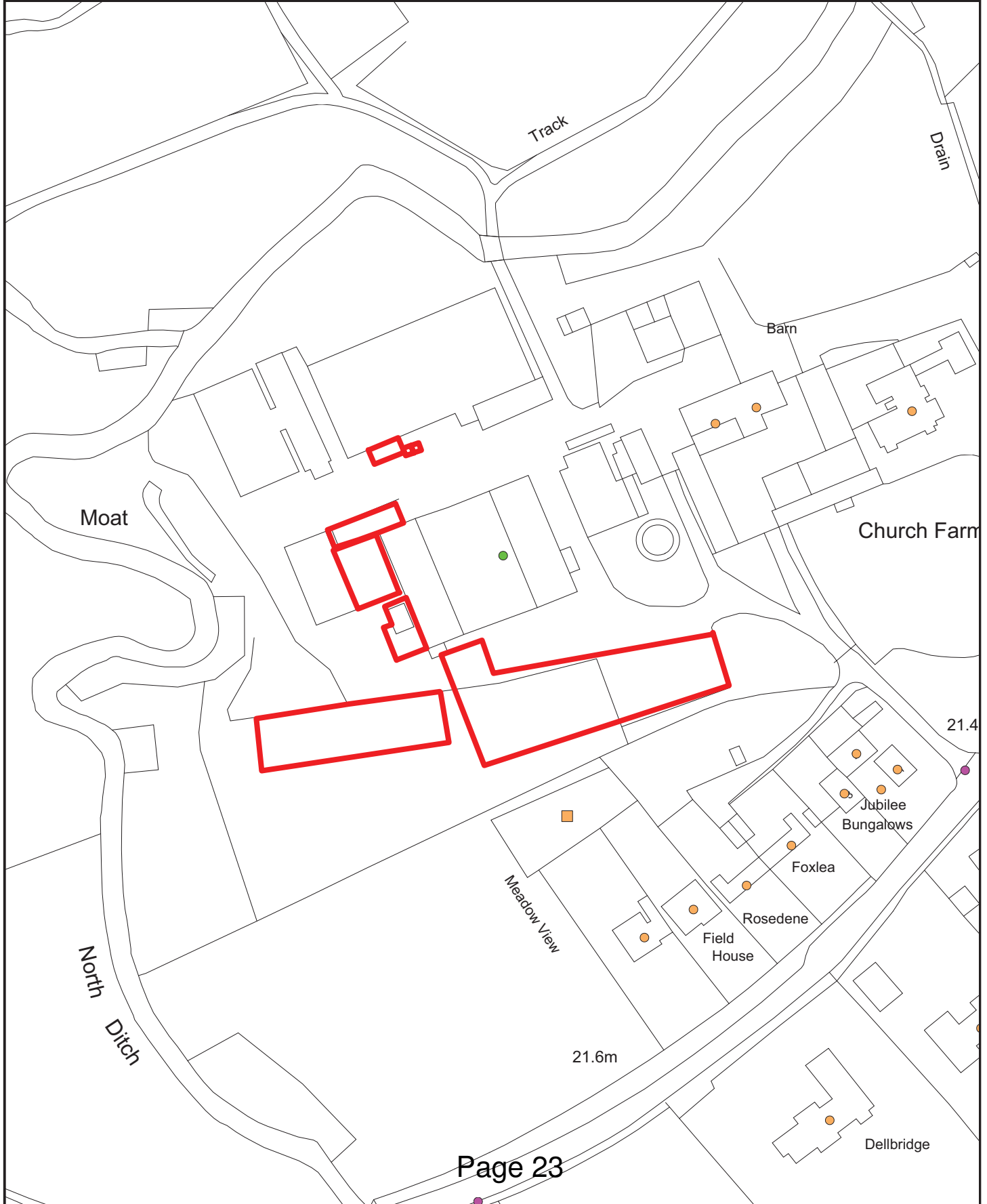
Time of plot: 07:50

Date of plot: 22/09/2015



South  
Cambridgeshire  
District Council

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# Agenda Item 6

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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**Application Number:** S/1474/15/FL

**Parish:** Histon

**Proposal:** Guest Accommodation Block

**Site address:** The Red Lion Public House, 27 High Street

**Applicant(s):** M & L Taverns

**Recommendation:** Approval

**Key material considerations:** Principle of Development  
Conservation Area  
Highway Safety and Parking  
Neighbour Amenity  
Trees and Landscaping  
Flood Risk

**Committee Site Visit:** Yes

**Departure Application:** No

**Presenting Officer:** Karen Pell-Coggins

**Application brought to Committee because:** The officer recommendation conflicts with the recommendation of Histon Parish Council

**Date by which decision due:** 3 September 2015 (Extension of Time Agreed)

### Planning History

1. S/1273/95/RM - Bungalow and Garage - Approved  
S/0121/95/D - Bungalow and Garage - Approved  
S/0880/90/O - Bungalow and Garage - Appeal Allowed  
S/0879/90/F - Change of Use to Office (B1) - Refused

### National Guidance

2. National Planning Policy Framework 2012  
National Planning Practice Guidance 2014

### Development Plan Policies

3. **South Cambridgeshire Local Development Framework Core Strategy 2007**  
ST/4 Rural Centres

4. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**  
 DP/1 Sustainable Development  
 DP/2 Design of New Development  
 DP/3 Development Criteria  
 DP/7 Development Frameworks  
 CH/5 Conservation Area  
 NE/6 Biodiversity  
 NE/11 Flood Risk  
 ET/10 Tourist Facilities and Visitor Accommodation  
 TR/1 Planning For More Sustainable Travel  
 TR/2 Car and Cycle Parking Standards
  
5. **South Cambridgeshire Local Development Framework Supplementary Planning Documents**  
 Development Affecting Conservation Areas SPD - Adopted January 2009  
 Trees & Development Sites SPD - Adopted January 2009  
 Landscape in New Developments SPD - Adopted March 2010  
 District Design Guide SPD - Adopted March 2010
  
6. **South Cambridgeshire Local Plan Submission 2014**  
 S/3 Presumption in Favour of Sustainable Development  
 S/7 Development Frameworks  
 S/8 Rural Centres  
 HQ/1 Design Principles  
 NH/4 Biodiversity  
 NH/14 Heritage Assets  
 E/20 Tourist Accommodation  
 CC/3 Renewable and Low Carbon Energy in New Developments  
 CC/4 Sustainable Design and Construction  
 CC/9 Managing Flood Risk  
 TI/2 Planning for Sustainable Travel  
 TI/3 Parking Provision

#### **Consultation**

7. **Histon Parish Council** - Recommends refusal and makes the following comments: -  
 "Although committee are supportive of the business plan, all agreed to make a recommendation of refusal commenting parking increment, loss of early morning light, condition retention of beech hedge, windows west elevation to be fixed and opaque, flood risk assessment and design and access statement basic- no mention of heritage or conservation, dimensions not shown on plans, preferred way forward would be applicant to present amended plans showing gated access, retention of hedge and additional details covering dimensions, materials although matching the Red Lion, noting the distance from the public house should match those of residential dwellings to lessen the impact. If SCDC are minded to make a recommendation of approval, the committee would like to see conditions covering the retention of the boundary beech hedge on Harding way and access to the accommodation to be via a secured gate".
  
8. **Local Highways Authority** - Requires a condition for a traffic management plan during construction.
  
9. **Environmental Health Officer** - Has no objections and suggests conditions in relation to hours of construction related deliveries, noisy works and the use of power



machinery. Also requests informatives with regards to the burning of waste on site and pile driven foundations.

10. **Trees and Landscapes Officer** - Comments that it appears that several trees have been removed from the car park frontage (Tree Preservation Order) and the proposal would result in the loss of further trees to the rear of Nos. 17 and 19 Harding Way. It would be useful to see some planting proposal for the car park area including some tree planting to mark the entrance and integrate the building and replacement planting on the east and west boundaries where neighbours would be affected.

### **Representations**

11. 8 letters have been received from nearby residents that object on the following grounds: -
- i) Commercial intrusion into a residential area.
  - ii) The height and length of the building would dominate views from the east and west.
  - iii) The materials would be out of keeping with the natural surroundings.
  - iv) Inadequate parking on site and on-street parking competitive due to location.
  - v) Loss of privacy.
  - vi) Overshadowing and loss of light.
  - vii) Proximity to boundary.
  - viii) Noise and disturbance.
  - ix) Anti-social behaviour and safety issues.
  - x) Lack of need for such accommodation.
  - xi) Loss of green space.
  - xii) Loss of trees.
  - xiii) Impact upon wildlife.
  - xiv) Emergency access.
  - xv) Potential future use of building.
  - xvi) Lack of consultation by applicants.
  - xvii) Light pollution.
  - xviii) Potential flood risk.
  - xix) Overdevelopment of site.
  - xx) Out of keeping with low density of area.

### **Planning Comments**

12. The key issues to consider in the determination of this application relate to the principle of the development and the impacts of the development upon the character and appearance of the conservation area, neighbour amenity, flood risk, trees and landscaping, highway safety and parking.

### **Site and Surroundings**

13. The site is located within the Histon village framework and partially in the conservation area. It currently forms the public house and its garden and car park along with part of the garden to the dwelling at No. 1 School Hill. There are a number of trees including a mature Horse Chestnut to the rear and a Tree Preservation Order covers part of the site but it appears that these trees have been removed. The site is situated within Flood Zone 2 (medium risk). Residential properties lie to the east and west.

### **Proposal**

14. The proposal (as amended) seeks the erection of a guest accommodation block for

visitors to the area. It would be sited on land that currently forms part of the garden to No. 1 School Hill. The building would measure 20.5 metres in length, 5.1 metres in depth and have a height of 2.3 metres to the eaves and 4.5 metres to the ridge. The design would be that of a traditional pitched roof building. The accommodation would provide four ensuite bedrooms and a cleaner's store. The materials of construction would be white painted render for the walls and natural grey slate for the roof. The Horse Chestnut tree would be retained.

### **Principle of Development**

15. The site is located within the village framework of a Rural Centre. The provision of guest accommodation for tourists in connection with the existing public house on site of the scale and type proposed is supported in policy terms. A condition would be attached to any consent to restrict its use to short term holiday lets.

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

16. The proposal would not result in the loss an important green space in the conservation area given its lack of visibility from public viewpoints. The scale, single storey height, traditional form and design and materials to match the existing building of the building are considered appropriate and would preserve the character and appearance of the conservation area.

### **Neighbour Amenity**

17. Residential properties at Nos. 2 and 4 Home Close are situated to the east of the site and Nos. 17, 19 and 21 Harding Way are situated to the west of the site. The development is not considered to have an unacceptable impact upon the amenities of these properties through an unduly overbearing mass, loss of light, loss of privacy or noise and disturbance. Planning permission was previously granted for a bungalow on the site.
18. Whilst it is acknowledged that the building would project across the whole width of the garden at No. 19 Harding Way, it would be low in height, situated a distance of 12.5 metres from the rear elevation of that dwelling with a roof sloping away and be orientated to the east. The windows in the rear elevation would be behind boundary fencing and planting. This is not considered to result in an unacceptable relationship.
19. Whilst it is acknowledged that the building would project across the whole width of the garden at No. 2 Home Close, it would be low in height, situated a distance of 19 metres from the rear elevation of that dwelling with the roof sloping away and be orientated to the west. The access to the front of the building and windows and doors in the front elevation would be behind boundary fencing and planting. This is not considered to result in an unacceptable relationship.
20. Although it is noted that the provision of a building in this location would result in an increase in noise and disturbance in the area, it would is not considered to have a significant impact that would detrimental to neighbours to warrant refusal of the application. This is due to the boundary screening and planting and use of the building as sleeping accommodation. A condition would be attached to any consent to ensure that the building could not be used for any other purposes.
21. The provision of three parking spaces adjacent the boundary of the dwelling at No. 2 Home Close that has three windows in its side elevation is not considered to lead to an unacceptable level of noise and disturbance given that this area is already used for

leisure activities in connection with the public house or for parking purposes.

### **Trees and Landscaping**

22. The proposal would not result in the loss of any significant trees and landscaping that would be detrimental to the visual amenity of the area. The existing Horse Chestnut tree to the south of the building and the hedge and planting to the east and west of the building would be retained. A condition would be attached to any consent to ensure that they are protected during construction. New landscaping in the form of trees would be planted along the eastern and western boundaries to soften the impact of the development upon neighbours.
23. The existing trees covered by a Tree Preservation Order at the entrance to the site have been removed. Replacement planting for these trees cannot be secured under this consent given that it is an existing situation. This matter will be investigated separately.

### **Flood Risk**

24. The site lies partly within Flood Zone 2 (medium risk) given its proximity to Histon brook. There are no records of flooding at the site. The Flood Risk Assessment states that flood levels of Histon brook at are 10.40 AOD for the 1 in 100 year storm event plus 30% allowance for climate change. The levels of the car park at the public house that are located in Flood Zone 2 are at 10.55 AOD and the ground levels of the site where the proposed building is to be located are at 11.15 AOD. The floor levels of the building would be at 11.20 AOD that is 800mm above the 1 in 100 year storm event plus climate change level and is considered acceptable. The proposal is not therefore considered to increase the risk of flooding to the site and surrounding area.

### **Highway Safety and Parking**

25. The development would be unlikely to result in an increase in the level of traffic in the area given its existing use as a public house. The proposal is not therefore considered to be detrimental to highway safety.
26. The permanent provision of three additional parking spaces would accommodate the majority of tourists occupying the accommodation block. Although this may result in some parking within the vicinity of the site, this is considered satisfactory given that there is a public car park within very close proximity to the site and unrestricted on-street parking in the area.

### **Other Matters**

27. The guest accommodation block would be used by its occupiers only. It would not be accessible to the general public. The potential use of the site for crime and anti-social behaviour purposes is a police matter.
28. The need for tourist accommodation is not a planning consideration that can be taken into account in the determination of this application.
29. The development is not considered to result in the loss of any important wildlife habitats for protected species. Any trees removed would be replaced by planting.
30. External lighting would be a condition of any consent to ensure that the proposal would not result in light pollution.

## **Conclusion**

31. 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**

32. It is recommended that the Planning Committee approves the application (as amended).

## **Conditions**

- (a) 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.)
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans: - 1:1250 location plan and drawing numbers 335/14/02 Revision A and 335/14/04 date stamped 14 September 2015.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) No development shall take place until details of the materials to be used in the construction of the external surfaces of the building 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 that the appearance of the site does not detract from the character of the conservation area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
- (d) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the development is occupied in accordance with the approved details and shall thereafter be retained.  
(Reason - To ensure that the appearance of the site does not detract from the character of the conservation area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
- (e) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- (f) 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.)

- (g) In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from [the date of the first occupation of the development hereby approved].
- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
- (Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- (h) The three allocated vehicle parking spaces shown on drawing number 335/14/02 Revision A shall be provided prior to the occupation of the development and thereafter retained.
- (Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (i) Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the premises shall be used for guest accommodation only and for no other purpose (including any other purposes in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).
- (Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (j) The development hereby permitted shall not be occupied at any time other

than for tourist accommodation ancillary to the commercial use of the Red Lion Public House, High Street, Histon and never as permanent residential accommodation.

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

- (k) During the period of demolition and construction, no construction related deliveries, noisy works or power operated machinery shall be carried out on the site before 08.00 hours and after 18.00 hours on weekdays and before 08.00 hours and after 13.00 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.  
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- (l) No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.  
(Reason - To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)

#### **Informatives**

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

#### **Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Supplementary Planning Documents
- South Cambridgeshire Local Plan Submission 2014
- Planning File References S/1474/15/FL, S/1273/95/RM, S/0121/95/D, S/0880/90/O and S/0879/90/F

#### **Report Author:**

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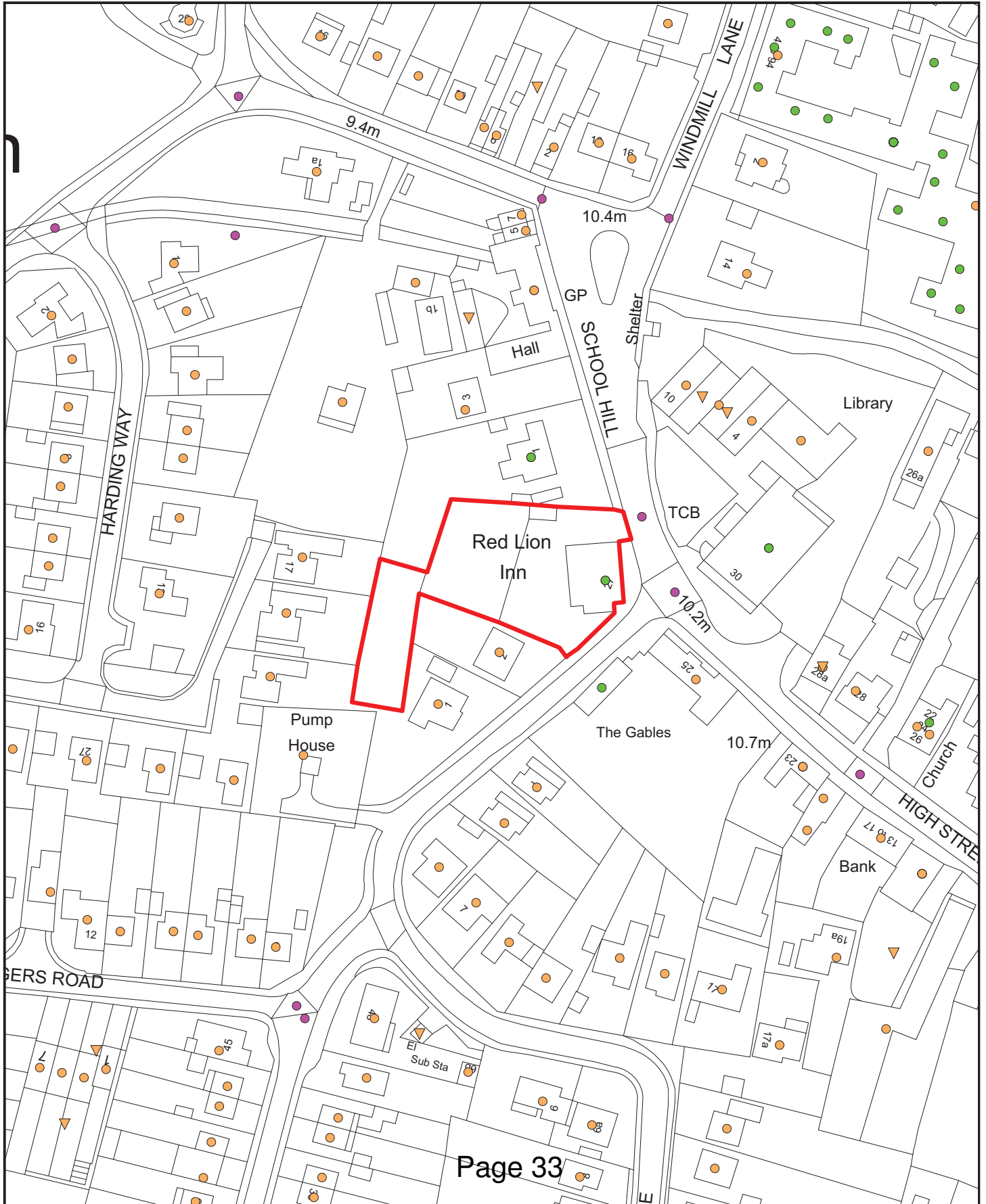
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# Agenda Item 7

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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**Application Number:** S/1829/15/FL

**Parish(es):** Histon

**Proposal:** Erection of 3 no. dwellings and formation of new highway access following demolition of existing bungalow.

**Site address:** 28 Station Road, Histon

**Applicant(s):** Live Residential Ltd

**Recommendation:** Approve

**Key material considerations:** Principle of development, Character and Appearance including heritage assets, Neighbour amenity, Transport and highway safety.

**Committee Site Visit:** 6 October 2015

**Departure Application:** No

**Presenting Officer:** Andrew Fillmore, Principal Planner

**Application brought to Committee because:** The officer recommendation conflicts with the views of the Parish Council.

**Date by which decision due:** 9 October 2015

### **Planning History**

1. None

### **Planning Policies**

2. *National Planning Policy Framework  
Planning Practice Guidance*
3. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007*  
ST/4 Rural Centres
4. *South Cambridgeshire LDF Development Control Policies, adopted July 2007*  
DP/1 Sustainable Development

*DP/2 Design of New Development*  
*DP/3 Development Criteria*  
*DP/4 Infrastructure and New Developments*  
*DP/7 Village Frameworks*  
*HG/1 Housing Density*  
*SF/10 Outdoor Playspace, Informal Open Space and New Developments*  
*SF/11 Open Space Standards*

5. *South Cambridgeshire LDF Supplementary Planning Documents (SPD)*

District Design Guide SPD – adopted March 2010  
Open Space in New Developments SPD – adopted January 2009  
Listed Buildings – adopted July 2009  
Development Affecting Conservation Areas – adopted January 2009  
Landscape in New Developments - adopted March 2010

6. *Draft Local Plan*

CC/4 Sustainable Design and Construction  
H/7 Housing Density  
H/8 Housing Mix  
H/11 Residential Space Standards  
HQ/1 Design Principles  
S/3 Presumption in Favour of Sustainable Development  
S/7 Development Frameworks  
S/8 Rural Centres  
SC/7 Outdoor Playspace, Informal Open Space, and New Developments  
SC/8 Open Space Standards  
TI/2 Planning for Sustainable Travel

**Consultation**

7. **Histon and Impington Parish Council** – Recommend refusal. Site and access discussed. Majority agreed to make a recommendation of refusal, overdevelopment of site, loss of on-street parking and side pathway access inadequate. 4 in favour 1 against.
8. **Local Highways Authority** – No objection. Recommend conditions relating to provision of pedestrian visibility splays, driveway construction and provision of a traffic management plan. Request the cycle parking storage be located more conveniently and not in the rear of the back gardens.

**Representations**

9. One letter of representation has been received from the occupiers of no. 26 Station Road who welcome the early engagement from the architects, but highlight a number of areas which still need to be addressed as follows; Plot 2 will store their bins on a wall adjoining our property which is unacceptable; Concern is raised regarding direct access and movement of motor vehicles as this section of Station Road is heavily used by school children; Concerned about noise and emissions in our front bedroom, living room and hallway from cars parked in front of plot 3; Result in a loss of on street parking, with residents at number 24 and 26 not benefitting from off-street parking and dependant of finding a space in front of no. 28. Parking is especially difficult as Enterprise Rent-A-Car regularly use this area as overflow parking; Request that should the development go ahead as planned, residential parking (for numbers 24

and 26) be designated for this section of Station Road at least to the boundary of number 22 and 24 and preferably to extend to the junction with West Road.

### **Planning Appraisal**

10. The application site comprises a rectangular plot measuring circa 13.5m (width) x 43m (length) located to the west side of Station Road between Saffron Road to the south and West Road to the north. The site is currently occupied by a single detached bungalow positioned to the front, which benefits from off-road parking provision.
11. The site is adjoined by residential development to all sides, with further dwellinghouses in the vicinity. Additionally a limited number of commercial properties can be found nearby, including Enterprise Rent-A-Car which is located a short distance to the south.
12. The site is located within the Conservation Area and framework boundary. The closest Listed Buildings can be found circa 125m to the south (46 and 56 Station Road, both Grade 2 Listed) and 150m to the north (2 Station Road, Grade 2\* Listed)

#### *Principle of development*

13. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Histon along with Impington as a 'Rural Centre' where adopted policy ST/4 advises in such village's new residential development, within village frameworks, without any limitations on the scheme size is supported. This approach is proposed to continue under the emerging Local Plan.
14. The application is located within the framework boundary of a well served village and as such the principle of constructing a new property is supported subject to other land use considerations.

#### *Character and appearance of the built environment including heritage assets*

15. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 Act requires that in determining applications Local Authorities pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
16. Station Road is characterised by a mixture of detached and semi-detached dwellings of traditional appearance fronting and set close to the kerbside. This is interspersed with detached bungalows, normally set further back within the site, and of more modern appearance. There are some examples of short rows of terraced properties.
17. The existing bungalow is of limited architectural value, and its demolition does not harm the Conservation Area. In terms of the replacement building, the terrace is of comparable height to surrounding buildings, but is bulkier due to a combination of its ridge height (19.2m) which extends across the full width of the building, unlike that of the adjoining pair of dwellings to the south. In respect of detailed design and materials, the fenestration pattern including introduction of bay windows and stone cills in combination with the buff brick, slate roof and timber windows is in keeping with the established character.

18. Although on the large size, the replacement building represents a notable improvement to the street scene and positively contributes to both the character and appearance of the Conservation Area, subject to conditions securing detailed finishing.
19. The site is sufficiently separated from the closest Listed Buildings such that no harm is identified to their setting.

#### *Neighbour amenity*

20. Overlooking – the terrace benefits from a ground and first floor window to both side elevations, serving WC/bathroom (facing no. 30) and stairwell (facing no. 26). To the rear the bedroom windows outlook down the garden. Subject to conditioning the WC windows are obscure glazed no harm to the amenity of adjoining residents is identified through loss of privacy.
21. Overshadowing/Loss of outlook – The dwelling to the southern end of the terrace does not extend as far to the rear, at first floor level, as the other two properties thereby preventing material overshadowing/loss of outlook to no. 30 Station Road. No. 26 Station Road is of similar depth to the proposed development, negating concerns of shadowing. No further residential properties are affected by the scheme.
22. The occupiers of no. 26 raise concerns over the location of the bin storage for plot 2 which is positioned adjacent their property. Whilst the location is unusual (bins for plot 2 positioned on plot 3), this relationship with the adjoining property does not give rise to harm of neighbour amenity.

#### *Transport*

23. The county highways officer does not raise an objection, recommending a number of conditions relating to the provision of pedestrian visibility splays, surface water run-off arrangements and surfacing details along with a traffic management plan. These are considered reasonable and necessary as per the requirements of the Planning Practice Guidance.
24. Each of the units is to be served by a single off road parking space. The councils adopted standards seek an average of 1.5 spaces per dwelling across the district. Given the sites location close to a range of services and facilities including access to the guided busway this level of parking provision is considered appropriate to the locality. The development will likely increase pressure for on-street parking, however the increase in demand is not considered to be of a scale which would materially harm the amenity of local residents and does not justify refusal of consent.
25. Turning to cycle provision, each of the units is to be served by secure cycle storage as required by adopted policy. The location of these sheds could be better positioned within each plot and this can be controlled through condition.

#### **Other considerations**

##### *Contributions*

26. Government planning policy that sought to introduce a new national threshold on pooled contributions was introduced on 28 November 2014 but has since been quashed. Policies DP/4, SF/10 and SF/11 therefore remain relevant in seeking to ensure the demands placed by a development on local infrastructure are properly

addressed.

27. There remains restrictions on the use of section 106 agreements, however, resulting from the Community Infrastructure Levy Regulations 2010 (amended). CIL Regulation 122 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is (i) Necessary to make the development acceptable in planning terms; (ii) Directly related to the development; and (iii) Fairly and reasonably related in scale and kind to the development.
28. CIL Regulation 123 has the effect of restricting the use of pooled contributions. In accordance with Planning Practice Guidance "When the levy is introduced (and nationally from April 2015), the regulations restrict the use of pooled contributions towards items that may be funded via the levy. At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy". The pooling is counted from 6 April 2010. The threshold of 5 has already been exceeded in Histon and Impington and therefore it is not possible to secure any financial contributions.

#### *Other*

29. Foul water is to be disposed via the existing sewer network, with surface water disposal via soakaways.
30. No concerns are raised with regard to crime and disorder.
31. The concerns of the Parish Council and correspondence from the single neighbour are noted, with these addressed in the report.

#### **Recommendation**

32. Officers recommend that the Committee approve, subject to the following conditions:

#### **Conditions**

- (a) 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.)
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans: 'Location Plan', 'Proposed Site Plan' Drawing number 'P01', 'Street Elevations – Existing and Proposed' Drawing number 'P02' AND 'Proposed Plans and Elevations' Drawing number 'P03',  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework

2007.)

- (d) The buildings, hereby permitted, shall not be occupied until the parking spaces have been laid out within the site in accordance with the plan titled 'Proposed Site Plan' Drawing number 'P01'.  
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (e) The buildings, hereby permitted, shall not be occupied until covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.  
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
- (f) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C and D of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.  
(Reason - In the interests of the visual amenity of the area in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (g) 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.)
- (h) 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.)
- (i) Apart from any top hung vent, the proposed first and ground floor windows in the side elevation of Plot 1 shall be fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be permanently fixed shut. The development shall be retained as such thereafter.  
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- (j) The driveways shall be constructed such that no surface water drains onto or across the public highway.  
(Reason – In the interests of highway safety)
- (k) Visibility splays shall be provided on both sides of all the points of access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the:
- (a) highway boundary
  - (b) back of the footway
  - (c) edge of the carriageway
- (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (l) Prior to commencement of development details of a traffic management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the agreed details.  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

#### **Informatives**

- (a) Consent from LHA to carry out highways work.

#### **Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- 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

**Report Author:** Andrew Fillmore                      Principal Planner  
Telephone Number:                      01954 713 180

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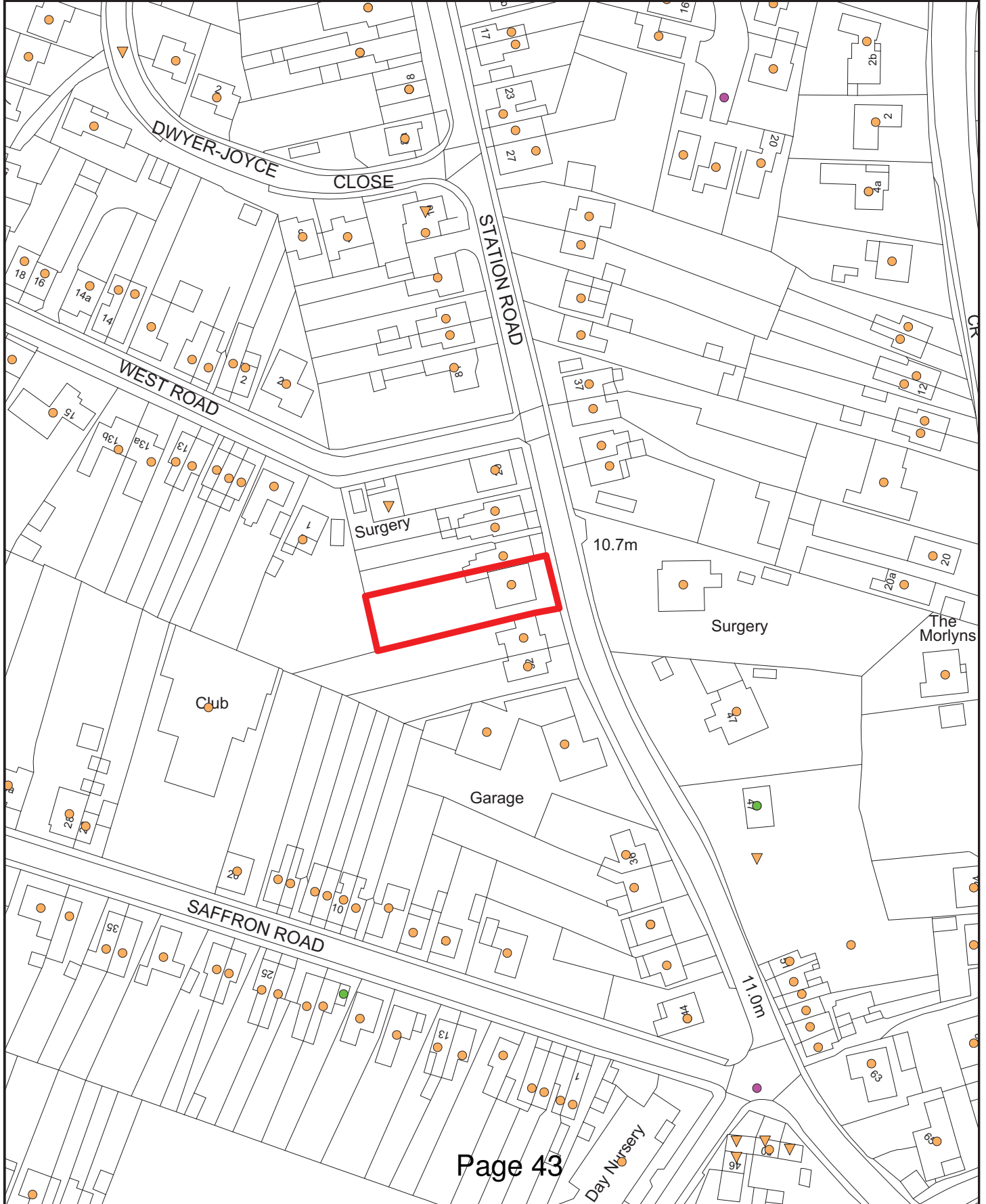
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South Cambridgeshire District Council

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# Agenda Item 8

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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<b>Application Number:</b>	S/1160/15/OL
<b>Parish(es):</b>	West Wickham
<b>Proposal:</b>	Demolition of garage and outbuilding and construction of one single storey dwelling and garage.
<b>Site address:</b>	95 High Street, West Wickham
<b>Applicant(s):</b>	Mr John Pelling
<b>Recommendation:</b>	Approve
<b>Key material considerations:</b>	The main issues are the effect on the character and appearance of the built environment including heritage assets, neighbour amenity and highway safety.
<b>Committee Site Visit:</b>	Yes
<b>Departure Application:</b>	No
<b>Presenting Officer:</b>	Andrew Fillmore
<b>Application brought to Committee because:</b>	The officer recommendation is contrary to the views of the Parish Council.
<b>Date by which decision due:</b>	30 June 2015

### Planning History

1. No relevant planning history.

### Planning Policies

2. National Planning Policy Framework  
National Planning Policy Framework (NPPF)  
Planning Practice Guidance
3. Proposed Local Plan July 2013  
S/1 Vision  
S/2 Objectives of the Local Plan  
S/3 Presumption in Favour of Sustainable Development  
S/7 Development Frameworks

S/11 Infill Villages  
TI/3 Parking Provision  
NH/14 Heritage Assets

4. Core Strategy, adopted January 2007  
ST/2 - Housing Provision  
ST/7 – Infill Villages
5. Local Development Framework Development Control Policies 2007  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/7 Development Frameworks  
CH/4 Development within the Curtilage or Setting of a Listed Building  
TR/1 Planning for More Sustainable Travel  
TR/2 Car and Cycle Parking Standards

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

6. **Parish Council** –Recommend refusal. By referring to the Development Framework Plan for the Local Plan Policy NH11, the Parish Council considers the proposed siting of the building to be partially outside the Development Framework and the Parish Council considers that a consistent application of this planning requirement should be maintained. The Council also feels that the proposed application does not meet the requirements of ‘infill’ as the proposed property does not have frontage on an existing road merely access via a shared drive. The proposed enhancement of an existing listed property was noted.
7. **Cambridgeshire County Council Highways Authority** – No objections subject to demonstrating visibility splays of 2.4m x 43m as measured from the near edge of the highway carriageway can be achieved. Recommend conditions relating to access construction and an informative stating the need to obtain a license to carry out works on the public highway.
8. **South Cambridgeshire District Council Urban Design** – (Commenting on two dwellings). Removal of the existing outbuilding would improve the setting of the listed building, but the backland development crossing the village framework is out of character for the village and is not supported. A single dwelling, within the framework boundary, as a replacement to the outbuildings currently adjacent the boundary with no. 91 offers the opportunity to improve the setting of the listed building subject to a sensitive design.

#### **Representations**

9. Two letters of representation have been received, one in support of and one opposing the development. The representation in support states ‘I would like to give my support to this application but as ever I expect our petty minded parish council to object’. The representation opposing cites concerns that some of the site is located outside the village envelope, the neighbourhood plan has shown that affordable housing is needed and not bungalows, the plan is for profit and not need, the development will lead to further houses, vehicular traffic will impact on neighbour amenity, light pollution will result from the scheme and the site is waterlogged.

## **Planning Comments**

10. The application site comprises a roughly rectangular parcel of land located to the side of no. 95 High Street, and rear of no. 91 (Ivy Cottage) within the village of West Wickham. Vehicular access is provided via the existing driveway which serves the host property (95 High Street), with the site occupied by a single storey workshop/outbuilding located along the boundary with no. 91.
11. The adjoining property no. 91 High Street (Ivy Cottage) is Grade 2 Listed and benefits from the following listing description '*Cottage possibly originally a pair. Early C18. Timber-framed plastered and long straw thatch. Shared axial ridge stack. Four bays in single range. One storey and attic. Two eyebrow dormers. Two ground floor casements and two doorways, one in modern timbered porch.*'
12. The application proposal seeks outline planning consent, access only, for the construction of one single storey bungalow and associated garaging following demolition of the garage/outbuilding. The application is supported by an indicative layout plan and elevations/floor plans demonstrating how the site can accommodate the level of development proposed.
13. The application originally sought consent for two dwellings (one inside the framework boundary and one outside), with this subsequently amended to a single property.
14. The vast majority (circa 85-90%) of the application site is located within the framework boundary and is not subject to any other designations. The small part of the site which lies outside the development framework is used as residential curtilage to the host dwelling, and the proposal does not extend into the open countryside .

## **Principle of development**

15. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies West Wickham as a 'Infill Village' where adopted policy ST/7 advises in such villages new residential development, within village frameworks, will be restricted to a maximum of two dwellings where this 'relates to redevelopment or sub-division of an existing residential curtilage. The village is proposed to maintain this status under the emerging Local Plan.
16. The application is largely located within the framework boundary and as such the principle of constructing a new property is supported subject to other land use considerations.

## **Form and character including setting of Ivy Cottage (Grade 2 Listed)**

17. The NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation and that local planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance, and that proposals that better reveal the significance of the asset should be treated favourably.

18. The existing unattractive outbuilding is located on the boundary with and in close proximity to the Grade 2 Listed Ivy Cottage (91 High Street), with this relationship detracting from the setting of the listed building.
19. The removal of the outbuilding in combination with setting the new development back from Ivy Cottage (as indicated on the indicative plan) will improve the setting of the adjoining listed structure and weighs in favour of the scheme. Officers are of the view this aspect of the scheme should be given substantial weight.
20. Turning to the impact on the character and appearance of the built environment, West Wickham is a largely linear village characterised by dwellings fronting the road and set on elongated plots. However there are some exceptions to this, evidenced to the southern side of the High Street east of the application site where there are examples of development at depth. Despite these exceptions the development would be at odds with the general pattern of the built environment, although this is tempered by the presence of the large workshop/outbuilding.
21. The site is partially visible from a public footpath which can be found to the rear of and east of no. 103 High Street. Subject to a suitable design being agreed (to be assessed at reserved matters stage) no harm is identified to the landscape character.
22. Planning decisions are required to be made in the public interest, through balancing the benefits and detractions of each application. Officers are of the view that although the proposal does not represent a linear form of development (as per the existing village character), there is an existing building on the site, and the public benefits of improving the setting of the adjacent listed property outweigh the harm.

#### **Neighbour amenity**

23. The application is in outline form, with matters of layout, scale and appearance not subject to determination. The indicative plan demonstrates it is possible for a bungalow to be constructed on the site without impacting on the amenity of neighbouring residence through overlooking, shadowing or loss of outlook.

#### **Highways safety**

24. The applicant has demonstrated the required visibility splays of 2.4m x 43m can be achieved and subject to appending conditions relating to the construction of the access arrangement (surface water drainage and surfacing material) no harm is identified in respect of highway safety.
25. Adequate parking/turning area can be accommodated on site to cater for both the new dwelling and host property.

#### **Other consideration**

26. No concerns are raised with regards to crime and disorder, with conditions necessary controlling foul and surface water drainage arrangements and external lighting (light pollution).
27. The Parish Council oppose the application primarily due to part of the site being located outside the framework boundary. Notwithstanding the current position in respect of 5 year housing land supply (with policies relating to the framework boundary not applicable), the vast majority of the site lies within the framework with

the small section positioned outside used as the garden to the host dwelling. As such the proposal does not result in the loss of open countryside.

### **Conclusion**

28. The bulk of the site is located within the framework boundary of a village where adopted policy allows for the construction of new residential development of up to two units, subject to other land use considerations. Although the proposal represents a form of 'backland' development the application offers the opportunity to improve the setting of the Grade 2 Listed Ivy Cottage through replacing an unattractive outbuilding positioned hard on the shared boundary. The NPPF advises that in determining planning applications local planning authorities should take account of the desirability of enhancing the significance of heritage assets, and officers are of the view the benefits of the scheme outweigh the harm.

### **Recommendation**

29. Approve subject to the following conditions

- standard time limits
- approved plans
- foul and surface water management
- details of external lighting
- highways conditions
- Permitted development conditions associated with extensions and rooms in the roof.

### **Background Papers**

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- National Planning Policy Framework  
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Local Development Framework, Development Control Policies, Adopted July 2007  
<http://www.scams.gov.uk/content/local-development-framework>
- South Cambridgeshire Local Plan, Proposed Submission July 2013  
<http://www.scams.gov.uk/localplan>
- Planning File Ref: S/0036/15/FL

**Report Author:** Andrew Fillmore – Principal Planning Officer  
01954 713180

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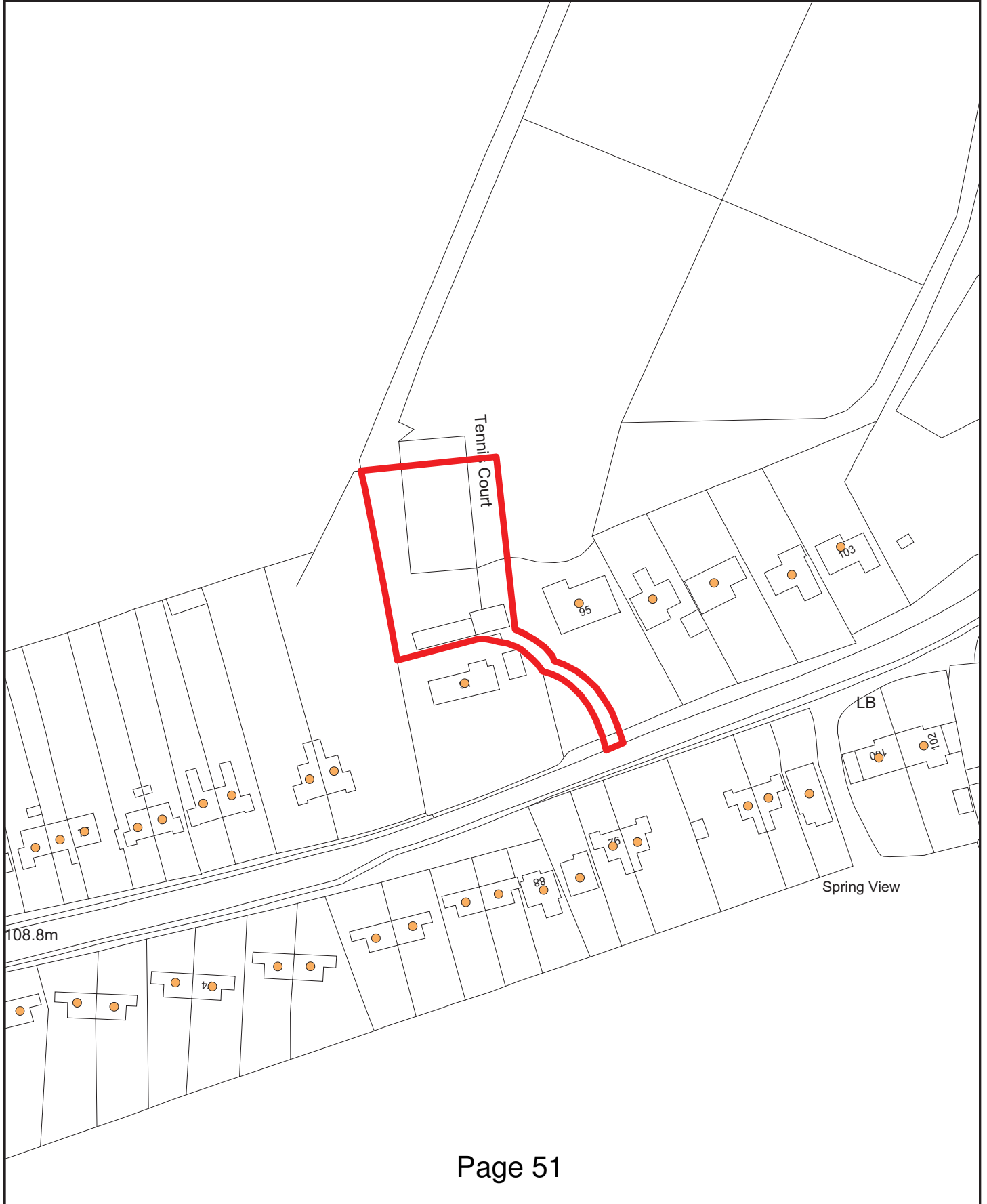
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# Agenda Item 9

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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<b>Application Number:</b>	S/1431/15/OL
<b>Parish:</b>	Waterbeach
<b>Proposal:</b>	Residential Development (144 Dwellings) and Associated Works including Access
<b>Site address:</b>	Land North of Bannold Road
<b>Applicant(s):</b>	Persimmon Homes East Midlands
<b>Recommendation:</b>	Delegated Approval
<b>Key material considerations:</b>	Housing Land Supply Principle of Development Housing Land Supply Proposed Green Belt Character and Appearance of the Area Density Housing Mix Affordable Housing Developer Contributions Design Considerations Trees and Landscaping Biodiversity Highway Safety Flood Risk Neighbour Amenity
<b>Committee Site Visit:</b>	No
<b>Departure Application:</b>	Yes
<b>Presenting Officer:</b>	Karen Pell-Coggins, Principal Planning Officer
<b>Application brought to Committee because:</b>	Departure Application
<b>Date by which decision due:</b>	4 September 2015 (Extension of Time agreed)

### Executive Summary

1. This proposal, as amended, seeks permission for a residential development outside the Waterbeach village framework and in the countryside. This development would not normally be considered acceptable in principle as a result of its location. However,

two recent appeal decisions on the site and an adjoining site have shown that the district does not currently have a 5 year housing land supply and therefore the adopted LDF policies in relation to the supply of housing are not up to date. The NPPF states that there is a presumption in favour of sustainable development and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. In this case the adverse impacts of the development in terms of limited visual harm are not considered to demonstrably outweigh the benefits that consist of a contribution of 144 dwellings towards the required housing land supply including 58 affordable dwellings, a location with good transport links and a range of services, and creation of jobs during the construction period that would benefit the local economy. Given the above balance, the application is recommended for approval.

### **Planning History**

2. **Site**  
S/1359/13/OL- Residential Development (90 Dwellings) and Access - Appeal Allowed
3. **Adjacent Sites**  
S/1907/14/OL - Residential Development (36 Dwellings) and Access - Approved  
S/0558/14/OL - Residential Development (57 Dwellings) and Access - Approved  
S/0645/13/FL - Residential Development (60 Dwellings) - Appeal Allowed

### **National Guidance**

4. National Planning Policy Framework (NPPF)  
National Planning Practice Guidance 2014 (NPPG)

### **Development Plan Policies**

5. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**  
ST/2 Housing Provision  
ST/5 Minor Rural Centres
6. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Development Frameworks  
HG/1 Housing Density  
HG/2 Housing Mix  
HG/3 Affordable Housing  
NE/1 Energy Efficiency  
NE/3 Renewable Energy Technologies in New Development  
NE/4 Landscape Character Areas  
NE/6 Biodiversity  
NE/11 Flood Risk  
NE/12 Water Conservation  
NE/14 Lighting Proposals  
NE/15 Noise Pollution  
NE/17 Protecting High Quality Agricultural Land

CH/2 Archaeological Sites  
SF/10 Outdoor Playspace, Informal Open Space, and New Developments  
SF/11 Open Space Standards  
TR/1 Planning For More Sustainable Travel  
TR/2 Car and Cycle Parking Standards  
TR/3 Mitigating Travel Impact

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

Open Space in New Developments SPD - Adopted January 2009  
Biodiversity SPD - Adopted July 2009  
Trees & Development Sites SPD - Adopted January 2009  
Landscape in New Developments SPD - Adopted March 2010  
Affordable Housing SPD - Adopted March 2010  
District Design Guide SPD - Adopted March 2010

8. **South Cambridgeshire Local Plan Submission 2014**

S/3 Presumption in Favour of Sustainable Development  
S/4 Cambridge Green Belt  
S/5 Provision of New Jobs and Homes  
S/6 The Development Strategy to 2031  
S/7 Development Frameworks  
S/9 Minor Rural Centres  
SS/5 Waterbeach New Town  
HQ/1 Design Principles  
H/7 Housing Density  
H/8 Housing Mix  
H/9 Affordable Housing  
NH/2 Protecting and Enhancing Landscape Character  
NH/3 Protecting Agricultural Land  
NH/4 Biodiversity  
CC/1 Mitigation and Adaptation to Climate Change  
CC/3 Renewable and Low Carbon Energy in New Developments  
CC/4 Sustainable Design and Construction  
CC/6 Construction Methods  
CC/9 Managing Flood Risk  
SC/6 Indoor Community Facilities  
SC/7 Outdoor Playspace, Informal Open Space, and New Developments  
SC/8 Open Space Standards  
SC/10 Lighting Proposals  
SC/11 Noise Pollution  
TI/2 Planning for Sustainable Travel  
TI/3 Parking Provision  
TI/8 Infrastructure and New Developments

**Consultation**

9. **Waterbeach Parish Council** - Recommends refusal and makes the following comments: -

- i) This is Greenfield land and outside the village envelope in order to protect the rural character of the village from this type of development. This ought not to be changed without consultation with the people of Waterbeach. There are also doubts about whether the way the site meets policies DP/1, DP/2, and DP/4.
- ii) The site is susceptible to flooding and building on it will endanger nearby properties. We note that the Flood Risk Assessment (2.10) states "*logically*

*however any frontage units should have floor levels set slightly higher above the channel of the existing road to ensure that water conveyed in this way does not pose any risk of inundation”*; unfortunately for the existing residents in this area their floor areas cannot be raised!! In the last 2 years Bannold Road has been severely flooded with both rain water and sewerage at least 6 times which has infiltrated residents properties. Anglian Water cannot cope with the current levels of surface water and sewerage in bad weather conditions.

- iii) 144 dwellings is over development of the site. Whilst the existing street scene in the locality of Bannold Road comprises of large front gardens leading to detached housing and the ex-army quarters to the north enjoy spacious public areas. The Inspector’s agreement to 90 houses was much more in keeping with the area. The conditions he proposed in his judgement should also be applied with rigour including a footpath from the site to the Doctor’s surgery which does not appear on the plans. 144 dwellings may increase the number of vehicles by 300. This will further reduce road safety in the already congested streets of Waterbeach in particular around the area since the sale and occupation of the ex MOD homes to the north of the site. This is in addition to the ever increasing level of HGV and large farm vehicles using Bannold Road.
  - iv) There are 2 existing junctions directly opposite the proposed access to the site creating road safety issues for motorists and pedestrians. The main access could be positioned at the proposed emergency access which appears surplus to requirements.
  - v) The sensible conditions included by the Inspector who approved 90 houses for this site should be applied. In particular 40% affordable housing should be included in any proposal.
  - vi) Loss of green highway used by wildlife including foxes, hedgehogs, deer, owl and bats.
  - vii) Inadequate bus service.
  - viii) The road infrastructure around Waterbeach is at breaking point and needs improvement in capacity and traffic calming before any more building is allowed if our village is to be sustainable.
  - ix) Primary School also creaking at the seams needs expansion to cope with the population increase which will result from this unplanned development.
10. **Policy Team** - Comments that this application seeks to increase indicative dwelling numbers to 144 from the existing permission for 90. The principle of residential development on this site has been determined and is no longer at issue. A density of 41 dph would be acceptable with reference to DC policy HG/1 which refers to densities of at least 40 dph in more sustainable locations. Planning Committee made a decision recently that accepts that this location is a more sustainable location. Little weight can be attached to the density policy in the submission Local Plan H/7 because it is subject to objections.
11. **Affordable Housing Officer** - Comments that there are currently 1,700 applicants on homelink in South Cambs and this proposal will meet some of the housing need in in the district. The number of affordable properties being provided is in accordance with policy H/9 of the Proposed Local Plan, which states that for a development of 3 or more dwellings, there is a requirement to provide 40% affordable housing. A good mix of properties should be provided in order to ensure the development remains sustainable. Generally in South Cambs there is a large demand for 1 and 2 bedroom properties, predominantly due to the Welfare Reform legislation. So, the mix should consist of a higher proportion of 1 and 2 bedroom dwellings. The tenure split should be 70% rented and 30% intermediate housing as stated in the Affordable Housing

SPD. The affordable dwellings should be distributed through a residential development in small groups or clusters, typically 6-8 units, and integrated with the market housing to ensure sustainable communities.

12. **Urban Design Officer** - Comments that the revised plans represent a significant increase in density and total number of dwellings (from 90 to 144), and to an increased density of 41 dph. Though a significant increase, it is in line with current policy, and given the site has relatively few constraints, this should be achievable without compromising all design quality. Careful consideration will need to be given to the parking arrangements at the reserved matters stage to ensure hard standing and cars do not dominate the development. The main concerns with the suggested layout are the location of the open space, and lack of frontage to Bannold Road. There is a very strong frontage to Bannold Road west of Cody Road, and though the lack of current development east of Cody Road results in a much weaker frontage, this needs to be addressed as the various sites come forward to provide a legible development, and to form a strong entrance to each land parcel. If the open space was relocated to a more central location within the site, it would be more accessible to all residents, could provide a central feature within the development that could be viewed from the entrance road, and would allow a stronger built form to be created along Bannold Road.
13. **Landscape Design Officer** - Comments that the site is located to the north of Bannold Road on the north eastern edge of Waterbeach. The site is agricultural land, partly fronting Bannold Road, but mostly to the rear of linear residential development. Situated in an area of relatively open land between the edge of the village and the Barracks to the north. A public right of way is situated to the east of the site which runs north to south along Bannold Drove. The site is situated within the national character area of 46 The Fens as assessed by Natural England. The biggest changes in views will be from the immediate periphery of the application site from Bannold Road and Cody Road. There will also be major / moderate changes in views to the east of the site (dwellings visible above existing hedge line) particularly from the Public Right of Way. Has no objections subject to landscape recommendations in the form of hedges on the boundaries to mitigate the potential adverse impacts of the development and conditions in relation to hard and soft landscaping, details of trees to be retained and the method of protection, no-dig construction within the Root Protection Areas of trees to be retained, boundary treatments, surface water drainage, external lighting, waste/recycling bins, cycle bat brick/boxes and bird nest boxes, log piles, hedgehog and insect houses and swale pond.
14. **Ecology Officer** - Has no objections. The site has been assessed by an ecologist and no particular biodiversity constraints were identified except for a possible water vole burrow in the boundary ditch. This has been re-evaluated in the appropriate season and dismissed as water vole. No trees are to be removed that are considered to offer bat roost potential. There is no particular vegetation on site as it is an arable field, as such I do not require a condition to control vegetation removal during the bird breeding season in this instance. A condition should be used to secure a season of ecological enhancement along the lines of bird and bat box provision.
15. **Local Highways Authority** - Recommends refusal as severe concerns are raised in relation to the connectivity of the site as the proposed footpath along the northern side of Bannold Road is not shown on the plan and the access point would form a crossroads with Josiah Court and causes an unnecessary hazard when a better location could be
16. **Cambridgeshire County Council Transport Assessment Team** - Requires

additional information to assess the impact of the development.

17. **Environment Agency** - Has no objections subject to conditions in relation to any contamination found on site during works and a scheme of pollution control of the water environment to include foul and surface water drainage. Also requests informatives.
18. **Cambridgeshire County Council Flood Team** - Comments that the flood risk assessment is very similar to that submitted for the previous application. Questions whether the permeable area and resulting surface water storage requirements across the site remain identical to the previous scheme. The details of the swales are not shown within the layout. If this matter is clarified, a condition is required for a detailed surface water drainage scheme.
19. **Waterbeach Level Internal Drainage Board** - Comments that the watercourse does not have the residual capacity to accept increased storm flows from new developments and any new development would therefore have to provide attenuation works to limit the capacity to 1.1 l/s/ha to prevent any increase in flood risk. The submitted flood risk assessment has addressed this restriction and the surface water scheme is acceptable in principle. However, further details on the design including the detailed design of the sustainable drainage system, the design of the discharge pipework and headwall to the watercourse and the adoption of the on-site drainage system are required at the detailed planning stage.
20. **Land Drainage Manager** - Comments are awaited.
21. **Anglian Water** - Comments that the foul drainage from this development is in the catchment of Waterbeach Water Recycling Centre that will have available capacity for these flows and that the sewerage system at present has available capacity for these flows via a gravity connection to manhole 0801 in Bannold Road.
22. **Environmental Health Officer** - Has no objections in principle to the proposals subject to conditions in relation to hours of construction works and construction related deliveries, dust suppression measures, piling method statement, a construction programme, noise impact assessment for renewable energy measures such as wind turbines or air source heat pumps, external lighting, and a waste management and minimisation strategy. Also requests informatives.
23. **Contaminated Land Officer** - Comments that a 'Phase I Desk Study' and a 'Phase II Site Appraisal' has been submitted to support the application. This information fulfils the necessary requirements for the assessment of contaminated land and no further investigation, risk assessment or remedial measures are necessary. However, a condition should be attached to any consent in case any contamination is found during works.
24. **Cambridgeshire County Council Historic Environment Team** - Has no objections but recommends a condition for an archaeological investigation to ensure that no unrecorded loss of potential archaeological remains occurs through construction.
25. **Section 106 Officer** - Comments are awaited.
26. **Cambridgeshire County Council Education Team** - Comments are awaited.



## **Representations**

27. Approximately 50 letters of representation have been received from local residents surrounding the site. They raise the following concerns: -
- i) Increased traffic.
  - ii) Road infrastructure.
  - iii) Highway safety issues at access point as opposite two junctions.
  - iv) High density urban development out of keeping with area.
  - v) Loss of rural character of the village.
  - vi) Loss of high grade agricultural land.
  - vii) Brownfield land should be developed first.
  - viii) Green Belt land.
  - ix) No lack of housing land supply.
  - x) Cumulative impact with adjacent developments.
  - xi) Flood risk.
  - xii) Impact upon amenities of neighbours through noise, disturbance, overlooking, overbearing, loss of privacy and loss of outlook.
  - xiii) Impact upon views from the public right of way.
  - xiv) Sewage and surface water drainage issues in area.
  - xv) Lack of school spaces.
  - xvi) Affordable housing should be limited to people in Waterbeach.
  - xvii) Impact upon wildlife.
  - xviii) Inadequate bus service.
  - xix) Lack of capacity for rail service.
  - xx) Loss of train station.
  - xxi) Housing quality and reputation of developer.

## **Planning Comments**

28. The key issues to consider in the determination of this application are whether the principle of development is acceptable in the countryside and proposed Green Belt land taking into account the 5 year housing land supply, housing density, housing mix, affordable housing, developer contributions and and impact of the development upon the character and appearance of the area, design considerations, trees and landscaping, biodiversity, highway safety, flood risk and neighbour amenity.

## **Site and Surroundings**

29. The site is located outside the Waterbeach village framework and in the countryside. It is situated on the north eastern edge of the village between Bannold Road and the former barracks. The site measures approximately 4 hectares in area and currently comprises an arable field. There is high fencing and landscaping along the northern boundary of the site, a hedge along the eastern boundary of the site and a drainage ditch, fence and row of small trees along the southern boundary of the site. The western boundary of the site is open.
30. Residential properties are located on Kirby Road to the north of the site and Bannold Road to the south of the site. Open agricultural land lies to the east and west of the site.

## **Proposal**

31. The proposal seeks outline permission for a residential development on the site of up to 144 dwellings along with vehicular access from Bannold Road. The layout, design

and external appearance of site, and landscaping are matters reserved for later approval.

32. 58 dwellings would be affordable in nature. The mix is not known at this stage but would meet local needs. The tenure would be 70% social rented and 30% intermediate. The remaining 86 dwellings would be available for sale on the open market. The mix is not known at this stage but would consist of a range of sizes and types of properties.
33. The access would be off Bannold Road opposite the junction of Josiah Court. The main carriageway would measure 5.5 metres in width. Vehicular visibility splays measuring 2.4 metres from Bannold Road x 43 metres along Mill Bannold Road in both directions would be provided. There would be 2 metres wide footpaths on each side of the access. A new footpath would be provided on the northern side of Bannold Road.
34. The development (as amended) would be arranged in blocks around a central area of open space along with dwellings fronting Bannold Road. It would be predominantly two-storeys in height and a range of detached, semi-detached and terraced properties. The materials would replicate those found within the vicinity of the site. A public open space has been provided within the development. Car and cycle parking spaces would be in accordance with the Council's parking standards.

#### **Principle of Development**

35. The site is located outside the Waterbeach village framework and in the countryside where Policy DP/7 of the LDF and Policy S/7 of the emerging Local Plan states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of up to 144 dwellings is not therefore considered acceptable in principle. However, this policy is considered out of date due to the current lack of a 5 year housing land supply.
36. Waterbeach is identified as a Minor Rural Centre under Policy ST/5 of the LDF and Policy S/8 of the emerging Local Plan where there is a reasonable range of services and facilities and residential developments of up to 30 dwellings are supported in policy terms. The erection of up to 144 dwellings would significantly exceed the amount of residential dwellings allowed in such locations and would not support the strategy for the location of housing across the district. However, this policy is considered out of date due to the current lack of a 5 year housing land supply.

#### **Housing Land Supply**

37. The National Planning Policy Framework (2012) (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
38. On the 25 June 2014 in two appeal decisions for sites in Waterbeach, on the site and an adjoining site, the Inspector concluded that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. This is against the Strategic Housing Market Assessment figure for objectively assessed needs of 19,000 homes between 2011 and 2031, which he concluded had more weight than the Core Strategy figure. It is appropriate for the conclusions reached within these appeal decisions to be taken into account in the Council's decision making where they are relevant. Unless circumstances change, those conclusions should inform, in

particular, the Council's approach to paragraph 49 of the NPPF which states that adopted policies which are "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. Those policies were listed in the decision letters and are: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be policies "for the supply of housing".

39. Where this is the case, paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted (which includes land designated as Green Belt in adopted plans.

#### **Proposed Green Belt**

40. The site is proposed to be designated as Green Belt under Policy S/4 of the emerging Local Plan in order to ensure separation from Waterbeach New Town that is allocated for new residential, commercial and mixed use development under Policy SS/5 of the emerging Local Plan. The Inspector in a recent appeal decision on the site considered that little weight can be attached to the designation of the land as Green Belt in the emerging plan given the objections which have been made to the designation. He considered that the function of spatial separation could be achieved on the land allocated as the Waterbeach New Town to ensure that the existing village would not merge with the new town and that the dismissal of the appeal on the grounds of prematurity would not be justified.

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

41. The site is currently a piece of arable land that is situated outside the Waterbeach village framework and in the countryside. The Council considered in a recent appeal on the site and an adjoining site that it performed two significant functions: first to provide an important visual break between the two settlements that comprise the village of Waterbeach and the former Barracks and second to provide a pleasant visual setting for both settlements. However, the Inspector considered that both physically and functionally the former Barracks now forms part of Waterbeach village as does not have a distinct identity given that recent residential development has already resulted in some coalescence and that the barracks have recently been sold off as private housing and has a similar character to the main part of the village. It is also important to note that the former barracks is physically linked to the existing village via Cody Road which has public footpaths on both sides and that residents would be likely to consider themselves part of the village and use the facilities within the village.
42. The development is considered to result in a loss of openness and rural character that would significantly change the appearance of the site when viewed from Bannold Road and the setting of the village. However, the Inspector considered that these views would only result in limited harm to the setting of the village given the visible backdrop of existing housing and lack of long distance views within the wider context of the site and that the development would continue the pattern of coalescence that has already taken place within the vicinity of the site. The development is not therefore considered to harm the character and appearance of the area.

### **Housing Density**

43. The site measures approximately 4 hectares in area. The erection of 144 dwellings would equate to a density of approximately 36 dwellings per hectare (including the public open space). The net density would equate to 41 dwellings per hectare (excluding the public open space). This would comply with Policy HG/1 of the LDF that seeks a density of at least 40 dwellings per hectare in the more sustainable villages across the district such as Waterbeach. It is also not considered to be out of keeping with the character and appearance of the area.

### **Affordable Housing**

44. 58 of the 144 dwellings would be affordable dwellings. This would comply with the requirement for 40% of the development to be affordable housing as set out in Policy HG/3 of the LDF and Policy H/8 of the emerging Local Plan to assist with the identified local housing need across the district. The mix is unknown at this stage but would address local needs. The tenure split of 70% social rented and 30% intermediate is satisfactory.

### **Housing Mix**

45. The remaining 86 of the 144 dwellings would be market dwellings. The mix is not known at this stage but this would need to comply with Policy HG/2 of the LDF or Policy H/9 of the emerging Local Plan. This policy can be given some weight given that although a large number of objections were received, these are seeking additional flexibility above that set out in the policy.

### **Developer Contributions**

46. Developer contributions are likely to be required towards education, open space and community facilities to make the development acceptable in planning terms. The exact requirements would be subject to the needs of the village and a section 106 legal agreement as part of any consent. Affordable housing, a footpath along the northern side of Bannold Road and upgrading of the existing bus stop on Cody Road would also be included in the agreement.

### **Design Considerations**

47. The application is currently at outline stage only with access to be considered as part of any approval. All other matters in terms of the layout of the site, scale, external appearance and landscaping are reserved for later approval.
48. The comments of the Urban Design Team in relation to the location of the public open space, lack of frontage on to Bannold Road and vehicle parking layouts are noted and will be considered at the reserved matters stage. A condition would be attached to any consent to exclude the indicative layout submitted from the consent. The scale and heights of dwellings is not considered to be out of keeping with the character and appearance of the area.
49. The provision of public open space on the site is satisfactory. This would need to include a Local Equipped Area of Play (LEAP). The exact size is dependent upon the housing mix and will be determined at the reserved matters stage.
50. The indicative landscaping of the site is considered appropriate and a condition would

be attached to any consent to agree the final details of the scheme.

### **Trees/Landscaping**

51. The proposal would not result in the loss of any important trees and hedges that significantly contribute towards the visual amenity of the area. The majority of the trees and hedges along the eastern and southern boundaries of the site that are in a good condition would be retained and protected and new landscaping would be provided along the northern and western boundaries to mitigate the impact of the development upon the surrounding area.

### **Biodiversity**

52. The site is dominated by arable land and is surrounded by species poor hedgerows and some trees along with a ditch. It is considered to have a low ecological value as the trees do not offer bat roost potential, the burrow in the ditch is not that of a water vole and the hedge will be retained. A condition should be attached to any consent to agree ecological enhancements such as the provision of bird and bat boxes.

### **Highway Safety**

53. Bannold Road is a long straight road that bends as its western point where it meets the High Street. It is a fairly quiet road that has a speed limit of 30 miles per hour.
54. The development would result in a significance increase in the level of traffic in the area. Additional has been submitted and the comments of Cambridgeshire County Council Transport Assessment Team are awaited to determine whether the roads have adequate capacity to accept this volume of traffic to ensure that the proposal would not be detrimental to highway safety.
55. The access width of the main road into the site at 5.5 metres would accommodate two-way traffic into the site and would be acceptable. The 2.0 metres footpaths on each side are adequate and would provide safe pedestrian movements. The proposed vehicular visibility splays of 2.4 metres x 43 metres in both directions are considered appropriate. The access would therefore accord with Local Highways Authority standards.
56. There are bus stops on Bannold Road and Cody Road approximately 400 metres to the west of the site. They gives direct public transport access to Cambridge and Ely by an hourly service Monday to Saturdays. This is accessible by walking via a public footpath along the southern side of Bannold Road.
57. Waterbeach railway station is located approximately 1.5km from the site on the southern side of Waterbeach. It gives direct public transport access to Cambridge and London beyond and Ely and Kings Lynn beyond by an hourly service. It is accessible by walking via footpaths and cycling along local roads.
58. The site is considered fairly sustainable given that it has access to two different modes of public transport within close proximity to the site by walking and cycling. This would ensure that there is not over reliance upon modes of transport such as the private car to travel outside the village. However, a contribution is required towards the provision of a shelter and kerbs at the bus stop to improve the facility and further encourage its use to the occupiers of the new development.
59. The Transport Statement commits to the provision of a framework travel plan to

encourage the use of alternative modes of transport other than the private motor vehicle for occupiers of the new dwellings prior to occupation. Measures include the appointment of a travel plan co-ordinator and the provision of information packs to new residents. However, further details are required and a full travel plan would need to be submitted following first occupation of the dwellings. These would be conditions of any consent.

### **Flood Risk**

60. The site is located within Flood Zone 1 (low risk). The River Cam is the most significant watercourse in the area that is located 500 metres to the east of the site. The other notable watercourse within the immediate vicinity of the site is the IDB drain that runs along the eastern side of Bannold Drove. The southern boundary of the site comprises a ditch.
61. Bannold Road has not suffered from flooding from the river in the past. The development is therefore considered to be at low risk of flooding from the river.
62. However, the site is subject to flooding from surface water. Therefore, a robust surface water system needs to ensure that the development would not be at the risk of groundwater flooding. The surface water drainage system would comprise water storage tanks on the site in the form of roadside swales and shallow detention basin with a flow control device to ensure that surface water discharging from the development would not exceed existing greenfield run-off rates and the limit of 1.1 l/s/ha as identified by the Waterbeach Level Internal Drainage Board for discharge into the IDB watercourse. Confirmation is awaited in relation to the size and location of these storage tanks to ensure that they could accommodate surface water from a 1 in 100 year storm event plus climate change. It would not be appropriate to discharge water to the existing ditch along the southern boundary of the site so it is proposed that there is a direct connection to the IDB watercourse through a pipe. The details would be agreed through a condition attached to any consent along with maintenance of the system.

### **Neighbour Amenity**

63. Whilst it is acknowledged that there would be a change in the use of the land from an open field to residential dwellings, the development is not considered to result in a significant level of noise and disturbance that would adversely affect the amenities of neighbours. A condition would be attached to any consent in relation to the hours of use of power operated machinery during construction and construction related deliveries to minimise the noise impact upon neighbours.
64. The impact of the development itself on neighbours in terms of mass, light and overlooking will be considered at the reserved matters stage.

### **Other Matters**

65. Anglian Water has confirmed that the Waterbeach Water Recycling Centre and sewerage system in Bannold Road has available capacity for foul drainage from the development.
66. The development is not considered to result in a risk of contamination providing a condition is attached to any consent to control any contamination identified during the development.

67. The proposal would not result in the loss of any important features of archaeological interest providing a condition is attached to any consent to secure an archaeological investigation on the site.
68. The affordable housing provision on the site cannot be limited to people from the village as it is not an exceptions site.
69. Although it is noted that the development would result in the loss of high grade agricultural land, the need for housing in the district is considered to outweigh the loss of a very small proportion of agricultural land in the district.
70. The proposal would not lead to the loss of the train station in the village. No evidence has been submitted to demonstrate that the bus and trains services in the village are inadequate.
71. The quality of housing and reputation of the developers is not a planning consideration that can be taken into account in the determination of this application.

### **Conclusion**

72. In considering this application, the following relevant adopted development plan policies are to be regarded as out of date while there is no five year housing land supply:  
 ST/5: Minor Rural Centres – indicative maximum scheme size of 30 dwellings  
 DP/7: Village Frameworks  
 This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF.
73. This report sets out how a number of potential adverse impacts can be addressed. However, an adverse impact that cannot be fully mitigated is the limited visual harm arising from the development of the site itself and a cumulative impact when considered in relation to the adjoining developments at Bannold Road and Cody Road.
74. This adverse impact must be weighed against the following benefits of the development:
- i) The provision of 144 dwellings towards the 1400 dwellings to achieve a 5 year housing land supply in the district based on the objectively assessed 19,000 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.
  - ii) The provision of 58 affordable dwellings towards the need of 1,700 applicants across the district.
  - iii) Developer contributions towards public open space and community facilities in the village.
  - iv) Suitable and sustainable location for this scale of residential development given the position of the site in relation to access to public transport, services and facilities and local employment.
  - v) Improvement of footpath along northern side of Bannold Road
  - vi) Upgrade of bus stop on Cody Road.
  - vii) Employment during construction to benefit the local economy.
  - viii) Greater use of local services and facilities to contribute to the local economy.
75. The adverse impacts of this development are not considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the

policies in the NPPF taken as a whole which aim to boost significantly the supply of housing and which establish a presumption in favour of sustainable development in the context of the lack of a 5-year housing land supply. Planning permission should therefore be granted because material considerations clearly outweigh the limited harm identified, and conflict with out of date policies of the LDF.

### **Recommendation**

76. It is recommended that the Planning Committee grants officers delegated powers to approve the application (as amended) subject to the comments of Cambridgeshire County Council Transport Assessment Team, the Local Highways Authority, Cambridgeshire County Council Flood Team, the Land Drainage Manager, the Section 106 Officer and Cambridgeshire County Council Education Team.

### **Conditions**

- (a) Submission of reserved matters details
- (b) Implementation of reserved matter consent
- (c) Approved plans
- (d) Layout excluded from consent
- (e) Access layout drawing number
- (f) Traffic management plan
- (g) Framework travel plan
- (h) Full travel plan
- (i) Boundary treatment
- (j) Hard and soft landscaping
- (k) Landscaping implementation
- (l) Tree protection
- (m) Ecological enhancement
- (n) Surface water drainage
- (o) Pollution control
- (p) Contamination investigation
- (q) Archaeological investigation
- (r) Hours of use of power operated machinery and construction related deliveries
- (s) Dust suppression
- (t) Piling method statement
- (u) Construction programme
- (v) Waste management strategy
- (w) External lighting
- (x) Renewable energy statement
- (y) Water conservation strategy
- (z) Fire hydrants
- (zi) Drainage during construction

### **Requirements under Section 106 of the Town and Country Planning Act 1990**

- (a) Affordable housing
- (b) Footpath along northern side of Bannold Road
- (c) Bus stop upgrades
- (d) Education
- (e) Open space
- (f) Community facilities



**Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

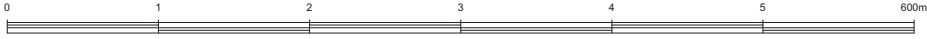
- National Planning Policy Framework (NPPF)
- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- South Cambridgeshire Local Plan Submission 2014
- Planning File References S/1431/15/OL, S/1359/13/OL, S/0645/13/FL, S/0296//15/FL, S/1907/14/OL and S/0558/14/OL

**Report Author:**

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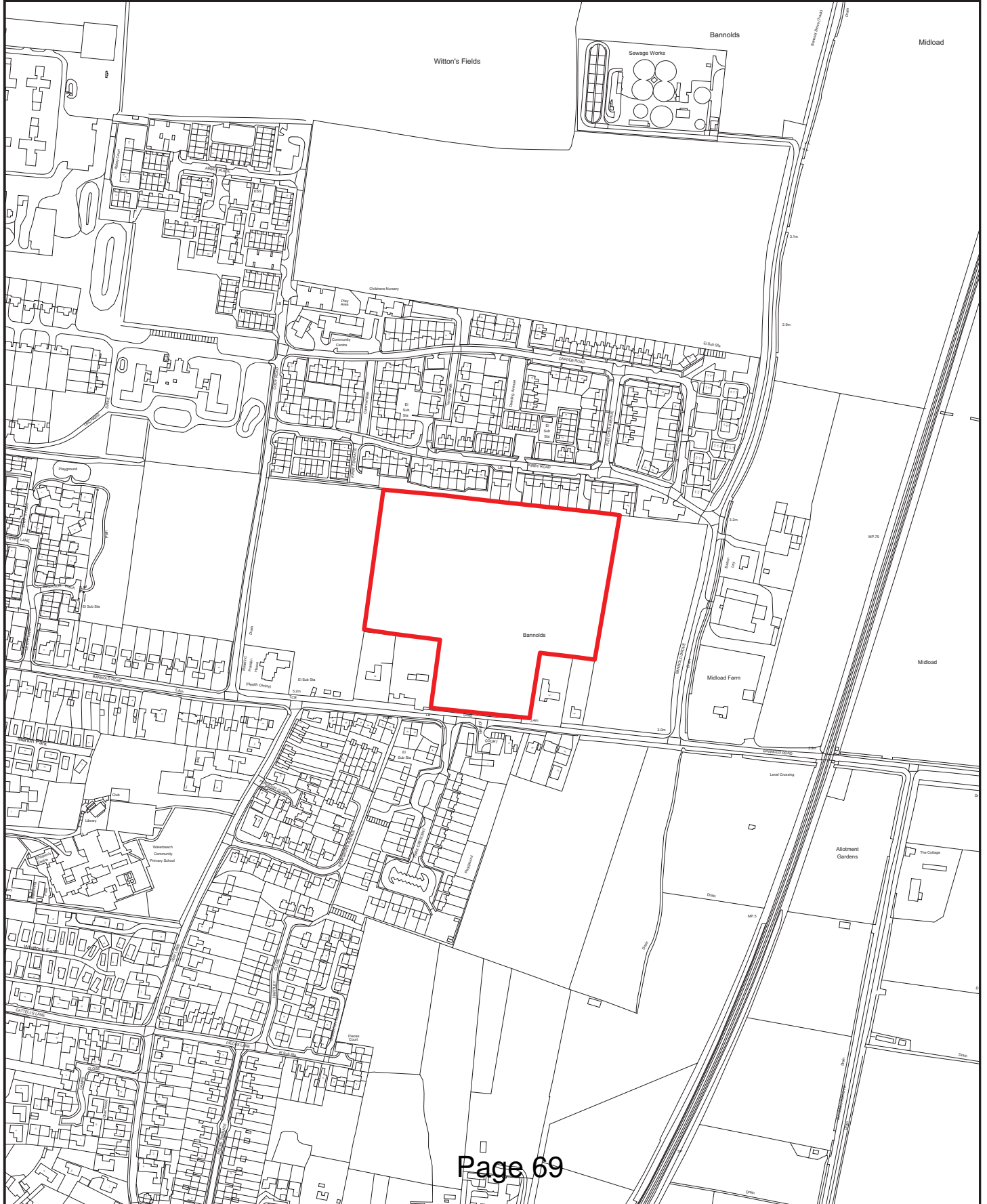
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District Council**

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# Agenda Item 10

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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<b>Application Number:</b>	S/1744/15/FL
<b>Parish(es):</b>	Waterbeach
<b>Proposal:</b>	Dwelling
<b>Site address:</b>	Land at No.9 Burgess Road
<b>Applicant(s):</b>	Mrs Sarah Wynn
<b>Recommendation:</b>	Approval
<b>Key material considerations:</b>	Visual Impact Highway Safety Neighbour Amenity
<b>Committee Site Visit:</b>	None
<b>Departure Application:</b>	No
<b>Presenting Officer:</b>	Katie Christodoulides, Senior Planning Officer
<b>Application brought to Committee because:</b>	The recommendation of the Parish conflicts with the Officer recommendation of approval.
<b>Date by which decision due:</b>	03/09/2015

### Executive Summary

1. The site is located within the Waterbeach village framework and flood zone 1 (low risk). It previously comprised the front garden to No. 9 Burgess Road that is a two-storey dwelling set back from the road. The site has now been cleared. The proposal seeks the erection of a detached, two storey, three bedroom dwelling. It would be set back approximately 6 metres from the road. The dwelling would measure 9.4 metres in width, 10.6 metres in depth (including a single storey rear element) and have a height of 5.1 metres to the eaves and 7.8 metres to the ridge. Two parking spaces would be provided to the front and a small garden to the rear. This application follows a previously approved application S/1010/14/FL for a dwelling.

### Planning History

2. Site:  
S/1256/15/FL- Dwelling – Withdrawn  
S/1015/14/FL - Dwelling - Approved

3. Adjoining Site:  
S/1253/15/FL - Dwelling - Pending Decision  
S/2003/14/FL - Dwelling - Approved

### **Planning Policies**

4. National Planning Policy Framework  
Planning Policy Guidance
5. **South Cambridgeshire LDF Core Strategy DPD, 2007:**  
ST/5 Minor Rural Centres
6. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**  
DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Development Frameworks  
HG/1 Housing Density  
NE/6 Biodiversity  
NE/11 Flood Risk  
SF/10 Outdoor Playspace, Informal Open Space, and New Developments  
SF/11 Open Space Standards  
TR/1 Planning for More Sustainable Travel  
TR/2 Car and Cycle Parking Standards
7. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
Open Space in New Developments SPD - Adopted January 2009  
Biodiversity SPD - Adopted July 2009  
Trees & Development Sites SPD - Adopted January 2009  
Landscape in New Developments SPD - Adopted March 2010  
District Design Guide SPD - Adopted March 2010
8. **South Cambridgeshire Local Plan Proposed Submission July 2013**  
S/7 Development Frameworks  
S/9 Minor Rural Centres  
HQ/1 Design Principles  
H/7 Housing Density  
H/15 Development of Residential Gardens  
NH/4 Biodiversity  
CC/9 Managing Flood Risk  
SC/6 Indoor Community Facilities  
SC/7 Outdoor Playspace, 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**

9. **Waterbeach Parish Council** – Objects to the proposal as it considers the situation in Burgess Road has changed significantly in recent times and therefore now considers that this application constitutes overdevelopment due to ongoing problems of increased road traffic generation and highway safety.

10. **Local Highways Authority** – Raises no objections and requests conditions are added to any consent granted in regard to pedestrian visibility splays, car parking space requirements, the falls and levels of the driveway, the driveway being constructed of a bound material and an informative in regard to permission from the highway authority for works to the highway.
11. **Landscape Design Officer** – No objections to the proposal and requests the applicant plants 2 No. small garden trees within the rear property to screen the proposed dwelling.
12. **Environmental Health Officer** – Raises no concerns and requests conditions are added to any consent granted in regard to hours of work, burning of waste, driven pile foundations and an informative in regard to noise and dust.

### **Representations**

13. None.

### **Planning comments**

14. The principle of one dwelling has already been established on the site through approved planning consent S/1015/14/FL. Therefore, the key issues to consider in the determination of this application are housing mix, developer contributions and the impacts of the development upon the character and appearance of the area, highway safety and neighbour amenity.

### **Housing Mix**

15. Planning consents S/1015/14/FL and S/2003/14/FL granted planning permission for two dwellings on adjoining sites comprised two three bedroom dwellings. This mix did not comply with adopted Policy HG/2 of the LDF but was considered acceptable due to compliance with emerging plan Policy H/8 of the Local Plan. This policy states that a wide choice, type and mix of housing will be provided to meet the needs of different groups in the community including families with children, older people and people with disabilities. The market homes in developments of 10 or more homes will consist of:
  - a. At least 30% 1 or 2 bedroom homes;
  - b. At least 30% 3 bedroom homes;
  - c. At least 30% 4 or more bedroom homes;
  - d. With a 10% flexibility allowance that can be added to any of the above categories taking account of local circumstances.

The proposed mix of two three bedroom dwellings is considered satisfactory as the emerging policy does not specify any mix for smaller schemes and can be given some weight due to the stage of the Local Plan that it is currently under examination and that a number of objections to the policy are seeking even more flexibility than that currently put forward. The outcome of a number of appeals that have given permission for a similar mix are also material considerations that need to be taken account in the decision of this application.

### **Developer Contribution**

16. Waterbeach village has pooled more than 5 planning obligations towards offsite public

open space improvements. There are no infrastructure projects which have been put forward from the Parish. As a result it is not lawful to secure contributions in line with CiL 123 Regulations and therefore no contributions are to be secured as part of this application.

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

17. The dwellings along the northern part of Burgess Road comprise of a mixed pattern of development with the dwellings set at varying distances from the highway. The character of the area consists of a tandem form of development with dwellings set adjacent to the road and to the rear. The existing dwelling at No.9 Burgess Road is set back from the road, within a large sized plot, being in line with dwellings at Nos. 1,2 & 3 Woodpecker Way. The dwellings along Burgess Road comprise of a variety of designs from traditional to modern designed properties, and range in types and sizes from two storey to bungalows. The proposed dwelling would be set slightly back from the line of neighbouring dwellings at Nos. 5 & 7 Burgess Road, with the design being quite simple and traditional. The proposed height would be 0.7 metres above the immediate neighbouring property at No. 7 Burgess Road, however given this would result in a minimal height difference, the proposal is considered to be acceptable in terms of the visual amenity and character of the area.

### **Highway Safety/Parking Provision**

18. The proposal is not considered to result in any harm to highway safety subject to conditions in regard to pedestrian visibility splays, car parking space requirements, the falls and levels of the driveway, the driveway being constructed of a bound material and an informative in regard to permission from the highway authority for works to the highway.

The provision of two vehicle parking spaces to the front of the dwelling would be in accordance with Council standards that require an average of 1.5 spaces per dwelling across the district (up to a maximum of 2 for dwellings with 3 or more bedrooms in poorly accessible areas). These spaces include visitor parking. The level of parking is therefore considered satisfactory and unlikely to result in on-street parking that would cause and obstruction to the free flow of traffic and be detrimental to highway safety.

### **Neighbour Amenity**

19. The proposed dwelling is not considered to harm the amenities of the neighbour at No. 7 Burgess Road through being unduly overbearing in mass or through a significant loss of light to the windows in the side elevation of that property, as it would be orientated to the north and sited 8.8 metres from the ground floor secondary living room and kitchen/dining room windows and first floor primary bedroom window that would face partly towards the single storey rear element and partly towards the two-storey main element. It is also not considered to result in an unduly overbearing in mass or significant loss of light to the patio area at the side of that property given that it would be situated adjacent to the single storey rear element.



The proposed dwelling is not considered to harm the amenities of the neighbour at No. 9 Burgess Road through being unduly overbearing in mass, through a loss of light, or through a loss of privacy, as it would be sited 27 metres from the boundary and separated by a large front garden from that property.

The proposed dwelling is not considered to harm the amenities of the neighbour at new dwelling to the north through being unduly overbearing in mass or through a loss of light, as it would be sited almost on the same line as that property.

No. 7 Burgess Road is not considered to lead to a loss of privacy to the rear garden of the occupiers of the proposed dwelling due to the oblique angle of view and position of the main sitting out area that would be obstructed from view by the single storey element.

A condition shall be added to any consent granted to remove permitted development rights for any extensions to the dwelling in the interests of the residential amenity of the dwelling.

### **Conclusion**

20. 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 not be granted in this instance.

### **Recommendation**

21. Officers recommend that the Committee approval the application subject to conditions:

### **Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 13/1143/WD.01 Rev A, 13/1143/WD.02 Rev A & 13/1143/WD.04 Rev A.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)]
3. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from

the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation. (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

5. No construction site machinery or plant shall be operated, no noisy works shall be carried out and no construction related deliveries take at or despatched from the site except between the hours of 0800 -1800 Monday to Friday, 0800 -1300 Saturday and not at any time on Sundays or Bank Holidays, unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions. (Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
6. There shall be no burning of any waste or other materials on the site, unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions. (Reason - To minimise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
7. Prior to the commencement of any development, should driven pile foundations be proposed, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer to allow control of noise and vibration. (Reason- To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
8. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary with Policy DP/3 of the adopted Local Development Framework 2007.)
9. The proposed driveway shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
10. The proposed driveway shall be constructed using a bound material to prevent debris spreading onto the adopted public highway. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. The proposed car parking spaces for the dwelling shall be 2.5 metres by 5 metres. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be

constructed in the side (west) of the dwelling at or above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

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

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.  
(Reason - In the interests of residential amenity in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

### **Informatives**

1. The applicant is advised that all building materials shall be kept on the site.
2. To avoid congestion along Burgess Road, it is advisable that deliveries shall be made to the site outside of peak times.
3. 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 suppression 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 the Environmental Health Service.
4. The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

### **Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- S/1256/15/FL & S/1015/14/FL
- National Planning Policy Framework & Planning Policy Guidance

### **Report Author:**

Katie Christodoulides  
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Senior Planning Officer  
01954 713315

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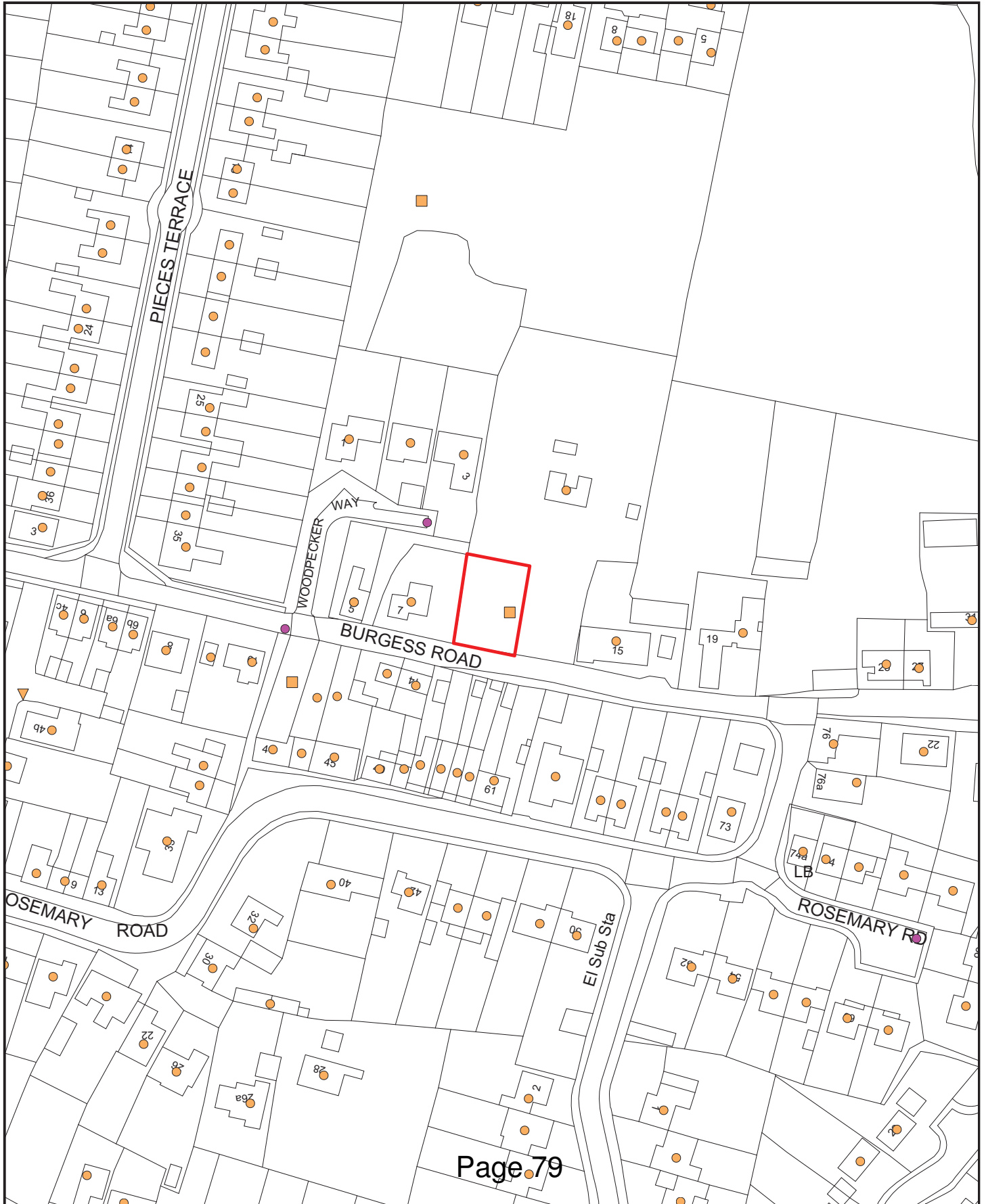
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# Agenda Item 11

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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**Application Number:** S/2009/15/FL

**Parish(es):** Shudy Camps

**Proposal:** Proposed replacement dwelling

**Site address:** Mill Green Meadow, Mill Green, Shudy Camps

**Applicant(s):** Mr and Mrs E Sprules

**Recommendation:** Approve

**Key material considerations:** Principle of development; Landscape impact and highway safety

**Committee Site Visit:** 06 October 2015

**Departure Application:** No

**Presenting Officer:** Andrew Fillmore, Principal Planning Officer

**Application brought to Committee because:** The views of the Parish Council are contrary to the officer recommendation.

**Date by which decision due:** 20 August 2015

### Planning History

1. S/0236/98/O Dwelling (Agricultural link)

S/1323/98/RM Dwelling (Agricultural link)

S/1401/11. Removal of condition 3 (agricultural occupancy condition) from planning permission S/0236/98/O. Approved

S/0176/14/LD Lawful Development Certificate Mobile Home - Refused. Four/ten years not demonstrated.

S/1673/14/LD Certificate of lawful use or development. Approved.

S/0831/15/PB Prior Approval for proposed change of use from agricultural barn to dwelling and associated operational development. Approved.

## **Planning Policies**

2. *National Planning Policy Framework*
3. *South Cambridgeshire LDF Development Control Policies, adopted July 2007*

*DP/1 Sustainable Development*  
*DP/2 Design of New Development*  
*DP/3 Development Criteria*  
*HG/7 Replacement dwellings in the countryside*  
*NE/1 Energy Efficiency*  
*NE/2 Renewable energy*  
*NE/6 Biodiversity*  
*TR/1 Planning for more Sustainable Travel*  
*TR/2 Car and Cycle Parking Standards*

4. *South Cambridgeshire LDF Supplementary Planning Documents (SPD)*

District Design Guide SPD – Adopted March 2010  
Biodiversity SPD – Adopted 2009  
Landscape in New Developments SPD – Adopted March 2010

5. *Draft Local Plan*

H/13 Replacement dwellings in the countryside  
HQ/1 Design Principles

## **Consultation**

6. Parish Council – Recommend refusal. The Council recommend strongly and unanimously that the above planning application for a replacement dwelling at Mill Green Meadow should be refused. The Council considers that the development would be contrary to the established planning policy for non-agricultural development in the countryside. The reasons for recommending refusal are:
  1. The proposed new building is outside the footprint of the existing mobile home that it is proposed to replace.
  2. The proposed new building is substantially larger in both floor area and height than the building it is proposed to replace.
  3. The proposed new building will therefore present a significant different visual aspect from the road and surrounding area.
  4. The Parish Council also took into consideration the proposed barn conversion on the same site which has recently received prior approval (Planning ref: S/0813/15/PB)
  5. If the proposed replacement dwelling (S/2009/15/FL) and the proposed barn conversion (S/0813/15/PB) are permitted, this will effectively convert what was until recently an agricultural field into a small estate of three separate and independent dwellings.
  6. Building a new dwelling on this site will, alongside the proposed barn conversion that has been approved, triple the number of vehicle movements from the site which is served by a rural lane in very poor condition.
  7. The Council also noted that services in Mill Green are limited, with no mains sewer and low capacity electrical supply. Full details are required of the sewerage disposal arrangements in order to ensure that facilities comply



with current government legislation.

8. The Council noted the development history of the site which has seen it change from a field outside the village envelope to potentially, a site for three independent homes in their own curtilages. We doubt that such a development would be permitted within the village envelope itself where infill development is restricted.
7. Local Highways Authority – Recommend a condition requiring a traffic management plan controlling movements of much away lorries, contactor parking, movements and control of deliveries and the control of dust, mud and debris.

### **Representations**

8. A single letter of representation has been received from the occupiers of Grange Farm opposing the application on grounds the increase in size, scale and volume exceeds that which is permissible. Saved Local Plan policy HG/7 allows for replacement dwellings in the countryside subject to a maximum 15% increase in volume. The proposed 43% increase in volume is significant and not 'in scale with the dwelling it is intended to replace'. The application states the existing dwelling can be enlarged under permitted development rights, however this fails to take into account the restrictions on permitted development. Furthermore the proposed dwelling will have a materially greater impact on the countryside compared than the existing building, with the re-positioning of the replacement dwelling not supported by planning policy and is not considered to be a one-for-one replacement. The polytunnels are agricultural buildings so should not be material considerations in determination of the application.

### **Planning Appraisal**

9. The application site is located, outside the village framework, to the edge of the hamlet of Shudy Camps and comprises an existing single storey building and polytunnels, which lie adjacent and north-west of the larger dwelling 'Mill Green Meadow'. To the other side of the dwelling an agricultural building has consent to be converted (S/0831/15/PB) into a residential dwelling. All three properties are in the same ownership and share a single point of vehicular access. The building to which this application relates benefits from a certificate of lawful use establishing the 'lawful residential use' of the site.
10. The history of this building can be summarised as follows;
11. 'In 1998 an agricultural dwelling house was approved on the site for Mr and Mrs Sprules (ref S/1323/14/98/RM). Prior to starting construction works, a mobile unit was placed on the site to allow Mr and Mrs Sprules to live on the site whilst the dwelling house was being built (receipt for the mobile home demonstrates this). The mobile unit was not given formal planning consent and there are no references to it on the historic files.
12. Following the mobile home unit being placed on site, it was extended and altered in 1998 to suit the needs of the occupants. At this stage the mobile home became a more permanent structure. A 'Completion of Work Certificate' provides evidence that the main dwelling was complete on the 26th February 2004.
13. From a period of February 2004 to 2009 the mobile home was used for domestic purposes for various short term agricultural employees (each employee listed).

14. Once the four year immunity period for a single dwelling has been reached "lawfulness" is established and a certificate of lawful development (S/1673/14/LD) was issued by SCDC.
15. The application proposal seeks to replace the lawful dwelling and polytunnel with a 1½ storey dwelling. The proposed new property measures 10.5m (length) x 6.2m (width) x 8m (ridge height) and is to be constructed from a red brick plinth, black weather boarding walls and a slate roof with black stained timber joinery. The property is to be served by two bedrooms and bathroom at first floor level, with a lounge, kitchen, utility room and WC on the ground floor.
16. The key issues identified in consideration of this application relate to;
  - principle of development;
  - impact upon the character of the countryside;
  - highway safety; and
  - other material considerations

*Principle of Development and landscape impact*

17. The Development Plan comprises the Core Strategy Development Plan Document (adopted January 2007) and Development Control Policies Development Plan (adopted January 2007). The Council is in the process of replacing both these policy documents with the new style Local Plan.
18. Policy HG/7 of the adopted Development Control Policies DPD allows for the 'one-for-one' replacement of dwellings in the countryside subject to a maximum 15% enlargement of volume, subject to;
  - The dwelling has not been abandoned
  - The replacement dwelling being in scale with the dwelling it is intended to replace and in character with its surroundings
  - No material increased impact results on the surrounding countryside
19. Emerging Local Plan policy H/13 also allows for the replacement of dwellings in the countryside, but without a defined restriction as to the maximum size of the replacement building. Instead the supporting text to this policy advises the assessment of the design quality, scale, countryside impact and effect on local character will be considered against other policies within the plan. The relevant policy in this case is 'HQ/1 Design Principles' which advises new development must be of high quality, with a clear vision as to the positive contribution the development will make to its local and wider context, including;
  - preserving or enhancing the character of the local rural area and responding to its context in the wider landscape
  - creating a positive sense of place and identity whilst also responding to the local context and respecting local distinctiveness
  - being compatible in its location and appropriate in terms of scale, mass, form, siting and design
20. Nationally the NPPF sets out the Governments planning policies for England and how these are expected to be applied. Section 7 relates to 'Good Design' advising good design is a key aspect of sustainable development. Paragraph 58 advises that new developments should respond to local character and history, and reflect the identity of local surroundings, whilst not preventing or discouraging innovation. Paragraph 64

advises permission should be refused for development of poor design that fails to take the opportunities available for improving the character of the area.

21. The site benefits from a Certificate of Lawful Development (S/1673/14/LD) which has established the building has been used as a residential dwelling. Given this the principle of replacing the dwelling with a new unit of residential accommodation is supported subject to other land use considerations.
22. Turning to the merits of the replacement building, the footprint of the existing mobile home is very small extending to circa 50m<sup>2</sup> and along with this structures single storey height, the impact on the landscape is modest. The proposed replaced building is notably larger (footprint of circa 66m<sup>2</sup> with accommodation in the roof space and a height to the ridge of 7.4n), substantially exceeding the 15% volume guidance in conflict with adopted policy. However the new building remains of a small scale, only providing the level of accommodation reasonably necessary for a modern property (two bedrooms and bathroom at first floor, with lounge, kitchen and utility at ground level). Externally the building is finished with black weatherboarding to the walls, red brick plinth and black stained timber joinery set below a slate roof. Emerging Local Plan policy H/13 also allows for the replacement of dwellings in the countryside, without a defined restriction as to the maximum size of the replacement building but subject to, amongst other things, the impact on the landscape character..
23. As such it is considered, given the emerging policy position and limited size of the existing house, there is sufficient justification to allow a larger replacement building. Officers are of the view the replacement dwelling will not materially harm the landscape character. Given the increase in scale it is necessary to remove permitted development rights relating to alterations and extension as well as the construction of outbuildings to prevent an uncontrolled increase in the size of the development.

*Highway safety*

24. The development will not result in an intensification of use, with the single point of vehicular access which serves the site remaining unaltered. The highways authority does not raise any concerns recommending a condition requiring a construction traffic management plan.

*Other material considerations*

25. No concerns of overlooking, overshadowing or loss of outlook are identified.
26. The proposal seeks the redevelopment of an existing dwelling on a like for like basis and it is necessary to condition the mobile home be removed from site prior to the first occupation of the replacement dwelling.
27. The application proposal does not raise any specific concerns with regards to Crime and Disorder.
28. The Parish Council oppose the development for a number of reasons, including the cumulative impact of recent development on the site. Shudy Camps is a small hamlet which is not a sustainable location, however the development does not seek to increase the number of residential units as there is an established lawful residential use.

## Recommendation

29. Officers recommend that the Committee approve the application, subject to the following conditions:

### Conditions

- (a) 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.)
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans: 'Site Location' Drawing number '100' and 'Plans & Elevations as Proposed' Drawing number '101'  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) Prior to the commencement of any development, a scheme for the provision and implementation of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.  
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

The development hereby permitted shall not be occupied until the dwelling identified as 'Existing dwelling to be demolished on completion' on the Site Layout plan has been demolished in full with all material removed from the site.

(Reason: To prevent a new dwelling in the countryside in accordance with policy HG/7 of the adopted Local Development Framework 2007 Development Control Policies DPD)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C and E of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - In the interests of the landscape character in accordance with Policy HG/7 of the adopted Local Development Framework 2007.)

No demolition or construction works shall commence on site until a traffic management plan has been submitted to and approved in writing by the Local Planning Authority. This management plan shall include details of the movements and control of muck away lorries, contractor parking, movements and control of deliveries and measures to control dust, mud and debris.

(Reason: In the interests of highway safety)

**Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- 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

**Report Author:**

Andrew Fillmore  
Telephone Number:

Principal Planner  
01954 713 180

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# Agenda Item 12

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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<b>Application Number:</b>	S/1765/15/FL
<b>Parish(es):</b>	Great and Little Chishill
<b>Proposal:</b>	Erection of a three bedroomed barn-style dwelling with integral garage and associated new access and driveway
<b>Site address:</b>	6 Maltings Lane
<b>Applicant(s):</b>	M Mander
<b>Recommendation:</b>	Delegated Approval
<b>Key material considerations:</b>	Principle, Impact on heritage assets, Neighbour amenity, Highway safety
<b>Committee Site Visit:</b>	6 October 2015
<b>Departure Application:</b>	No
<b>Presenting Officer:</b>	John Koch, Team Leader
<b>Application brought to Committee because:</b>	The officer recommendation conflicts with that of the parish council
<b>Date by which decision due:</b>	8 October 2015

### Relevant Planning History

1. S2294/04/O – Outline application for chalet bungalow and double garage – Refused  
S2261/14/FL – Chalet bungalow and integral garage - Withdrawn

### Planning Policies

2. *National Planning Policy Framework  
Planning Practice Guidance*
3. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007*  
ST/7 Infill Villages
4. *South Cambridgeshire LDF Development Control Policies, adopted July 2007*

DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Village Frameworks  
HG/1 Housing Density  
CH/4 Development Within the Curtilage or Setting of a Listed Building  
CH/5 Conservation Areas  
SF/10 Outdoor Playspace, Informal Open Space and New Developments  
SF/11 Open Space Standards

5. *South Cambridgeshire LDF Supplementary Planning Documents (SPD)*

District Design Guide SPD – adopted March 2010  
Open Space in New Developments SPD – adopted January 2009  
Listed Buildings – adopted July 2009  
Development Affecting Conservation Areas – adopted January 2009  
Landscape in New Developments - adopted March 2010

6 *Draft Local Plan*

CC/4 Sustainable Design and Construction  
H/7 Housing Density  
H/8 Housing Mix  
H/11 Residential Space Standards  
H/14 Heritage Assets  
HQ/1 Design Principles  
S/3 Presumption in Favour of Sustainable Development  
S/7 Development Frameworks  
SC/7 Outdoor Playspace, Informal Open Space, and New Developments  
SC/8 Open Space Standards  
S/11 Infill Villages  
TI/2 Planning for Sustainable Travel

**Consultation**

7. **Great Chishill Parish Council** – Object. We do not consider that the application meets the overall objective of ‘enhancement’ as required in SCDC planning guidelines for a Conservation area. The submission of a timber clad, very conventional build neither meets the objectives of ‘innovation’ nor is it in harmony with the surrounding buildings, which are white finished.
8. We are of the view that the erection of a substantial fence dividing the garden of No 8 is obviously damaging to the integrity of the former garden. Whether this fence is legal without planning permission in a conservation and in the curtilage of a listed building is an important but separate issue.
9. The footprint of the proposed house almost covers the width of the plot and in the context of spaced properties typically with generous gardens, will create the impression of overdevelopment.
10. Previous comments regarding access in a very narrow lane and an increase of vehicle numbers is still a very serious concern and continue to apply as do those re the non-identification of a separate plot on historic deeds

11. **Local Highway Authority (LHA)** – No objections subject to conditions regarding pedestrian visibility splays, driveway construction (drainage and debris) and a construction traffic management plan as well as an informative re the separate consent of the LHA.
12. **Consultancy Unit, Historic Buildings** – The proposed site for the dwelling is located in Great and Little Chishill Conservation Area and on a street that has a large number of listed buildings. Making it a very constrained site with any development requiring a high quality design that compliments the existing listed building and character of the conservation area. The design follows what was discussed on site prior to the submission.
13. The scale of the proposed new dwelling respects the existing heights along the street, keeping the ridge line low meaning it does not dominate the street scene. The building uses the length of the plot to achieve a good number of bedrooms.
14. I recommend that samples of all external materials should be submitted and agreed.

### **Representations**

15. Letters of objection have been received from the occupiers of 2, 3, 4, 7 Maltings Lane. The points raised can be summarised as follows:
  - (i) A new dwelling will fail to preserve or enhance the conservation area
  - (ii) The setting of no 8 Maltings Lane is the best setting of all the buildings in Malting Lane and will be harmed.
  - (iii) The new boundary fence has been unlawfully erected and has already harmed the setting of no 8 Maltings Lane
  - (iv) The proposed building is too large and therefore not subservient in comparison to the listed building. It cannot be said to be representative of an outbuilding to the Old Bakery
  - (v) Contrary to the traditional and rural setting of the area
  - (vi) The proposed building has no architectural merit
  - (vii) The DAS does not provide any reference to the building performance
  - (viii) Loss of trees
  - (ix) Loss of foliage causing loss of privacy.
  - (x) New dwelling will be elevated from existing ground level thus reducing effectiveness of boundary fence to prevent overlooking
  - (xi) Garden area for the new plot is too small
  - (xii) Too much hard landscaping
  - (xiii) Increased traffic generation along a narrow lane. Detrimental effect on existing road surface
  - (xiv) Additional pressures on access along Maltings Lane
  - (xv) Overlooking
  - (xvi) Overshadowing
  - (xvii) A previous refusal for outline consent in 2004 is still relevant. The application is little different to that withdrawn in 2014.
  - (xviii) The existing house numbering provides no weight for defining a new plot between nos. 4 and 8 Malting Lane
16. 2 letters of support has been received from the occupiers of Crosshill House, May Street and 49 Barley Road. The points raised can be summarised as follows:
  - (i) The site is within the village framework and big enough for an infill dwelling

- (ii) There is a mixture of building styles in the Lane
- (iii) Increased traffic generated by one additional dwelling would not be significant
- (iv) The dwelling would enhance the conservation area
- (v) The site is currently obscured by an existing boundary fence

### **Planning Appraisal**

17. The application has been submitted in response to officers' concerns over the details submitted for a similar application under reference S/2261/14/FL.
18. The site lies within and at the southern end of the village framework and conservation area. It comprises what was until recently, the side garden of 8 Maltings Lane ('The Old Bakery'), having a frontage of 15m and a depth of 48m. A 1.8m high close-boarded fence has been erected (without planning permission) between the two properties and the site is also visually divorced from the road by a long standing 2m high close-boarded fence. The site slopes down from front to rear and also rises gradually towards no.8.
19. Maltings Lane comprises a group of 11 dwellings in the form of a cul-de-sac served by a narrow access without footpaths, off May Street. In addition, to no 8, nos. 1, 7 10, 12 and 14 Maltings Lane are all grade II listed buildings.
20. The main considerations in this case are the principle of development, the impact on the heritage assets, neighbour amenity and highway safety.
21. *Principle of development*  
The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Core Strategy and Development Control Policies DPD's identify Great Chishill as an 'Infill Village' where the construction of a new residential dwelling within the framework is supported.
22. The proposed development would still have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/7 and DP/7 not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.
23. The density of the proposal is accepted with regard to Policy HG/1 and taking into account the physical constraints of the site. Consequently, the principle of the development is considered acceptable subject to the detailed considerations discussed below.
24. *Heritage Assets*  
A previous outline application for a dwelling on this site was refused in 2004 under delegated powers. It was refused on a matter of principle, albeit the proposal was for a dwelling facing the listed building (and not the street). In that case the new dwelling was judged to dominate the setting and attractiveness of the listed building as well as the harmony and grouping of the other listed buildings in the road. The reason for refusal also spelled out that the site was considered to be an important gap site in the conservation area and should not be developed.
25. The width of the site is less than that of the two properties either side and the other houses in Malting Lane which front the road. However, no 8 is an exception to the general trend whereby its main elevation is sited at right-angles to the road, thus creating a gap of approximately 30m between it and 4 Maltings Lane. Despite the

2004 refusal, the Conservation Officer considers the resultant gap is wide enough to accommodate a dwelling that need not have an adverse affect on either the setting of the adjoining and neighbouring listed buildings or the conservation area. This is subject to a satisfactory scale, design and layout being provided.

26. The dwelling seeks to take advantage of the site topography by being designed with a narrow frontage and using the length of the site. It has an eaves height of 2.3m and an overall ridge height of 5.85m. The dwelling will be set into the site such that the ridge heights of nos. 4 and 8 will be approximately 1.25m and 3.9m higher respectively. There is also a resultant gap of 3.6m between the dwelling and no. 4 and more crucially 16.5 with the main range of the listed building (no.8). This is demonstrated by proposed street scene elevations and site sections submitted with the application.
27. As a result, officers are satisfied that the new dwelling will not compromise the setting of the adjoining listed building. Neither will it have any impact on the wider setting of the other listed buildings in Maltings Lane. Retention of the existing unauthorised common boundary fence is undesirable as it creates an unwarranted enclosure of the listed building, but is clearly needed to aid privacy for the existing and future occupiers. Officers have requested that the front half of the fence should be reduced to 1.2m in height (as suggested on the plans) .Given that the existing long-standing fence along the site frontage will also now be removed, this will have a positive benefit in opening up views of the listed building that do not currently exist.
28. The proposal does not therefore compromise the setting of the listed building, or the others in the road and complies with Policy CH/4.
29. The dwelling is of one and a half storeys and intended to be of a 'barn style' design (indeed there was originally a barn on the site). It is to be clad in larch horizontal boarding under a clay tile or slate roof with timber conservation type windows and rooflights. Members will have noted from the site visit that the existing dwellings in Maltings Lane comprise both two and one and a half storey dwellings with a wide range of types and styles These utilise a mixture of concrete tiles, slate and thatch for roofs and horizontal boarding, different coloured render and colour wash for walls. As such there is no overriding uniformity within the street scene.
30. Maltings Lane adds to the character and appearance of the conservation area by virtue of it being a narrow thoroughfare with generally green and open frontages and individually designed dwellings. Nonetheless, a number of the properties do have large gravel drives and turning areas. The proposal will involve the removal of a few insignificant fruit trees and low value conifers and the creation of a new shingle drive and landscaped area to the front of the site. This will allow for a short length of frontage hedge to be planted. The set back of the dwelling into the site will also reduce its physical presence in the street scene. The dwelling sits off the side boundaries and will not have the appearance of having been shoe-horned into the site. It also has a private rear garden area of around 265 sq m which comfortably exceeds the minimum threshold set out in the adopted Design Guide.
31. Thus in spite of the previous refusal, the proposal complies with policies DP/2, DP/3 and CH/5, subject to conditions requiring details of the external materials, revised front boundary treatment and tree protection during construction. It would also be appropriate for a condition removing permitted development rights to ensure both the conservation area and adjoining listed building are not prejudiced by any subsequent additions to the property.

32. *Neighbour amenity*  
The new dwelling will have negligible impact on adjoining dwellings given its overall height, scale and being set down into the site below existing ground levels. The bulk of no 4 is sited well away from the side boundary and the small part of its facing side elevation is devoid of windows. While the rear elevation projects 3m beyond the rear of no. 4, the main windows to no. 4 are well away from the boundary. All the rooflights shown are secondary windows and have a cill height of 1.7m above finished floor level. No material impacts arising from overlooking and overshadowing will occur. There is no neighbour impact on any other property. The proposal therefore complies with Policy DP/3 subject to the aforementioned removal of permitted development rights and confirmation of the finished floor levels as shown on the submitted plans.
33. *Highway Safety*  
The additional demands arising from a single three-bedroom dwelling are such that the LHA has raised no objection subject to various safeguarding conditions. Officers have no reason to dispute the above conclusion though all of the suggested conditions are considered to be necessary.
34. *Other Matters*  
Government planning policy that sought to introduce a new national threshold on pooled contributions was introduced on 28 November 2014 but has since been quashed. Policies DP/4, SF/10 and SF/11 therefore remain relevant in seeking to ensure the demands placed by a development on local infrastructure are properly addressed.
35. There remains restrictions on the use of section 106 agreements, however, resulting from the Community Infrastructure Levy Regulations 2010 (amended). CIL Regulation 122 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is (i) Necessary to make the development acceptable in planning terms; (ii) Directly related to the development; and (iii) Fairly and reasonably related in scale and kind to the development.
36. CIL Regulation 123 has the effect of restricting the use of pooled contributions. In accordance with Planning Practice Guidance "When the levy is introduced (and nationally from April 2015), the regulations restrict the use of pooled contributions towards items that may be funded via the levy. At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy". The pooling is counted from 6 April 2010.
37. Less than five planning obligations have been entered into for developments in the village of Great and Little Chishill since that date. As such, officers are satisfied that the Council can lawfully enter into a section 106 agreement to secure developer contributions as per development control policies DP/4, SF/10, SF/11.
38. However, no specific projects for either outdoor or indoor community facilities have been identified by the Parish Council that are directly related to the development; fairly and reasonably related in scale and kind to the development; or necessary to make the development acceptable in planning terms (as per the requirements on paragraph 204 of the NPPF). As such, no request for such contributions should be sought in the event the application was to be approved.
39. Notwithstanding the objection raised, the building is intended to be timber framed to

high insulation standards and utilising an air source heat pump to aid sustainability.

40. The objections that there was never any intention to create a plot known as 6 Maltings Lane are not relevant and the application has been considered on its merits.

#### **Recommendation**

41. Officers recommend that the Committee approve the application, subject to:

#### **Requirements under Section 106 of the Town and Country Planning Act 1990**

- (a) Completion of an agreement confirming payment of open space contributions

#### **Conditions**

- (a) Time Limit (3 years) (SC1)
- (b) Drawing Numbers (SC95)
- (c) Materials (SC13)
- (d) Landscaping (SC5)
- (e) Landscape Implementation (SC6)
- (f) Boundary Treatment (SC12)
- (g) Removal of Permitted Development Rights (SC29)
- (h) Finished ground and floor levels as per the approved drawings
- (i) Provision and retention of 2m x 2m pedestrian visibility splays (SC22)
- (j) Driveway construction (drainage and bound material)
- (k) Construction traffic management plan

#### **Informatives**

- (a) Consent of the LHA to carry out highway works

#### **Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted July 2007)
- Planning File Ref: S/1765/15/FL, S/2294/04/O

#### **Report Author:**

John Koch  
Telephone Number:

Team Leader (West)  
01954 713268

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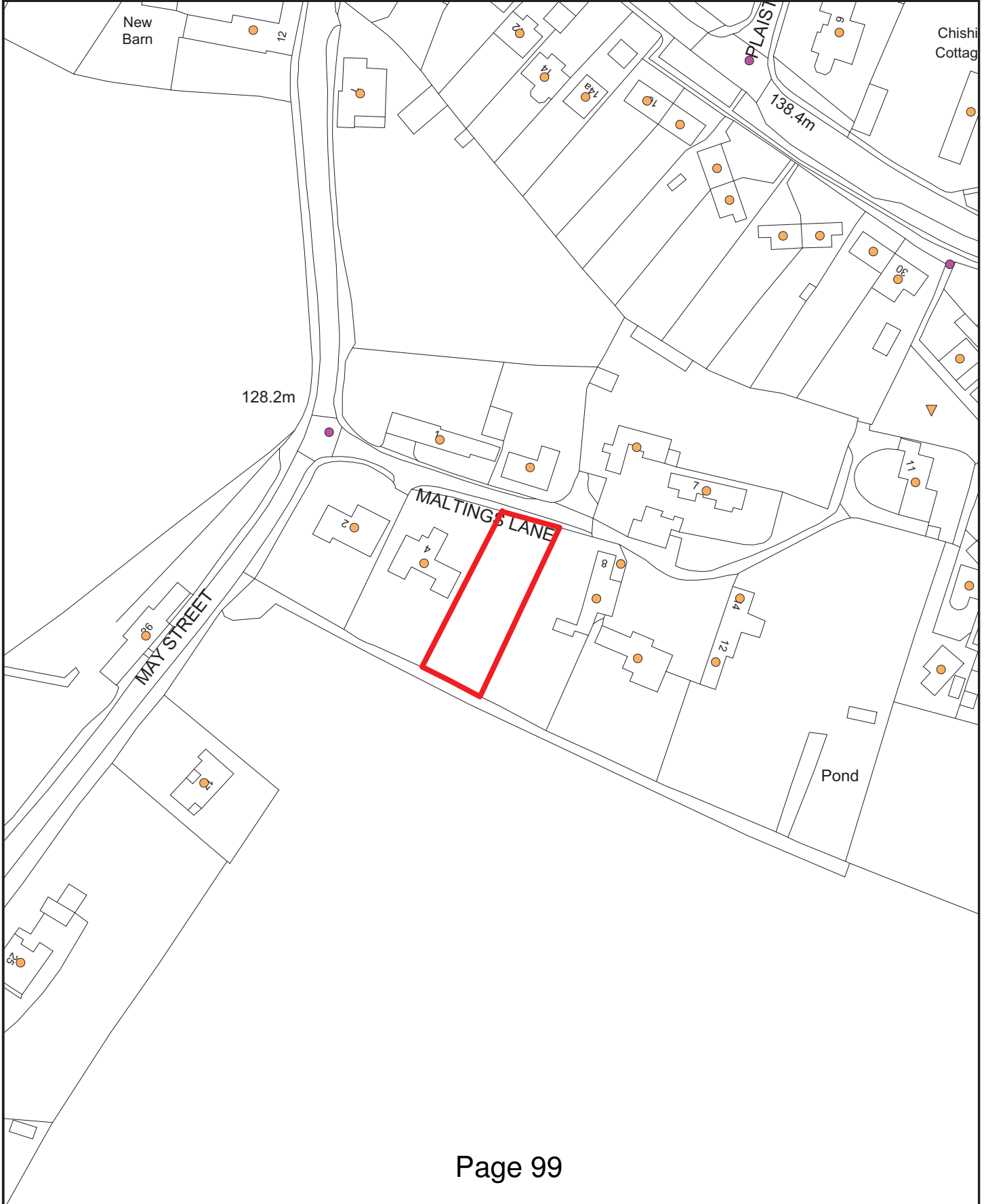
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# Agenda Item 13

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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<b>Application Number:</b>	S/1437/15/FL
<b>Parish:</b>	Fulbourn
<b>Proposal:</b>	Installation of External Wall Insulation to Front, Side and Rear Elevations
<b>Site address:</b>	24 Shelford Road
<b>Applicant(s):</b>	Mr. Graham Cone
<b>Recommendation:</b>	Approve
<b>Key material considerations:</b>	Visual Amenity
<b>Committee Site Visit:</b>	No
<b>Departure Application:</b>	No
<b>Presenting Officer:</b>	Julie Ayre
<b>Application brought to Committee because:</b>	The applicant is a District Councillor
<b>Date by which decision due:</b>	18 August 2015

### Executive Summary

1. The proposed development is the installation of external wall insulation to the dwelling. A neighbouring dwelling on Shelford Road has already undergone such an installation and a permission has recently been granted for another property on Shelford Road to be insulated. It is not considered that the insulation would cause any significant harm to visual amenity or neighbour amenity. The application has been referred to the Planning Committee as the applicant is a District Councillor. Fulbourn Parish Council has recommended approval. Approval of the application subject to conditions is recommended.

### Site and Surroundings

2. The application site is a semi-detached dwelling in brick under a tiled roof. It has single storey extensions to the front and rear.

### Proposals

3. The proposed development is the installation of external wall insulation finished in a through rendered top coat to all elevations of the dwelling.

### Planning Policies

4. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**

DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
NE/1 Energy Efficiency

### **Consultations Responses**

5. **Fulbourn Parish Council** – has recommended approval.

### **Representations**

6. No other representations were received in respect of the proposed development within the statutory consultation period.

### **Planning Comments**

7. The main planning considerations in this case are the impact on visual amenity and residential amenity.

### **Impact on Visual Amenity**

8. **Visual Amenity** - The proposed external installation of the properties would be finished in a through-coloured textured render finish. It would result in a loss of uniformity with the attached neighbouring property, however the new finish would be good quality and has been used on another semi-detached dwelling in the street without any significant harm to the visual amenity of the area. It would extend the walls out under the eaves slightly but this would not cause any significant harm to the appearance of the dwellings. The proposed development is therefore considered acceptable in terms of its impact on the visual amenity of the area.

### **Residential Amenity**

9. **Residential Amenity** - The proposed insulation would not cause any significant harm to the amenity of neighbouring properties.

### **Recommendations**

10. It is recommended that the application is approved, subject to the following conditions:
  - i. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
  - ii. The development hereby permitted shall be carried out in accordance with the following approved plans: ENV201, ENV202, ENV203, ENV204, ENV205, ENV206, ENV207, ENV208, ENV209, ENV210, ENV211 and ENV212.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

- iii. The proposed render shall be finished in a through colour render in OC80 colour in accordance with the Climate Energy Textured Colour Finishes brochure, unless otherwise agreed in writing by the Local Planning Authority.  
(Reason - To ensure the appearance of the development is satisfactory in accordance with policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)

## Background Papers

11. Where the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require documents to be open to inspection by members of the public, they must be available for inspection: -
- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
  - (b) on the Council's website; and
  - (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.
12. The following list contains links to the documents on the Council's website and/or an indication as to where hard copies can be inspected.
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
  - South Cambridgeshire Local Plan Proposed Submission July 2013
  - South Cambridgeshire Supplementary Planning Documents
  - National Planning Policy Framework 2012
  - Planning File Refs: S/1437/15/FL

**Report Author:** Julie Ayre – Team Leader (East)  
Telephone: (01954) 713313

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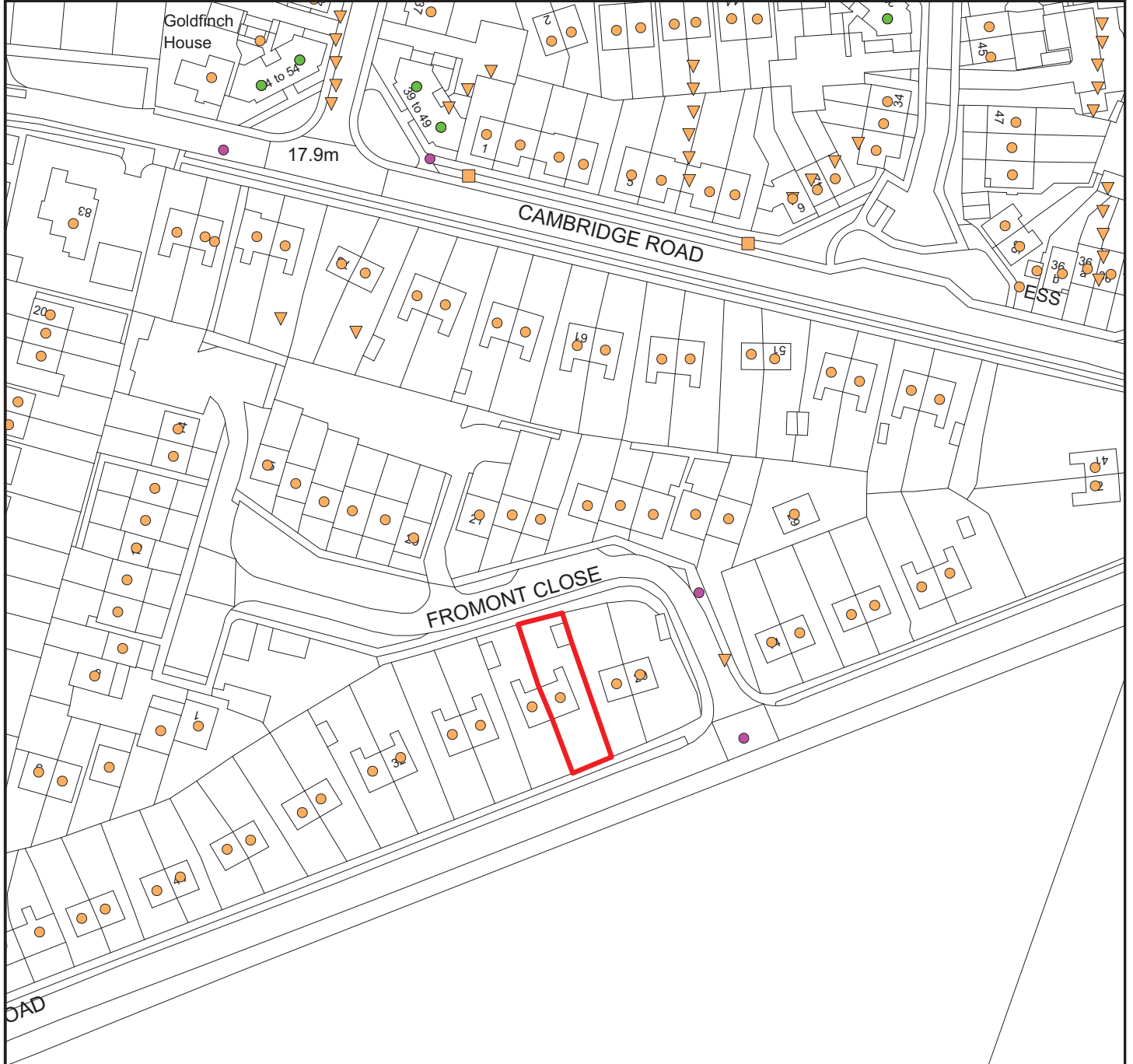
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# Agenda Item 14

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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**Application Number:** S/1703/15

**Parish:** Harston

**Proposal:** Erection of a dwelling

**Site address:** Land to the rear of 168 High Street, Harston Cambridge  
CB22 7QD

**Applicant(s):** Harston Developments LLP

**Recommendation:** Approve

**Key material considerations:** Character and Appearance of the Area/ Neighbourhood  
Amenity/ Highway Safety and parking/ Trees and  
Landscape

**Committee Site Visit:** 6 October 2015

**Departure Application:** No

**Presenting Officer:**

**Application brought to  
Committee because:** The Parish Council view is contrary to that of officers.

**Date by which decision due:** 9 October 2015

1. **Planning History**

S/0747/14/FL- Erection of 8 dwelling - Approved  
S/2068/02/O - 8 dwellings - Withdrawn.  
S/1996/91/F - House - Approved  
S/1904/87/F - Dependent relative annexe and garages -Approved  
S/1248/84/F – Caravan - Refused  
S/0719/82/F - Alteration and extension - Approved  
S/2023/80/O - One Dwelling - Appeal Allowed

**Planning Policies**

2. **National Planning Policy**

National Planning Policy Framework - March 2012 (NPPG)  
National Planning Practice Guidance - 2014 (NPPG)

3. **Local Development Framework (LDF) Core Strategy 2007**  
ST/6 Group Villages
4. **Local Development Framework Development (LDF) Control Policies 2007**  
DP/1: Sustainable Development  
DP/2: Design of New Development  
DP/3 :Development Criteria  
NE/1: Energy Efficiency  
NE/2: Renewable Energy  
HG/1: Housing Density  
TR/1: Planning for more Sustainable Travel  
TR/2 Car and Cycle Parking Standards
5. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
District Design Guide - adopted March 2010  
Landscape in New Developments - adopted 2 March 2010  
Trees & Development Sites - adopted 15 January 2009
6. **Proposed Local Plan July 2013**  
S/7 Development Frameworks  
S/10 Group Villages  
HQ/1 Design Principles  
TI/3 Parking Provision

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

7. **Parish Council** - Recommend refusal for the following reasons:
  - Serious drainage issues
  - Risk of flooding.
  - Assess issues
  - No affordable housing
  - Query as to why developer has put in planning application under previous owners name.
8. **Local Public Highways** – Have requested a number of conditions in relation to visibility splays in relation to the public highway boundary; no demolition or construction works starts on site until a traffic management plan has been agreed; . pedestrian visibility splays for highway safety purposes; the drive ways falls and levels are built to avoid water from the site draining across or onto the adopted public highway and that the driveway is to be constructed using a bound material to avoid material going onto the highway.
9. **Landscape Design Officer** - Has no objection subject to the trees being protected in line with the measures in the Hayden’s Arboricultural Consultants recommendations.

**Drainage Manager** – Has no objections on drainage grounds to the proposal, but would like a standard condition on any approval that clarifies no works shall commence on site until a detailed surface water design has been approved by the Council.

**Representations**

10. Two letters objects have been received from nearby residents raising concerns

regarding :

- a) The control and dispersal of surface water from the property. There is concern that the proposed removal of surface water will not work because of the higher residual water table caused by other developments in the area.
- b) Concerns regarding the increase of traffic onto a point on the High Street.
- c) The blocking out light the proposal will cause in relation to an annexe.

### **Planning comments**

#### **Site and surrounding area.**

11. This site is located within the village framework of Harston, as defined on the proposals map (Inset No 49) and is classified as a Group Village under Policy ST/6, which allows development and redevelopment up to a maximum of eight dwellings. As the proposal is in line with the village framework, under Policy DP/7 such a proposal in principle is acceptable.
12. The site lies in the top northern half of the village within the village framework and is surrounded by residential properties.

#### **Proposed Scheme**

13. The site is currently used as part of the rear garden of 168 High Street, Harston. The proposal would involve the erection of a new detached 2 storey dwelling. The proposed design of the main development (6.65metres high) involves a double gabled roof with dormer windows in the front and rear roof and a higher (8 metres) side extension to both the front (1.5metres) and rear (8.2 metres) of the proposal, of which 2.6 metres is double storey and 5.6 metres is single. This also has a double gabled roof and a chimney on the south west side. It also has some associated hard and soft landscaping and infrastructure. Parking is provided for two cars on site; one within a garage which is contained within the proposed main development. The site would be linked to the High Street via a new road serving eight new dwellings to the north and west of the site.

#### **Principle of development**

14. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Also the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Harston as a Group Village where the construction of a single residential dwelling within the village framework will be supported.
15. Where this is the case, paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. Where relevant policies are out of date, planning permission should be granted for development unless the *“adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole”*, or where *“specific policies in the NPPF indicate development should be restricted”*.
16. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/6 and DP/7 not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.

17. The proposed site measures approximately 396sqm in area, which equals a density of just over 25 dwellings per hectare. Although this is slightly below the required average level of at least 30 dwellings per hectare, Policy HG/1 Housing Density allows for “*exceptional local circumstances*”. As the site is within a rural setting that has larger dwellings located in larger plots in this area, the proposal is acceptable in terms of density.

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

18. The front of the proposed dwelling faces north east and has the front door located in the middle of the property which has been designed to reflect the design and materials of an adjacent scheme for 8 dwellings (S/0747/14/FUL) to ensure the proposal is “*in keeping*” with the local area. The proposed roof is a slate tile and the external finish on the walls is a buff brick.
19. Policy DP/2 on the Design of all New Development requires proposals to be of a suitable size and type for the area as well as a high quality, meeting a number of design standards, as well as preserving or enhancing the character of the local area. In terms of its design, appearance and proportions, the proposed dwelling is in keeping with the character and appearance of dwellings in the area and as a result would not be excessively outstanding in the street scene views or cause substantial harm.

#### **Neighbourhood Amenity**

20. On the south west rear elevation there are two windows at ground floor level and one bi-folding door and two dormer windows in the roof that overlooks the rear garden of No 164 High Street. On the north west side elevation there are two bi-folding doors on the ground floor level and one first floor window that overlooks the rear garden of No 168 High Street. On the north east side elevation there is one door and one window at ground floor level and two small first floor windows (one obscured glazing) that overlooks the yet to be developed site for 8 new dwellings (S/0747/14/FUL).
21. To the south west of the site lies No 164 High Street, who has raised concerns regarding blocking out light the proposal will cause in relation to an Annexe; a wooden structure with no facing windows. Although the single storey element of the proposed dwellings extension is two metres away there will be a boundary fence between the two; the two storey element of the extension is over 7.5 metres away and the main house is over 10 metre at a first floor level the no ground floor window.
22. Although we have been advised that the structure can be used as living accommodation, this is only ancillary to the main use of the house and on balance is not considered to harm the amenities of the main property.
23. To the north west of the site lies No 168 High Street has the main window for bedroom 3 facing it. As it is over twenty five metres away from the rear single storey conservatory, this is an acceptable distance in terms of privacy.
24. To the north east of the site lies the yet to be developed site of the 8 new dwellings (S/0747/14/FUL). Approval has been given and it is expected to face a garage and utility area with one door (and no windows) which will be 3 metres away with a fence between them, it is not considered to cause a lack of privacy or overlooking issue.

25. In light of the above, the proposed replacement dwelling does not have an “unacceptable adverse impact” on the residential amenity, such as loss of privacy or light, on the neighbouring properties nor from undue environmental nuisance such as noise, as required by Policy DP/3 on Development Criteria.

### **Highway Safety and parking**

26. The Local Highways Authority was consulted on the proposal and has recommended a number of conditions which have been included in this report.
27. With regards to one of the objections raised by the Parish Council concerning access and an objection raised by a neighbour in relation to the speed of traffic, the Local Highway Authority has raised no concerns about these.
28. As space has been provided for two cars on site this meets the requirements of Policy TR/2 on Car and Cycle Parking Standards, where an average of 1.5 spaces per dwelling with a maximum of 2 spaces per 3 or more bedrooms in poorly accessible areas such as village locations, so this is also acceptable.

### **Trees and Landscape**

29. The Arboricultural Assessment recorded eleven individual trees, three groups of trees and one hedge. Of these none were found to be of high quality, but of moderate or low quality. It has been recommended that one tree is removed due its low quality and one moderate tree removed due to the layout requirements. It was also found that the proposed dwelling does not infringe on the Root Protect Area of any of the remaining trees. In addition to this the Assessment recommended an Arboricultural Method Statement and tree Protection Plan to be required. This approach was supported by the Landscape Design Officer.
30. Policy DP/1 on: Sustainable Development aims for development proposals to preserve, if not improve local landscape character and as no important trees will be lost, this proposal is considered acceptable in terms of landscaping. A condition will also be recommended to ensure details of hard and soft landscaping are submitted and implemented.

### **Drainage/ Flood risk issues**

31. A couple of the neighbours have raised concerns about the dispersal of surface water and flooding. However, the Drainage Manager has no objections on drainage grounds to the proposal except to include a basic condition on the issue.

### **Other Matters**

32. The Parish Council also raised the issues of no affordable housing. This is not a consideration as policy H/3 on the issue only requires this where the development is for two or more dwellings and this application is only for one so the policy does not apply.
33. There was also a query as to why developer has put in planning application under previous owners name. This was simply due to the fact that the application was going to be made when the previous owners owned the site and all the relevant paperwork was commissioned under their name. However, the completion date was brought forward earlier than planned and the application went in shortly after this time without

these details being amended when originally submitted. The local planning subsequently received a request for these details to be amended, which has now occurred.

### **Conclusion**

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

35. **Recommendation**

Officers recommend that the Committee Approve subject to the following conditions:

### **Conditions**

- (a) **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.)
- (b) **The development hereby permitted shall be carried out in accordance with the following approved plans: Existing & Proposed Site Plans 4769-D; Site Plan P01; Plans & Elevations P02: & Street Scene P03 – all date stamped 07 Jul 2015).**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) **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 LDF 2007.)
- (d) **Visibility splays shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4 metres measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 43 metres measured along the nearside edge of the carriageway from the centre line of the proposed access road.**  
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007)
- (e) **No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas to 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, for both phases all such parking should be within the curtilage of the site and not on street.**
- iii. **Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)**
- iv. **Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.**  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted LDF 2007.)
- (f) **Pedestrian visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary and included within the curtilage of the dwellings.**  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted LDF2007)
- (g) **The new vehicular access and parking shall be constructed of a bound surface materials and provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house.**  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted LDF 2007.)
- (h) **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 LDF 2007.)
- (i) **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 LDF 2007.)
- (j) **No demolition, site clearance or building operations shall commence until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Local Planning Authority following BS 5837. Such**

**fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.**

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

- (k) **Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- (l) **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 LDF 2007.)

- (j) **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**

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

### **Informatives**

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

### **Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- National Planning Policy Framework (March 2011)  
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>



- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)  
<https://www.scambs.gov.uk/content/core-strategy-dpd>
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)  
<https://www.scambs.gov.uk/content/development-control-policies-dpd>
- Planning File Ref: S/1399/15

**Report Author:**

Susan Heinrich

Senior Planning Officer

Telephone Number:

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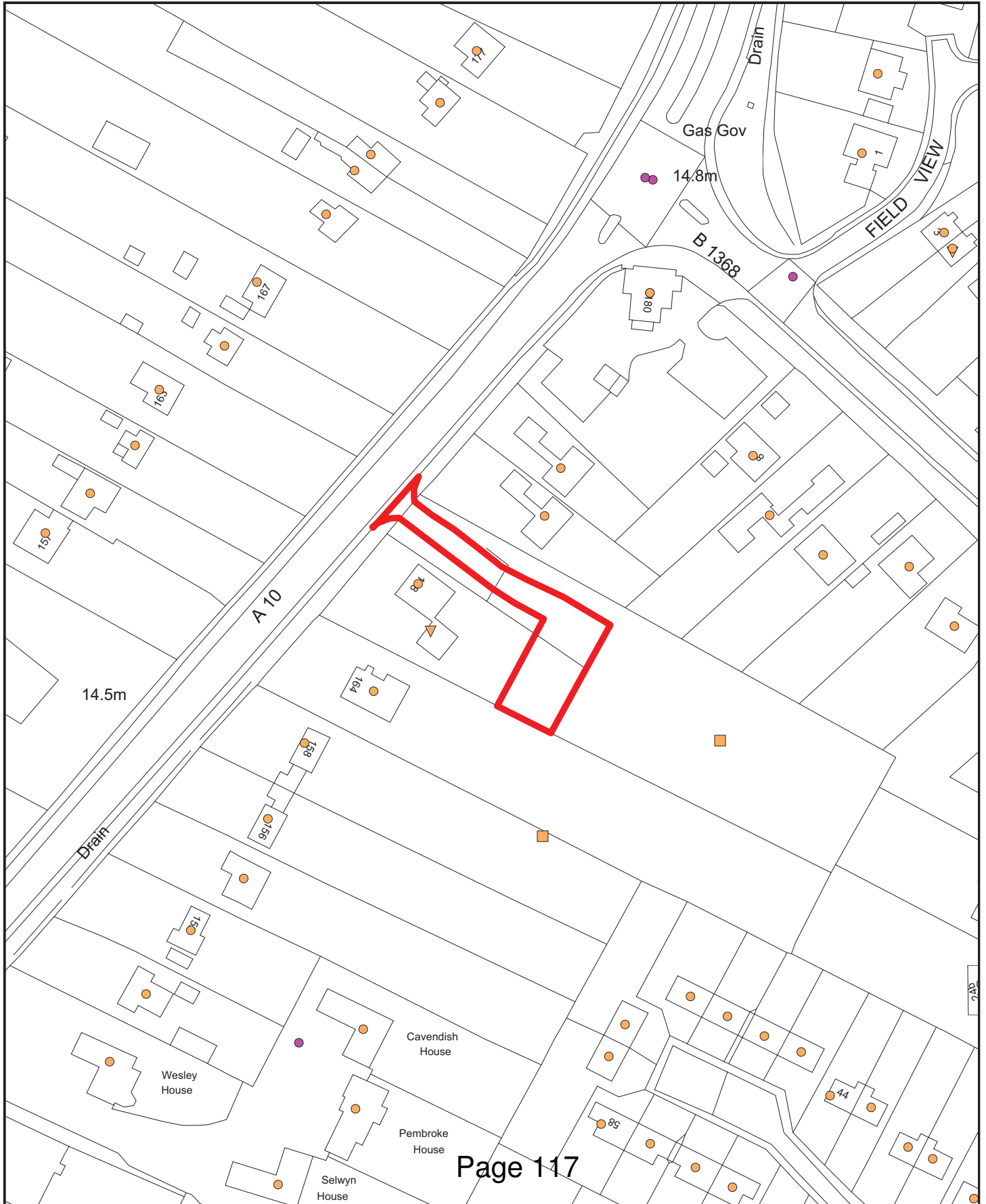
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# Agenda Item 15

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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**Application Number:** S/1660/15/FL

**Parish(es):** Swavesey

**Proposal:** Erection of a three bedroom dwelling and associated new access and driveway

**Site address:** 32 Boxworth End, Swavesey

**Applicant(s):** Mr B Dye

**Recommendation:** Approval

**Key material considerations:** Principle, Character and Appearance of the Area, Neighbour amenity, Highway safety

**Committee Site Visit:** 6 October 2015

**Departure Application:** Yes

**Presenting Officer:** Rebecca Ward, Senior Planning Officer

**Application brought to Committee because:** The officer recommendation conflicts with the views of the parish council

**Date by which decision due:** 28 August 2015

### Relevant Planning History

1. None of relevance.

### Planning Policies

2. *National Planning Policy Framework  
Planning Practice Guidance*
3. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007*  
ST/6 Group Village
4. *South Cambridgeshire LDF Development Control Policies, adopted July 2007*  
DP/1 Sustainable Development

DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/7 Village Frameworks  
HG/1 Housing Density  
SF/10 Outdoor Playspace, Informal Open Space and New Developments  
SF/11 Open Space Standards

5. *South Cambridgeshire LDF Supplementary Planning Documents (SPD)*

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

6 *Draft Local Plan*

CC/4 Sustainable Design and Construction  
H/7 Housing Density  
H/8 Housing Mix  
H/11 Residential Space Standards  
HQ/1 Design Principles  
S/3 Presumption in Favour of Sustainable Development  
S/7 Development Frameworks  
S/10 Group Villages  
SC/7 Outdoor Playspace, Informal Open Space, and New Developments  
SC/8 Open Space Standards  
S/11 Infill Villages  
TI/2 Planning for Sustainable Travel

**Consultation**

7. **Swavesey Parish Council** – Recommends Refusal. Swavesey Parish Council raises an objection to this application as the proposed new dwelling would be outside of the village development boundary and hence against existing planning policy and the Parish Council's support of such policy. Council would like to add additional concerns about highway access and safety. The entrance to the proposed driveway is next to No.34 which abuts the footpath. Council has a concern over visibility and for safety of pedestrians. Boxworth End is also a busy road.
8. **Local Highway Authority (LHA)** – No objections subject to conditions regarding pedestrian visibility splays, dimensions of proposed car parking spaces, driveway construction (drainage, debris and bound material) and a construction traffic management plan as well as an informative re the separate consent of the LHA.

**Representations**

9. None received.

**Planning Appraisal**

10. No.32 Boxworth End is a semi-detached dwelling, which lies within the village development framework boundary. The boundary cuts through the rear garden and as such the proposed siting for the new dwelling will be outside the defined village framework. There are a number of outbuildings within the curtilage including a garage and large shed. The western boundary is screened from the adjacent fields by an

established hedgerow. The southern and northern boundaries are shared with residential properties and their amenity space.

11. Following the submission of amended plans, the dwelling was reduced in height on the 14 September 2015 .
12. The main considerations in this case are the principle of development, the impact on the character and appearance of the surrounding area, neighbour amenity and highway safety.
13. *Principle of development*  
The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth.
14. The site is located outside but immediately adjacent to the designated village framework of Swavesey. For this reason the proposal conflicts with the principle of local planning policies ST/6 of the Core Strategy and DP/1 and DP/7 of the Development Control Policies.
15. However, paragraphs 47 and 49 of the National Planning Policy Framework state that where a planning authority does not have an up to date five year housing supply, the relevant local policies for supply of housing should not be considered up-to-date and that housing applications should be considered in the context of the presumption in favour of sustainable development. The Council does not currently have an up to date 5 year housing supply and therefore the above mentioned policies are considered out of date and the proposal should be assessed against the policies contained within the NPPF.
16. In terms of the economic and social role, it is acknowledged that the proposed dwelling would provide a good degree of social and economic benefit. The site is located adjacent to the village framework of Swavesey which is identified as a Group Village with a good access to services, facilities and public transport.
17. In terms of the environmental role, the site is, to some degree, well related to the existing pattern of development. Its established boundaries enclose the site from the open countryside to the west and existing residential developments to the north would enable it to sit well within its surroundings. As such, a new home that has been suitably designed to fit in with the character and appearance of the area could be acceptable in this location.
18. *Impact on Character and Appearance of the Area*  
The proposed dwelling will be situated roughly 50m from the main road and will be largely screened by the two storey residential properties that line Boxworth End. By virtue of its low ridge height (4.7m), and modest size footprint, officers consider it will have a limited impact on the overall character and appearance of the area and views in the street-scene.
19. Brent Court, which is situated beyond the northern boundary of the site, is also situated 50m from the main road. As such, the proposed dwelling is not considered to be wholly out keeping with the pattern and layout of development in the area. The proposal therefore complies with Policies DP/2 and DP/3 of the Local Development Framework.
20. *Neighbour amenity*  
The new dwelling will have negligible impact on adjoining dwellings given its overall

height and scale. A minimum of a 2-3m gap will be left between both shared boundaries and as such no significant overlooking and overshadowing impacts will occur. The proposal therefore complies with Policy DP/3 of the Local Development Framework.

21. **Highway Safety**  
The additional demands arising from a single three-bedroom dwelling are such that the LHA has raised no objection subject to various safeguarding conditions. Officers have no reason to dispute the above conclusion though all of the suggested conditions are considered to be necessary.
22. *Other Matters*  
Government planning policy that sought to introduce a new national threshold on pooled contributions was introduced on 28 November 2014 but has since been quashed. Policies DP/4, SF/10 and SF/11 therefore remain relevant in seeking to ensure the demands placed by a development on local infrastructure are properly addressed.
23. There remains restrictions on the use of section 106 agreements, however, resulting from the Community Infrastructure Levy Regulations 2010 (amended). CIL Regulation 122 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is (i) Necessary to make the development acceptable in planning terms; (ii) Directly related to the development; and (iii) Fairly and reasonably related in scale and kind to the development.
24. CIL Regulation 123 has the effect of restricting the use of pooled contributions. In accordance with Planning Practice Guidance "When the levy is introduced (and nationally from April 2015), the regulations restrict the use of pooled contributions towards items that may be funded via the levy. At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy". The pooling is counted from 6 April 2010.
25. More than five planning obligations have been entered into for developments in the village of Swavesey since that date. As such, officers are minded that the Council cannot enter into a section 106 agreement to secure developer contributions as per development control policies DP/4, SF/10, SF/11.
26. No specific projects for indoor community facilities have been identified that are directly related to the development; fairly and reasonably related in scale and kind to the development; or necessary to make the development acceptable in planning terms (as per the requirements on paragraph 204 of the NPPF). As such, no request for such contributions should be sought in the event the application was to be approved.

### **Recommendation**

27. Officers recommend that the Committee approve the application, subject to:

### **Conditions**

28. (a) Time Limit (3 years) (SC1)  
(b) Drawing Numbers (SC95)



- (c) Materials (SC13)
- (d) Landscaping (SC5)
- (e) Landscape Implementation (SC6)
- (f) Boundary Treatment (SC12)
- (g) 2m x 2m pedestrian visibility splays (SC22)
- (h) Driveway construction (drainage and bound material)
- (i) Construction traffic management plan

**Informatives**

29. (a) Consent of the LHA to carry out highway works

**Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted July 2007)
- Planning File Ref: S/1660/15/FL

**Report Author:**

Rebecca Ward  
Telephone Number:

Senior Planning Officer  
01954 713268

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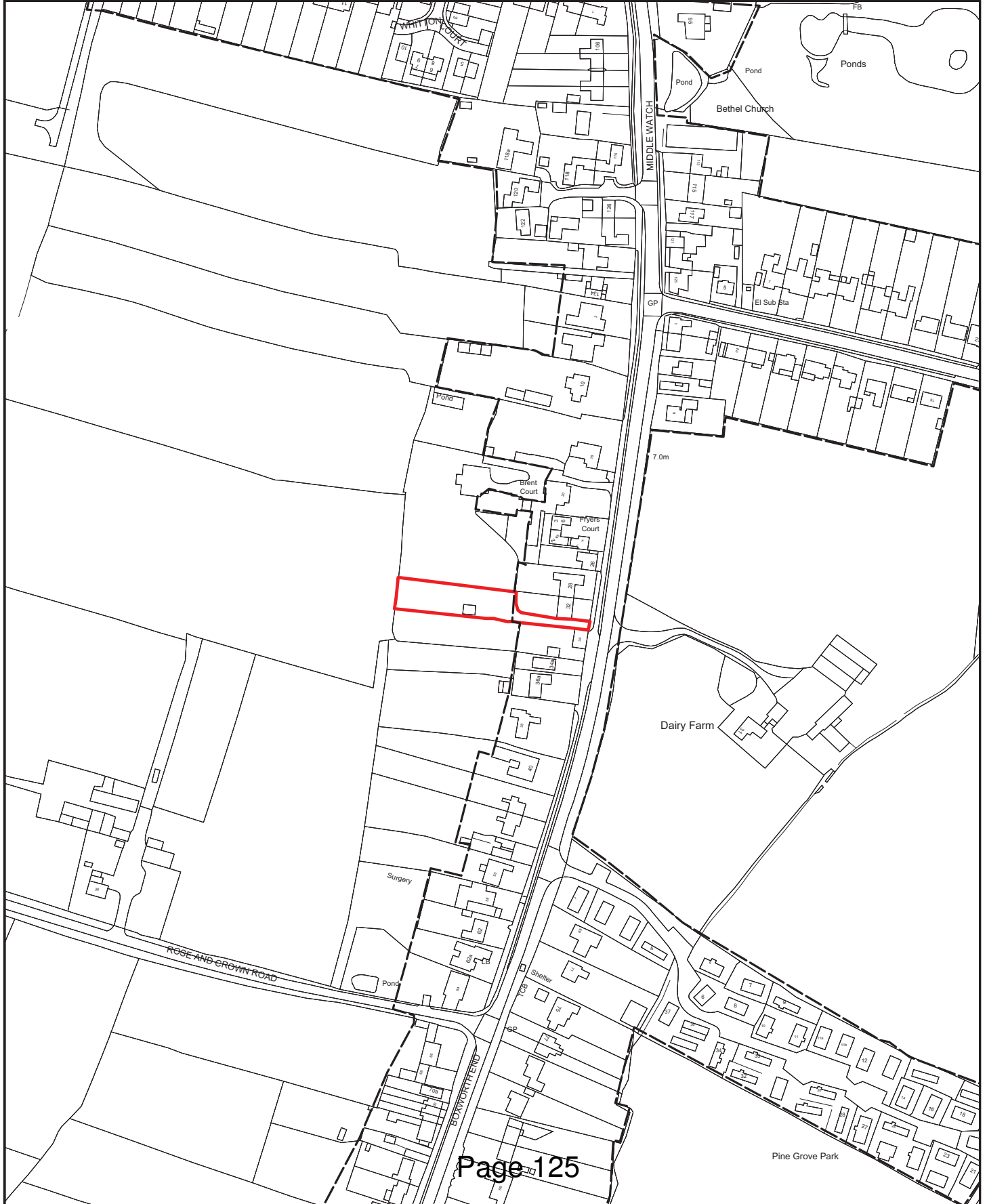
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# Agenda Item 16

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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<b>Application Number:</b>	S/3035/14/FL
<b>Parish(es):</b>	Great Wilbraham
<b>Proposal:</b>	Erection of 6 dwellings, carports and associated access
<b>Site address:</b>	Land rear of 12-18 The Lanes, Great Wilbraham
<b>Applicant(s):</b>	Logan Homes
<b>Recommendation:</b>	Approval (with delegated powers to complete a Section 106 legal agreement)
<b>Key material considerations:</b>	Principle of development Density and Housing Mix Affordable Housing Provision Design and scale Character of the conservation area and surrounding area Residential amenity Highway safety Ecology Trees and landscaping
<b>Committee Site Visit:</b>	Yes (previously undertaken)
<b>Departure Application:</b>	No
<b>Presenting Officer:</b>	David Thompson
<b>Application brought to Committee because:</b>	The officer recommendation is contrary to the views of the Parish Council.
<b>Date by which decision due:</b>	03 March 2015

### Planning History

1. S/1855/12/OL – residential development for six dwellings (outline – access, layout and scale all considered, other matters reserved) – approved (decision dated 18 Feb 2014)
2. S/1174/75/O – outline planning permission for 1 dwelling – refused (for the reason that it would represent undesirable backland development)

## **Planning Policies**

3. National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)
4. Proposed Local Plan July 2013
  - S/1 Vision
  - S/2 Objectives of the Local Plan
  - S/3 Presumption in favour of sustainable development
  - S/10 Group Villages
  - HQ/1 Design Principles
  - NH/4 Biodiversity
  - NH/8 Mitigating the Impact of development in and adjoining the Green Belt
  - H/7 Housing Density
  - H/8 Housing Mix
  - H/9 Affordable Housing
  - H/11 Residential space standards for market housing
  - NH/14 Heritage Assets
  - TI/2 Planning for sustainable travel
  - TI/3 Parking provision
  - SC/7 Outdoor play space, informal open space and new development
  - SC/8 Open space standards
  - SC/12 Contaminated land
5. Core Strategy, adopted January 2007
  - ST/6 – Group Villages
6. Local Development Framework Development Control Policies 2007
  - DP/1: Sustainable Development
  - DP/2: Design of New Development
  - DP/3: Development Criteria
  - DP/4: Infrastructure and New Developments
  - CH/2 Archaeological sites
  - CH/5 Conservation Areas
  - HG/1 Housing Density
  - HG/2 Housing Mix
  - HG/3 Affordable Housing
  - NE/1 Energy Efficiency
  - GB/3 Mitigating the impact of development adjoining the Green Belt
  - NE/6 Biodiversity
  - NE/9 Water and drainage infrastructure
  - NE/10 Foul Drainage
  - SF/10 Outdoor Playspace, informal open space and new development
  - SF/11 Open Space standards
  - TR/1 Planning for more sustainable travel
  - TR/2 Parking Standards
7. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
  - District Design Guide
  - Development Affecting Conservation Areas
  - Trees and Development sites

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

**Parish Council – Great Wilbraham Parish Council** – object to the proposal for the following reasons:

- The scale of the buildings is excessive in relation to the surrounding development and would adversely affect the setting of the Baptist Church
- The previously approved courtyard design was more appropriate
- The two 2 bed properties have only been allocated one parking space each which is unrealistic
- Concerns in relation to the trees to be removed on the southern boundary
- Concerns in relation to foul sewage and surface water drainage
- Replacement planting will take years to establish
- Concerned about the lack of on-site affordable housing provision

7. **CCC Archaeology** – no objection subject to conditions
8. **CCC Highways** - no objection subject to conditions
9. **District Council Environmental Health Officer (EHO)** – no objections subject to conditions
10. **District Council Ecologist** – no objections subject to conditions
11. **District Council Conservation Officer** – no objections following amendments to the scheme
12. **District Council Tree Officer** – no objections subject to conditions
13. **District Council Landscape Design Officer** - no objections subject to conditions
14. **District Council Affordable Housing Officer** – provision of off-site accommodation through commuted sum justified

### **Representations**

15. 3 objections have been received from neighbouring properties highlighting the following concerns:
  - The scale of development is out of keeping with the character of the conservation area
  - The proposal would result in a detrimental impact on the amenity of neighbouring properties
  - The removal of a number of trees will result in the scheme being visible from the south of the site, when viewed within the setting of the listed Parish church
  - The courtyard layout of the previous scheme was more sympathetic to the character of the surrounding area

### **Planning Assessment**

16. The application site is land to the rear of a row of terraced properties – 12 to 18 The Lanes in Great Wilbraham. The site is located within the conservation area, on the northern edge of the village, within the development framework.
17. The applicant seeks full planning permission for the erection of 6 dwellings with carports, vehicular access and associated infrastructure.

### **Principle of development**

18. The site is within the Great Wilbraham development framework. Great Wilbraham is classified as a Group Village under policy ST/6 of the Core Strategy and would retain this status in the emerging Local Plan (policy S/10). The principle of the development of up to 8 dwellings on the site is acceptable, subject to all other material considerations being satisfied.
19. The proposal would result in the provision of 6 dwellings in a sustainable location and would comply with the broad principles of sustainable development as defined by the NPPF, which must be given weight in light of the fact that the District cannot currently demonstrate a five year housing land supply.

### **Five year housing land supply**

20. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Great Wilbraham as a Group Village where the construction of new residential dwellings within the framework is supported.
21. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/6 and DP/7 not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.
22. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report, and the proposed development remains acceptable. As such it is recommended that permission be granted.

### **Density and housing mix**

23. The scheme would be of a lower density than required by policy HG/1 of the LDF and emerging Local Plan policy H/7 (approximately 18 dwellings per hectare as opposed to the policy requirement of 30). However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given that the application site is located on the edge of the settlement and within a conservation area, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.
24. Under the provisions of policy HG/2, proposals are required to include a minimum of 40% 1 or 2 bed properties. As 3 of the 6 properties in this scheme would have 2 bedrooms, the proposal meets the requirements of that policy. The policy states that approximately 25% of dwellings in residential schemes should be 3 bed and the same threshold applies to 4 or more. Given that 2 of the properties would have 4 bedrooms and 1 would have 3, the scheme is considered to be of a mix that complies with this policy.
25. Policy H/8 of the emerging Local Plan is less prescriptive and states that the mix of properties within developments of less than 10 dwellings should take account of local circumstances and so there would be no conflict with the emerging policy with regard to housing mix.



## **Affordable housing**

26. The applicant has provided an Affordable Housing Statement which indicates that 3 Registered Social Landlords (RSLs) have been approached about the potential of taking ownership of the two affordable units that would be provided as part of the development. Icen Homes, Cambridge and County Developments and Circle Housing were all approached but declined the offer to take ownership of any of the units on the site. It is considered that the applicant has provided sufficient evidence to justify the 'exceptional circumstance' test of criteria 5 of policy HG/3 which states that '...on smaller sites, the Council may accept financial contributions towards an element of off-site provision.'
27. In relation to emerging Local Plan policy H/9, criteria 'f' allows a similar exception on sites where it can be demonstrated that it is 'not possible or appropriate' to build homes on the application site or other sites, in which case an appropriate financial sum for future provision will be sought. The applicant has provided Heads of Terms and is willing to enter into a Section 106 agreement requiring this contribution to be paid and has therefore complied with the requirements of that policy.

## **Design and scale**

28. The proposal is based along similar lines to the 'courtyard' style concept shown on the indicative layout of the extant outline planning permission. This proposal includes two larger properties, one of which would be located in the north western corner, the other in the south eastern corner of the site. A pair of semi-detached 'cottages' would be located at plots 2 and 3, plots 4 and 5 would be semi-detached properties appearing a single 'barn' style unit.
29. It is the case that the design does not follow the plain agricultural style of the 3 adjoined units proposed in that part of the site on the indicative drawings approved in the extant outline permission. However, the scheme has been amended to reduce the ridge height of the large property at plot 1 to 7.1 metres, which is the same height as suggested in that outline scheme, in which the scale of development was approved. It is considered that, whilst the proposed design in this scheme is less simple in form, the use of strong gabled features presents a robustness which is characteristic of traditional agricultural development.
30. The 'cottages' at plots 2 and 3 would be similar in height to the dwelling at plot 1 but would be set back behind the front building line of that dwelling and would be simpler in overall appearance. This would be highlighted by the catslide dormer windows on those properties, in contrast with the more elaborate hipped roofs over the dormer windows and projecting front gable element of the larger property at plot 1.
31. The barn' style building to be split into units 4 and 5 would be 8.75 metres in height, approximately 0.5 metres taller than the indicative scheme which accompanied the extant outline permission. In design terms it would have a simple linear design, with a short gable feature breaking up the mass of the front elevation. The roof of the gable element would sit well below the ridgeline of the main part of the building and so would be a subordinate element of the scheme. The large glazed feature within the front gable and simple arrangement and design of the openings of units 4 and 5 would also draw on the robust architectural style of traditional agricultural buildings.
32. The dwelling at unit 6 in this scheme would be 0.9 metres lower in height to the ridge than the development approved in that location in the indicative design of the

approved outline scheme. That property would include a relatively long rear extension but overall would retain a relatively simple form.

33. Given that scale was one of the matters approved in the extant outline permission, it is considered that the proposed design would not have an overbearing impact on the character of the site, despite its relatively sensitive position on the edge of the settlement and on the northern edge of the conservation area.

#### **Character of site and conservation area**

34. The Green Belt is located to the north east of the site, as is Wilbraham Temple (which contains two grade II\* listed buildings, the grounds of which are also independently grade II listed on the National Register of Historic Parks and Gardens.) The Parish Church (grade II\*) is located approximately 115 metres to the south of the site.
35. The layout of the site provides a looser arrangement than that approved in the extant outline permission, which restricted development to parallel with the northern and eastern boundaries and sited the buildings in the northern part of the site closer to that boundary of the site. The proposed layout in this application would include a row of carports in the south western corner. The carports would be single storey and that the heights of the properties themselves would be only marginally different to the scale of the extant outline permission. It is therefore considered that the overall scheme would not have an overbearing impact on the setting of the church to the south, the listed buildings and gardens at Wilbraham Temple, or views from the Green Belt into the conservation area.
36. The proposed development would be set into the site and only the single storey carports would be directly visible from the street, when passing the entrance of the site. The two storey dwellings at units 4, 5 and 6 would be visible in glimpses from the site entrance on The Lanes and set back when viewed from the south, along Angle End, with the Baptist Church remaining the dominant building in the foreground. It is considered that the 14.75 metre separation distance between the north western elevation of unit 1 and the rear of the existing row of properties at 12-18 The Lanes would mitigate the fact that the proposed building would be 1.6 metres higher than those frontage properties, when viewed within the context of the wider streetscene.
37. The depth of the recess of the development from The Lanes would also help to preserve a sense of openness in terms of the pattern of development and the emphasis on a linear form of development would preserve the predominant character of buildings within this part of the conservation area.
38. The fact that the layout represents a relatively low density form of development and would retain some sense of openness by placing development around the edges of the site ensures that the scheme would not have an adverse impact on the openness of the adjacent Green Belt.

#### **Residential amenity**

39. Following the reduction in the height of the scheme, the eaves height of the hipped roof on the north western gable of the property at unit 1 would be 5.5 metres. The separation distance to be retained between the properties to the rear of 12-18 The Lanes and that property (in excess of 14 metres) would be sufficient to avoid unreasonable overshadowing of those properties. Unreasonable overlooking could be avoided through the obscure glazing of all of the first floor windows in the side

elevation of plot 1, which would be reasonable as they serve bathrooms or would be secondary windows.

40. The separation distance between the rear elevations of no. 84 Angle End and the property currently being erected between 76 and 84 on the same street and the first floor level windows in the south western elevation of the rear offshoot of unit 6 would be approximately 20 metres. The main gable of unit 6 would be approximately 16 metres from the rear elevation of no. 84, at an oblique angle and would not contain any windows. The first floor windows could reasonably be obscurely glazed, given that one is a secondary window and the other serves a landing area. Subject to a condition to this effect, it is considered that the proposed development would not result in harm to the amenity of either of those neighbouring properties
41. In terms of the relationships between the dwellings within the proposed scheme, all of the first floor windows in corresponding elevations would serve either en-suite/ bathrooms (unit 1, 4 and 5), hallways (units 2 and 3) or secondary windows (unit 6) and therefore can be obscurely glazed to avoid the possibility of unreasonable overlooking, with suitable boundary treatments preventing overlooking at the ground floor level. These details can both be secured by condition.
42. A separation distance of 13.5 metres would be retained between the gable elevation of plot 3 and the front elevation of unit 4. This separation distance is considered sufficient to prevent an overbearing impact in terms of overshadowing of either of the properties. Overlooking would be prevented by the fact that the only first floor window in the affected gable of unit 3 would serve a landing and can therefore be obscurely glazed. The location of the garage to serve unit 4 would prevent unreasonable overlooking between the properties at ground floor level.

### **Highway safety**

43. The proposal includes 2 parking spaces for units 1, 5 and 6, units 2 and 3 would be served by 1 designated garage space, with 3 visitor spaces shown across the proposed layout. Despite the Parish Council objecting to this element of the scheme, this meets the requirements of the LDF, with 11 spaces in total serving 6 dwellings. A condition relating to the provision of cycle storage is recommended to ensure that adequate facilities are secured for each of the dwellings. The Highway Authority has raised no objections to the scheme, subject to standard conditions being imposed in relation to the construction of the access track and turning area.

### **Ecology**

44. The ecological assessment submitted with the application assesses the potential impact on a number of protected species, but recommends further survey work to establish risks associated with grassland habitats such as the common lizard. The Authority's Ecologist has indicated that any potential impact in this regard could be mitigated and as such has recommended that this survey work be secured by condition.
45. The ecological assessment also highlights the potential for bat and bird nesting in the trees and hedgerows on the site. A condition can be added to the permission to ensure that further survey work is undertaken to establish whether species are currently nesting on the site and if so, that suitable mitigation measures are implemented before any trees are removed and development commences.

46. The Ecologist has raised an issue regard to the 'thinning out' of the boundary hedges and trees. It is considered that the nature of these works can be agreed under a landscaping scheme to be secured by condition.

### **Trees and landscaping**

47. The Authority's Tree Officer has raised no objections to the scheme on the basis that the mitigation measures and recommendations within the report produced by Hayden's, submitted in support of the application, are adopted and this shall be secured by condition. The applicant has confirmed that as part of scheme, they are willing to retain tree coverage on the boundary with Angle End, to preserve the amenity of neighbours and this would overcome the Parish Council concerns in this regard. It is acknowledged that replacement planting will take time to establish, however there is an environmental benefit in replacing the existing Leylandii with native species.
48. The Landscape Design Officer has also raised no objections, subject to the retention of tree coverage on the north eastern and south eastern boundaries of the site and appropriate screening of the garages on the south western boundary. These issues can be addressed in a comprehensive landscaping scheme, to be secured by condition.

### **Other matters**

49. The EHO has raised no objections to the scheme, subject to standard conditions relating to the control of noise and activity during the construction process. The contaminated land assessment submitted with the application is considered to be acceptable, with no further surveys required.
50. Concerns in relation to sewage and ground surface water run-off have been raised by the Parish Council. The EHO has raised no objections in this regard and the site is not located within an area at a high risk of flooding. Conditions requiring details of surface water and foul sewage drainage can be secured by condition.
51. The County Council Archaeology section have raised no objections but have requested that an archaeological assessment of the site is carried out prior to the commencement of development, given the close proximity of a number of listed buildings and the designated park and gardens. This requirement can be secured by condition.

### **Section 106 Contributions**

52. This application came before members at the May 2015 committee meeting, at a time when the PPG stated that for applications of less than 10 dwellings, Local Planning Authorities could no longer require 'tariff based' contributions or affordable housing through Section 106 Agreements. In August 2015, this amendment to the PPG was quashed in the High Court and as a result this element of the guidance has been withdrawn, ensuring a return to a position where contributions can be sought where they are necessary to make the development acceptable in planning terms (in line with the CIL regulations).
53. The South Cambridgeshire District Council Recreation and Open Space Study (2013) identifies a shortfall in play space and informal open space in Great Wilbraham against the recommended standards. The Parish Council has identified specific projects for which they are currently seeking funding, in the form of exercise

equipment to improve the existing formal open space and also the provision of an electronic scoreboard at the cricket ground.

54. Given the size of the development in a Group Village, it is considered that the additional anticipated population arising from the development (approximately 11 people) and the current deficit in provision within the village ensures that a contribution to these facilities is necessary to make the development acceptable in planning terms, therefore complying with the CIL regulations.
55. Following the quashing of the PPG guidance in August, it is considered that a contribution to these facilities be sought, in addition to the off site affordable housing contribution which was approved at the May committee and has already been secured via a Section 106 Agreement.

### **Conclusion**

56. The scheme is considered to be acceptable in principle and would preserve the character of the surrounding conservation area, the amenity of neighbouring properties and the surrounding landscape. Subject to conditions, the scheme would not have an adverse impact on ecology, highway safety, archaeology or environmental health. The revised proposal is therefore considered to accord with local and national planning policy.

### **Recommendation**

57. Approval subject to prior completion of a Section 106 agreement to secure a commuted sum for the provision of off-site affordable housing, a contribution to specific projects to upgrade public open space and the conditions in paragraph 58 below.

### **Conditions**

- a) Time limit
- b) Approved plans
- c) Details of construction materials
- d) Details of cycle storage provision
- e) Details of boundary treatments to be submitted and agreed
- f) Landscaping scheme
- g) Landscaping maintenance
- h) Ecological surveys to be undertaken and any necessary mitigation undertaken before the commencement of development
- i) Archaeological survey to be undertaken and any necessary mitigation undertaken before the commencement of development
- j) Details of driveway construction
- k) Foul sewage drainage details to be submitted and agreed
- l) Surface water drainage details to be submitted and agreed
- m) Obscure glazing of specific windows
- n) Removal of permitted development rights for extensions, alterations and development within the curtilage
- o) Control of noise during construction
- p) Management of traffic and material storage during construction phase

## Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- National Planning Policy Framework  
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Local Development Framework, Development Control Policies, Adopted July 2007  
<http://www.scambs.gov.uk/content/local-development-framework>
- South Cambridgeshire Local Plan, Proposed Submission July 2013  
<http://www.scambs.gov.uk/localplan>
- Planning File Ref: S/0036/15/FL

**Report Author:** David Thompson – Principal Planning Officer  
01954 713250



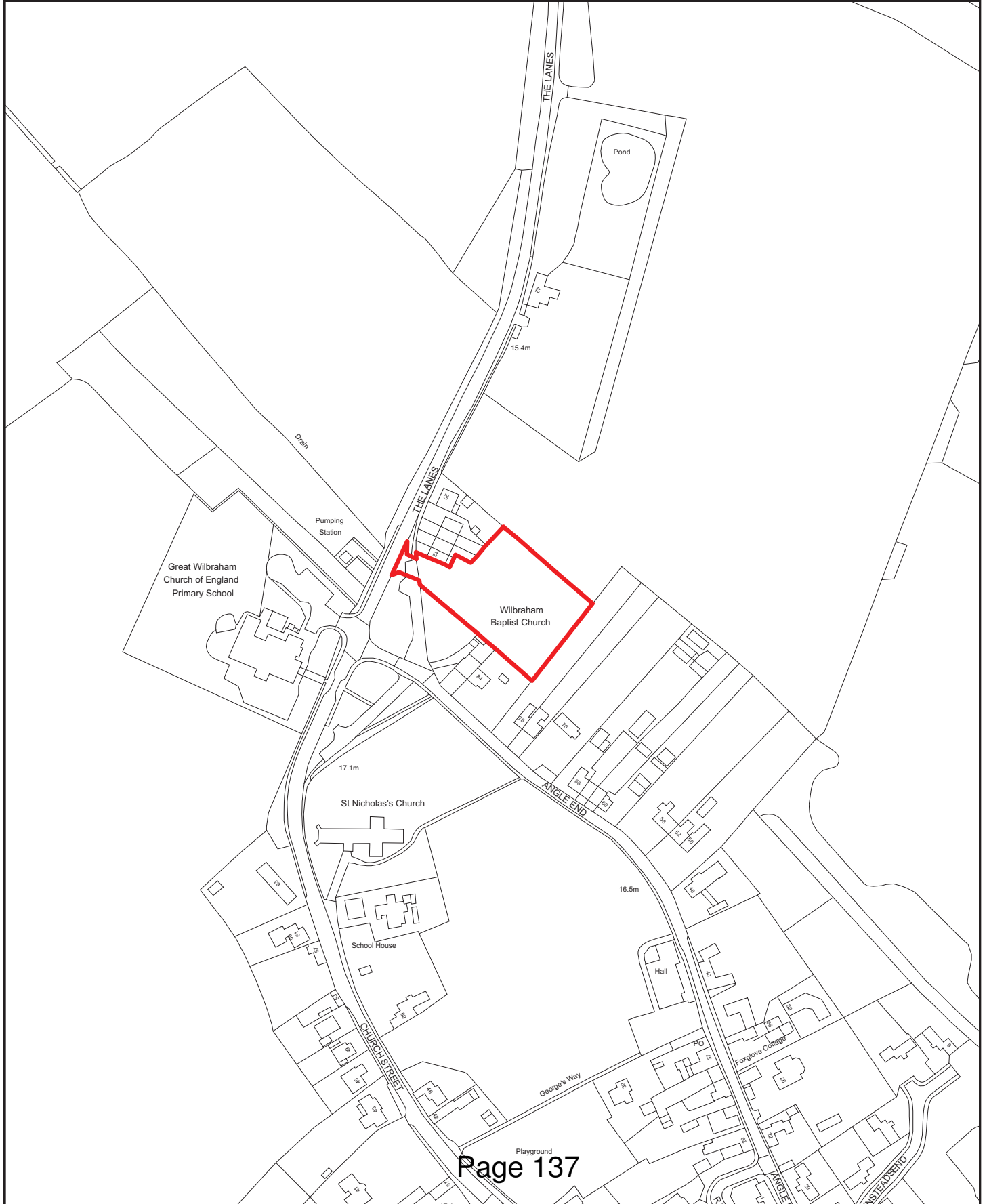
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# Agenda Item 17

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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<b>Application Number:</b>	S/1888/15/FL
<b>Parish(es):</b>	Cambourne
<b>Proposal:</b>	Retention of black 3 metre high security fence (retrospective)
<b>Site address:</b>	Unit 1, Back Lane, Cambourne
<b>Applicant(s):</b>	Steven Johnston, Chartwell Project Management
<b>Recommendation:</b>	Approval
<b>Key material considerations:</b>	Principle of Development Impact upon street scene
<b>Committee Site Visit:</b>	None
<b>Departure Application:</b>	No
<b>Presenting Officer:</b>	Edward Durrant, Principal Planning Officer
<b>Application brought to Committee because:</b>	Cambourne Parish Council recommends that the application be refused.
<b>Date by which decision due:</b>	9 <sup>th</sup> October 2015

### Executive Summary

1. The site already benefits from planning consent for a three metre high fence, though finished in grey. The fence that was erected was black and was due to be painted grey to comply with the planning consent. However, the applicant has since decided to retain it in black and paint other metal fencing/gate posts on site black to match the fence.
2. The Parish Council has objected to the application on the basis that the previous consent detailed the fence in grey, which would be more in keeping with the palette of materials used for the external elevation of the building. Notwithstanding this there are limited public views of the fence due to a two metre high gabion wall that surrounds the site. The application is therefore recommended for approval.

### Planning History

3. S/1371/92/O – planning consent granted for the new settlement of Cambourne.  
S/1666/12/FL – planning consent granted for three retail units on Back Lane and two

units on High Street.

4. S/1022/15/FL – planning consent granted for a 3 metre high fence at the rear of Unit 1, Back Lane.

### **Planning Policies**

5. **National Planning Policy Framework**
6. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**
7. **South Cambridgeshire LDF Development Control Policies, adopted July 2007**

DP/2: Design of New Development

DP/3: Development Criteria

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

District Design Guide SPD

9. **Draft Local Plan**

HG/1 Design Principles

### **Consultation**

10. **Cambourne Parish Council** recommends refusal as planning consent was approved for the fence to be grey, which is in keeping with the existing building.
11. **Cambridgeshire County Council (Local Highway Authority)** has no objection.

### **Representations**

12. A site notice was put up along Back Lane. No third party representations were received.

### **Planning Appraisal - Site and Proposal**

13. The Back Lane units front on to the settlement centre car park and have a service yard to the rear that is enclosed by a two metre high gabion wall that incorporates a vehicular access off Sackville Way. The units are approximately nine metres tall and their rear elevations are finished in a combination of white metal cladding panels and vertical timber cladding. Soft landscaping in the form of low level shrubs and some trees has been planted to the north of the gabion wall adjacent to the public footpath of Back Lane. The other side of the vehicular highway there are three storey residential properties that overlook the site.
14. This full application seeks consent for the retention of a three metre high black fence to the rear of Unit 1 of the retail units on Back Lane. The fence surrounds an external sales area for Home Bargains.

### *Principle of Development*

15. The previously approved application initially sought the erection of a four metre high

fence. The application was amended to reduce the height to three metres following a recommendation of refusal from the Parish Council. The principle of the development has never been questioned and was established through the previous application. Therefore the main issue to consider is whether the retention of the existing fence in black rather than grey, as previously approved, would have a detrimental impact upon the street scene of Back Lane.

#### *Visual Impact on Back Lane*

16. The existing gabion wall obscures most views of the fence from the nearside footpath and from anything other than tall vehicles using the carriageway of Back Lane (vans, HGVs, etc.). The only real public views of the fence are from the far side footpath along and the residential properties to the north, from where it is seen against the back drop of the existing, taller building.
17. It is recognised that the approved colour of the fence would have helped assimilate it into the development better. However, the fence being black rather than grey does not have a significant enough impact upon the street scene, given the limited views of it, to recommend that the application be refused.
18. The Parish Council has previously raised the issue of the side gate on the north western elevation of Unit 1, which is green and taller than the adjacent gabion wall. The plans that have been submitted show this gate and the adjacent metal panel, together with another metal panel to the south of the building, are to be reduced in height so that they are not taller than the gabion wall and are to be painted black to be in keeping with the rear fence. There are also metal columns either side of the rear vehicular access to the site that are proposed to be painted black, which are also detailed on the submitted plans. All of these measures would help to create a more harmonious development and are therefore considered necessary to make the development acceptable. A condition is to be attached to the consent requiring that these additional works be carried out within a period of three months from the date of the decision notice.

#### **Conclusions**

19. 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**

20. Officers Recommend that the Committee approves the application, subject to:

#### **Conditions**

- (a) **Approved Plans**
- (b) **Within three months of the date of this decision notice the works detailed on drawing number 991-011 Revision B to reduce the height of the two in-fill metal fence panels and gate and paint them black, along with the service yard gate posts, shall have been carried out, unless otherwise agreed in writing with the Local Planning Authority.**

REASON – to ensure that the development is not incongruous in the street scene of this part of Back Lane, in accordance with policies DP/2 and DP/3 of the adopted Local Development Framework 2007.

**Background Papers:**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- 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

**Report Author:**

Edward Durrant  
Telephone Number:

Principal Planning Officer  
(01954) 713266



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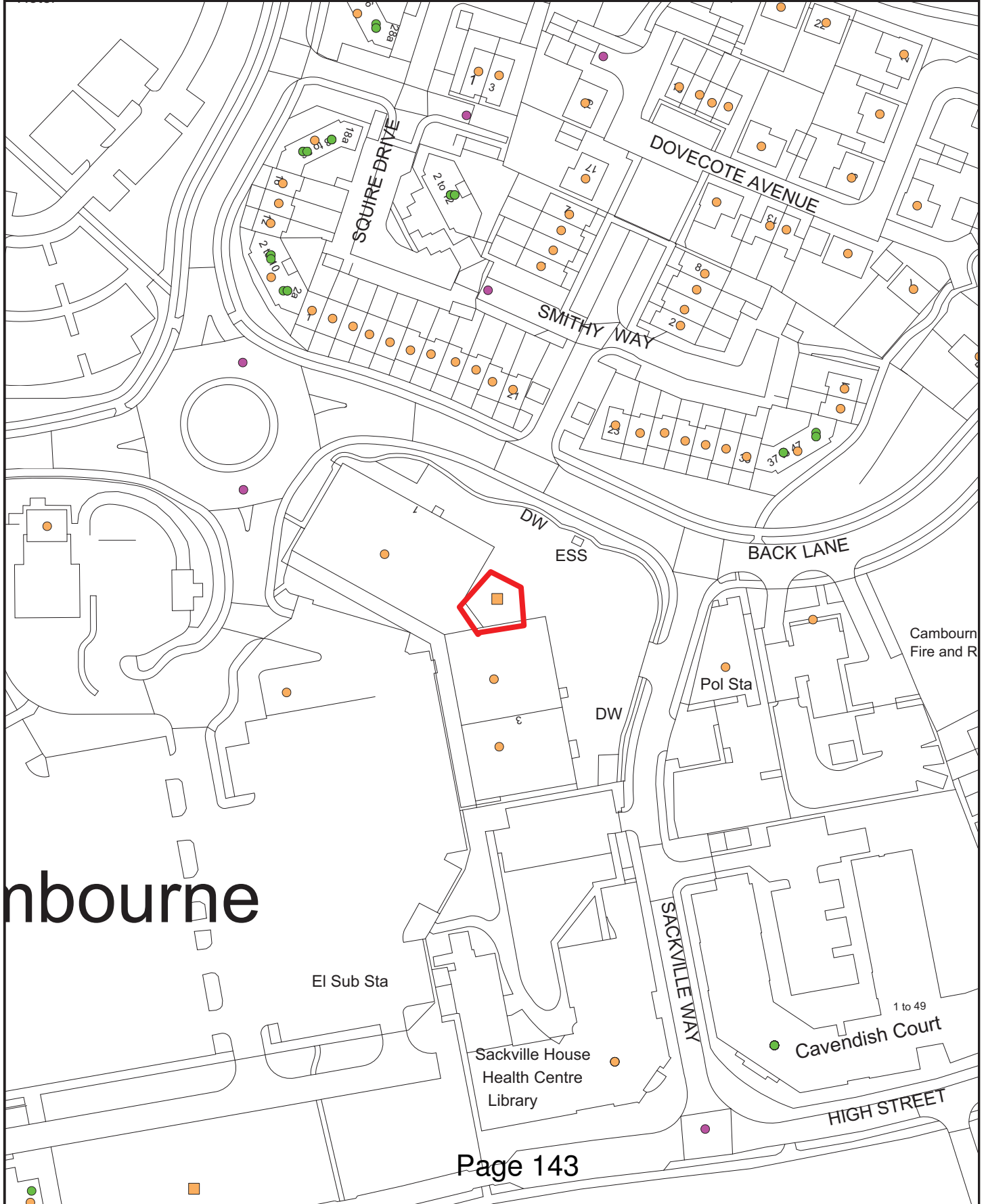
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Date of plot: 25/09/2015



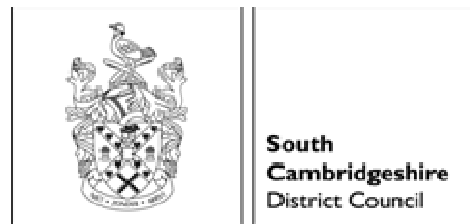
South Cambridgeshire District Council

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# Agenda Item 18



**REPORT TO:** Planning Committee  
**LEAD OFFICER:** Planning and New Communities Director

7 October 2015

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## Enforcement Report

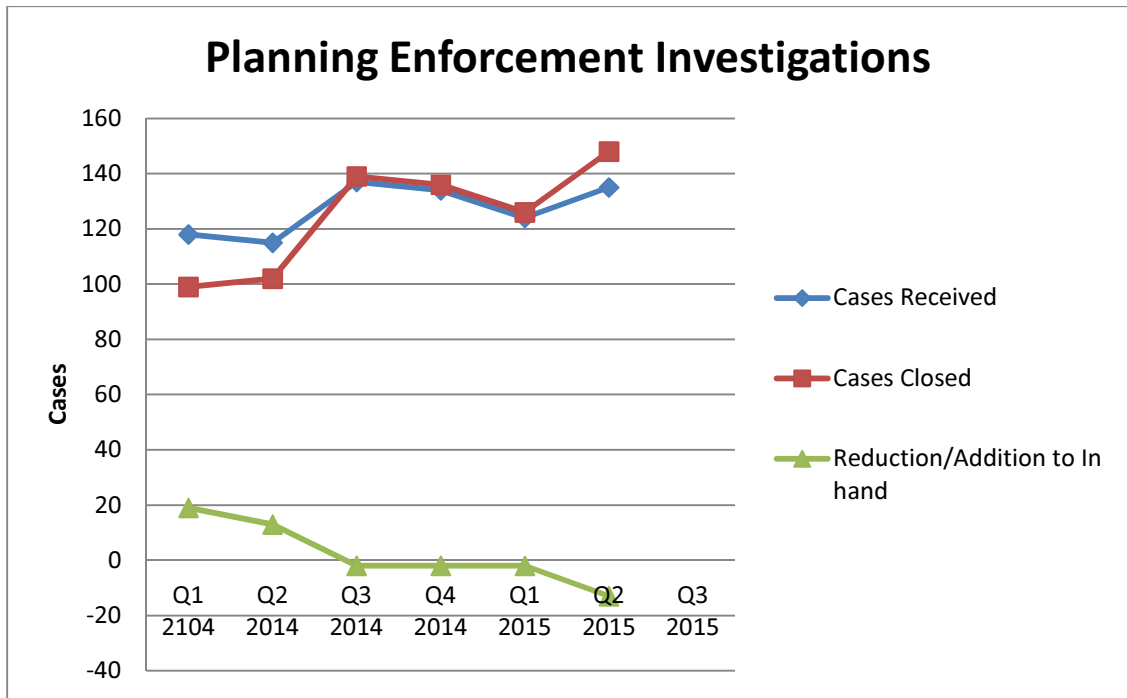
### Purpose

1. To inform Members about planning enforcement cases, as at 18 September 2015. Summaries of recent enforcement notices are also reported, for information.

### Enforcement Cases Received and Closed

2. 

Period	Cases Received	Cases Closed
1 <sup>st</sup> Qtr. 2015	124	126
2 <sup>nd</sup> Qtr.	135	148
July 2015	40	41
August 2015	45	38
<b>2015 YTD</b>	<b>344</b>	<b>353</b>
<b>2014</b>	<b>504</b>	<b>476</b>



**Enforcement Cases on hand:**

- 3. Target 150
- 4. Actual 94

**Notices Served**

5.

Type of Notice	Period	Year to date
	August 2015	2015
Enforcement	1	12
Stop Notice	0	0
Temporary Stop Notice	0	3
Breach of Condition	0	13
S215 – Amenity Notice	1	2
Planning Contravention Notice	0	3
Injunctions	0	1
High Hedge Remedial Notice	0	1



## Notices issued since the last Committee Report

Ref. no.	Village	Address	Notice issued
PLAENF.1634	Teversham	8 Quy Waters New Market Road	Enforcement Notice
PLAENF.1692	Lt. Gransden	74 Main Road	Amenity Notice

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. Updates on items that are of particular note

#### 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 noted 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 10<sup>th</sup> 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. A report to the planning committee was prepared and submitted. The Committee authorised officers to apply to the Court for an Injunction under Section 187B of the Town and Country Planning Act 1990. Members agreed the reasons for the application as being the desire to protect and enhance the character and amenity of the immediate countryside and the setting of Cambridge, Stapleford and Great Shelford in view of the site's prominent location, and the need to address highway safety issues arising from access to the site directly from the A1307

The draft statements supporting the proposed proceedings have now been considered by Counsel with further information and authorisations being requested in order that the Injunction application can be submitted.

In May 2014, Committee resolved to give officers the authority sought and further work on compiling supportive evidence undertaken since. Periodic inspections of the land have been carried out, most lately in April 2015 (confirming occupation has not ceased, and that breaches of control are continuing and consolidating). Statements accordingly being revised and finalised to reflect; injunction proceedings still appropriate and proportionate to pursue. A claim against the occupier of the land in which the Council is seeking a planning injunction has now been issued in the High Court. A Defence has since been lodged to the Council's proceedings, and an attempt is being made to issue Judicial Review proceedings challenging the resolution to seek an injunction.

Following consideration of the documents lodged by the Claimant and Acknowledgement of service filed by the defendant, permission was refused; the

application was considered to be totally without merit. Order by Rhodri Price Lewis QC, sitting as a Deputy High Court Judge - Injunction application, has been listed for an initial hearing at the High Court on 24 September;

**b. Pear Tree Public House, High Street Hildersham**

Complaint received regarding the reported change of use of the premises to residential without the benefit of planning. Investigation carried out; however the results did not reveal any breaches of planning control at this time. Further report received from parish council, content of which investigated resulting in an out of hour's inspection. Planning breach identified as ground floor being used for residential purposes. Breach resolved, situation being monitored. No further information at this time. Planning application - Change of use of shop and ancillary residential use (use class A1), to a 4 Bedroom house. Planning reference S/0040/15 –Refused 27<sup>th</sup> February 2015. Planning Appeal submitted waiting decision – 25<sup>th</sup> August 2015 Appeal dismissed as the proposal would result in a reduction in the level of service provision in the local area

**c. Plot 11, Orchard Drive – Smithy Fen**

Application received for the change of use of plot 11 Orchard Drive to provide a residential pitch involving the siting of 1 mobile home and one touring caravan, an amenity building for a temporary period until 2 May 2018.

The application has in accordance with section 70C of the Town & Country Planning Act 1990 been declined. The applicants have applied for permission for a Judicial Review.

Permission granted by the Honourable Mrs Justice Patterson DBE, Grounds to resist being filed both by the Council and by the Secretary of State for Communities and Local Government as second defendant. Court date to be advised

**d. Land at Arbury Camp/Kings Hedges Road**

Failure to comply with planning conditions at land known as Parcel H1, B1 and G Under planning references S/0710/11, S/2370/01/O, S/2101/07/RM, 2379/01/O and S/1923/11

Notices part complied, remaining items under review

Further six breach of conditions notices issued relating to landscaping A Site inspection with local parish, landscaping, planning and representatives from persimmon homes has now taken place, and that appropriate steps are being taken to remedy the identified breaches of Conditions

**e. 113b High Street Linton – Winners Chinese Take-Away**

Windows & doors not fitted as per approved drawing. Breach of Conditions Notice served 19<sup>th</sup> February 2015. Changes made but windows and doors still not in accordance with approved drawing. Summons file submitted. Date set for the 3<sup>rd</sup> September 2015 Cambridge Magistrates Court – The defendant was found guilty and fined £1000.00p + costs. Works to be carried out to ensure compliance with approved drawings - Monitoring continues

**f. Sawston Football Club**

Failure to comply with pre-commencement conditions relating to planning reference S/2239/13 – Current site clearance suspended whilst application to discharge conditions submitted by planning agent. Site monitoring continues

**Summary**

9. As previously reported Year to date 2014 revealed that the overall number of cases investigated by the team totalled 504 cases which was a 1.37% decrease when compared to the same period in 2013. The total number of cases YTD 2015 totals 344 cases investigated which when compared to the same period in 2014 is a 5.8% increase in the number of cases investigated.
10. 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. Strategic Officer Group, dealing with traveller related matters

**Effect on Strategic Aims**

11. This report is helping the Council to deliver an effective enforcement service by

**Engaging with residents, parishes and businesses to ensure it delivers first class services and value for money**

**Ensuring that it continues to offer an outstanding quality of life for its residents**

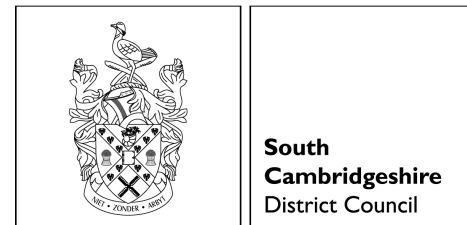
**Background Papers:**

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

**Report Author:**       Charles Swain – Principal Planning Enforcement Officer  
Telephone:       (01954) 713206

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# Agenda Item 19



South  
Cambridgeshire  
District Council

**REPORT TO:** Planning Committee  
**LEAD OFFICER:** Planning and new Communities Director

7 October 2015

## APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

### Purpose

1. To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as 25 September 2015. Summaries of recent decisions of importance are also reported, for information.

### Decisions Notified By The Secretary of State

Ref.no	Address	Detail	Decision & Date
S/1931/14/PB	Croxton Park Partnership The Stables, Croxton Park, Croxton	Change of use from agricultural building to 3 dwellings	Dismissed 03/09/15
S/2283/14/FL	Mr C Dyason 2 Primes Corner Histon	Two storey side & rear extension	Dismissed 14/09/15
S/2145/15/FL	Mr C Dyason 2 Primes Corner Histon	Change of use of Land to Garden	Dismissed 14/09/15
S/2913/14/FL	Mr & Mrs Flanagan 4 Millers Close Linton	Extension	Allowed 16/09/15
S/3038/14/FL	Mr & Mrs Johnson 23 South Road Great Abington	Dwelling	Dismissed 18/09/15
S/0373/15/FL	Mr & Mrs Watney 93 High Street Balsham	Extension and Garage	Allowed 21/09/15
S/2276/14/PB	Mr J Tilley 45 North Road Abington	Conversion of two agricultural buildings to form 3 dwelling houses	Dismissed 22/09/15

### Appeals received

Ref. no.	Address	Details	Appeal Lodged
S/0462/15/FL	Mrs D Clark Rear 11 Station Road Oakington	Bungalow	07/09/15
PLAENF.1,1671	Mr A Kyprianou 34 Mingle Lane Stapleford		07/09/15
S/0533/15/FL	Mr S Fordham	Extensions	09/09/15

	211 Wimpole Road Barton		
PLAENF.1,634	Mr T Gray 8 Quy Wateres Teversham		11/09/15
S/1248/15/FL	Mr O Lines Land NW of 14 Ivatt Street Cottenham	Erection of 4 dwellings	11/09/15
S/1227/15/FL	Mrs Hardisty 2 Bury Farm Cottage Newmarket Road Stow cum Quy	Extension and Garage	22/09/15

Local Inquiry and Informal Hearing dates scheduled before the next meeting.

4.

Ref. no.	Name	Address	Hearing/Inquiry
S/1451/14/FL S/1476/13/LD S/2097/14/VC	Mr T Buckley	The Oaks Willingham	Inquiry 12/01/16 Confirmed
S/2822/14/OL	Gladman Dev Ltd	Land off Shepreth Road Foxton	Inquiry 09/02/16 Confirmed

#### Summaries of Appeals

5. None

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

**Contact Officer:** Tony Pierce– Development Control Manager

**Report Author:** Sara James- Appeals Admin  
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