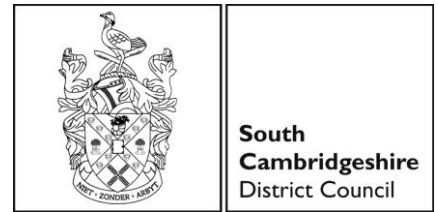


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23 February 2016

To: Chairman – Councillor Lynda Harford
Vice-Chairman – Councillor David Bard
All Members of the Planning Committee - Councillors Brian Burling,
Anna Bradnam, Pippa Corney, Kevin Cuffley, Sebastian Kindersley, 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, 2 MARCH 2016 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

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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. **Apologies**
To receive apologies for absence from committee members.
2. **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.

3. Minutes of Previous Meeting

To authorise the Chairman to sign the Minutes of the meeting held on 3 February 2016 as a correct record.

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

4. S/1527/15/FL - Guilden Morden (Three Tuns 30, High Street) 1 - 30

Change of Use from Public House to Dwelling

Appendix 5 (Appeal Decision in Hildersham) is available by visiting the agendas page on the Council's website: www.scams.gov.uk > The Council > Committees

5. Tree Preservation Order 05/15/SC - Thriplow (9 The Green) 31 - 36

To consider objections

Appendix 1 (Letter and photographs from Haydens) is available by visiting the agendas page on the Council's website: www.scams.gov.uk > The Council > Committees

6. Tree Preservation Order 07/15/SC - Linton (1 Horseheath Road) 37 - 42

To consider objections

Appendix 1 (Letter and photograph from Aquabridge) is available by visiting the agendas page on the Council's website: www.scams.gov.uk > The Council > Committees

7. S/2108/15/FL - West Wickham (The Meadow, Streetly End) 43 - 52

Change of Use of Stables to a Single Dwelling, Small Connecting Link, Reopening of Access

8. S/2541/15/FL - Longstanton (St Michaels Mount, St Michaels) 53 - 60

Single Storey Side Extension to Form Garden Room, New Entrance

Gates, Wall and Piers

9. **S/0002/16/FL - Over (Chain Farm, Overcote Road)** 61 - 66

Change of Use from Carpentry Workshop to Storage and Distribution with Ancillary Office Use (Class B8)

MONITORING REPORTS

10. **Enforcement Report** 67 - 72

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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

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- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

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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.

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EXCLUSION OF PRESS AND PUBLIC

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

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

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

Notes

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

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Agenda Item 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 March 2016

AUTHOR/S: Planning and New Communities Director

Application Number: S/1527/15/FL

Parish(es): Guilden Morden

Proposal: Change of Use from A4 (Drinking Establishment) to C3 (Single Residential Dwelling House)

Site address: 30 High Street, Guilden Morden

Applicant(s): Ms Beverly England (Florin Interiors Ltd)

Recommendation: Approval

Key material considerations: Loss of Public House, Asset of Community Value, Impact to Listed Building and Conservation Area

Committee Site Visit: 3 November 2015

Departure Application: No

Presenting Officer: Rebecca Ward, Senior Planning Officer

Application brought to Committee because: The officer recommendation conflicts with that of the Parish Council and also at the request of the Local Member

Date by which decision due: 2 March 2016

Planning History

1. S/2040/14/LB and S/2042/14/FL (2014) - Change of use from pub to residential dwelling (including replacement extension) – Withdrawn

S/0177/08/LB and S/0178/08/F (2008) – Smoking Shelter, Patio Area, Gate and Lanterns – Approved

S/0654/86/F (1986) – Extension – Approved

SC/0113/71/D (1971)– Dining Room and Toilet Facilities – Approved

SC/0465/65 (1965) – Siting for Three Caravans - Approved
2. On Friday 12 February 2016 officers received confirmation that the applicant has lodged an appeal against the Council's failure to determine this application. As such the Planning Committee cannot formally determine the application. It is, however, required to make a recommendation, to inform the Council's stance when the

Secretary of State considers the appeal.

Planning Policies

3. *National Planning Policy Framework*

Local Development Framework

4. ST/6 Group Village
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Village Frameworks
CH/3 Listed Buildings
CH/5 Conservation Areas
HG/1 Housing Density
SF/1 Protection of Village Services and Facilities
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards

South Cambridgeshire LDF Supplementary Planning Documents (SPD)

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

Draft Local Plan

6. CC/4 Sustainable Design and Construction
H/7 Housing Density
H/8 Housing Mix
H/11 Residential Space Standards
HQ/1 Design Principles
NH/14 Heritage Assets
S/3 Presumption in Favour of Sustainable Development
S/7 Development Frameworks
S/10 Group Villages
SC/3 Protection of Village Services and Facilities
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
TI/2 Planning for Sustainable Travel

Consultation

7. Guilden Morden Parish Council – Recommends Refusal for the following reasons :
- There has not been concerted effort to market the pub for 12 months
 - The application doesn't appear to fully appreciate and accept the situation
 - Loss of amenity
 - Green area to disappear
 - Historic pub – Grade 2 Listed
 - Lack of viable alternative

Following the Council commissioning and publishing a viability report the parish council were invited to make additional comments. A copy of this letter is attached in

Appendix 1 to this report. However, in summary the following points were raised:

- Perception to the PC that the report is not truly independent
- The report is too narrow and only considered a local wet trade business model
- Food-led-model should be considered
- Report does not focus on pubs in the area which are being re-furnished.
- The Three Tuns is protected as a 'Asset of Community Value'

8. **Conservation Officer (SCDC)** – The building has suffered a period of lack of maintenance and it is important that the building is used, which not only occupies it but provides the incentive to carry out regular maintenance to help preserve and enhance the building.

The existing layout of the building could be converted to a residential use. As the first floor has already been used as a flat, the required services for a bathroom are already in place. The removal of the bar will not impact on the character or fabric of the building.

It is noted that a listed building application was not submitted in relation to this application. Repairs to the fabric can be carried out to the building. It is recommended that the owner/agent should contact the consultancy team prior to carrying out any works to the building and advice can be given on if certain work requires Listed Building Consent and the appropriateness of the work.

Update – The Council's Listed Building Officer visited the building on 15 December 2015 following a request from the Planning Committee. The condition of the building is generally ok. The building is weather tight. From the exterior I couldn't see any loose tiles. There is some sign of damp/mould in the modern flat roof cask store. In the historic part of the building there is a first floor room where the ceiling is bowing a lot, but I understand this has been like that for some time. There is no sign of damp or water ingress on this ceiling. There are clear signs that birds have been/are nesting in the chimneys as twigs etc have fallen through. The owner only knows of one bird, a rook that has been in the building and believes it entered via the inglenook. I couldn't see any obvious means of access.

9. **Expert Witness - Tony Wheeler (Fleurets - Chartered Surveyor)** – An expert witness report has been undertaken by Tony Wheeler who was instructed on behalf of South Cambridgeshire District Council to provide an opinion as to whether the Three Tuns would be considered by operators in the market to represent a viable business proposition for the use as a Public House. A full copy of this report can be found on the Council's website.

The report concludes that there are a number of factors why, in Mr Wheeler's experience, that lead him to conclude that the Three Tuns would not be considered by operators in the market to represent a viable business proposition as a public house. These are summarised as follows:

- Volume throughput data information provided for the Three Tuns demonstrates a history of low business performance since 2008.
- After allowance for finance costs the business is not capable of returning a profit.
- The availability of finance in the market for a business of this nature is extremely thin. It would be viewed as a high risk and highly unlikely a purchaser could raise funding without offering alternative security.
- The property is not capable of sustaining a level of net profit sufficient to

provide an owner with an adequate return to reflect efforts, labour, risk and capital investment required to purchase the property, restore it to a proper state of repair and to re-open and re-establish the business.

- Competition in neighbouring area is strong and in relation local custom from Guilden Morden, direct competition is provided by another village pub.

Following issuing the above report, Mr Wheeler was also asked to provide comments in response to the issues raised by the Three Tuns Action Group, which amongst other things, indicates that with the right operator the Public House would be viable. Please see appendices with a full copy of this letter., Point 5 indicates that Mr Wheeler has not been asked to consider viability on the basis that the business of a public house may be subsidised by operators with special financial circumstances.

10. **CAMRA (Campaign For Real Ale)** – The review of the planning application for change of use of the Three Tuns, Guilden Morden has been postponed pending the review of additional relevant submissions. I am hoping that includes the Public House Viability Test (PHVT) submitted by the Guilden Morden Community Action Group (enclosed)

The key to assessing pub viability is all about an objective determination of potential, and that is what CAMRA's PHVT is designed to do. Applicants may point to the failings of the last operator of a pub as evidence of lack of potential viability, but clearly that is a biased viewpoint. I sent the template to the Guilden Morden Community Action Group, because local knowledge is key to making an accurate assessment. I have reviewed their document and I believe that they have arrived at a fair and objective assessment.

Representations

11. Roughly 5 representations were received from residents of Guilden Morden **in favour** of the application. In summary the following comments were made:
- Pubs are not considered to be an asset to the village community
 - Village of this size cannot sustain two pubs and both be viable
 - High quality gastro pubs can be found in neighbouring villages
 - Support the re-generation of the property
 - The Three Tuns was not supported well enough by the local community
 - The village needs to continue to support the existing facilities of the Edward VII and the village shop
 - Speculations from other residents that there is local interest to buy the pub are not sustained as no one has come forward
12. Roughly 80 representations were received from residents of Guilden Morden, The Three Tuns Action Group and surrounding villages, **objecting** to the application. In summary the following comments were made:
- Loss of valuable social amenity
 - Lack of service within village
 - Local interest in buying the pub to better advantage the community
 - Loss of Asset of Community Value
 - Cliental of the Edward VI is different (TV, Pool and Darts facilities)
 - Caters for a different customer
 - Traditional pub character
 - Family orientated pub
 - Attracted people to the village

- Mismanaged by previous brewer
- No attempts to retain facility through community emprise
- Provided a place to eat in the village
- New housing likely to come to the village
- No attempts have been made to re-open the pub since it was sold
- Residents having drive to alternative villages to use facilities
- Licenced as a beer house since 1855
- Economy is stronger than it was before
- Objections raised by Edward VI landlord are not valid
- No 12month marketing exercise has been undertaken
- Pubs with the facilities of the Three Tuns are thriving in other villages
- No pubs are up for sale within 30 miles
- Public transport finishes at 4pm and only runs Monday to Friday.
- No work had been undertaken to the property since 1990s. As a result it started to look very shabby and uninviting towards its closure.
- Three Tuns is 0.4 miles from the Edward VII
- Roads are no lit between other villages. Walking at night or in the winter to other venues is not an option.
- Reasonable walking distance from Steeple Morden
- Re-opening of the pub would encourage visitors back into the village
- Hub for many sports, church and hobby clubs

13. **Heidi Allen (MP for South Cambridgeshire)** – As a member of Parliament for South Cambridgeshire, I strongly object to the application before you. This planning application has galvanised residents of Guilden Morden to join together to oppose The Three Tuns being lost forever demonstrating overwhelming support for this property to remain a community facility.

Ms Allen proceeds to make comments that the change of use is contrary to the NPPF and local policy SF/1. Furthermore, without having actively marketed the business for a full 12 months in line with planning guidance for the change of use, the local authority and local residents will never know if a suitable buyer may come forward, renovate the property and be actionable to successfully run it as a village pub with a food offering. As such members are urged to refuse the application. A full copy of this letter is attached to this report as **Appendix 3**.

14. **Interested Purchaser** - A representation has been received by an interested party indicating a continued interest in purchasing the property and running it as a public house.

Site and Proposal

15. The proposal is primarily to convert The Three Tuns Pub, which is a Grade II Listed building that lies within the village of Guilden Morden to form a self contained residential dwelling. The site also lies within the Guilden Morden Conservation Area.
16. Prior to the applicants purchasing the site, officers have been advised that the Public House continuously traded for at least 160 years. For some 26 years up to March 2003, the Three Tuns was operated by the same tenant and was a Greene King Pub. A new tenant took over the lease in 2006 and continued to operate the business until its closure in 2013.
17. The public house was first designated an Asset of Community Value (AVC) in March 2013 but this expired when it was sold by Greene King. It was re-

designated as an ACV again in October 2014. This was subsequently appealed by the owner/occupier of the property, however, the Council upheld this decision on 28 January 2015. The current ACV status is now valid until October 2019.

18. Following the purchase of the property by the applicant the doors have remained closed as a Public House. The Licensing Department at South Cambridgeshire District Council confirmed that the premises licence was surrendered on the 13 August 2013.
19. The applicant has renovated one of the down stairs rooms for use as an office space to run the applicants business 'Florin Interiors Ltd'. At the time of the officer site visit the front door of the building was locked and the business was not trading from the building. There has been no application to change the use of the premises to A2 or B1. As such the buildings remains as an A4 use.
20. Given the extensive period of time a Public House has been trading from this site and its comparative recent closure, it is consider the change of use of the building to a residential dwelling would result in a permanent loss of a village service (Public House).
21. The application seeks planning permission solely for the change of use to a single residential dwelling. Any internal works to the building following a decision might require a Listed Building Consent.

Planning Appraisal

22. The government's Policy Statement on Assets of Community Value (September 2011) and paragraph 2.20 of the Non-Statutory Guidance Note on the Community Right to Bid (October 2012) advise that the fact that a site is listed as an ACV may affect planning decisions but that it is open to the decision maker to decide whether listing is a material consideration if an application for a change of use is submitted, considering all the circumstances of the case.
23. Nationally the NPPF set out the Governments planning policies of England and how these are expected to be applied. Section 8 relates to 'Promoting healthy communities, where paragraph 70 advises planning decisions should 'Plan positively for the provision of community facilities such as public houses' and 'guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the communities abilities to meet its day-to-day needs.
24. Local Policy SF/1 of the adopted Development Control Policies DPD seeks to protect village services, including Public Houses, where this would cause an unacceptable reduction in the level of community or service provision in the locality, and advises the following matters will be considered in determining the significance of the loss;
 - a) Established use of the premises and its existing and potential contribution to the social amenity of the local population;
 - b) The presence of other village services and facilities which provide an alternative with convenient access by good local public transport

services or by cycling or walking and

- c) The future economic viability of the use including, in appropriate cases, financial information and the results of any efforts to market the premises for a minimum of 12 months at a realistic price

Emerging Local policy SC/3 Protection of Village Services and Facilities proposes to retain this policy position.

- 25. Officers consider the importance attached by the government to assets of community value is such that the ACV listing of the property is a material consideration to this decision. However, it is necessary to consider what information has been submitted to explain and substantiate the reasons for the proposed change of use and what the likely impact on the local community of Guilden Morden would be if the application was to be allowed.

Established Use of the Premises and Potential contribution

- 26. As previously stated the Public House has provided for the village of Guilden Morden for a number of years. Representations received from local community identify the Three Tuns as being a 'social hub', 'place of historic ambience and atmosphere', 'family friendly', 'appealing to different social needs'. Its status as an ACV is strong evidence that it was and still is valued as a community facility. Other representations received provide alternative views to this, which are cited in paragraph 10.
- 27. Notwithstanding the above and subject to appropriate financial investment, the potential for it to be returned to give the population of Guilden Morden an additional place to socialise could, in theory, is achievable. Thus its retention would comply with policy SF/1 2(a). However, there are a number of constraints which could realistically hinder this from happening and which require consideration.

Presence of other village services and facilities

- 28. Policy SF/1 requires consideration to be given to the presence of other village services and facilities which provide an alternative with convenient access by good local public transport services or by cycling or walking.
- 29. There are a number of public houses within a three mile radius of the Three Tuns of which any future operator would be in competition with. These pubs include:
 - a) Edward VII (2 Foxhill Road), Guilden Morden (0.5 miles)
 - b) Waggon and Horses, Steeple Morden (1.7 miles)
 - c) Pig and Abbot, Abington Pigotts (4.3miles)
 - d) Crown, Litlington (3.2miles)
 - e) Chequers, Wrestlinworth (3.2miles)
 - f) March Hare, Dunton (5.1miles)
- 30. The residents of Guilden Morden would continue to have direct access to another Public House in the village. The Edward VII Public House lies to the east side of Fox Hill, opposite the junction to Church Street. It comprises the two storey public house (with residential accommodation at first floor) and an attached is the single storey village shop (which is under the same ownership

as the pub). To the north is the Village Hall, with its parking area and the entrance to the recreation land which is at the rear of the site.

31. The Edward VII provides two small bar areas and a games room for darts and pool. It has a small trade garden and they currently only trade wet sales. The pub is open Monday to Thursday 18:00 to 23:00, Friday 14:00 to 23:30, Saturday 12:00 to 23:30 and Sunday 12:00 to 22:30. Residents of the village can access the Edward VII pub safely (lit public footways) by means of walking or cycling.
32. A letter, which was included in the application from Mr K Saban (owner/occupier of the Edward VII), states that they have recently revamped the pub inside and fully decorated the outside, introduced new beers and is getting a listing in the good beer guide. The 'Wheels for Martins Friends' village charity held an annual event at the pub and made a record profit. Reference has also been made to the local darts team meeting at the pub on a weekly basis and live entertainment. From the evidence submitted it is reasonable to say that some of the events/groups that once were held in the Three Tuns are now held at the Edward VII. The owner/occupier considers the premises to now having a greater viability to continue trading as a public house.
33. Notwithstanding this, officers are mindful that the Edward VII does not currently have a restaurant serving food to customers. Due to the constrained nature of the site it is not reasonable to say there would be potential to serve food from the premises unless the footprint of the village store is reduce and/or land is acquired for a potential extension. As such, local residents would need to go to neighbouring villages for access to this particular facility. The reports submitted by Pinders and local representations identify a number of gastro pubs/restaurants in the locality, which offer this service, albeit it cannot be assumed that residents of Guilden Morden would walk or cycle to these destinations.
34. It is clear from the number of representations received that having a pub serving food in the village is desirable to some members of the community. However, in planning terms having this additional facility would not solely represent a facility that will further the social-well-being of the village or which would be considered as a basic day-to-day facility as stated by local and national planning policy.
35. It is clear that local residents would not reasonably be able to access other pubs by bike or walking as the roads between the villages offer no separate footway or lighting, especially after dark and in bad weather. However, with those that have access to a car, most of these destinations would be within a convenient reach.
36. Whilst public transport on this side of the district is limited, officers consider the proximity to the existing services is reasonable given the areas rural locality. As such officers consider there would still be a choice of services and facilities available to local residents if the proposed development was to be approved. As such officers consider there would not be any significant conflict with policy SF/1 2(b).

Future economic viability of the use (financial and marketing)

37. Local planning policy asks for the future economic viability of the use including, in appropriate cases, financial information and results of any efforts to market the premises.

Marketing

38. Policy SF/1 requires that consideration be given to the results of any efforts to market the premises for a minimum of 12 months at a realistic price.
39. The Greene King placed the property on the open market in January 2013 following its closure. In March 2013 the property was listed as an Asset of Community Value.
40. In accordance with the ACV status an owner of a listed site may not place the property on the open market for disposal until 6 week interim moratorium period (unless it falls within one of the exemptions or is to a community interest group) has been entered into and following any indication of a bid from the community with this period, a full moratorium period of 6 months.
41. During the initial 6 week moratorium period no representations were received by the Council from any Groups with an intention to bid for the property. As such the full 6 month moratorium period was not triggered.
42. Following this, the property was placed on the open market. This then led to the purchase by the applicant in August 2013. The sales particular at the time confirms the property was on the market for £295,000 plus VAT and it was clearly marketed for its authorised use as a public house.
43. Mr Wheeler indicates (paragraph 5.1.3) that other interest was received to use the property for various other uses. As a result of the consultation undertaken as apt of this application, one of these persons has come forward to demonstrate their ongoing intention to purchase the property and run it as a Public House.
44. Officers are mindful that several factors might subdue demand for future operators including the following; Grade II listed Building, extensive restoration costs, cost of up-keep to an older property, limited ability to alter internal layout and competition with other services in the area.
45. It is clear that there have not been any efforts to market the premises for a period of 12 months in order to secure interest. However, this factor should be considered together with any findings in relation to the viability tests as detailed in policy SF/1 (criterion 2c).

Financial

46. Policy SF/1(criterion 2c) also requires that consideration be given to any financial information.
47. The planning statement and supporting details submitted by the applicant/agents indicates that it is highly unlikely that the premises will ever revert to a Public House whilst the Edward VII continues to trade as there is insufficient demand in the village to support both. They also consider its current state of repair, costs of bring back into a viable use, completion with other facilities in the locality and size of Guilden Morden population would

also be factors which would deter risk to a future purchaser.

48. This conclusion has been reached by viability assessments that have been undertaken by professional consultants, which include Pinders and Croyland Building Surveyor. The agent also instructed Savills to examine the views of the viability reports prepared by Pinders. These documents can be found on the public file/website.
49. Following the submission of the application with the above documents, officers instructed Fleurets to provide an independent opinion as to whether the Three Tuns would be considered by operators in the market to represent a viable business proposition for use as a public house.
50. Mr Wheeler (for Fleurets) has previously given advice to the Council on the viability of public houses. The most recent being The Plough at Shepreth and as such has a reasonable knowledge of the market forces in this particular district. The estimations and calculations by Mr Wheeler have been made in an assumption the future operations run on a free-tie basis.
51. In preparing the report Mr Wheeler has had special regard to considering its viability in terms of the following: Repair and refurbishment, Management, Competition, Profitability and any other material changes. The assessment has also looked into the trading potential for the property in its current format and also in assuming there is an extension to the kitchen facility.
52. The model Mr Wheeler has used is considered to be broadly in accordance with the CAMRA viability model.
53. *Repair and refurbishment* - The building in question has suffered from neglect in the past and as such a considerable level of expenditure is required to restore the property to a proper state of repair and decoration to meet commercial requirements. Future purchasers will also be mindful that the property is a Grade II Listed Building and as such all works will need to be undertaken with due care and attention to no harm the historic fabric of the building.
54. The report undertaken by Fleurets in comparison to the Croylands report identifies that a total estimated cost of £107,500 (without any major work to the kitchen facility or extension) as being the amount a contemplating purchaser of the property would need to budget for these works. Officers have no reason to dispute the recommendations of these technical reports.
55. It is important to also note that any alterations or extension to a listed building would require planning permission and/or listed building consent and as such there is a need to pay special regard to the desirability of preserving the listed building, its setting or special features it possesses and to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area in accordance with sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. As such, this figure might change subject to discussions with a Historic Building specialist.
56. Representations indicate that the neglect of the property was down to the previous owner and the period it has been left unoccupied. Whist officers are minded that the responsibility should be with the owner/occupier of the

premises to undertake general maintenance and upkeep. It is not the reasonable for the owner to upgrade/extend the building if market forces are not generating enough profit/custom to enable them to do so at the time. Notwithstanding this, Mr Wheeler has had regard to the circumstance that an operator would consider modifying the facilities and expanding the kitchen for a food-led public house.

57. *Management* - Mr Wheeler summarises that poor management can lead to the deterioration of a business to the point it becomes unviable. As mentioned above, Greene King operated the pub for roughly 40 years with the most recent tenant being in the pub from 2006 to 2013. The tenant has not made any comments on the current application with regard to their tenancy. However, representations indicate that the Public House was not managed to what was considered to be an acceptable standard and as a result deterred customers from visiting the pub.
58. During there tenancy, there has been a downturn in the use of the Public House during the recession and the smoking ban. As a result this would have also deterred customers from using the premises. As the lead up to its closure happened at the same time, it is unclear to officers if the business failed due to poor management or market forces. As such officers cannot give substantial weight to this part of the model.
59. *Competition and Visitor Potential* - Officers are minded that there are a number of other public houses trading in the locality as cited above. The closest being the Edward VII. Comments from local residents, the Pinders report and Mr Wheeler identifies the location of these pubs and their proximity to The Three Tuns.
60. As evidenced by Mr Wheeler, in accordance with 2011 census data the total population of 9 parishes (in a three miles radius of the site) is 6,730 people. Including the subject property, this equates to one pub every 673 members of the population. Guilden Morden with two pubs in the village would equate to one pub for every 493 members of the population. Mr Wheeler explains in paragraph 4.3.8 that this is almost twice the national average of one pub for every 1,316 members of the population.
61. Any future operator of the market considering taking on the Three Tuns Public House would be mindful of the relatively remote location and the proximity to existing facilities that already serve the community. Furthermore, there are limited businesses/offices in the local surrounding area, where the public house could pick up local trade during the day.
62. Whilst Guilden Morden is allocated as a 'Group Village' in the Local Development Framework, there is currently little scope to see any significant expansion to the village through the Local Plan. An application has now been received for the provision of 30 dwellings on the edge of the village but this in itself is not considered to be a significant amount in which would make a difference to the viability of a public house in any event this application has not been determined and therefore no weight can be attached to this point.
63. *Trading Potential* – Mr Wheeler expands on the trading history of the property in part 5.1 of the report and continues into the chapter to asses its future trading potential. Special regard has been given to the viability of the premises in its existing format and regard to an extension to the kitchen, to

expand the business.

64. *Other Matters* - The Three Tuns Action Group have challenged these documents (**Appendix 4**) and believe that there is a possibility that the Three Tuns may be capable of operation as a lifestyle choice by a special purchaser with access to alternative sources of income. They have submitted an alternative business model which they consider to be suitable. This includes no extension to a kitchen which would subsequently reduce refurbishment costs and a higher value placed on the existing residential unit than these reports.
65. An interested buyer has also come forward during the course of the application with an interest in regenerating the property and re-opening the Public House.
66. Officers have not been able to certify with a specialist consultant that this alternative model, as presented by the Action Group, would be a viable proposition. However, as previously mentioned Mr Wheeler has had regard to its viability in its existing format (please see paragraph 6.1.1) which he concludes would still produce a net annual loss to an operator. The assumptions on costings/figures within the report are based on Mr Wheeler's expert opinion and in accordance with the requirements of the RICS (Royal Institution of Chartered Surveyors) Practice Statement.
67. Whilst a potential purchaser might be interested, officers are still of the opinion that the financial return should be adequate to provide an owner or operator with appropriate remuneration, with funding to cover loan interest and capital repayments for site purchase and essential investment. As such, anyone taking on the Public House even as a lifestyle choice or with other sources of income would still need to be mindful of this.
68. Taking the above considerations into account collectively, it is considered the information provided demonstrates that there has been a low business performance for a number of years before its closure and the future projections by Mr Wheeler (along with alternative viability models) indicate the situation would not get any better.
69. On this basis, it is considered that the property could not be sold at market value (which was underestimated by Mr Wheeler in his viability calculations at £200, 00) and retained as a viable business use as a public house to operators in the market. As such, officers do not consider it be appropriate in this case for the applicant to demonstrate any attempts to market the premises for a 12 month period. Officers consider the scheme would generally accord with policy SF/1 2(c) of the Local Development Framework

Impact to Listed Building and Conservation Area

70. The Council's Listed Building Officer has made comments on the proposed scheme. These are detailed earlier in the report. In principle no objections are received however, the applicant is encouraged to discuss any future internal alterations with the Council before undertaking works to establish if Listed Building Consent is required.
71. As there are no internal and external alterations proposed at these stage officers consider the proposal would comply with the statutory tests in respect

of the impact on the Listed Building and Conservation Area.

Contributions

72. In August 2015, the 28 November 2014 amendment to the PPG in relation to seeking 'tariff based' and affordable housing on schemes of less than 10 dwellings or below 1000 square metres floor area was quashed in the High Court. This ruling 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 Community Infrastructure Levy regulations).
73. The application seeks permission to change the use of the Public House into a single residential property. As the first floor of the public house is currently used as a residential flat, the proposed change of use to a single property would not put any significant pressure on the existing services and facilities in the village. As such, a S106 agreement is not considered to be necessary to meet the tests of sustainable development as set out in the NPPF and in accordance with the CIL.

Other Matters

74. The Three Tuns Action Group and the Parish Council have questioned the validity of the viability report undertaken by Tony Wheeler of Fleurets. For clarification Mr Wheeler has submitted a letter to the council clarifying the points raised. A copy of this letter is attached as appendix 2 to the committee report. Officers do not believe there is any conflict of interest.
75. The proposal would make an efficient use of the property by adding to the local stock of housing and contribute to the local economy as future occupiers would be likely to use local services and facilities. These matters weigh in support of the applicant's case. However, officers have not given significant weight to these matters by virtue of the building being a Community Asset.
76. The recent appeal decision at The Pear Tree Inn (Hildersham) refused planning permission to convert a pub/shop to a residential dwelling. Representations received have indicated that this appeal is material to the determination of this application. Officers have had regard to this decision when making a recommendation; however circumstances in Hildersham are different from Guilden Morden, in that the Hildersham application lacked any supporting information from the applicant on the future viability of the premises. Notwithstanding this, the building did not require substantial repair works, nor was there a competing business in the village. Weight was given to its ACV status and in order for members to make a balance view; officers have attached this appeal decision as **Appendix 5** (website only) for reference.

Conclusion

- 77.. It is abundantly clear from the bulk of the representations received and the pub's status as an Asset of Community Value that there is strength of local feeling that its current status should be retained. While there has been a stated interest from a third party, Policy SF/1 does not say that all proposals for a change of use of an existing facility should be refused simply because of that interest.

78. In accordance with the wording of Policy SF/1, the determining issue is whether the proposed conversion to a self-contained dwelling would cause an unacceptable reduction in the level of community provision in the locality. This is not the same as saying that all public houses should be retained, whatever their current status or a potential interest in them as a public house. Alternative services can be found in and around the locality some which are assessable via foot/bike. These include the Edward VII, village store and the village hall. There are other facilities further afield albeit these are likely to require the use of a private motor vehicle. In addition, it appears that the Edward VII has become more of a viable enterprise now that any direct competition with the Three Tuns has ceased.
79. Given this level of provision, and their ability to serve the daily needs of the village, officers find that the closure of the public house, should that be the outcome of a grant of planning permission, would not result in a situation where the needs of the village, in terms of community meetings, activities and other forms of interaction, cannot be met.
80. Realistically the viability studies seem to demonstrate that the Three Tuns, as it stands, would not be considered by operators in the market to represent a viable business proposition. For this reason, officers do not consider it an appropriate case for the applicant to demonstrate a further 12 month marketing exercise following the previous efforts in 2013.
81. Taking all of the considerations into account, officers have to conclude – albeit with great reluctance given the history behind the application – that the application does not materially conflict with the main objective of Policy SF/1 and should be approved.

Recommendation

82. Officers recommend, that had the Planning Committee still had powers to formally determine the application, that it should have been approved subject to the following:

Conditions

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

Informatives

- (a) Any internal or external works that affect the historic fabric of the building might require listed building consent.

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)

- Planning File : S/1527/15/FL
- Documents referred to in the report including appendices on the website only and reports to previous meetings

Report Author:

Rebecca Ward

Senior Planning Officer

Telephone Number:

01954 713236

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GUILDEN MORDEN PARISH COUNCIL

(South Cambridgeshire District)

CHAIRMAN: Mr Barry Holme

CLERK: Mrs LG Stoehr
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Rebecca Ward
South Cambridgeshire District Council
Cambourne Business Park
Cambourne
Cambs
CB23 6EA

23 September 2015

Dear Ms Ward

Re: S/1527/15/FL – 30 High Street, Guilden Morden

The Parish Council notes that the above application is for info only however, the Council would like to offer the following comments.

At point 1.2.5 Mr Wheeler states that he has met with Beverley England and he refers to subsequent emails given to him by her. The perception of the Parish Council is that the report is not truly independent. Mr Wheeler claims that he gives his evidence impartially and objectively however, has not consulted known parties who are interested in operating a hospitality business on the site - including those who bid, for the property. These can be expected to be a commercially viable model which should have been considered in the assessment.

The focus of the report is too narrow in considering only a locals wet trade business model. A country food-led model is one that is proven locally and has a completely different scale of opportunity, customer based and competitor landscape

The report does not seem to adequately consider the contribution of the accommodation to the revenue or benefits package for a pub manager.

Point 3.10 The Three Tuns is no more remote than the 'John O-Gaunt' at Sutton, 'The Pig and Abbot' Abington Pigotts and 'The Fox and Duck' at Therfield, which are thriving.

In point 4.3.3 Mr Wheeler refers to local competition but does not refer to pubs locally that have recently been, or are currently being, refurbished – which points to optimism in the market – for example 'The Queen Adelaide' at Croydon, 'Jollie Postie' at Royston 'The Jester' at Odsey and the 'John O'Gaunt' at Sutton; all of which lie outside of the very tight, arbitrary, 3 mile radius.

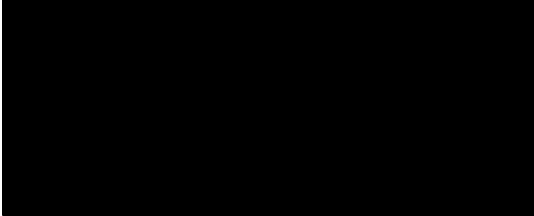
The report should include Tables in section 6.1.1 to account for circumstances where a purchaser does not need a mortgage, or only requires a small amount of mortgage (e.g. 10% and 25%), to purchase the premises.

Point 7.1 refers to the lack of investment by the brewery over the past 25 years. This should be taken as a positive statement that the Pub was able continue trading in spite of this and not a criticism of low business performance.

The Parish Council wishes to remind the District Council that the Three Tuns is protected as an assets of community value

The Parish Council strongly recommends that this planning application is refused.

Yours sincerely



Mrs Gail Stoehr
Clerk

TJW/rw
E-Mail: tony.wheeler@fleurets.com

21st October 2015

Rebecca Ward
Senior Planning Officer
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
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Regulated by RICS

Dear Rebecca

Three Tuns, Guilden Morden, Royston, SG8 0JP

I refer to your email of 5th October and in response to the issues raised by the Three Tuns Action Group (TTAG), I confirm as follows.

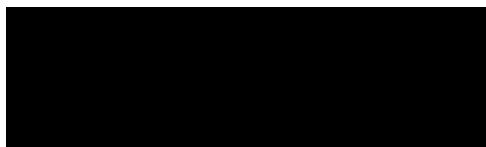
1. There is no connection between myself and those acting on behalf of the applicant.
2. I have had no communication with Matthew Hare of Carter Jonas in relation to this matter, nor have I had communication with him since he was engaged by SCDC as a Planning Officer.
3. I met with Mrs England of Florin Interiors on 13th August 2015 for the sole purpose of gaining access to the Three Tuns for inspection. I did not engage in discussion with her about her company's application or Pinders' Report, save to request that she provide me with copies of the same documentation as had been made available to Pinders for the preparation of their report. I have made clear in my Report the extent of the information available to me.
4. Your email to me of 7th July 2015 stated that the applicants/agent had submitted a number of accompanying documents along with a viability assessment and requested that I provide the Council with comments/recommendations based upon the information that had been submitted. In my response I commented that when providing similar advice to the Council previously, I had done so on the basis of conducting my own assessment of viability and providing the Council with a considered expert report of my own, which incorporated comment where appropriate upon documents submitted by the applicant. This is the basis upon which I proceeded with your instructions and prepared my report.
5. TTAG raise the possibility that the Three Tuns may be capable of operation as a lifestyle choice by a special purchaser with access to alternative sources of income or able to gain benefits from operating the pub with other business interests. This is a possibility, but my report addresses the question as to whether the Three Tuns, as it stands, would be considered by operators in the market to represent a viable



proposition as a public house. I was not asked to consider viability on the basis that the business of a public house may be subsidised by operators' special financial circumstances, be it income derived from alternative sources or other business interests.

I trust the above is of assistance.

Yours sincerely



Tony Wheeler MRICS

HEIDI ALLEN MP
SOUTH CAMBRIDGESHIRE



HOUSE OF COMMONS
LONDON SW1A 0AA

APPLICATION ref. S/1527/15/FL: Change of use from A4 (Drinking Establishment) to C3 (Single Residential Dwelling House)

As Member of Parliament for South Cambridgeshire, I strongly object to the application before you.

At the heart of every sustainable village, I believe there is a strong and vibrant community. This planning application has galvanised residents of Guilden Morden to join together to oppose The Three Tuns being lost forever demonstrating overwhelming support for this property to remain a community facility.

The 8th Core Principle of the NPPF seeks to promote healthy communities and clearly identifies the role of the planning department in ‘facilitating social interaction’ to create healthy, inclusive communities by creating ‘a shared vision of [...] the residential environment and facilities they wish to see.’ Paragraph 69 of the NPPF goes on to emphasise planning decisions should aim to achieve places which promote ‘opportunities for meetings between members of the community who might not otherwise come into contact with each other.’ Clearly The Three Tuns is a facility that local residents feel passionately about; a meeting place for all members of the community; a valued facility that this council recognised should be retained for the benefit of the community when it rejected a challenge to the ACV earlier this year stating: *‘I conclude that, in my view, it is not unrealistic to think that there may be a time in the next five years when the use of the building as a pub might resume. I therefore uphold the listing of The Three Tuns as an Asset of Community Value.’*

Allowing change of use for village pubs is contrary to the NPPF and local policy SF/1 which states ‘Planning permission will be refused for proposals which would result in the loss of a village service, including village pubs,’ if it can be shown to represent a significant loss to the community. Ascertaining the viability of a business and quantifying whether it represents a significant loss of facility when that facility is no longer trading is difficult to ascertain and is highly subjective. However the level of community representation against this application from residents, the Parish Council and Ward Member in my opinion shows The Three Tuns ‘potential contribution to the social amenity of the local population’ in line with policy SF/1 paragraph 2 a. reasons for refusal. In addition the inability of local residents to access establishments with the same offering in surrounding villages by ‘local public transport services, or by cycling or walking’ further strengthens the case for refusal as does the lack of ‘any efforts to market the premises for a minimum of 12 months at a realistic price’ therefore I believe this application to be completely at odds with core principles of the NPPF and adopted local policy SF/1.

Furthermore without having actively marketed the business for a full 12 months in line with planning guidance for change of use, the local authority and local residents will never know if a suitable buyer may come forward, renovate the property and be able to successfully run it as a village pub with a food offering.

Therefore for the reasons stated above, I strongly oppose the application before you and urge members to refuse this application.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Heidi Allen', written over a light pink rectangular background.

Heidi Allen
MP for South Cambridgeshire

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CAMRA's Public House Viability Test Assessing Trade Potential

1 Local Trade

What is the location of the pub? Village, suburban, urban, town centre, isolated country?

Village.

What is the catchment area of the pub?

Guilden Morden village and surrounding villages and towns.

How many adults live within a one mile radius?

Over 1,000 in Guilden Morden and Steeple Morden

In rural areas, how many adults live within a ten mile radius?

Over 50,000 - this includes Letchworth Garden City, Biggleswade, Royston, Sandy, Baldock, Potton, Gamlingay, Henlow, Ashwell and the Mordens

Are there any developments planned for the area? Industrial, residential, strategic projects?

Residential housing developments being built on the west side of Royston

Is there daytime working population?

The Mordens have a demographic profile that is supportive for a pub; it is an affluent area with a high proportion of large detached houses and has an above average proportion of experienced professionals working as consultants/directors who are based at home either part or full time; also a significant proportion are retired/semi-retired

2 Visitor Potential

Is the pub in a well visited/popular location? Is it in a picturesque town or village, on a canal/river side, on a long distance footpath, or on a cycle route?

Walkers, cyclists, families and others regularly pass through the village and have had lunch at The Three Tuns.

Does the pub appeal to those groups who regularly drive out to pubs?

Yes. It is a traditional village pub with beamed ceilings, open fires, dining facilities and a large garden with play equipment for children.

Is tourism encouraged in this area?

Ashwell (within 3 miles) has a high number of tourists annually

Has the pub ever been included in any visitor or tourist guide?

Not yet.

Does the pub act as a focus for community activities? Sports teams, social groups, local societies, community meetings etc?

When the pub was open, it was host to many social groups and was the registered address of a local charity

3 Competition

In rural areas, how many pubs are there within a one mile radius and within a five mile radius?

Two within one mile and seventeen within five miles. Of the seventeen only 3 or 4 would be in direct competition - it is often difficult to get a table for lunch mid-week without booking.

In urban areas, how many pubs are there within reasonable walking distance?

N.A.

Bearing in mind that people like a choice, does the pub, by its character, location, design, potentially cater for different groups of people from those of its nearest competitor(s)?

Yes. The nearest competitor is a wet sales only pub that has no garden or commercial kitchen with a largely male customer base. It is not open at lunchtimes from Monday to Thursday. The Three Tuns was a family friendly pub open lunchtimes and evenings throughout the week with a large garden and a commercial kitchen serving food.

If no, could the pub be developed to cater for different groups?

N.A.

4 Flexibility of the Site

Does the pub/site have unused rooms or outbuildings that could be brought into use? Function rooms, store rooms etc.

There are upstairs rooms that could be used as function rooms, depending on whether the owner chose to use them for this purpose or as their main residential home. The storage shed could also be incorporated into the pub to enlarge the bar and improve the gents toilets.

Is the site large enough to allow for building extensions?

Yes.

Have planning applications ever been submitted to extend/develop the pub building? If yes, when and what was the outcome?

Yes, over 30 years ago. Extension to public bar since converted (approx. 7 years ago) into a dining room.

If planning consent was not available for building work, is any adjoining land suitable for any other use? Camping facility etc.

While the garden is not suitable for camping facilities, it is large enough to enable a conservatory or other extension to be added.

Has the pub been well maintained?

The building is Grade 2 listed, but has deteriorated slowly under brewery ownership with under-investment for over 20 years; since it was sold by Greene King in 2013, the building has been left vacant and has declined further.

5 Parking

Is there access to appropriate numbers of car parking spaces?

Yes.

If no, is there any scope for expansion?

The existing car park could be expanded.

6 Public Transport

Is there a bus stop outside or near the pub and/or a rail station within easy walking distance?

Bus stop outside.

How frequent is public transport in the area?

2 hourly during the day – no services in the evenings or Sundays.

How reliable is the public transport in the area?

Reliable.

Has the pub made actual/potential customers aware of any public transport services available to/from it?

Not known.

Are there taxi firms in the locality?

8 miles away in Royston.

Has the pub entered any favourable agreements with a local taxi firm?

Not known.

7 Multiple Use

In the light of government guidance through the National Planning Policy Framework (see the Appendix) what is the extent of community facilities in the local area – is there a shop, post office, community centre etc?

There is a village shop but not a post office. There is a village hall.

If the pub is the sole remaining facility within the area, is there scope for the pub to combine its function with that of a shop, post office or other community use, bed & breakfast or self-catering – especially in tourist areas?

The pub could broaden its services in a number of areas – as a tea room, a cycling hub, a parcel drop, a library or a venue for car boot sales

The following points are not currently applicable as the pub has closed and waiting for it to reopen.

Partial Loss

(These questions come into play if the application seeks changes which would reduce the size of the pub or convert non-public areas, such as licensee

accommodation, to other uses). How would the proposals impact on the long-term financial health of the business?

The current owner has applied for change of use for the building from a pub into a residential dwelling. A previous application to build housing on the pub garden was withdrawn. If either application were to be approved, a 160 year-old pub would be lost to the community permanently.

Would a smaller pub still be able to attract sufficient trade? Would the smaller size make it less attractive to customers e.g. because there were fewer facilities?

The long-term viability of the pub is dependent on having sufficient space for the garden, a commercial kitchen and a car parking area. Any reduction in size would be detrimental.

Would any loss of licensee accommodation make the pub less attractive to potential future publicans?

Yes. Any loss of licensee accommodation would put unnecessary restrictions on potential landlords with families.

Competition Case Studies

Are there any successful pubs in neighbouring areas of similar population density?

Yes. Examples include the Pig & Abbot in Abington Pigotts (population 162) and The Chequers in Wrestlingworth (population 740). Both are villages that are smaller than Guilden Morden (population 929).

What factors are contributing to their success?

A traditional country pub atmosphere with attractive rooms, open fires, good beer, good food and good service.

The Business Past and Present

Having built up a picture of the business potential of the pub, it may be relevant to question why the pub is not thriving and why the owners are seeking change of use.

The Three Tuns was sold by the brewery and was bought by a land speculator with no interest in The Three Tuns remaining a pub. An alternative buyer with a successful local catering business and the intention of re-opening the pub made a similar priced bid in 2013. This potential buyer has confirmed that they would bid again if the pub were to be put up for sale at a realistic price as a pub.

Is the business run by a tenant or a manager?

Previously run by a tenant. The building was allowed to deteriorate by the brewery.

Does the pub management have local support?

There is strong local support for re-opening the pub as evidenced by over 100 individuals objecting to the recent change of use application.

Has the pub been managed well in the past?

No – the key issues were a declining quality of food and service that was not sufficiently welcoming. In part these reflected the lack of resources provided under brewery ownership, but the tenant was also not sufficiently adept at business management or customer care.

Is there any evidence to support this?

Yes. The pub was often under-staffed and the level of skill applied in the kitchen was below average.

Are trading figures available for the last four years and/or from previous management regimes?

We only have access to figures supposedly from Greene King but Greene King would not confirm their accuracy. These show a decline in beer sales only.

Have there been recent efforts to ensure viability? e.g. has the pub opened regularly and at convenient hours?

Unfortunately The Three Tuns has been closed since January 2013. The current owner has stated that she has no intention of re-opening the pub.

Has the focus/theme of the pub changed recently?

No.

Is the pub taking advantage of the income opportunities offered by serving food?

It did when it was open and would do so again.

How many times a day *was* food served?

Lunchtime and evening throughout the week.

How many times a week?

Six with Sunday lunch up to 19.00 – later if pre-ordered.

Were any catering facilities being optimised?

To a limited extent with off sales of menu items (takeaways) and catering for special events (eg birthday parties).

Has the rent/repair policy of the owner undermined the viability of the pub?

Not known – but this seems probable.

Are there any non-standard circumstances relating to local authority business / rates / taxes?

Not known.

Are there any possible unclaimed reliefs? e.g. where rate abatement is not granted automatically but has to be claimed.

Not known.

**Completed by Three Tuns Action Group
October 2015.**

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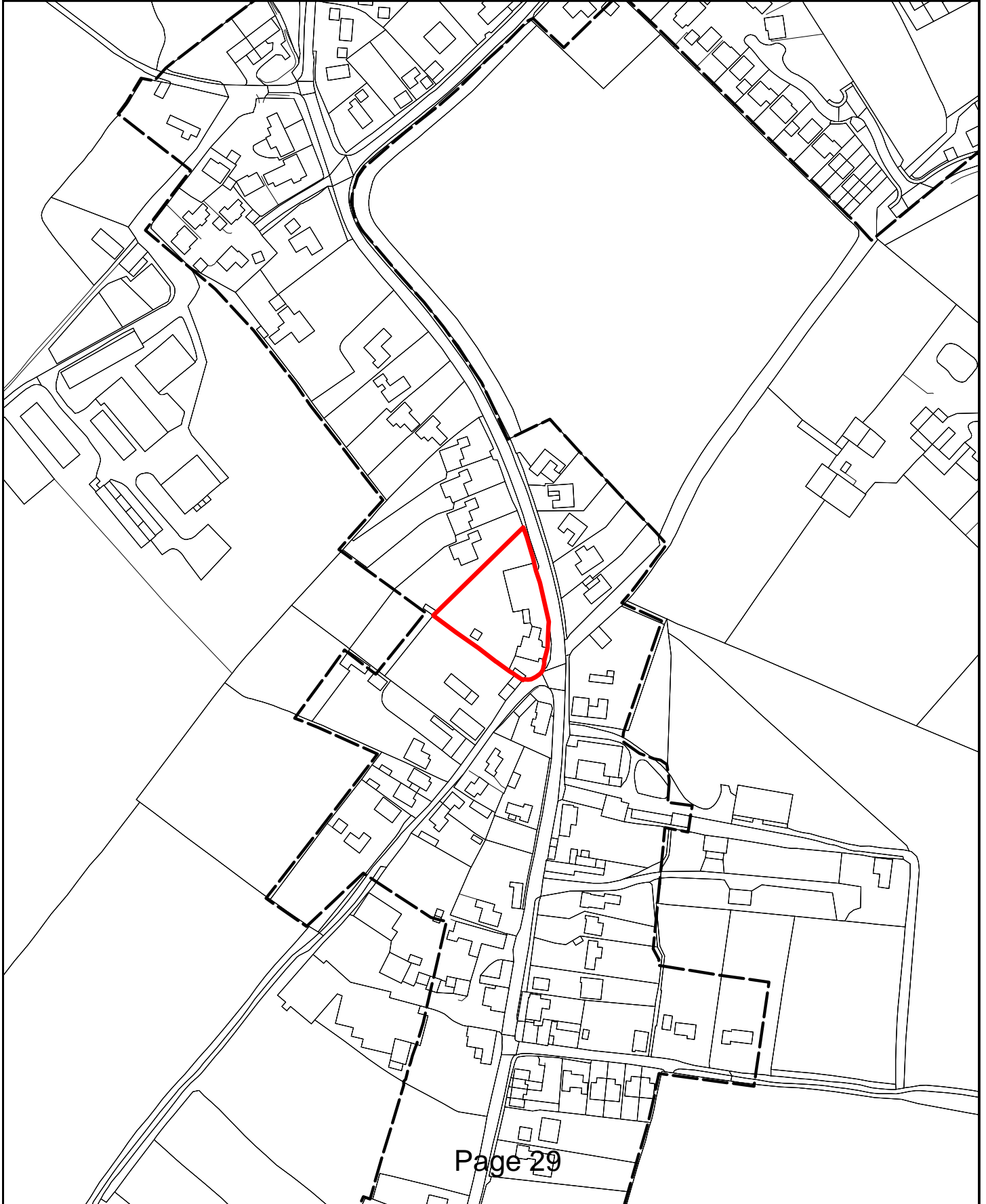
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Date of plot: 19/02/2016



**South
Cambridgeshire
District Council**

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Agenda Item 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 March 2016

AUTHOR/S: Planning and New Communities Director

TPO Number: 05/15/SC

Parish(es): Thriplow

Proposal: To consider objections lodged against the provisional Tree Preservation Order

Site address: Land at rear of 7 & 9 The Green, Thriplow

Owner(s): J Lindop, M Lindgren, Thriplow Farms

Recommendation: To confirm the Tree Preservation Order with modifications

Key material considerations: Amenity value

Committee Site Visit: 1 March 2016

Departure Application: N/A

Presenting Officer: Ian Lorman, Tree Officer

Application brought to Committee because: Objection raised against the making of provisional Tree Preservation Order

Date by which decision due: 20 May 2016

Executive Summary

1. On 14 October 2015 the Council received a notification from the occupier at no.9 The Green of the intention to carry out tree work in the Conservation Area of Thriplow as required by Section 211 of The Town and Country Planning Act 1990. The work proposed comprised among other things, the removal of four Sycamore trees (now the subject of this TPO). Thriplow Parish Council and SCDC Member Councillor Topping requested a TPO be made to prevent the removal of the four Sycamore trees on the grounds that *“the trees comprise part of the last copse in the village of Thriplow. They are healthy and should be preserved because they assist in maintaining the character of the copse. The copse is an amenity for the village contributing to its general character and the quality of life of its residents.”*
2. On 20 November 2015 a Tree Preservation Order (TPO) was served covering the four Sycamore trees. The trees are numbered T1 to T4 on the schedule to the TPO. Trees T1 and T3 are located in the rear garden to no.7 The Green, tree T2 to the rear garden to no.9 The Green and T4 just outside the rear boundary to no.7 within a paddock in adjoining land ownership.

3. TPOs are served on a provisional basis in the first instance to allow a period of 28 days in which third parties may make objections or representations for the consideration of the Council before the decision is made to confirm the order (make it permanent). This is either in its original form, in a modified form or to allow the TPO to lapse and become void, which occurs after the expiration of six months from the date of service if it is not confirmed (20 May 2016).

Representations

4. The occupier of 9 The Green lodged an objection to the TPO on 23 December 2015. The objection is supported by an expert's report of Hayden's Arboricultural Consultants dated 22 December 2015.
5. The objector's expert has made an assessment of the trees in the TPO using a recognised method called 'Tree Evaluation Method for Preservation Orders' (TEMPO) which attempts to evaluate tree's worthiness for a TPO having regard to amenity value and the relevant factors. This is principally their visibility from a public place and their wider value in the landscape. In doing so, the expert arrives at a nominal value set against a minimum value requirement to justify the making of a TPO (an expediency test).
6. The conclusion of the expert's opinion is that trees T1, T2 and T3 do not meet the minimum criteria to justify protection by a TPO and that tree T4 does meet the minimum criteria.

Planning Assessment

7. TPOs are made in order to protect amenity but 'amenity' is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order.
8. Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order they should be able to show that protection would bring a reasonable degree of public benefit in the present or future.
9. The extent to which the trees or woodlands can be seen by the public will inform the authority's assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public.
10. Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:
 - a size and form;
 - b future potential as an amenity;
 - c rarity, cultural or historic value;
 - d contribution to, and relationship with, the landscape; and
 - e contribution to the character or appearance of a conservation area.
11. Further support for the Parish Council's request was forthcoming from Councillor Topping giving greater impetus for the making of the TPO.
12. As the site lies within a conservation area, there is a statutory duty to pay special

attention to the desirability of preserving or enhancing the character or appearance of that area. Nonetheless, upon requesting a TPO be made, Thriplow Parish Council was advised by the case officer that the case for the making of a TPO was weak because of the isolated rear garden location of the trees and their inherent limited visibility when viewed from a public place.

13. Cllr Topping's view that the trees should be preserved because they assist in maintaining the character of the copse and this is an amenity for the village is noted. However, the Trees Officer remains of the view that the contribution that the trees make to the amenity of the conservation area and of the village as a whole are not sufficient to justify a TPO.
14. The objection to the TPO via the expert's report has been made using a recognised evaluation method and has been carried out by an independent expert. The conclusions in the expert's report are clear and reasonable and officers have no reason to dispute the findings. As such, trees T1, T2 and T3 do not meet the minimum criteria to justify protection by a TPO but that tree T4 does meet the minimum criteria.

Recommendation

15. Officers recommend that the Committee confirm TPO 05/15/SC in a modified form omitting trees T1, T2 and T3 and only confirming T4.

Background Papers:

- Tree Preservation Order no. 05/15/SC
- DCLG Online Planning Guidance / Tree Preservation Orders

Report Author:

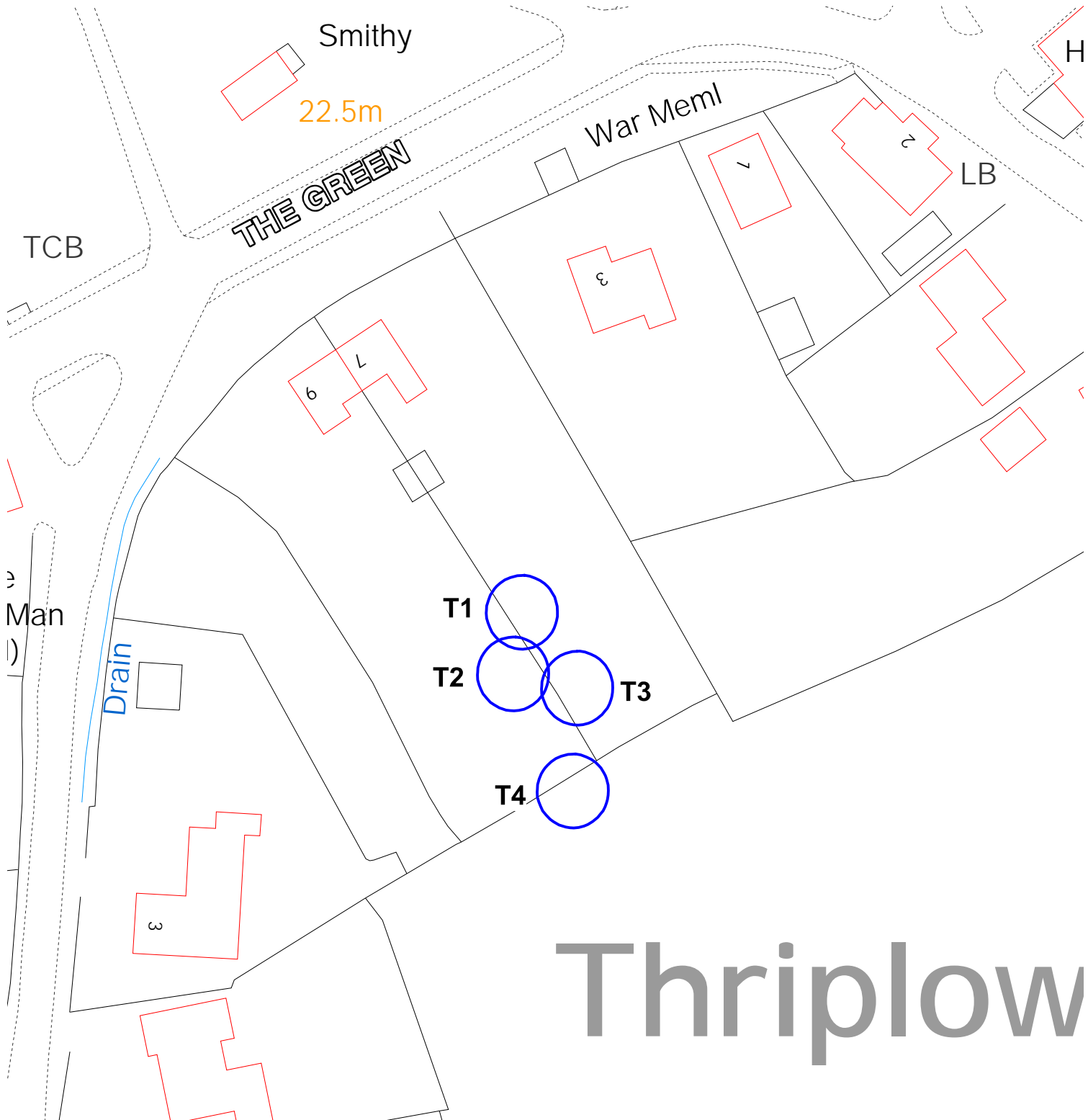
Ian Lorman

Tree Officer

Telephone Number:

01954 713405

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Thriplow

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Tree Preservation Order 05/15/SC

Town and Country Planning Act 1990
Town and Country Planning
(Tree Preservation) (England) Regulations, 2012

Tree eg T1 

- T1 Sycamore
- T2 Sycamore
- T3 Sycamore
- T4 Sycamore

TREE PRESERVATION ORDER NO 05/15/SC

Map referred to in
Land rear of 7 and 9 The Green, Thriplow

South Cambridgeshire Hall
Cambourne Business Park
Cambourne, Cambridge
CB23 6EA

Drawn IL, Checked IL, Date 19/11/2015
Reference: C/11/17/091 Scale 1:750

Signed:

Date:

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Agenda Item 6

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 March 2016

AUTHOR/S: Planning and New Communities Director

TPO Number: 07/15/SC

Parish(es): Linton

Proposal: To consider objections lodged against the provisional Tree Preservation Order

Site address: Land at 1 Horseheath Road, Linton

Owner(s): John Loveday, Aquabridge Law LLP

Recommendation: To confirm the Tree Preservation Order without modifications

Key material considerations: Amenity value

Committee Site Visit: 1 March 2016

Departure Application: N/A

Presenting Officer: Ian Lorman, Tree Officer

Application brought to Committee because: Objection raised against the making of provisional Tree Preservation Order

Date by which decision due: 23 June 2016

Executive Summary

1. On 23 December 2015 a Tree Preservation Order (TPO) was served covering two mature trees. The trees are numbered T1 and T2 on the schedule to the TPO. Tree T1 is a Cedar and T2 a Pine which are located in the front garden to no.1 Horseheath Road. Both trees are clearly visible when viewed from the highway.
2. TPOs are served on a provisional basis in the first instance to allow a period of 28 days in which third parties may make objections or representations for the consideration of the Council before the decision is made to confirm the order (make it permanent) either in its original form, in a modified form or to allow the TPO to lapse and become void, which occurs after the expiration of six months from the date of service if it is not confirmed (23 June 2016).

Representations

3. The site owner lodged an objection to the TPO by letter on 18 January 2016. The reasons for the objection are:

- A *“South Cambridgeshire District Council have already stated that they have no objection to the trees being removed as they are of no particular merit; and*
 - B *Both trees are potential health and safety hazards due to the elevated nature of the site and their locations – the Cedar adjoining the road and the Pine adjoining the new house that is currently under construction as well as the road.”*
4. The objector has provided evidence that the Council previously raised no objection to the removal of the trees subject of this TPO in the form of an email from Rosalind Richardson (former SCDC Tree Officer) dated 2 April 2012 and a draft, proposed layout plan relating to pre-application discussion dating from December 2012.

Planning Assessment

5. The Tree Warden for the Parish of Linton and Linton Parish Council had requested the TPO be made due to ongoing planning issues at the site. A planning application proposing redevelopment of the site for a number of dwellings has recently been refused for reasons unrelated to the trees covered by the TPO (over-development). The most recent proposed development showed the trees being retained and included measures for their protection during construction. The TPO would have helped to ensure the physical protection of the trees during construction had the development been approved or in the event of a future approval.
6. The evidence provided by the objector regarding the Council previously raising no objections to the removal of the TPO trees is in excess of three years old. There is no evidence that the Council opined that they [the trees] are of no particular merit.
7. The recent planning history of outline planning applications demonstrates that there is a strong desire and willingness to retain both the Cedar and the Pine tree as part of a scheme. The loss of, or harm to trees has not been cited by the Council as a reason for refusal or for objecting to the following planning applications:
- S/2504/14/OL (withdrawn) – The illustrative layout showed both trees being retained
 S/2109/15/OL (refused) – The illustrative layout showed both trees being retained
8. No evidence has been provided to qualify comments made in relation to the potential health and safety hazards posed by the trees. The most recent outline planning application (refused) includes a tree survey undertaken during September 2014 in which no concern was raised about the health and safety hazards posed by either the Pine or the Cedar trees.
10. TPOs are made in order to protect amenity but ‘amenity’ is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order.
11. Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order they should be able to show that protection would bring a reasonable degree of public benefit in the present or future.
12. The extent to which the trees or woodlands can be seen by the public will inform the authority’s assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public.

13. Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:
size and form;
 - a future potential as an amenity;
 - b rarity, cultural or historic value;
 - c contribution to, and relationship with, the landscape; and
 - d contribution to the character or appearance of a conservation area.
14. While the trees are not within, or can be seen from, a conservation area, both the Cedar and the Pine make a positive contribution to amenity and the character and setting of this part of Linton.
15. Apart from this provisional TPO there is no other legal protection mechanism preventing the removal of these trees.

Recommendation

16. Officers recommend that the Committee confirm TPO 07/15/SC without modification.

Background Papers:

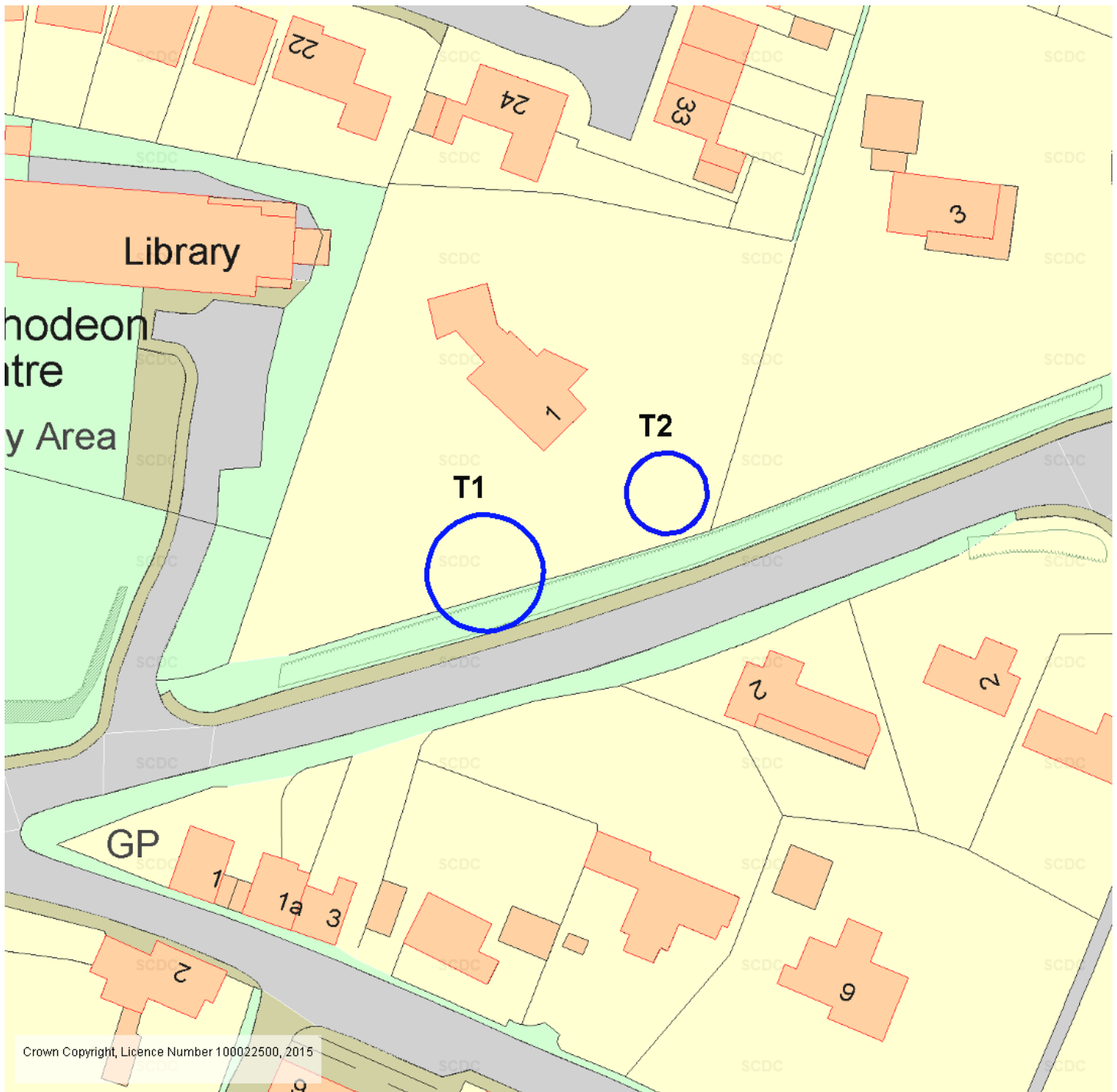
- Tree Preservation Order no. 07/15/SC
- DCLG Online Planning Guidance / Tree Preservation Orders

Report Author:

Ian Lorman
Telephone Number:

Tree Officer
01954 713405

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07/15/SC. Land at 1 Horseheath Road, Linton. C/11/17/059

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
TREE PRESERVATION ORDER**

Town and Country Planning Act 1990
Town and Country Planning
(Tree Preservation) (England) Regulations, 2012

South Cambridgeshire Hall, Cambourne Business Park,
Cambourne, Cambridge, CB23 6EA

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Tree



Drawn IL, Checked IL

Signed:

Date:



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NORTH
17 December 2015

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Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 March 2016

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2108/15/FL
Parish:	West Wickham
Proposal:	Change of use of stables to a single dwelling, small connecting link, reopening of access
Site address:	The Meadow, Streetly End, West Wickham, Cambridge, Cambridgeshire CB21 4RP
Applicant:	Mr William Stone
Recommendation:	Approve, subject to conditions.
Key material considerations:	Principle of development Impact of Heritage Assets Open Space Residential Amenity Highway Safety
Committee Site Visit:	1 March 2016
Departure Application:	No
Presenting Officer:	Chris Morgan, Senior Planning Officer
Application brought to Committee because:	The officer recommendation is contrary to the views of the Parish Council
Date by which decision due:	9 November 2015

Executive Summary

1. Whilst the proposal lies just outside the Development Framework boundary, due to the outdated policies in relation to the 5 year supply of housing across the District, the conversion, small extension and redevelopment of this brownfield site so close to the existing settlement is considered a sustainable development in this location and acceptable in principle. The proposal would not cause any significant harm to the adjacent Conservation Area, the adjacent Grade II Listed Building, Highway Safety or the residential amenities of neighbouring occupants.

Planning History

2. S/0293/10/FL - Erection of Two Stables and Tack/Feed Room - Approved.

S/0158/05/FL –Stables - Approved.

S/0213/03/FL – Vehicular Access – Approved

S/1613/02/RM – Agricultural Dwelling and Garage - Approved.

S/0247/02/O – Agricultural Dwelling – Approved

S/0041/00/F – Barn and Two Bulk Feed Stores - Approved

Planning Policies

3. *National Planning Policy Framework
Planning Policy Guidance*

Local Development Framework

Core Strategy DPD

ST/7 Infill Villages

Development Control Policies DPD

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/7 Development Frameworks

TR/2 Car and Cycle Parking Standards

CH/5 Conservation Areas

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

SF/11 Open Space Standards

Supplementary Planning Documents

District Design Guide SPD – adopted 2010

Draft Local Plan

S/1 Vision

S/2 Objectives of the Local Plan

S/3 Presumption in Favour of Sustainable Development

S/11 Infill Villages

HQ/1 Design Principles

TI/3 Parking Provision

Consultations

4. **West Wickham Parish Council** -

Recommends 'Refuse' with the following comments:

'It was agreed that the Council object to the application on the grounds that it is outside the development framework for the village. In addition it was agreed that, if the application is approved, access should be for the new development only. In order to ensure that this condition is adhered to, it was recommended that the site should be physically separated to prevent through access to the adjoining farm.'

5. **Local Highway Authority** - No objections subject to conditions requiring;

- The internal track to the farm buildings at the rear is removed.
- Pedestrian visibility splays be provided.
- Construction of the access to prevent drainage onto the adopted public highway.
- Driveway to be constructed of a bound material.
- Gates to be set back a minimum of 5 metres from the near edge of the highway boundary.

6. **Environmental Health Officer** - No objections subject to conditions requiring:

- No burning of waste or other materials on site.
- No construction site machinery, plant operation, noisy works or deliveries outside sociable hours.

Representations

7. One letter of representation has been received from the occupant of Michaelmas Cottage at 32 Streetly End raising the following material planning objections;

- If the access is reopened it will be possible for farm traffic to drive from the barns to the main road which would be dangerous due to the number of access points in close proximity.
- The site would affect the setting of a listed building and the adjacent Conservation Area.

8. A written comment has been received via the Council's website from a local resident raising the following objection;

- The proposed character and design of the stable conversion is not in keeping with other houses in Streetly End.

Planning Assessment

Principle of development

9. The NPPF requires councils to boost significantly the supply of housing to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
10. On the 25 June 2014 two appeal decisions in Waterbeach found that the Council only had either a 3.51 or 3.9 year housing supply (each appeal was judged on its own evidence and slightly different conclusions reached). The Council's housing supply policies in adopted and emerging plans upon writing this report still remain out-of-date.
11. 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 advice in 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. Where this is the case, paragraph 14 of the NPPF states there is a presumption in favour of sustainable development. It goes on to say that 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.

12. This site lies outside, but immediately adjacent to, the development framework boundary of West Wickham which runs along the side (south western) and front (south eastern) boundaries of the site. Given the above, in assessing the principle of residential development, this boundary must effectively be disregarded. However, as the site lies so close to the policy boundary some regard should be had to policy ST/7 of the Core Strategy in relation to residential development in Infill Villages as a measure of the suitability of the location for sustainable residential development. Under this policy residential development of less than 2 dwellings is considered acceptable in principle where it involves the conversion of a non-residential building which would not result in a loss of local employment.
13. The loss of stables used in connection with the existing farm could potentially lead to some loss of employment, however as the current policy relates to the supply of housing it must be considered out of date and as there is a clearly identified need for housing across the district it is not considered to outweigh the presumption in favour of sustainable development required by the NPPG.

Location of the Site and Access to Services/Facilities

14. The settlement of Streetly End itself is a separate part of the main village centre of West Wickham which lies just over a 1 km to the north. It lies the same distance from the centre of the slightly larger infill village of Horseheath to the South. The Group Village of Balsham is 2.8 miles by road and the Minor Rural centre of Linton approximately 4 miles away.
15. The site lies 1.1 km (0.7 miles) from a bus stop in West Wickham which is served by 5 or 6 buses daily to Haverhill (Mon-Fri) and whilst there is only a weekly bus service to Cambridge from West Wickham, the nearest bus stop in Horseheath is the same distance from the site and is served by a half hourly service (Mon-Sat) and hourly Sunday service to both Cambridge and Haverhill.
16. West Wickham is served by a Post Office, Village Hall and a monthly Mobile Library, whilst Horseheath offers the same services as well as a Public House and a Hotel.
17. For the reasons above the site is considered to be a sustainable location for a single dwelling supported by the range of local services available to the existing dwellings within Streetly End which lie immediately adjacent to this site.

Heritage Assets

18. The site lies immediately adjacent to the Conservation Area, the edge of which borders the site to the south west and along the front of the site where it borders the main road through Streetly End.
19. There is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. The proposal would not significantly alter the appearance of the building and relates to an existing single storey timber clad structure. The site itself is heavily screened from the road and the Conservation Area to the South by well established trees and hedgerow. For these reasons the conversion of the stables would not have any significant impact upon the appearance or character of the adjacent Conservation Area in accordance with policy CH/5 of the Local Development Framework 2007..

20. For applications affecting a listed building or its setting, there is a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The stables are separated from the neighbouring Grade II listed building (Michaelmas Cottage) at 32 Streetly End by approximately 30 metres at the nearest point. A large detached garage which serves number 32 lies between the site and the Listed Building and an access drive to a stable block separates the two sites. Given this degree of physical and visual separation it is not considered that this proposal would lead to any significant adverse impact upon the Listed Building or its setting.

Open Space

21. According to the Council's Open Space and Recreation Study 2013 West Wickham is well served for space for sports and allotments and has a slight deficit of play space and informal open space based upon population size. However, this proposal would provide for a large garden area of up to 150 square metres which would reduce the need for reliance upon public open space and is therefore considered acceptable.

Residential Amenity

22. The converted stables would have no undue adverse neighbour impacts as a consequence of the building being sited away from the existing dwelling on the site – The Meadow – and there being no other dwellings in the vicinity near enough to be affected. The restrictions recommended by the Environmental Health Officer should be included as requested

Parking, Access and Highway Considerations

23. The proposed development would provide ample on site parking space to serve a 4 bedroom dwelling and is considered to accord with policy TR/2 of the Local Development Framework.
24. The access to the proposed dwelling originally formed the main entrance to the farm at the Meadow and was closed up following the granting of permission for a new access to the farm buildings and the new agricultural dwelling immediately to the north east. The original gateway and dropped kerb remains as well as an internal access drive which leads on to the farm buildings to the rear.
25. Whilst Highways officers have raised concerns regarding the suitability of the existing access to serve a residential dwelling, they do not object to the proposal subject to the imposition of a number of conditions including those to ensure that the access onto Streetly End be upgraded, the gateway set back at least 5 metres from the carriageway and a condition to ensure that the internal access drive to the farm buildings be removed.
26. These conditions are considered reasonable and sufficient to make the proposal acceptable in planning terms and on this basis the proposal is considered to be acceptable in terms of highway safety and accord with policy DP/3 of the Local Development Framework.

Recommendation

27. Approval, subject to the following:

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: 10775/P/01, 10775/P/02, KCC2046/04a 09/15lm and KCC2046/01 08/15lm (All as received and date stamped 14th August 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 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) During the period of demolition and construction, no power operated machinery shall be operated on the site and no construction related deliveries taken or despatched from the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

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

- e) The existing hedge on the front boundary of the site shall be retained except at the point of access; and any trees or shrubs within it which, within a period of five years from the completion of the development or the occupation of the buildings, whichever is the sooner, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

(Reason - To protect the hedge which is of sufficient quality to warrant its retention and to safeguard biodiversity interests and the character of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

- f) 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 the highway boundary

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

- g) The proposed driveway shall be constructed so that the falls and levels are such that no private water from the site drains across of onto the adopted public

highway. The use of permeable paving does not provide sufficient long term surety of drainage and as such the Highway Authority will require positive measures to prevent private water entering the adopted public highway.

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

- h) The internal track shown on the approved drawing number KCC2046/01 08/15lm leading between the proposed access and the existing internal link shall be removed permanently to separate the re-opened residential access.

(Reason: In the interest of highway safety in accordance with policy DP/3 of the Local Development Framework 2007)

- i) The proposed driveway shall be constructed using a bound material for the first five metres from the boundary of the adopted public highway into the site, 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.)

Informatives

There shall be no burning of any waste or other materials on the site, without prior consent from the Environmental Health Officer.

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.

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- 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: Chris Morgan – Senior Planning Officer
Telephone: (01954) 713259

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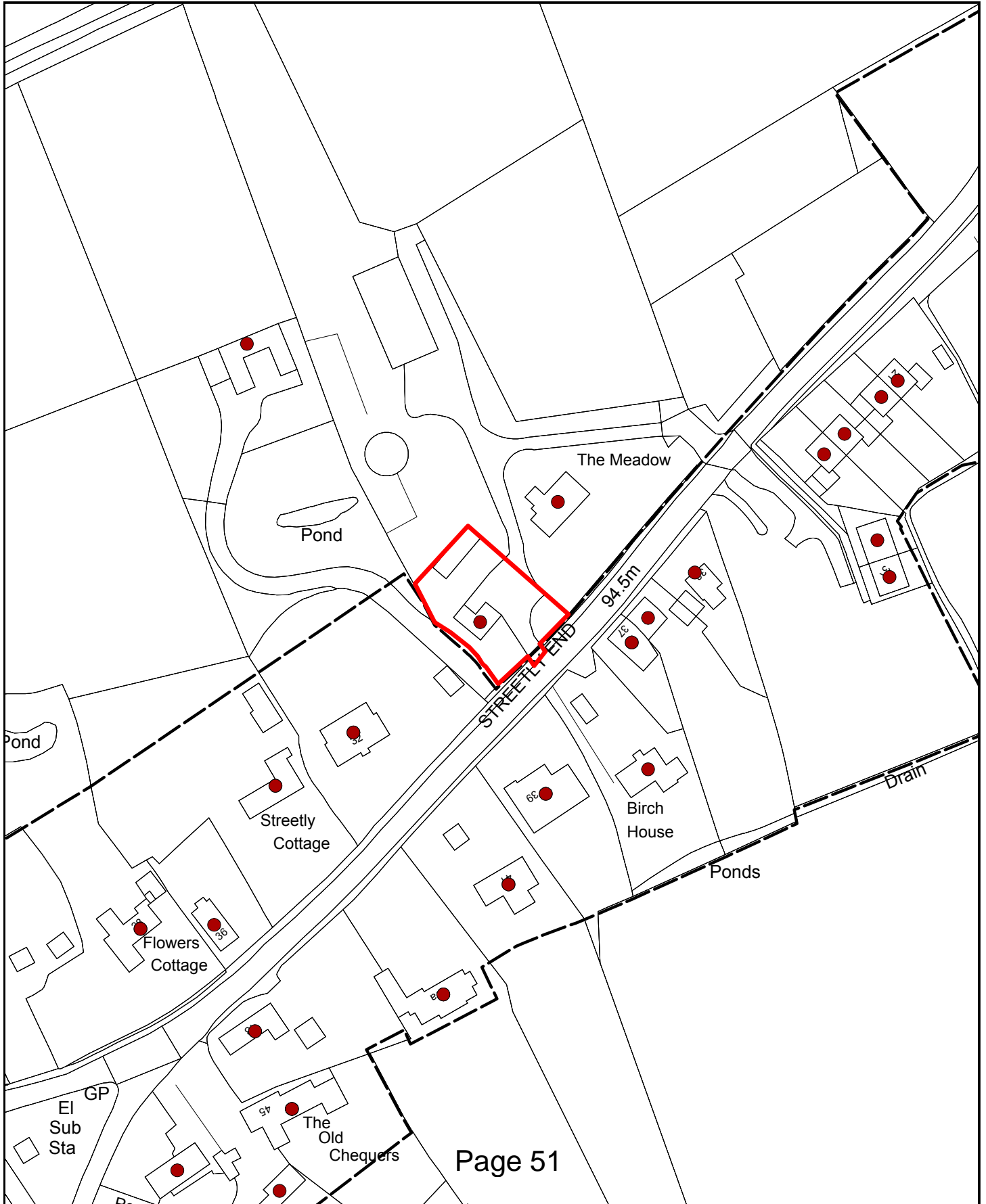
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Date of plot: 19/02/2016



South
Cambridgeshire
District Council

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Agenda Item 8

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 March 2016

AUTHOR/S: Planning and New Communities Director

Application Number: S/2541/15/FL

Parish: Longstanton

Proposal: Single storey side extension to form garden room, new entrance gates, walls and piers.

Site address: St Michaels Mount, St Michaels, Longstanton

Applicant: Mr Alex Riley

Recommendation: Approval

Key material considerations: Impact on the character and appearance of the Conservation Area, Highway Safety and Trees

Committee Site Visit: 1 March 2016

Departure Application: No

Presenting Officer: Debra Bell, Planning Officer

Application brought to Committee because: The applicant is a District Councillor

Date by which decision due: 5 February 2016

Planning History

1. S/1624/10 – Installation of 10 Photovoltaic and 4 Thermal Solar Panels to the roof of the dwelling – Approved.
2. S/1691/96/F – Extension – Approved.

Planning Policies

3. **National Planning Policy**
National Planning Policy Framework (NPPF) 2012
4. **South Cambridgeshire LDF 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

5. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
District Design Guide SPD – Adopted March 2010
Development Affecting Conservation Areas SPD – Adopted 2009
6. **South Cambridgeshire Local Plan Submission 2014**
HQ/1 Design Principles
NH/14 Heritage Assets

Consultations

7. **Longstanton Parish Council** – None received.
8. **Local Highways Authority** - No significant adverse effect upon the Public Highway should result from this proposal, should it gain the benefit of Planning Permission. Requested an informative adding to any decision regarding the requirement to obtain permission from the Highway Authority for any works to the public highway.
9. **Conservation Officer** – Recommends approval subject to conditions requiring the submission of further details of: scale drawings (1:5) showing railings, capping and moulding, construction details and finish. Pillar details, sample panel of stone showing bond, mortar mix and coping stone. Sample materials for extension and scale drawings (1:2) showing thickness of glazing, depth of reveal, opening arrangements and rooflights.
10. **Tree Officer** - No objections, provided that the advice on tree protection within the report and plans of Hayden's Arboricultural Consultants (ref: 5104 dated 09/12/15) is strictly followed.

Representations

11. None received.

Planning Appraisal

12. St Michaels Mount lies within the southern edge of St Michaels Conservation Area on the corner of St Michaels and Longstanton Road. The property is set within its extensive grounds, away from the highway and screened from public views by mature trees.
13. St Michaels Mount is a non-designated heritage asset that makes a positive and valuable contribution to the wider setting of the Conservation Area and the village framework of Longstanton.
14. This part of Longstanton is characterised by a mixture of residential properties with wide grass verges and well established hedgerows, this creates a rural feel leading out to the wider countryside.

Impact on the Conservation Area and Street Scene

15. For development within a conservation area, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states “*special attention* shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

16. The NPPF, at paragraph 135 states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having the regard to the scale of any harm or loss and the significance of the heritage asset.
17. The NPPF, at paragraph 137 states, local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
18. This application promotes an appropriately designed single storey extension to the non-designated heritage asset, St Michaels Mount. The extension, its scale and design incorporates traditional materials and details which respond to the original character of the dwelling and are therefore considered to preserve and enhance the asset and the wider conservation area. The extension will have no impact on the street scene as it will not be visible.
19. The proposed brick walls, piers and side walls with their metal railings and gates will create a traditional entrance of an appropriate scale and design which will positively contribute to the setting of St Michaels Mount by introducing a better relationship between the entrance and the dwelling.
20. The proposals will preserve the open countryside feel and enhance the character and appearance of the area.

Highway Safety

21. The proposed brick walls, piers, railings and gates will be set back further into the site than the existing and will provide a much improved and safer access to the property, allowing adequate space for vehicles to pull off of the highway safely in front of the gates.
22. The proposed position of the walls and gates allows improved visibility when exiting onto the corner of St Michaels and Longstanton Road.
23. The Highway Authority has raised no objection to the proposals.

Trees

24. In order to achieve the proposed layout of the rearranged access it is necessary to fell two low quality/poor longevity trees and minor surgery will be required to four trees. All trees and landscape features that are to remain will be protected by fencing during construction works. Officers consider the tree details to be acceptable and a compliance condition will be added to the decision notice to ensure the development is carried out in accordance with these details.

Recommendation

25. Officers recommend that the Committee approves the application subject to:

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 Plan 1:1250, Drawing numbers 3324/01, 06, 07, 08, 09 & 10 (All as received and date stamped 5 OCT 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 extension and boundary walls hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007).
- (d) No works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:
- (i) Sections (1:2) and elevations (1:20) of the proposed new windows, doors and cills; such detail shall show opening arrangements and glazing bar patterns and depth of reveal.
 - (ii) The proposed rooflights to be inserted.
 - (iii) Sections (1:5) and elevations (1:20) of the proposed new railings showing capping, moulding, construction details and finish.
 - (iv) Sections (1:5) and elevations (1:20) showing pillar and capping details.
 - (V) Sample panel of brick wall showing bond and mortar mix and stone coping
- The works shall be carried out in accordance with the agreed details.
(Reason - To ensure the use of details appropriate to the conservation area and heritage assets in accordance with Policy CH/5 of the adopted Local Development Framework 2007).
- (e) No development shall commence until the tree protection methods have been installed in accordance with the approved 'Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan In Accordance with BS 5837:2012' document date stamped received 11 DEC 2015.
(Reason - To protect existing trees in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007).

Informative

The applicant is advised that 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)

Report Author:

Debra Bell

Telephone Number:

Planning Officer

01954 713263

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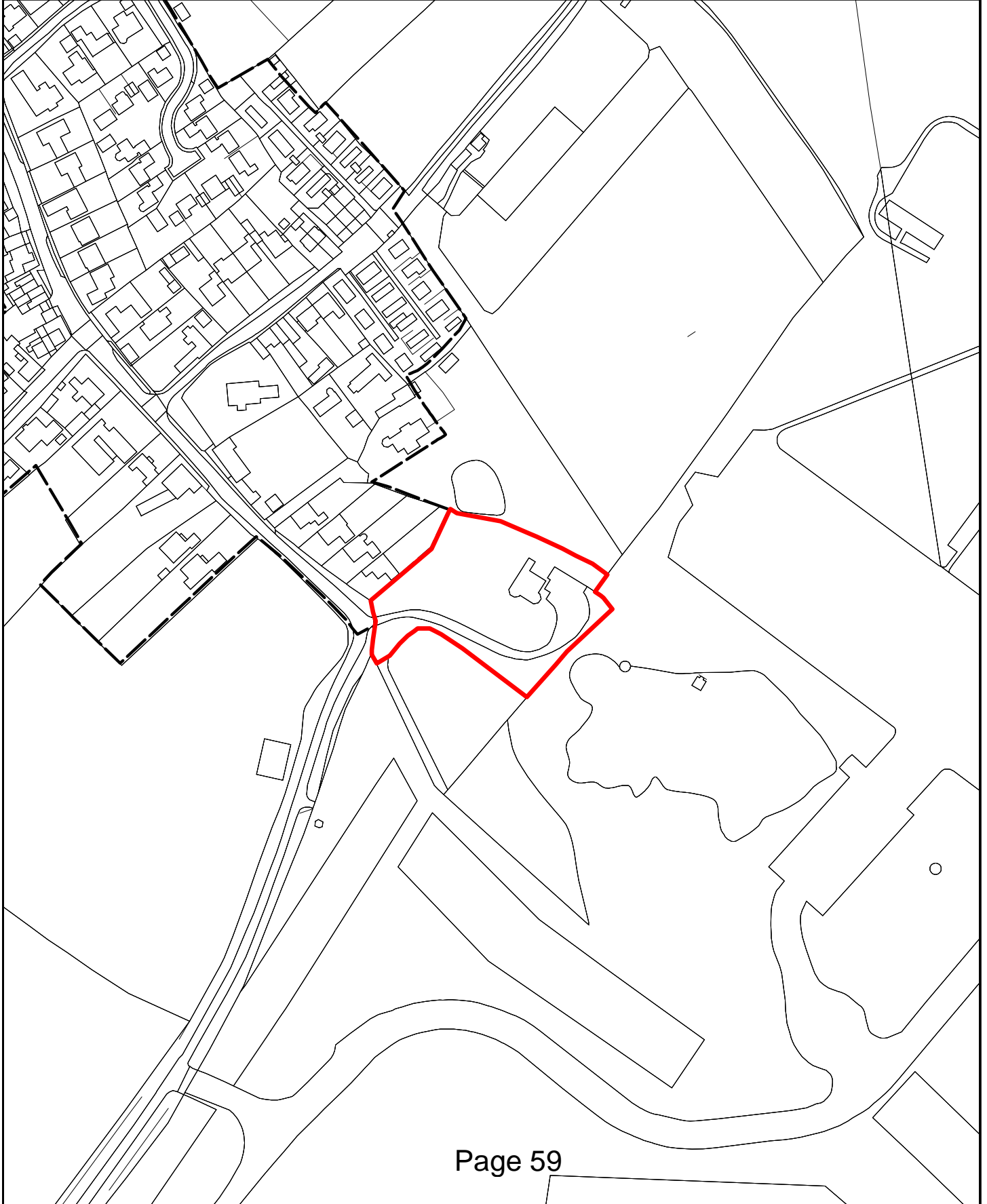
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Agenda Item 9

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 March 2016

AUTHOR/S: Planning and New Communities Director

Application Number: S/0002/16/FL

Parish(es): Over

Proposal: Change of use from carpentry workshop to storage and distribution, with ancillary offices (Class B8)

Site address: Chain Farm, Overcote Road, Over

Applicant(s): Burling Bros Ltd

Recommendation: Approval

Key material considerations: Principle of development. impact on character of the area, residential amenity, and highway safety

Committee Site Visit: 1 March 2016

Departure Application: No

Presenting Officer: Paul Sexton, Principal Planning Officer

Application brought to Committee because: One of the partners in Burling Bros is a District Councillor

Date by which decision due: 1 March 2016

Planning History

1. S/1449/92/F – Change of use from agriculture to carpentry workshop – Temporary approval

S/1442/95/F – Carpentry workshop - Approved

Planning Policies

2. *National Planning Policy Framework (NPPF)*
Planning Practice Guidance
3. *Local Development Framework*
DP/1 Sustainable Development
DP/3 Development Criteria
ET/7 Conversion of Rural Buildings for Employment
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards

Consultations

4. **Over Parish Council** – No objections.
5. **Local Highway Authority** – requests detailed information on visibility splays, existing and proposed traffic levels, and details of parking and turning within the site.
6. **Environmental Health** – comments will be reported at the Committee meeting.

Representations

7. None received.

Applicant's Representations

8. The applicant states that the proposed use is for a small independent prospective tenant who distributes cask ales to local outlets, using two delivery vans, with approximately two HGV deliveries per week. Three full-time and one part-time worker will be employed on site.
9. The existing farm access has been used since 1965, and is used daily by 40 tonne HGV vehicles and all sizes of delivery and domestic vehicles delivering and collecting farm goods, and accessing two farm dwellings.
10. The applicant states that there is sufficient space on site for vehicles to enter and leave in forward gear, and that visibility requirements can be met.

Planning Appraisal

11. The buildings at Chain Farm are located to the north of the village, on the east side of Overcote Road.
12. The application building is a blockwork and sheet cladded building close to the Overcote Road. It is one of a range of agricultural buildings on the site. The site is in Flood Zone 3.
13. Planning consent exists for the use of the western section of the building as a carpentry workshop, and the current application seek use of the same part of the building for Class B8 storage and distribution. The floor area for the change of use is 396m².
14. A hardsurfaced area exists on the west side of the building which has been used for car parking. Access to the site is from Overcote Road, and this is also used to access the other agricultural buildings at the site.

Principle of development

15. The application relates to the change of use of an existing rural building to employment use. The area of the building for which consent is sought benefits from an extant consent for use as a carpentry workshop. The building satisfies the four criteria set out in Policy ET/7 for the use of rural buildings for employment.
16. The principle of a change of use remains acceptable, subject to the consideration of any detailed issues with the proposed use storage and distribution within Class B8.

Impact on the character and amenity of the area

17. The use of the building for the proposed B8 use is unlikely to have any materially different impact on the character of the area from the previous commercial use consented for this part of the building. The limited floor area of the use will restrict the nature of any potential user of the building. Parking already exists at the front of the building, which can be viewed from Overcote Road.

Residential amenity

18. The closest residential property is 60m north west of the building.
19. The comments of Environmental Health will be reported, but it is unlikely that the proposed use will have any materially greater impact on residential amenity than the consented use as a carpentry workshop.

Highway safety

20. The applicant has provided additional information in response to the comments of the Local Highway Authority. Any further comments of the Highway Authority will be reported.
21. Visibility at the junction of the access road with Overcote Road is good. Overcoat Road is no-through road and therefore the volume of traffic is less than might otherwise be the case.
22. There is adequate space on site for parking and turning of vehicles to cater for the applicant's operation. As stated above the limited size of the floor area the subject of the change of use application would restrict the nature/scale of any future B8 occupier.

Other Matters

23. The site is in Flood Zone 3, and a Flood Risk Assessment was prepared for the previous consent, and accepted by the Environment Agency. As the application only relates to the change of use of an existing building from one commercial use to another, no further information is considered necessary in this respect.

Recommendation

24. Officers recommend that the Committee approves the application subject to the following:

Conditions

- (a) Time limit for implementation – 3 years
- (b) Approved plans
- (c) Environmental Health conditions (if appropriate)
- (d) Provision and retention of parking and turning

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
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/0002/06/FL, S/1442/95/F and S/1449/92/F

Report Author:

Paul Sexton

Principal Planning Officer

Telephone Number:

01954 713255



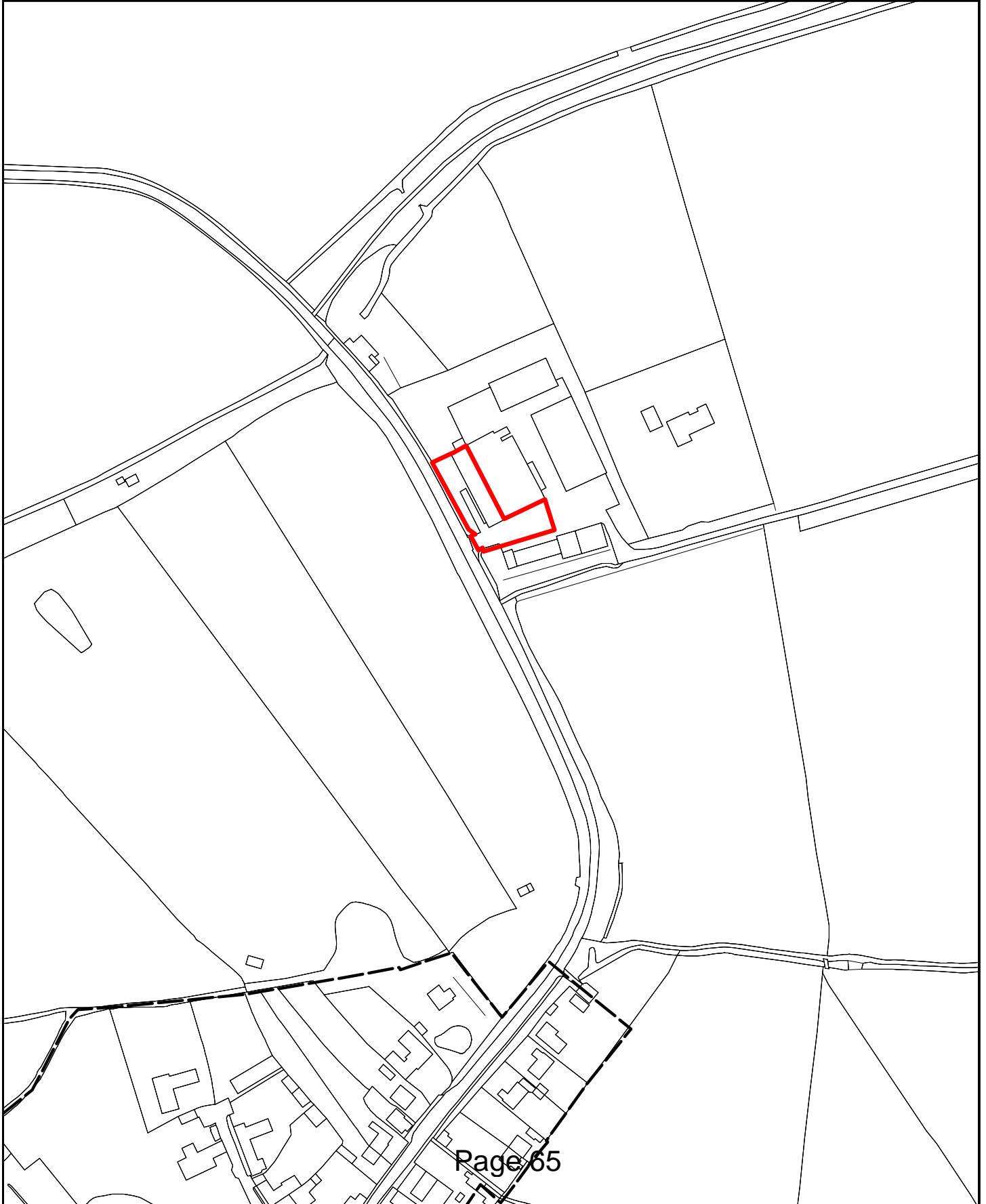
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Agenda Item 10



REPORT TO: Planning Committee

2 March 2016

LEAD OFFICER: Planning and New Communities Director

Enforcement Report

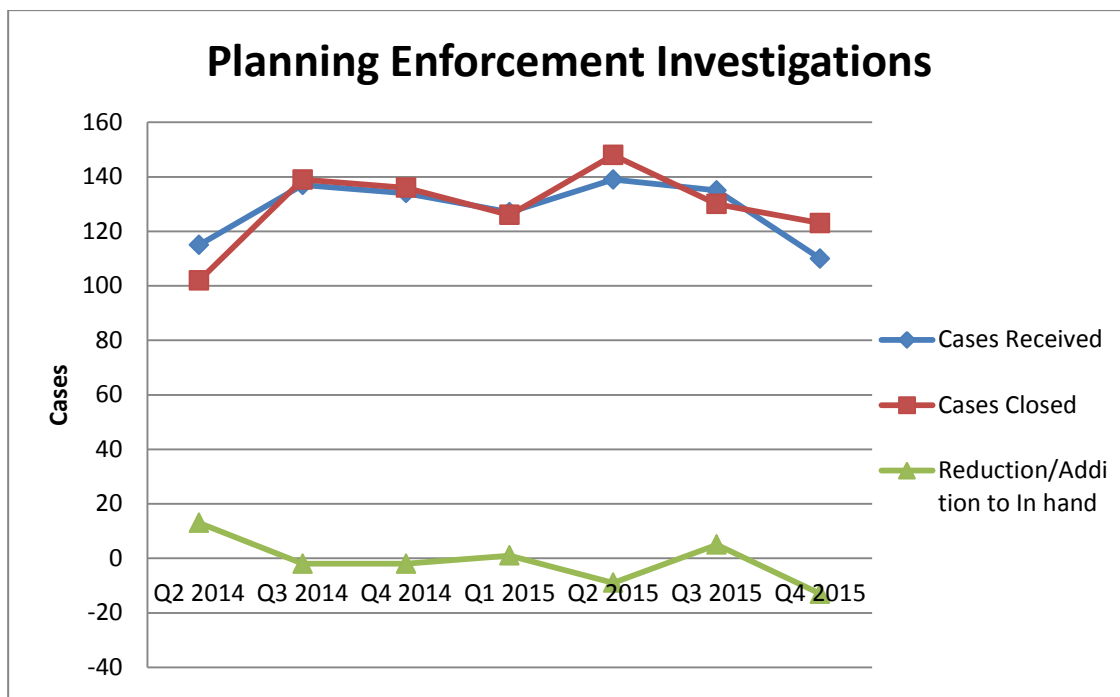
Purpose

1. To inform Members about planning enforcement cases, as at 19th February 2016. Summaries of recent enforcement notices are also reported, for information.

Enforcement Cases Received and Closed

2.

Period	Cases Received	Cases Closed
January 2016	43	41
1 st Qtr. 2015	127	126
2 nd Qtr. 2015	139	148
3 rd Qtr. 2015	135	130
4 th Qtr. 2015	110	123
2015 YTD	511	527
2014	504	476



Enforcement Cases on hand:

- 3. Target 150
- 4. Actual 81

Notices Served

5.

Type of Notice	Period	Year to date
	January 2016	2016
Enforcement	1	1
Stop Notice	0	0
Temporary Stop Notice	0	0
Breach of Condition	0	0
S215 – Amenity Notice	0	0
Planning Contravention Notice	0	0
Injunctions	0	0
High Hedge Remedial Notice	0	0

Notices issued since the last Committee Report

6.

Ref. no.	Village	Address	Notice issued
SCDC ENF008930	Shingay Cum Wendy	Monkfield Nutrition Church Farm Barn	Enforcement 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 10th May 2013 has confirmed the breach of planning control relating to the engineering operation to the new track, and breaches relating to the planning enforcement notices. 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; Hearing postponed due to the health of the defendant, hearing re-listed for 17 November 2015.

The Judicial Review application was rejected by Mr Justice Lindblom at the Court of Appeal. His Honour Mr Justice Park QC further dismissed an adjournment application made by the occupier of the land, and preceded with the Injunction hearing. The Order being sought was granted in full with an Order for the Council's costs to be paid. An Injunction now exists that restrains the occupier of the land in respect of the unauthorised development at Hill trees represented by the commercial storage, car sales, and non-consented operational works that have occurred there. The injunction requires the defendant to i) cease by no later than

26th January 2016, the use of the land for any trade, business, commercial, industrial, storage or sales use (Including any use in connection with motor vehicles, their storage, sale or repair); ii) removes from the land, by no later than 26th January 2016, all vehicles, vehicle parts, plant machinery, equipment, materials, containers, mobile homes, caravans or trailers connected with uses described in (i); removes from the land, by no later than 26th January 2016, the material forming the roadway on the land. The time for filing an appellants notice to seek permission to appeal to the Court of Appeal is the 4th January 2016. The site will now be monitored for compliance.

An Appellant's Notice seeking to make an appeal against the injunction ordered on 17 November 2015 has been lodged with the Court of Appeal

25th January 2016 Rt. Hon. Lord Justice Lindblom on consideration of the Appellants notice and accompanying documents in respect of an application to appeal was refused, as being totally without merit.

An inspection of the land on the 26th January 2016 revealed that the unauthorised motor vehicles, trailers, caravans etc. had along with the unauthorised track been removed from the land as required by the Injunction.

Unfortunately the displaced vehicles have now been moved onto land at Little Abington owned by the occupier of Hill Trees and onto land adjacent to Hill Trees that belongs to Gonville and Caius College, Cambridge. Both parcels of land are the subject of extant enforcement notices.

b. 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. The Judicial review which was set for 29th October 2015 has taken place at the High Court of Justice, Queens Bench division, Planning Courts before The Honourable Mr Justice Lewis. The judgement was handed down on the 22nd January 2016 in favour of the Council. The judicial review claim was accordingly ordered to be dismissed. The Claimant had lodged an application for permission to appeal but this was refused 25th January 2016

c. 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 – Works now underway to comply with the planning conditions previously identified.

Further meeting with Officers and Persimmon Homes to take place in January 2016 to review progress

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

Windows & doors not fitted as per approved drawing. Breach of Conditions Notice served 19th February 2015. Changes made but windows and doors still not in accordance with approved drawing. Summons file submitted. Date set for the 3rd 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 – Further Non-material application received relating to other works on site. The changes were considered to be material and therefore a variation of condition application has been submitted - S/0263/16/VC Monitoring continues

e. 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. Application to discharge pre-commencement conditions received and subsequently approved for conditions 3, 4 and Boundary Treatment - Site monitoring continues

f. 176 – 178 Cambridge Road Great Shelford

Erection of 70 bedroom Residential Care home with ancillary accommodation – Planning reference S/0600/13/FL. Condition 14 contained within the planning permission requires the developer to park contractor vehicles within the curtilage of the site and not on street.

Currently neighbours are complaining that as many as 25 contractor vehicles are parking in the streets adjacent to the site. Warnings have been issued to the site management but despite these there is still a breach of condition that needs to be addressed. A Breach of condition notice has now been issued in order to remedy this breach. Arrangements have since been made for staff to park at two different sites locally and are to submit a further planning application to vary the current traffic plan condition. No further complaints have been received since the new parking arrangements were introduced. Application submitted, awaiting validation

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 totalled 511 cases investigated which when compared to the same period in 2014 is a 1.4% increase in the number of cases investigated. The number of cases for January 2016 versus the same period in 2015 shows an overall increase of 16.2%
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

Agenda Item 11



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

2 March 2016

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 of 17 February 2016. Summaries of recent decisions of importance are also reported, for information.
2. **Decisions Notified By The Secretary of State:**

Ref.no	Address	Detail	Decision & Date
S/1227/15/FL	Mrs Hardisty 2 Bury Farm Cottage Newmarket Road Stow Cum Quy	Erection of side extension, alterations to parking and access arrangements	DISMISSED 20/01/2016
S/0163/15/FL	Crickmore Developments Ltd 25 Church Street Little Shelford	Erection 2 detached houses following demolition of existing house	ALLOWED 22/01/2016
S/0462/15/FL	Mrs D Clark 11 Station Road Oakington	Erection of a bungalow	DISMISSED 01/02/2016
S/1279/15/OL	M & S Cihan 14 Brook Street Elsworth	Outline application for 6 x 3-4 bedroom open market houses & 4 x 2 bedroom (affordable)	DISMISSED 02/02/2016
PLAENF 1428	Mr O Thain The Tickell Arms Whittlesford	Against Enforcement Notice – breach of planning control – single storey lean-to extension	DISMISSED 03/02/2016
PLAENF 1428	Mr O Thain The Tickell Arms Whittlesford	Against Listed Building Enforcement Notice – works comprising the erection of single storey lean-to extension	DISMISSED 03/02/2016
S/1888/14/OL	Hackers Fruit Farm & Garden Centre Huntingdon Road Dry Drayton	Redevelopment of existing garden centre to provide new garden centre building & outdoor sales/storage	DISMISSED 10/02/2016
S/0982/15/FL	Annington Property Ltd Former 2 & 4 Fletcher	Replacement of 4 dwellings on 2 separate plots	DISMISSED 11/02/2016

	Avenue &55 & 57 Kirby Road Waterbeach		
S/0982/15/FL	Annington Property Ltd Former 2 & 4 Fletcher Avenue &55 & 57 Kirby Road Waterbeach	Replacement of 4 dwellings on 2 separate plots	COSTS for SCDC REFUSED 11/02/2016
S/1661/15/FL	Mr Crickmore The Barn Chesterton Fen Road Milton	Erection of detached garage following demolition of stable building	DISMISSED 13/02/2016

3. **Appeals received:**

Ref. no.	Address	Details	Appeal Lodged
S/0550/15/VC	North Hall Farm Great & Little Chishill	Variation of Condition 6 of S/0354/10	05/01/2016
S/0552/15/VC	North Hall Farm Great & Little Chishill	Variation of Condition 3 of S/1319/09	05/01/2016
S/0559/15/VC	North Hall Farm Great & Little Chishill	Variation of Condition 3 of S/2323/12	05/01/2016
S/0409/15/RM	East of A10 Cambridge Rd, Former Bayer Crop Science, Hauxton	Reserved Matters parts of phase 1 & 3 (132 dwellings)	19/01/2016
S/2166/15/FL	44 Hall Drive Hardwick	Three Bedroom Bungalow	21/01/2016
S/3079/15/FL	45 Cambridge Road Milton	Two Storey Rear Extension	26/01/2016
S/1637/15/OL	Land off Comberton Road Toft	Erection of 2 Dwellings, Garden Stores, Access and Associated Infrastructure	25/01/2016
S/2713/15/RM	Land to the Rear of 31 Histon Road Cottenham	Reserved Matters access, landscaping, layout of approved Outline Consent for erection of dwelling (S/0900/15/OL)	25/01/2016
S/1589/15/FL	54 Fairfield Gamlingay	Two Storey Front & Single Storey Rear Extension, Internal Re- Modelling & Drive	29/01/2016
S/2416/15/FL	31 Park Street	Demolition of	03/02/2016

	Dry Drayton	outbuildings and the erection of a new dwelling and a single detached garage including improvement to existing access	
S/2375/15/PJ	North Hall Farm Unit 3 & 4 Great & Little Chishill	Change of use from office to dwellings (Prior Approval)	06/02/2016
S/2742/15/FL	13 Lemur Drive Teversham	First Floor Front Extension	10/02/2016
S/2783/15/FL	19 Hinton Way Great Shelford	Rear Dormer Window	11/02/2016
S/1527/15/FL	The Three Tuns 30 High Street Guilden Morden	Change of use from drinking establishment to residential dwelling	12/02/2016
S/0882/14/FL	Land adj. 41 Denny End Road, Waterbeach	Erection of 30 affordable dwellings including associated vehicular access and external works	15/02/2016

4. **Local Inquiry and Informal Hearing dates scheduled:**

Ref. no.	Name	Address	Hearing/Inquiry
S/2822/14/OL	Gladman Dev Ltd	Land off Shepreth Road Foxton	Inquiry 09/02/16– 16/02/16 Confirmed
S S/2248/14/OL S/2975/14/OL	Kings Hedges Investments Ltd	Land Parcel Comm4 Neal Drive Orchard Park	Hearing 08/03/16–09/03/16 Confirmed
S/0276/15/OL	Mr J Hilbery	8 Greenacres Duxford	Hearing 15/03/2016 Confirmed
S/2409/14/FL	Sawston Solar Farm Limited	Land North of Dales Manor Business Park, Sawston	Hearing 22/03/16–23/03/16 Confirmed

S/1451/14/FL S/1476/13/LD S/2097/14/VC	Mr T Buckley	The Oaks Willingham	Inquiry 05/04/16–06/04/16 Confirmed
S/1248/15/FL	Aspire Residential Limited	Land north west of 14 Ivatt Street Cottenham	Hearing 19/04/2016 Confirmed
S/0410/15/RM S/0409/15/RM	Redrow Homes South Midlands	Land east of Cambridge Rd, Former CropScience site Hauxton	Hearing 14/04/2016 Proposed
PLAENF.1663	Mr B Arliss	Riverview Farm Overcote Road Over	Enforcement Inquiry 26/04/16 Confirmed
PLAENF.1671	Mr Andrew Kyprianou	34 Mingle Lane Stapleford	Enforcement Hearing 11/05/16 Proposed
S/0892/15/LD	Mr M Dwyer	Managers Accommodation Enterprise Nurseries Waterbeach	Inquiry 05/07/16–06/07/16 Confirmed
S/2791/14/OL	Endurance Estates Strategic Land Ltd	East of New Road Melbourn	Inquiry 12/07/16–14/07/16 Confirmed
S/2273/14/OL	Mr D Coulson	Land at Teversham Road Fulbourn	Inquiry 13/09/16-16/09/16 & 20/09/16-21/09/16 Confirmed

5. Summaries of recent decisions

Annington Property Ltd – Construction of 4 replacement semi-detached houses with associated off-road car parking provision – Fletcher Avenue, Waterbeach – Appeal dismissed. Costs claim by South Cambridgeshire District Council dismissed

1. The main issue in this appeal was whether the scheme should provide affordable housing having regard to the relevant policies in the development plan and the National Planning Policy Framework (NPPF). The appeal was determined by way of written representations.

2. As there was no evidence regarding the viability of the scheme, or any proposal for off-site provision or financial contribution the inspector confirmed there would be a conflict with policies in both the existing and emerging plan as well as the NPPF.
3. The Council made an application for costs. This was on the basis that the appellant had acted unreasonably in that they submitted the appeal after a Ministerial Statement and the guidance in the National Planning Policy Guidance that on sites of 10 dwelling units or less affordable housing and tariff style contributions should not be sought, was quashed following a legal ruling.
4. In response, while the inspector found that the proposal would be contrary to the development plan, the appellants had put forward the case that there were houses previously on the site and therefore there should be no requirement for affordable housing on the site. There had been no reliance on the Ministerial Statement or financial justification in support of the development. The inspector was satisfied therefore that although she had reached a different conclusion to the appellants, they had advanced a case that, in their opinion, indicated that the proposal was in accordance with the development plan.
5. The claim for an award of costs was therefore refused.

Contact Officer: Julie Baird – Head of Development Control

Report Author: Lisa Davey – Technical Support Officer (Appeals)
Telephone: (01954) 713177

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