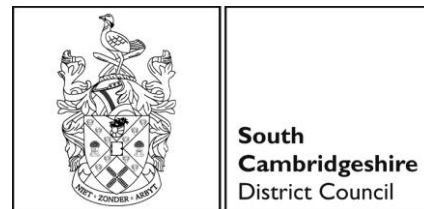


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Tuesday 10 January 2023

To: Chair – Councillor Peter Fane  
Vice-Chair – Councillor Geoff Harvey  
All Members of the Planning Committee - Councillors Henry Batchelor,  
Ariel Cahn, Dr. Martin Cahn, Bill Handley, Dr. Tumi Hawkins,  
William Jackson-Wood, Peter Sandford, Heather Williams and  
Dr. Richard Williams

Quorum: 3

Substitutes Councillors Graham Cone, Sue Ellington, Mark Howell, Bunty Waters,  
if needed: Dr. Shrobona Bhattacharya, Anna Bradnam, Brian Milnes,  
Richard Stobart, Dr Lisa Redrup and Helene Leeming

Dear Councillor

You are invited to attend the next meeting of **Planning Committee**, which will be held in the **Council Chamber - South Cambs Hall** on **Wednesday, 18 January 2023** at **10.00 a.m.**. **A weblink to enable members of the press and public to listen to the proceedings will be published on the relevant page of the Council's website , normally, at least 24 hours before the meeting.**

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  
**Liz Watts**  
Chief Executive

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

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## Agenda

## Pages

1. **Chair's announcements**
2. **Apologies**  
To receive apologies for absence from committee members.

### 3. **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.

#### 4. **Minutes of Previous Meeting**

To authorise the Chairman to sign the Minutes of the meeting held on Wednesday 14 December 2022 as a correct record.

**5 - 8**

#### 5. **22/03561/FUL - Bourn Quarter, Bourn Airfield, St Neots Road, Bourn**

Erection of 15,056sqm/162,090sqft of commercial floorspace falling within use classes E(g)(ii) Research and Development, E(g)(iii) Industrial processes and B8 Warehouse and Distribution, landscaping, access and associated infrastructure works at Phase 2 of Bourn Quarter. This application is the subject of an Environmental Impact Assessment

**9 - 54**

#### 6. **22/01972/FUL - 7 De Freville House, High Green, Great Shelford**

Change of use to Use Class E(a) and external works

**55 - 82**

#### 7. **22/03852/FUL - Grass Area, Dolls Close, Balsham**

Re-submission of previous approval - S/1629/16/FL - Change green area outlined in red on the plan in to an additional parking area due to very limited parking availability and neighbour disputes

**83 - 92**

#### 8. **22/04826/HFUL - 77 Church Lane, Girton**

Single storey extension to rear and loft extension with rear facing dormer window

**93 - 98**

#### 9. **Member Site Visit Protocol**

**99 - 108**

#### 10. **Enforcement Report**

**109 - 114**

#### 11. **Appeals against Planning Decisions and Enforcement Action**

**115 - 132**

#### 12. **Restricted Minute**

**133 - 134**

To authorise the Chair to sign the restricted Minute from the meeting held on Wednesday 14 December 2022 as a correct record.

## **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

Minutes of a meeting of the Planning Committee held on  
Wednesday, 14 December 2022 at 10.00 a.m.

PRESENT: Councillor Peter Fane – Chair  
Councillor Geoff Harvey – Vice-Chair

Councillors: Henry Batchelor Dr Martin Cahn  
Bill Handley Heather Williams  
Dr Richard Williams Anna Bradnam

Officers in attendance for all or part of the meeting:  
Vanessa Blane (Senior Planning Lawyer), Mary Collins (Senior Planning Officer), Laurence Damary-Homan (Democratic Services Officer), Neil Langley (Senior Planning Compliance Officer), Phil McIntosh (Interim Delivery Manager) and John Shuttlewood (Principal Planning Enforcement Officer)

Councillor Dr John Loveluck was in attendance as a guest.

Councillor Peter Sandford was in attendance remotely.

### 1. Chair's announcements

The Chair made several brief housekeeping announcements.

### 2. Apologies

Councillors Ariel Cahn, Dr Tumi Hawkins and William Jackson-Wood sent Apologies for Absence. Councillor Anna Bradnam was present as a substitute for Councillor Ariel Cahn.

### 3. Declarations of Interest

With respect to Minute 5, the Chair declared that all Members knew the applicant, as it was an application received from a Councillor, and all would be approaching the application afresh.

### 4. Minutes of Previous Meeting

By affirmation, the Committee authorised the Chair to sign the Minutes of the meeting held on 9 November 2022 as correct record.

### 5. 22/03957/HFUL - 62 High Street, Melbourn

The Senior Planner presented the report. Members asked questions of clarity regarding the coverage of the boundary by the hedge, the air source heat pump and the impact on the Conservation Area and nearby heritage assets.

Councillor Anna Bradnam, seconded by Councillor Henry Batchelor, proposed that the Committee move to a vote as there were no points of contention regarding the application.

The Committee unanimously voted to **approve** the application in accordance with the officer's recommendation, and subject to the conditions, laid out in the report from the Joint Director of Planning and Economic Development.

## 6. Member Site Visit Protocol

The Interim Delivery Manager presented the report. Members stated that site visits were very useful and welcomed the introduction of a site visit protocol for clarity and transparency. It was noted that there had not previously been documentation regarding the operation of site visits in place and the Committee discussed the procedures around site visits in the past. Members felt that there were points in the protocol that required refinement. Discussions were held over paragraph 3.5 and who could request a site visit; the Committee felt that local Members should also have the ability to request a site visit be held and, if they wished to do so, the Parish Council could subsequently request a site visit through their local Member. With regards to attendance on the site visit, Members stated a reference to the ability of substitute Members of the Committee should be included. There was some debate over whether local Members should attend site visits, but the Committee agreed that local Members can provide useful, factual information on a site visit that could be beneficial to Members of the Committee. Thus, the Committee felt that local Members should be able to attend site visits but the onus would be on the Chair to ensure that the local Member, or any other person present, did not attempt to make any comments which were intended to influence the decision making perspective of Members. It was also requested that clarity be given as to what qualifies as a reason for a request for a site visit, as stated in Appendix 1 of the report, alongside a request that Members be notified of what applications were due to come before the Committee.

Councillor Heather Williams, seconded by Councillor Anna Bradnam, proposed that officers be given the opportunity to take the comments of the Committee away and make any amendments required to allow for the endorsement of the Committee to be given- this was agreed by affirmation. The Interim Delivery Manager confirmed that the Committee could continue to conduct site visits prior to the implementation of the protocol and that the Committee had an information item before them. In order to allow the Interim Delivery Manager to amend the protocol based on the comments by the Committee, the Committee agreed to **note** the report but **not confirm it**, until a further update had been received from the Interim Delivery Manager.

## 7. Enforcement Report

The Principal Planning Enforcement Officer presented the report, notified the Committee that a lead officer for planning compliance had been recruited and that the online enforcement register had been launched. The Committee was also informed that the compliance policy was open for consultation on the South Cambridgeshire District Council website for the next 6 weeks. Members discussed a number of topics, including potential changes to compliance legislation. Concerns were raised over the removal of a generic email inbox and address for the compliance team, but Members were informed that enforcement complaints could be raised over the phone and that a 24 hour contact/call back protocol was in place for Councillors. The Principal Planning Enforcement Officer stated that contact of enforcement officers would be further discussed by enforcement staff. Members also suggested that a briefing on enforcement and the procedures around it be given.

The Committee **noted** the report.

**8. Appeals against Planning Decisions and Enforcement Action**

The Interim Delivery Manager presented the report. Members discussed some of the applications listed in the report and the Committee **noted** the report.

**9. Planning Compliance - Smithy Fen Traveller Site**

By virtue of paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972 this Minute is subject to the exclusion of press and public.

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**The Meeting ended at 12.45 p.m.**

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# Agenda Item 5



|                                     |  |
|-------------------------------------|--|
| <b>Planning Committee Date</b>      | 18 <sup>th</sup> January 2023  |
| <b>Report to</b>                    | South Cambridgeshire District Council Planning Committee   |
| <b>Lead Officer</b>                 | Joint Director of Planning and Economic Development  |
| <b>Reference</b>                    | 22/03561/FUL   |
| <b>Site</b>                         | Bourn Quarter, Bourn Airfield, St Neots Road, Bourn  |
| <b>Ward / Parish</b>                | Highfields Caldecote/Bourn   |
| <b>Proposal</b>                     | Erection of 15,056sqm/162,090sqft of commercial floorspace falling within use classes E(g)(ii) Research and Development, E(g)(iii) Industrial processes and B8 Warehouse and Distribution, landscaping, access and associated infrastructure works at Phase 2 of Bourn Quarter. This application is the subject of an Environmental Impact Assessment. |
| <b>Applicant</b>                    | Diageo Pension Trust Ltd   |
| <b>Presenting Officer</b>           | Kate Poyser  |
| <b>Reason Reported to Committee</b> | Application raises special planning policy or other considerations   |
| <b>Member Site Visit Date</b>       | N/A  |
| <b>Key Issues</b>                   | <ol style="list-style-type: none"><li>1. The principle of the development and whether the proposed increase in commercial floorspace on this site would amount to sustainable development.</li><li>2. The impact on the appearance of the locality.</li><li>3. Any effect upon nearby residential amenity.</li></ol>                                   |
| <b>Recommendation</b>               | <b>APPROVE</b> subject to conditions   |

0.0 Contents

| Section  | paragraph |
|--|-----------|
| Executive Summary                                  | 1.0       |
| Site Description and Context                       | 2.0       |
| The Proposal                                       | 3.0       |
| Relevant Site History                              | 4.0       |
| Policy   | 5.0       |
| Consultations                                      | 6.0       |
| Third Party Representations                        | 7.0       |
| Member Representations                             | 8.0       |
| Local Interest Groups and Organisations / Petition | 9.0       |
| Environmental Impact Assessment                    | 10.1      |
| Planning Background                                | 10.9      |
| Principle of Development                           | 10.13     |
| Design, Layout, Scale and Landscaping              | 11.2      |
| Trees  | 11.15     |
| Heritage Assets                                    | 11.18     |
| Carbon Reduction and Sustainable Design            | 11.25     |
| Biodiversity                                       | 11.34     |
| Water Management and Flood Risk                    | 11.41     |
| Highway Safety and Transport Impacts               | 11.49     |
| Cycle and Car Parking Provision                    | 11.60     |
| Amenity  | 11.71     |
| Construction and Environmental Health Impacts      | 11.76     |
| Third Party Representations                        | 11.82     |
| Planning Obligations (S106)                        | 11.84     |
| Other Matters                                      | 11.86     |
| Planning Balance                                   | 11.90     |
| Recommendation                                     | 12.0      |
| Planning Conditions                                | 13.0      |

## **1.0 Executive Summary**

- 1.1 The application seeks full planning permission for Phase 2 of the redevelopment of the former Gestamp Factory site, currently known as Bourn Quarter.
- 1.2 Full planning permission was granted for Phase 1 and outline planning permission for Phase 2, under a hybrid application, in November 2020. Phase 1 is almost complete. The original intention was for 3 phases, but the third phase has now been combined with Phase 2 and forms part of this current planning application.
- 1.3 The applicant has been successful in securing the Cambridge Design Partnership(CDP) for Unit 3, which forms part of Phase 1. However, the success of that business has led to the need for more space, and it is intended that CDP will also occupy Unit 17 of Phase 2.
- 1.4 There would be an overall increase in commercial floorspace from the approved hybrid planning application of 26,757 sqm/288,000sqft. The proposed scheme is for 15,056sqm/162,090sqft, which amounts to an increase of 4,373sqm/47,100sqft.

- 1.5 The application is the subject of an Environmental Impact Assessment (EIA). There is a Planning Performance agreement in place and an extension of time agreed.
- 1.6 There are no objections in principle to raise to the development. It would have no significant effect on the character and appearance of the locality or on nearby residential amenity.
- 1.7 Officers recommend that the Planning Committee grant planning permission subject to conditions as set out in the report.

**2.0 Site Description and Context**

|   |  |                         |   |
|---|--|-------------------------|---|
| None relevant                           |  | Tree Preservation Order |   |
| Conservation Area                       |  | Local Nature Reserve    |   |
| Listed Building                         |  | Flood Zone 1            | X |
| Building of Local Interest              |  | Green Belt              |   |
| Historic Park and Garden                |  | Protected Open Space    |   |
| Scheduled Ancient Monument              |  | Controlled Parking Zone |   |
| Local Neighbourhood and District Centre |  | Article 4 Direction     |   |
|   |  |                         |   |

\*X indicates relevance

- 2.1 The application site lies to the south of St Neots Road and the A428 and occupies part of the former Gestamp Factory site. It is to the west of Highfields Caldecote and lies towards the northeast corner of the Bourn Airfield New Village site.
- 2.2 This site is being developed in two phases and Phase 1 is nearing completion on site. The application site is referred to as Phase 2. Vehicular access to the site will be via Phase 1.
- 2.3 To the east boundary of the site is a woodland which is a commuting route for Barbastelle bats. Beyond this lies the long gardens of residential properties in Highfields Caldecote. To the south is the former World War II airfield, which will become part of Bourn Airfield New Village. This will be used as recreational/open space and a residential area. To the north and west is Phase 1.

**3.0 The Proposal**

- 3.1 The description of the development is “Erection of 15,056sqm/162,090sqft of commercial floorspace falling within use classes E(g)(ii) Research and Development, E(g)(iii) Industrial processes and B8 Warehouse and Distribution, landscaping, access and associated infrastructure works at Phase 2 of Bourn Quarter. This application is the subject of an Environmental Impact Assessment.”
- 3.2 The application site measures 5.4 Hectares. The scheme is for 6 units (Units 11 to 18 – no number 13) for use as research and development, industrial processes (that can be carried out without detriment to residential amenity by reason of noise, smell, fumes etc.), and for storage and distribution. The units range in size from 1,392 sqm/14,990sqft to 3,630sqm/39,080sqft.
- 3.3 Units 16 and 17 have been specifically designed to meet the operational requirements of Cambridge Design Partnership. This is in addition to occupying Units 2 and 3 of Phase 1. Units 3 and 17 would be have a two storey link.
- 3.4 The units in Phase 2 would be of a similar design and external materials of Phase1, creating a cohesive development. The roads, footpath/cycleways of Phase 1 would be continued in Phase 2. It is also intended that signage and cycle storage would continue the approved designs.
- 3.5 Following negotiations, additional tree planting is proposed within the car parking areas to provide visual interest and shade.
- 3.6 The application is accompanied by the supporting reports and drawings which are listed in Appendix 1.

#### 4.0 Relevant Site History

|              |  |           |
|--------------|--|-----------|
| S/1020/13/FL | Proposed Demolition and Replacement Buildings to Provide Class B1 B2 & B8 Uses.  | Granted   |
| S/1031/19/OL | Outline planning permission with some matters reserved except for appearance for the redevelopment of the former Gestamp factory site at Bourn Airfield for up to 24620sqm/265000sqft GEA of commercial floorspace (B1c light industry and B8 warehouse) associated car parking and service yards external works and landscaping | Withdrawn |
| 20/02568/FUL | Hybrid planning application consisting of full planning permission for Phase 1 and outline planning permission with all matters reserved except access for Phase 2 of the redevelopment of the former Gestamp Factory site at Bourn  | Granted   |

Airfield for up to 26,757sqm/288,000sqft of commercial floorspace purposes (use class B1c light industry, B1b research and development and B8 warehouse and distribution with supplementary use classes A3 restaurant and cafe, D1 day nursery/creche, D2 gym), associated car parking and service yards, external earthworks, attenuation basins and landscaping. This application is subject to an Environmental Impact Assessment.

|                 |   |                     |
|-----------------|---|---------------------|
| 20/02568/NMA1   | Non material amendment of planning permission 20/02568/FUL for various amendments to the elevations, materials and internal layout and roof details of the approved buildings, service yard entrance, fencing, hard and soft landscaping, as shown on the submitted drawings.   | Granted             |
| 20/02568/NMA2   | Non-material amendment of planning permission 20/02568/FUL for various amendments to the elevations, ma Non material amendment of planning permission 20/02568/FUL for various amendments to the elevations, materials and internal layout and roof details of the approved buildings, service yard entrance, fencing, hard and soft landscaping, as shown on the submitted drawings. | Granted             |
| 20/02568/NMA3   | Non-material amendment of planning permission 20/02568/FUL for various amendments to the elevations, materials and internal layout and roof details of the approved buildings, service yard entrance, fencing, hard and soft landscaping, as shown on the submitted drawings.   | Granted             |
| 20/02568/NMA4   | Non-material amendment on permission 20/02568/FUL for an additional Sub Station to serve Unit 1 and additional PV across each of the phase 1 units.   | Under consideration |
| 21/50404/PREAPP | Redevelopment of phases 2 and 3 at Bourn Quarter for commercial purposes following the grant of permission  |                     |

20/02568/FUL for up to  
26,757sqm/288,000sqft of commercial  
floorspace

22/00936/SCOP Request for a Formal Scoping Opinion for 3 units providing up to 16,317 sqm GIA of commercial floorspace (Use Classes B8 and E) at Phases 2 (which is being revised) and 3 (previously safeguarded for future development) of the Proposed Scheme. Phase 1 remains unchanged from that approved under the 2020 Application and does not form part of the scope of the Application.

- 4.1 The application site was formerly occupied by the Gestamp factory, which operated a metal beating business 24 hours a day. In 2013 full planning permission was granted for a B1, B2, B8 use. Work commenced on this but did not progress beyond demolition work and was, therefore, not implemented.
- 4.2 In November 2020 permission was granted for a hybrid application for commercial floorspace for the description of uses under the above reference number 20/02568/FUL. This granted full planning permission for Phase 1 and outline permission for Phase 2. Phase 3 was included for construction work storage. Phase 1 is nearing completion on site. The current application for full planning permission relates to the remainder of the site and includes the development of land originally referred to as Phase 3.

## **5.0 Policy**

### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

## 5.2 **South Cambridgeshire Local Plan 2018**

S/1 – Vision

S/2 – Objectives of the Local Plan

S/3 – Presumption in Favour of Sustainable Development

S/5 – Provision of New Jobs and Homes

S/7 – Development Frameworks

CC/1 – Mitigation and Adaption to Climate Change

CC/3 – Renewable and Low Carbon Energy in New Developments

CC/4 – Water Efficiency

CC/6 – Construction Methods

CC/7 – Water Quality

CC/8 – Sustainable Drainage Systems

CC/9 – Managing Flood Risk

HQ/1 – Design Principles

HQ/2 – Public Art and New Development

NH/2 – Protecting and Enhancing Landscape Character

NH/4 – Biodiversity

NH/6 – Green Infrastructure

NH/14 – Heritage Assets

SC/2 – Health Impact Assessment

SC/9 – Lighting Proposals

SC/10 – Noise Pollution

SC/11 – Contaminated Land

SC/12 – Air Quality

TI/2 – Planning for Sustainable Travel

TI/3 – Parking Provision

TI/8 – Infrastructure and New Developments

TI/10 – Broadband

## 5.3 **Neighbourhood Plan**

None relevant.

## 5.4 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

- 5.5 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis

Health Impact Assessment SPD – Adopted March 2011

Landscape in New Developments SPD – Adopted March 2010  
District Design Guide SPD – Adopted March 2010  
Public Art SPD – Adopted January 2009  
Trees and Development Sites SPD – Adopted January 2009

## **6.0 Consultations**

### **6.1 Parish Council (Highfields Caldecote)– No Objection**

### **6.2 County Transport Team – No objection**

6.3 1st Consultation - No objection subject to the provision of a pedestrian refuge on the Wellington Way arm of the Caldecote Roundabout.

6.4 The planning officer notes that the refuge has been provided on site as required under the hybrid planning permission ref: 20/02568/FUL. A condition for such is therefore not required.

6.5 2<sup>nd</sup> consultation – no objections are raised but improvement to pedestrian/cycling permeability and safety are sought, and it is recommended that this could be achieved with appropriate way signage to encourage segregation from heavy traffic (see condition 7 below in the recommendation).

### **6.6 County Highways Development Management – No Objection**

### **6.7 National Highways – No objection**

6.8 The proposed development seeks to increase the footprint of the previously permitted scheme, 20/02568/FUL. The trip generation of the increased area of the development is considered unlikely to have a material impact on the Strategic Road Network.

### **6.9 Lead Local Flood Authority – No Objection**

6.10 1<sup>st</sup> consultation – Objection. The application does not demonstrate that the attenuation features have sufficient capacity to accommodate an immediate and subsequent 1-% AEP rainfall event.

6.11 In addition to this, the LLFA requires all surface water within the site to receive a suitable level of surface water treatment prior to discharge and permeable paving to be used on all available car parking and access areas or justification to support this not being possible.

6.12 2<sup>nd</sup> Consultation – No objections, subject to conditions requiring the submission of detailed design of surface water drainage; additional surface water run-off during construction; maintenance of surface water drainage (see conditions 22, 23 and 24).

### **6.13 Environment Agency – No Objection**



6.14 No objection subject to 3 conditions: in the event of contamination being found during construction; no infiltration of surface water into the ground without consent; no piling or other investigative boreholes without consent. See conditions 10, 11, 12.

**6.15 Anglian Water – Object / No Objection**

6.16 Advice to be confirmed.

**6.17 Cambridge Water – No objection**

**6.18 Urban Design and Conservation Team – No Objection**

6.19 1<sup>st</sup> consultation –

- concern about insufficient landscaping to mitigate the appearance of the large parking area in the southeast.
- Request section through site to better understand scale.
- Prefer a single storey connection between Units 3 and 17.
- Fewer parking spaces would enable more meaningful soft landscaping.
- Cycle parking storage could be improved visually.
- The blank south-facing elevations of Units 11 & 12 would benefit from more active frontages as seen from the south of the site.

2<sup>nd</sup> consultation – no objection.

**6.20 Access Officer – No Objection**

6.21 Recommendations are made regarding electrically opened doors, outward opening toilet doors and layout of the shower facilities. (See Informative 1)

**6.22 County Archaeology – No Objection**

6.23 It is not considered likely that the proposed development would have a significant effect on important archaeological remains and investigation will not be necessary.

**6.24 Senior Sustainability Officer – No Objection**

6.25 The application is supported in sustainability construction terms.

6.26 Conditions are recommended to ensure the low carbon energy technologies are installed and maintained; the submission of BREEAM certificates for each building demonstrating that BREEAM excellent will be met (see conditions 15 and 16).

**6.27 Landscape Officer – No Objection**

**6.28** 1<sup>st</sup> consultation. The Landscape Officer seeks:

- More tree planting within the parking areas.
- Dedicated cycle paths and review location of cycle storage nearer building entrances.
- A condition for soft and hard landscaping details to be approved (see conditions 19 and 20).

The proposed scheme would not have a significant landscape and visual impact on views from the north, east and west and further information is required relating to views from the south.

2<sup>nd</sup> consultation – no objections subject to standard soft and hard landscaping conditions (see conditions 19 and 20).

**6.29 Ecology Officer – No Objection**

6.30 The submitted information is acceptable.

**6.31 Natural England – No Objection**

6.32 No objection subject to conditions requiring an Ecological Mitigation and Management Plan, and Provision of a Landscape and Ecological Management Plan (see conditions 3).

**6.33 Environmental Health – No Objection**

6.34 Contaminated land – no conditions required.

6.35 Air Quality – no conditions required.

6.36 Noise and vibration - condition required requesting a noise assessment of any external plant by way of fans, air conditioning units etc. (See conditions 37 and 38).

6.37 Lighting - The lighting document submitted by Watkins Payne dated July 2022 has been reviewed. Lighting from the site is unlikely to cause nuisance to residents.

6.38 Construction – only a concern should piling be proposed (see condition 12 restricting this).

**6.39 Fire Authority – No Objection**

6.40 A condition is required to secure adequate provision of fire hydrants (see condition 5).

**7.0 Third Party Representations**

7.1 No representations have been received.

**8.0 Member Representations**

8.1 No representations have been received.

## **9.0 Local Interest Groups and Organisations / Petition**

9.1 No representations or petitions have been received.

9.2 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

## **10.0 Assessment**

### **10.1 Environmental Impact Assessment**

**10.2** The development proposals have been assessed as falling within the remit of the Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 2017 (as amended) (the EIA Regulations). This is because of the characteristics, location and potential impacts of the proposed development. The EIA process ensures that any potentially significant effects of the development are considered and, where appropriate, mitigated by measures to prevent/avoid, reduce and where possible offset. An application to establish scoping was submitted.

10.3 The EIA Regulations require the ES to identify the 'likely significant environmental effects' of a development. The government's Planning Policy Guidance highlights that the ES should focus on the 'main' or 'significant' environmental effects only, and that the ES should be proportionate.

10.4 An Applicant who wishes to make an application necessitating EIA development may request a Scoping Opinion from the LPA in accordance with the EIA Regulations. A Scoping Opinion sets out the LPA's opinion on the information in the ES that should be provided. A request for a Scoping Opinion was submitted to the Council on 22<sup>nd</sup> February 2022 by Turley. It was accompanied by an EIA Scoping report.

10.5 Following a consultation process, the Council issued a Scoping Opinion on 25<sup>th</sup> May 2022. The Applicant confirms (and officers are satisfied) that the submitted ES is based on the advice set out in the EIA Scoping Opinion and the EIA Regulations.

10.6 The ES considers the likely significant effects of the proposed development during its construction and once it is complete and operational. The ES assesses the maximum quantum, physical extent and development principles defined for the proposal, as set out in the submitted PPs which are put forward for approval. The ES assesses the following topics:

- Socio-economic and human health
- Consideration of alternative
- Transport and Access

- Assessment of Cumulative Effects

10.7 Topic areas for which no likely significant environmental effects have been identified are:

- Biodiversity
- Landscape and Visual
- Cultural Heritage
- Water Resources
- Light Pollution
- Climate Change
- Waste
- Major Accidents and/or Disasters.

10.8 Having assessed the submitted application, officers are satisfied that the ES complies with the 2017 EIA Regulations and that sufficient environmental information has been provided to assess the environmental impacts of the development proposals.

### **10.9 Planning Background**

**10.10** The proposed development is located on the site of the former Gestamp factory. The first phase of the development, which occupies approximately half of the overall site, is almost complete. The current application relates to the remainder of the site (originally referred to as Phase 2 and Phase 3). Phase 2 has outline planning permission as part of a hybrid application. Phase 1 has full permission. Phase 3, the smallest area, was included in the initial application for the storage of construction equipment and soil.

**10.11** Pre-application advice was sought for Phase 2 for a large-scale warehouse and distribution centre, but this was not progressed to an application for planning permission, as it was advised that permission would be unlikely to be granted.

**10.12** The Cambridge Design Company were initially to take Unit 3 on Phase 1. However, the outstanding success of the company in a short space of time has resulted in their need for much more space and they are looking to take Units 2 and 3 of Phase 1 and Units 16 and 17 of Phase 2.

### **10.13 Principle of Development**

10.14 Policy S/2 of the Local Plan sets out how the vision for the Local Plan will be secured through the achievement of six key objectives including supporting economic growth and supporting the rural economy; enhancing the area, protecting and enhancing biodiversity; well-designed places which respond to the challenges of climate change; and to maximise sustainable modes of transport.

10.15 Policy S/6 of the Local Plan sets out the Council's development strategy and a hierarchical approach to new jobs and homes in the district, with a descending order of preference given to on the edge of Cambridge, at new

settlements and only limited development at Rural Centres and Minor Rural Centres.

10.16 Policy S/6(4) sets out that development in the rural area will be limited, with allocations for jobs and housing focused on Rural Centres and Minor Rural Centres, and rural settlement policies providing for windfall development for different categories of village consistent with the level of local service provision and quality of public transport access to Cambridge or a market town.

10.17 The application site is identified in the South Cambridgeshire Local Plan 2018, as part of the Bourn Airfield New Village for which Policy SS/7 applies. The new village is to provide approximately 3,500 dwellings with associated community facilities, strategic landscaping to provide a high-quality landscaped setting and to ensure separation from the surrounding settlements, a high degree of connectivity, ecological mitigation and enhancement, a segregated bus link, promote cycling and walking and be served by at least two separate access points northwest and northeast of the site. The identified strategic site is the subject of a Supplementary Planning Document (SPD) – Bourn Airfield New Village, which gives guidance and advice on a range of planning issues.

10.18 Whilst the SPD primarily gives advice for the development of the new village, it does acknowledge the former Gestamp factory site, seeking to integrate any redevelopment of this site with the wider new village. It states that **“successful comprehensive delivery of this site will require engagement, collaboration and co-ordination between site promoters and landowners of both the principal site and employment sites to ensure that the new village is cohesively designed with the necessary supporting infrastructure provided at the right time.”** By being part of the allocated development site, the proposed development will support the principles of economic, social and environmental sustainability. The 3 elements of sustainability are considered in more detail under the Planning Balance.

11.0 Aside from the Bourn Airfield New Village allocation in the development plan, the site is previously developed land. The National Planning Policy Framework supports the re-use of such land in Section 11 – Making effective use of land, paragraph 120. In addition to this, Policy S/6 – The Development Strategy to 2031, supports the need for jobs being met in new settlements.

11.1 The principle of the development is therefore acceptable and in accordance with Policies S2, S/6, S6(4) and SS/7.

## **11.2 Design, Layout, Scale and Landscaping**

11.3 Policy HQ/1 ‘Design Principles’ provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the

- positive contribution the development will make to its local and wider context.
- 11.4 Policies NH/2, NH/6 and SC/9 are relevant to the landscape and visual impacts of a proposal. Together they seek to permit development only where it respects and retains or enhances the local character and distinctiveness of the local landscape and its National Character Area.
  - 11.5 The District Design Guide SPD (2010) and Landscape in New Developments SPD (2010) provide additional guidance. The NPPF provides advice on achieving well-designed places and conserving and enhancing the natural environment.
  - 11.6 The proposed scheme seeks to continue the design concept of Phase 1. The form, height, design and material of the units would be similar to those already approved on the site.
  - 11.7 Vehicular access would be through the Phase 1 site, which is off Wellington Way and the Caldecote Roundabout. As envisaged in the hybrid application, it would provide a continuation of the new road adjacent Unit 3.
  - 11.8 The 2 footpaths/cycleways running north/south centrally through the site and along the eastern edge, would also be continued through the application site, exiting south to the Bourn Airfield New Village site.
  - 11.9 New drainage ditches will be constructed to the east and south boundaries and an area of scrub will be planted in the southwest corner of the site as part of ecological enhancements. The main linear north-south green space will be extended to the south and a footbridge will provide a pedestrian link to the planned Bourn Village. Parking is located between the new buildings and in the southeast corner of the site. Outdoor amenity space is provided around the site perimeter, in the north/south green link and in an east/west green link between units 15- 16 and 17-18.
  - 11.10 The proposed scheme will not have significant landscape and visual impact on views from the north, east and west because the views are screened by existing vegetation and existing development.
  - 11.11 The development would, however, be visually apparent from the south, where the Bourn Airfield New Village is to be built. Land to the south here would be for open space/ recreation use and for residential use. The scheme proposes a double tree belt either side of the proposed ditch to the southern edge. Following negotiations, additional tree planting within the site is proposed to add to the softening of this view and to provide interest and shading to car parking areas.
  - 11.12 The applicant proposes to link Units 3 and 17 with a two-storey corridor link. Although this effectively creates a very long building, the link would be set in from the side elevations and of a lower height. This would create a visual break and retain the definition of two units.

11.13 Although Units 11 and 12 would have blank elevations facing south, there would be at least 3 rows of tree planting to provide screening as seen from the south

11.14 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with South Cambridgeshire Local Plan (2018) policies NH/2, NH/6 and SC/9 and the NPPF.

#### **11.15 Trees**

11.16 Policies NH/2, NH/4, HQ/1 and NH/6, seek to preserve, protect and enhance existing trees and hedges. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.

11.17 There are no significant trees within the existing site. A small woodland exists just beyond the east boundary and a condition is recommended for the protection of these trees during construction (see condition 21).

#### **11.18 Heritage Assets**

11.19 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings.

11.20 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.

11.21 Policy NH/14 of the South Cambridgeshire Local Plan (2018) requires development affecting heritage assets to sustain or enhance the character and distinctiveness of those assets.

11.22 The application site is part of a former World War II airfield. Archaeological investigations for the former airfield have taken place under previous planning applications. There have been poor levels of preservation due to the later modern truncation in the area. It is, therefore, considered unlikely that there will important archaeological remains and further archaeological investigation is not necessary for this site.

11.23 There are no other heritage assets that would be significantly affected by the proposed development.

11.24 The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policy NH/14.

## **11.25 Carbon Reduction and Sustainable Design**

- 11.26 The Councils' Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change as required by policy CC/1.
- 11.27 Policy CC/3 'Renewable and Low Carbon Energy', requires that Proposals for new dwellings and new non-residential buildings of 1,000m<sup>2</sup> or more will be required to reduce carbon emissions by a minimum of 10% through the use of on-site renewable energy and low carbon technologies.
- 11.28 Policy CC/4 'Water Efficiency' requires that all new residential developments must achieve as a minimum water efficiency to 110 litres pp per day and for non-residential buildings to achieve a BREEAM efficiency standard equivalence of 2 credits. Paras 152 – 158 of the NPPF are relevant.
- 11.29 The application is supported by an Energy Strategy, BREEAM Pre-Assessment and Water Efficiency Assessment, together with relevant drawings.
- 11.30 The scheme targets BREEAM "excellent". Overall, the proposal would deliver carbon reduction of over 45% beyond the Building Regulations compliant baseline for 6 out of 7 units. Onsite renewable energy is proposed in the form of photovoltaic panels and air source heat pumps, reducing regulated emissions by around 23%.
- 11.31 The Water Efficiency Assessment indicates a 50% reduction in water use to achieve 4 Wat01 credits. This is a greater efficiency than the 2 credits sought under Policy CC/4.
- 11.32 The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposal subject to conditions relating to renewable energy implementation and BREEAM certification (see conditions 14, 15 and 16).
- 11.33 The applicants have suitably addressed the issue of sustainability and renewable energy and subject to conditions the proposal is compliant with Local Plan policies CC/1, CC/3 and CC/4 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

## **11.34 Biodiversity**

- 11.35 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This



approach accords with policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.

- 11.36 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a Biodiversity Net Gain Assessment Report which shows that the development can achieve an overall habitat net gain of +31.05%, which is welcomed by officers.
- 11.37 The submitted Habitat Regulations Assessment has regard to the Eversden and Wimpole Woods Designated Special Area of Conservation, which is a site of European importance for barbastelle bats. This special area of conservation is 5.7km south of the application site. The woodland to the east of the site is a flyway and supports roosting for the bats. The development would not directly or indirectly impact on the woodland or barbastelle bats and lighting from the site is shown not to illuminate this eastern edge of the woodland. A condition is recommended to ensure the woodland remains unilluminated (condition 9).
- 11.38 The site is currently mostly hardstanding left over from the removal of the former Gestamp factory. The scheme proposes the addition of grassland, native shrub planting, tree planting, both native and ornamental hedge planting. There would also be bird and insect boxes.
- 11.39 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends several conditions to ensure the protection of species and the estimated biodiversity net gain is delivered (see conditions 3, 8, 9 and 34 ).
- 11.40 In consultation with the Council's Ecology Officer, subject to appropriate conditions, officers are satisfied that the proposed development complies with policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

#### **11.41 Water Management and Flood Risk**

- 11.42 Policies CC/7, CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 11.43 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.
- 11.44 The applicants have submitted a Flood Risk Assessment and Drainage Strategy, Surface Water Network Calculations, Drainage Technical Note and various supporting drawings.
- 11.45 Foul effluent will be directed to an onsite pumping station, previously installed during the construction of Phase 1 and approved under the hybrid planning application. From there effluent will be discharged via a rising main to the public sewer network on West Drive.

- 11.46 Surface water would be managed through the use of permeable paving, above ground attenuation basins, below ground attenuation tanks and drainage channels. It has been demonstrated that the existing system has sufficient capacity.
- 11.47 The Local Lead Flood Authority has raised no objections subject to conditions requiring detailed design of surface water drainage and run-off and long-term maintenance arrangements (see conditions 22 and 23).
- 11.48 Cambridge Water Company raise no objections and welcomes the proposed water efficiency measures described in paragraph 11.31.
- 11.49 No objections are raised by the Environment Agency, subject to 3 conditions: in the event of contamination being found during construction; no infiltration of surface water into the ground without consent; no piling or other investigative boreholes without consent. See conditions 10, 11, 12.
- 11.50 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies CC/7, CC/8 and CC/9 and NPPF advice.

#### **11.51 Highway Safety and Transport Impacts**

- 11.52 Policy HQ/1 relates to Design Principles. With regard to highway safety and transport paragraphs (f),(g), (h), (i) are particularly relevant. It encourages safe and convenient access for all, including pedestrians, cyclists and for those with limited mobility or those with impairment such as sight or hearing.
- 11.53 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 11.54 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 11.55 In addition to the Environmental Statement, the application is supported by a Transport Assessment and a Site Wide Travel Plan.
- 11.56 The impact of the redevelopment of the former Gestamp factory site on the local highway network, was considered prior to granting planning permission for the hybrid application ref: 20/02568/FUL. This took account of the cumulative impacts with other proposed development in the area, include Bourn Airfield New Village.

- 11.57 The current application would result in a net increase in floorspace of 4,373sqm above that approved. The approved trip rates have been applied to this increase to assess the potential uplift in trips. This would generate an additional 33 two-way traffic trips in the AM peak and 22 in the PM peak. This is not considered to be a material increase and modelling demonstrates that the Wellington Way arm of the Caldecote roundabout has sufficient capacity.
- 11.58 There are and will be alternative forms of transport to the site. There is currently a bus stop on St Neots Road close to the roundabout junction with Wellington Way. A rapid, high-quality public transport link, the Cambourne to Cambridge busway, is anticipated to be operational in 2027. Cycle and footpath routes will be provided within the site to link up with proposed footpaths and cycleways beyond the site.
- 11.59 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team. No objections have been raised and the site is not intended to be adopted by the Highway Authority.
- 11.60 The recommendation is, however, subject to condition 6 requiring the operation of the units to accord with the submitted Travel Plan; condition 26 to ensure the provision of pedestrian and cycle paths connections through the site; condition 28 relating to hours of construction traffic; condition 31 restricting delivery times to and from the units; and condition 38 seeking confirmation of routing for construction traffic.
- 11.61 Subject to conditions the proposal accords with the objectives of policy TI/2 and T1/8 of the Local Plan and is compliant with NPPF advice.
- 11.62 Cycle and Car Parking Provision**
- 11.63 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards.
- 11.64 Cycle Parking
- 11.65 TI/3 requires 1 cycle space per 40sqm for general industrial use, 1 per 30 sqm for business use and "on merit" for storage and distribution. The scheme would provide 164 cycle spaces, which equates to 1 per 92 sqm. Cycle parking would be in covered cycle stores near the rear entrances with visitors hoops near front entrances and close to the shared footpaths/cycleways.
- 11.66 The County Highway Engineer raises no objections but recommends way signs be provided to direct pedestrians and cyclists to the footpaths/cycleways and a condition is recommended to ensure such provision (see condition 7).

- 11.67 Car Parking
- 11.68 TI/3 requires 1 car parking space per 30sqm for business use; 1 space per 50sqm for general industrial and 1 space per 1000sqm for storage and distribution.
- 11.69 A total of 334 spaces would be provided across the site, which equates to 1 space per 45sqm. Phase 1 provides 1 per 37.9 sqm.
- 11.70 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for every two parking spaces in non-residential development and at least one rapid EV charge Pont for every 1,000sqm.
- 11.71 The scheme proposes 30% active charging points and 30% passive. The Council's Environmental Health – Air Quality officer has raised no objection to this, and it is noted that the number of active charging points are double those provided in Phase 1. A condition (condition 27) is required to ensure this is provided.
- 11.72 Subject to conditions, the proposal is considered to accord with policies HQ/1 and TI/3 of the Local Plan and within the spirit of the Greater Cambridge Sustainable Design and Construction SPD.

### **11.73 Amenity**

- 11.74 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust. The District Design Guide 2010 also gives advice.
- 11.75 The EIA has assessed the expected effects of noise and vibration of the construction phase and operation of the proposed development on nearby residential amenity. Due to the significant distance to nearby dwellings and the confirmation that piling would not be undertaken, vibration would have an insignificant effect and noise a negligible to minor adverse impact.
- 11.76 There are no residential properties adjoining or very close to the site. The nearest residential properties are those in West Drive and The Willows in Highfields Caldecote, at just over 200 metres to the nearest dwelling. There is a house and Two Pots Farm to the north of St Neots Road. Cambourne is approximately 2.5km to the west by road and Bourn approximately 3km to the southwest.
- 11.77 No objections have been received from nearby residential properties.

### **11.78 Construction and Environmental Health Impacts**

- 11.79 The land contamination, air quality and noise and vibrational impacts associated with the construction and occupation of the site are addressed

by Local Plan policies CC/6 'Construction Methods', CC/7 'Water Quality', SC/9 'Lighting Proposals', SC/10 'Noise Pollution', SC11 'Contaminated Land', SC/12 'Air Quality' and SC/14 'Odour'. Paragraphs 183 - 188 of the NPPF are relevant.

11.80 The proposed Class E uses are defined in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, as uses "which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes. Soot, ash, dust or grit."

11.81 The Council's Environmental Health Team have assessed the application and recommend a condition requesting a noise assessment of any external plant by way of fans, air conditioning units etc. See condition 37 in the recommendation.

11.82 The lighting document submitted by Watkins Payne dated July 2022 has been reviewed. Lighting from the site is unlikely to cause nuisance to residents.

11.83 The proposal adequately respects the amenity of its neighbours. Subject to conditions, the proposal is compliant with policy HQ/1 and the District Design Guide 2010. The associated construction and environmental impacts would be acceptable in accordance with policies CC/6, CC/7, SC/9, SC/10, SC/12 and SC/14 of the Local Plan.

#### **11.84 Third Party Representations**

11.85 Nearby residents in Highfields Caldecote and nearby businesses have been notified. However, no third-party representations have been received.

#### **11.86 Planning Obligations (S106)**

11.87 The development is not intended to be the subject of a S106 Agreement.

#### **11.88 Other Matters**

11.89 Bin stores are shown to the rear of each unit close to the access road.  
These would be enclosed with Oak vertical panels to match other small structures on site.

11.90 LP policy TI/10 'Broadband' requires new development to contribute towards the provision of infrastructure suitable to enable the delivery of high-speed broadband services across the District. A condition is proposed to ensure this provision (condition 35).

11.91 The application proposes to install an Airfield Memorial designed and implemented by the Airfield of Britain Conservation Trust. The details of which are required under the landscape condition, condition 19 (a).

## **11.92 Planning Balance**

- 11.93 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 11.94 The NPPF represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application. This includes the presumption in favour of sustainable development found in paragraph 11 of the NPPF, which requires approving development proposals that accord with an up-to-date development plan without delay. The South Cambridgeshire Local Plan 2018 is an up-to-date development plan, and the proposal accords with it.
- 11.95 The NPPF lists the three dimensions to sustainable development: economic, social and environmental. These dimensions are interdependent and need to be pursued in mutually supportive ways to achieve sustainable development. The benefits and dis-benefits of the development proposals have been evaluated against the objectives of the NPPF and the presumption in favour of sustainable development, as summarised below.
- 11.96 **Economic Role**  
The proposed development makes a significant economic contribution to the area by providing 15,056sqm/162,090sqft of commercial floorspace and as such, a place of employment. Jobs are also created in the construction of the development. This is a substantial positive weight in favour of the development.
- 11.97 **Social Role**  
The scheme seeks to provide outdoor activities for employees of the units. Cycleways and footpath would also link with the surrounding areas and contribute to accessibility of local people to proposed open spaces/recreation areas within the proposed Bourn Airfield New Village. The scheme makes a small but significant positive contribution to social sustainability, and this should be afforded moderate weight.
- 11.98 **Environmental Role**
- 11.99 The existing biodiversity value of the site is very low. The proposed development would provide an overall habitat net gain of +31.05% through various enhancements. This carries a significant positive weight.
- 11.100 The development would create additional car journeys to the local highway network, which carries a significant negative weight in the short term.
- 11.101 This is partly offset by the proposal of EV charging points and the provision of facilities for cyclists and pedestrians. The implementation of Bourn Airfield New Village of 3,500 new dwellings adjacent the site, will

reduce the need to travel by car to the development. Also, the intended Cambridge to Cambourne rapid strategic busway will significantly increase access to the site by public transport. The applicant also intends to implement a Travel Plan.

11.102 The development proposes to deliver carbon reduction of over 45% beyond the Building Regulations compliant baseline and a 50% reduction in water use and is aiming for a BEEAM Excellence certification. As such, moderate weight can be attached to the environmentally sustainable effects of the scheme.

11.103 Summary of benefits

11.104 Overall, the proposed development will provide high economic benefits, and moderate social and environmental public benefits, that accord with the three dimensions of sustainable development set out in the NPPF. In exercising the planning balance, officers consider there are no sustainable planning objections that would outweigh the positive benefits arising from the development which forms a longstanding and established allocated site.

11.105 The balance of these benefits in the circumstances of the application is considered to weigh in favour of granting planning permission.

11.106 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval

## **12.0 Recommendation**

12.1 **Approve** subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

- A reasoned conclusion of the significant effects of the development on the environment and the carrying out of appropriate notification under regs. 29 - 30 in accordance with the Town and Country Planning (EIA) Regulations 2017, delegated to officers.

## **13.0 Planning Conditions**

### **1. Std time limit**

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

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

## **2. Approved plans**

The development hereby permitted shall be carried out in accordance with the approved plans and supporting documents as listed on this decision notice. As listed in Appendix 1 of this item.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

## **3. CEcMP**

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include the following:

- A) Risk assessment of potentially damaging construction activities.
- B) Identification of “biodiversity protection zones”.
- C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- D) The location and timings of sensitive works to avoid harm to biodiversity features.
- E) The times during which construction when specialist ecologists need to be present on site to oversee works.
- F) Responsible persons and lines of communication.
- G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- H) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEcMP shall be ahead to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority



Reason: in the interests of protected species and biodiversity, as required by South Cambridgeshire Local Plan 2018 Policies NH/4 and SS/7 and Greater Cambridge Biodiversity Supplementary Planning Document.

#### **4. Land Investigation and remediation**

No development shall take place until:

- a) The application site has been subject to a detailed desk study and site walkover, to be submitted to and approved by the Local Planning Authority.
  
- b) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.
  
- c) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework, paragraphs 174, 179 and 188 and Environment Agency Groundwater Protection Position Statement and in the interests of human health in accordance with Policies SC/11 and SS/6 of the South Cambridgeshire Local Plan 2018.

#### **5. Fire hydrants**

Prior to the occupation of any buildings, a scheme for the provision and location of fire hydrants to serve the developments shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in accordance with the approved details.

Reason: For the avoidance of doubt and to ensure the provision of adequate water supply infrastructure to protect the safe working environment for all users

and visitors.

## **6. Travel Plan**

The occupation of the units shall be carried out in accordance with the submitted Site Wide Travel Plan August 2022 by Vectos.

Reason: In the interests of the provision of sustainable transport, as required by South Cambridgeshire Local Plan 2018 Policies T1/2 and T1/8

## **7. Wayfinding signs**

No buildings hereby approved shall be occupied until a scheme of wayfinding signs to direct pedestrians and cyclists along routes segregated from carriageways has been submitted to and approved in writing by the Local Planning Authority and until the signs have been provided as approved.

Reason: In the interest of highway safety and to encourage the use of sustainable transport, as required by South Cambridgeshire Local Plan 2018 policies T1/2 and Policy T1/8.

## **8. Ecology Enhancement Scheme**

Prior to the occupation of any of the units a scheme of ecology enhancement shall be supplied to the local planning authority for its written approval. The scheme must include details of bat and bird box installation, hedgehog connectivity, and other enhancements as applicable and in line with the Greater Cambridge Planning Biodiversity Supplementary Planning Document (2022). The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

Reason: To ensure that biodiversity is conserved and enhanced and to secure the management of ecological habitats across the site in accordance with the NPPF and Policies NH/4 and NH/5 of the South Cambridgeshire Local Plan 2018 and Greater Cambridge Biodiversity Supplementary Planning Document.

## **9. External lighting**

External lighting shall be carried out in accordance with the Phase 2 External Lighting Layout drawing number 5167-WPL-XXX-ZZZ-DR-EL-20401, by Watkins Payne and the light spill into the retained woodland shall not exceed 1 lux in perpetuity.

Reason: In the interests of protected species in the vicinity of the site, as required by South Cambridgeshire Local Plan 2018 Policies SS/7, HQ/1 and SC/9 and Greater Cambridge Biodiversity Supplementary Planning Document.

## **10. Unsuspected Contamination**

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

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework, paragraphs 174, 179 and 188 and Environment Agency Groundwater Protection Position Statement.

## **11. No infiltration of surface water**

No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National

Planning Policy Framework, paragraphs 174, 179 and 188 and Environment Agency Groundwater Protection Position Statement.

## **12. No Piling**

Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework, paragraphs 174, 179 and 188 and Environment Agency Groundwater Protection Position Statement.

## **13. External plant**

Prior to the occupation of each of the units hereby approved, the noise impact of any external plant for the purposes of ventilation or the extraction and filtration of odours, dust or fumes, together with any noise mitigation measures for that unit, shall be submitted to and approved in writing by the Local Planning Authority. Any approved noise mitigation scheme shall be fully implemented before the uses hereby permitted are commenced and shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of the living conditions of the local area, as required by South Cambridgeshire Local Plan 2018 Policies SC/2 and SC/10.

## **14. Renewable energy implementation**

The approved renewable/low carbon energy technologies (as set out in the Energy Strategy and/or as shown on the approved plans) shall be fully installed and operational prior to the occupation of the development and thereafter maintained in accordance with a maintenance programme, details of which shall

have previously been submitted to and approved in writing by the local planning authority.

Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Energy Strategy to take account of this shall be submitted to and approved in writing by the local planning authority. The revised Energy Strategy shall be implemented and thereafter maintained in accordance with the approved details.

Reason: In the interests of reducing carbon dioxide emissions in accordance with Policy CC/3 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

#### **15. BREEAM Design Stage certification**

Within 6 months of commencement of development, or as soon as reasonably practicable, a BRE issued Design Stage Certificate for each building hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'excellent' as a minimum will be met, with at least 2 credits for Wat 01 (water consumption). Where the Design Stage certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall also be submitted identifying how the shortfall will be addressed. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings, Policy CC/1 of South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

#### **16. BREEAM Post Construction Certification**

Within 6 months of occupation, a BRE issued post Construction Certificate for each building shall be submitted to, and approved in writing by the Local Planning Authority, indicating that the approved BREEAM rating has been met. In

the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings, Policy CC/1 of South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

### **17. Verification report**

Prior to the first use of the buildings hereby permitted, the works specified in any remediation method statement detailed in Condition 4 must be completed and a Verification report submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the environmental impacts of the development are adequately mitigated and in the interests of human health in accordance with Policies SC/11 and SS/6 of the South Cambridgeshire Local Plan 2018.

### **18. Contamination during development**

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

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater Protection Position Statements.

### **19. Hard and soft landscaping**

No development above ground level, other than demolition, shall commence until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) A plan showing the existing and proposed ground levels; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports).
- b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;

If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

c) boundary treatments (including gaps for hedgehogs) indicating the type, positions, design, and materials of boundary treatments to be erected.

d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59 and 69).

## **20. Completion of hard and soft landscaping**

All hard and soft landscape works shall be carried out and maintained in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59)

## **21. Tree Protection**

Prior to any equipment or materials being brought onto site, existing tree shall be protected in accordance with approved drawing number DLA 2083 L 02 P1 – Tree Removal and Protection and the approved Tree Protection Barriers. Nothing shall be stored or placed in any area protected in accordance with this condition. The ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the Local Planning Authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site, as required by South Cambridgeshire Local Plan 2018 Policies HQ/1, NH/2, NH/6 and NH/4.

## **22. Surface water design details**

No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed documents:



□ Flood Risk Assessment and Drainage Strategy, HDR Consulting, Ref: 18-006 Rev V3,

Dated: 15 July 2022

□ Drainage Layout and External Levels All Sheets, HDR Consulting, Ref: 10354337-HDR-XXXX-DR-C-323 Rev P4, Dated: 10 October 2022

and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Site Investigation and test results to confirm infiltration rates;
- f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- h) Permissions to connect to a receiving watercourse or sewer;
- i) Measures taken to prevent pollution of the receiving groundwater and/or surface water.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage

can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts.

### **23. Surface water run-off**

No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

### **24. Maintenance of surface water drainage**

Details for the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any building. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.

### **25. Road and path maintenance**

All roads, pedestrian and cycle paths within the site shall be maintained in perpetuity for the safe and effective passage of all road and path users, to the satisfaction of the Local Planning Authority

Reason: In the interests of the future accessibility and appearance of the development, as required by South Cambridgeshire Local Plan 2018 Policies T1/2, T1/8 and HQ/1.

## **26. Public Access**

The pedestrian and cycle paths specified below, shall be implemented as approved before the first occupation of any buildings hereby approved and shall remain open and for public access and free from gates, throughout the site for not less than 363 days a year, other than for essential maintenance, unless otherwise agreed in writing by the Local Planning Authority. :

- i. The central footpath/cycleway that runs north/south through the site and runs from adjacent Unit 14, between Units 11 and 12 to the southern site boundary, as shown on drawings number 31647-PL-201J.
- ii. The footpath/cycleway that runs to the west of Units 17 and 18 and continues round to the south of Units 11 and 12.
- iii. The footpath/cycleway that runs east /west through the site between Units 15 and 16, and 17 and 18.

Reason: to enable the provision of good public connectivity across the site and with the proposed Bourn New Village and the surrounding area, as required by South Cambridgeshire Local Plan 2018 Policies SS/7 T1/2, T1/8 and HQ/1.

## **27. EV charging**

Prior to the first occupation of the units hereby approved, Electric Vehicle Charging Points and ducting shall be provided as proposed and as shown on the approved Site Layout Plans Phases 2 & 3 and Hard Landscape Proposals Sheets 1 to 3.

Reason: In the interest of environmental sustainability, as required by South Cambridgeshire Local Plan 2018 Policies TI/2, TI/3, CC/1 and CC/3.

## **28. Construction Working and Construction Deliveries / Collection**

### **Permitted Hours**

All construction, demolition, enabling and earthworks are only permitted between 0800 hours to 1800 hours Monday to Friday and 0800 hours to 1300 hours on Saturday. No works are permitted at any time on Sundays, Bank or Public Holidays, unless agreed in writing by the local planning authority or in accordance with agreed emergency procedures for deviation.

No deliveries of construction materials or plant and machinery and no removal of any spoil from the site or similar collections from the site shall take place before 0700 hours or after 1900 hours on Mondays to Fridays, before 0800 hours or after 1400 hours on Saturdays, and not at all on Sundays or recognised public holidays.

Reason: For the avoidance of doubt and to ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

## **29. UXOs**

UXO All work on site shall be carried out in accordance with recommended risk mitigation measures of the Desk Study for Potential Unexploded Ordnance Contamination by RPS Energy dated 17th October 2018 report ref: EES0936 R-01-00.

Reason: In the interest of health and safety, as required by South Cambridgeshire Local Plan 2018 Policies CC/6, SC/2 and SC/11.

## **30. No retail**

Notwithstanding any provisions within the Town and Country Planning (General Permitted Development) Order 2015 or subsequent amendments, no units/floorspace within either Phase 1 or Phase 2 of the development hereby approved shall be used for the purpose of retail, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the vitality and viability of the local centre within Bourn New Village identified as a strategic site (SS/7) within the South Cambridgeshire District Local Plan 2018, as required by South Cambridgeshire Local Plan 2018 Policies SS/7, E/10, E/21 and E/22

### **31. Delivery times**

Collection from and deliveries to any non-residential premises (excluding B8 use) shall only take place between the hours of 07.00 to 23.00 Monday to Saturday and 0900 to 1700 on Sunday, Bank and other Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the living conditions of the local area, as required by South Cambridgeshire Local Plan 2018 Policies SC/2 and SC/10.

### **32. Environmental Statement**

The development, hereby approved, shall be carried out in accordance with the mitigation measures as set out in the Bourn Quarter Environmental Statement, Volume 1: Main Text and Figures, dated July 2022 and its supplementary documents and strategies unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the development takes place in accordance with the principles and parameters contained within the Environmental Statement, as required by South Cambridgeshire Local Plan 2018 Policies HQ/1, S/12, TI/2, TI/8, TI/10, SC/2, SC/1, NH/4 CC/1 and SS/7.

### **33. Emission Ratings**

a. No gas fired combustion appliances shall be installed until details demonstrating the use of low Nitrogen Oxide (NO<sub>x</sub>) combustion boilers, (i.e. individual gas fired boilers that meet a dry NO<sub>x</sub> emission rating of ≤40mg/kWh), have been submitted to and approved in writing by the local planning authority.

b) If the proposals include any gas fired Combined Heat and Power (CHP) System, the details shall demonstrate that the system meets the following emissions standards for various engines types:

(i) Spark ignition engine: less than or equal to 150 mg NO<sub>x</sub>/Nm<sup>3</sup>

(ii) Compression ignition engine: less than 400 mg NO<sub>x</sub>/Nm<sup>3</sup>

(iii) Gas turbine: less than 50 mg NO<sub>x</sub>/Nm<sup>3</sup>

c) The details shall include a manufacturer's Nitrogen Oxides (NO<sub>x</sub>) emission test certificate or other evidence to demonstrate that every appliance installed meets the emissions standards above.

d) The approved appliances shall be fully installed and operational before the development is occupied or the use is commenced and retained as such.

Reason : To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development in accordance with policy SC/12 of the South Cambridgeshire Local Plan 2018.

### **34. Protection of badgers**

During the construction work on site, no trenches shall be left uncovered between dusk and dawn unless an alternative measure to prevent badgers from being trapped within trenches is first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the protection of Badgers under the Badgers Act 1992 and in accordance with South Cambridgeshire Local Plan 2018 Policy NH/4.

### **35. Broadband**

No units shall be occupied until the necessary infrastructure to enable that unit to directly connect to fibre optic broadband, digital technology or such alternative technologies that come to replace this, has been delivered and is capable of being fully operative.

Reason: For the avoidance of doubt and to ensure the provision of high capacity

broadband as part of the development, in accordance with the NPPF and Policy TI/10 of the South Cambridgeshire Local Plan 2018.

### **36. Ventilation/extraction**

Prior to the first occupation of any of the units hereby approved, a scheme detailing any plant, equipment or machinery for the purposes of ventilation or the extraction and filtration of odours, dust or fumes be proposed, then a scheme for shall be submitted to and approved in writing by the local planning authority. The approved schemes shall be installed before the uses are commenced and shall be retained as such.

Reason: To protect the amenity of nearby properties in accordance with Policy SC/14 of the South Cambridgeshire Local Plan 2018.

### **37. Equipment noise mitigation**

Prior to the first occupation of any units hereby approved, the noise impact of plant and or equipment including any renewable energy provision sources, such as any air source heat pump or wind turbine, on existing residential premises and on residential properties within the Bourn New Village strategic site, together with any noise mitigation measures shall be submitted to and approved in writing by the local planning authority. Any approved noise mitigation scheme shall be fully implemented before the uses hereby permitted are commenced and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.

Reason: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Plan 2018 Policies 2007, Policy SC/10.

### **38. Routing of construction traffic**

No development shall take place until details of the vehicular route for construction traffic to the site from the public highway has been submitted to and agreed in writing with the Local Planning Authority. The agreed route shall thereafter be used for all construction traffic.

Reason: In the interest of highway safety as required by South Cambridgeshire Local Plan 2018 policies T1/2 and Policy T1/8.

## **INFORMATIVES**

### 1. Accessibility

Any double doors need to be electrically opened or be asymmetrical with one leaf being a minimum of 900 mm. Toilet doors should open outwards or have quick release bolts are needed in case somebody collapses in the toilet. It would be good if the proposed accessible changing room was designed to a Changing Places toilet standard. The proposed design of the accessible shower room is not safe as the transfer space besides the shower would mean a wheelchair was left blocking the doorway if someone needed help. There should be a second accessible toilet because if someone was using the shower it may be some time before it was vacant.

### 2. Ordinary Watercourse Consent

Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance:

[https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and\\_waste/watercourse-management/](https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and_waste/watercourse-management/) Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas

### 3. Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely



to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

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**22/03561/FUL Bourn Quarter**

## Drawings:

|                                   |  |
|-----------------------------------|--|
| 31647-PL-200A                     | Location Plan Phases 2 & 3                         |
| 31647-PL-201J                     | Site Layout Plan Phases 2 & 3                      |
| DLA.1960 Appendix 12.3 – Sections | Sections 01, 02, 03 and 04                         |
| 10354337-HDR-XX-XX-DR-C-326 P1    | Surface water suds treatment train steps Network 1 |
| 10354337-HDR-XX-XX-DR-C-327 P1    | Surface water suds treatment train steps Network 2 |
| 10354337-HDR-XX-XX-DR-C-328 P1    | Surface water suds treatment train steps Network 3 |
| 10354337-HDR-XX-XX-DR-C-329 P1    | Drainage exceedance routes                         |
| 10354337-HDR-XX-XX-DR-C-330 P1    | Temporary construction drainage layout             |
| DLA 2983 L 02 P01                 | Tree removal and protection                        |
| DLA 2083 L 03 P07                 | Hard landscape proposals 1 of 3                    |
| DLA 2083 L 04 P06                 | Hard landscape proposals 2 of 3                    |
| DLA 2083 L 05 P03                 | Hard landscape proposals 3 of 3                    |
| DLA 2083 L 06 P03                 | Soft Landscape Proposals 1 of 3                    |
| DLA 2083 L 07 P02                 | Soft landscape proposals 2 of 3                    |
| DLA 2083 L 08 P02                 | Soft landscape proposals 3 of 3                    |
| DLA 2083 L 09 P03                 | Ecology enhancements                               |
| DLA 2083 L 10 P01                 | Tree Pit Detail                                    |
| DLA 2083 L 11 P01                 | Building Margin Details                            |
| DLA 2083 L 12 P04                 | Proposed site furniture and signage                |
| 2083-DR-L-13-PO1                  | Landscape Sections 1-5 Sheet 1 of 4                |

|                                       |  |
|---------------------------------------|--|
| 2083-DR-L-14-PO1                      | Landscape Sections 6-10 Sheet 2 of 4                                     |
| DLA 2083 L 15 P02<br>2083-DR-L-16-PO1 | Swale sections and details<br>Landscape Sections 6-9 Insets Sheet 4 of 4 |
| 2083-LMP-01-REV P01                   | Landscape Management Plan  |
| 2083-SPEC-01-REV P01                  | Soft Landscape Specification   |
| 2083-SPEC-02-REV P01                  | Hard Landscape Specification   |
| 2083-RPT-02-LVA.V2                    | Summary of Landscape & Visual Baseline and Effects                       |
| 2569-001                              | LMCS63/38/009 Blea Cycle Shelter 1, 2, 3, 4, 5                           |
| 2569-002                              | LMCS14/06 Epsom Cycle Stand Root fixed                                   |
| 31647-PL-210                          | Unit 11 Floor plans  |
| 31647-PL-211                          | Unit 11 Elevations   |
| 31647-PL-212                          | Unit 12 Floorplans   |
| 31647-PL-213                          | Unit 12 Elevations   |
| 31647-PL-214                          | Units 14 & 15 Floorplans   |
| 31647-PL-215                          | Units 14 & 15 Elevations   |
| 31647-PL-216                          | Unit 16 Floorplans   |
| 31647-PL-217                          | Unit 16 Elevations   |
| 31647-PL-218                          | Unit 17 Floorplans   |
| 31647-PL-219                          | Unit 17 Elevations   |
| 31647-PL-220                          | Unit 18 Floorplans   |
| 31647-PL-221                          | Unit 18 Elevations   |
| 31647-PL-222                          | Sub Station Enclosure  |
| 31647-PL-223                          | Condenser Shelter  |
| 31647-PL-224                          | Cycle Shelter  |
| 31647-PL-225                          | Bin Store Enclosure  |

Supporting Documents:

Flood Risk Assessment and Drainage Strategy by HRD Consulting  
November 2022

Summary of Landscape and Visual Baseline and Effect by Davies Landscape  
Architects November 2022

Biodiversity Net Gain Assessment Report received 24/10/2022

Biodiversity Metric (received September 2022)

BREEAM 2018 Pre-Assessment Report Revision 3 (13/10/22)

Low Emissions Strategy Note by Vectos July 2022

Planning Statement August 2022

Transport Assessment by Vectos July 2022

Environmental Statement by Turley

Area Schedule 27/06/2022

External Lighting Brochure by WM Building Services Ltd

Acoustic fencing by Jakoustic Commercial and Highways

Tree Protection Barriers

Tree Survey Bourn 2022

Verified Views by Blink Image 27/07/2022

Phase 2 Land Ecology Report 10/07/2022 by Applied Ecology

Energy Strategy July 2022 by Watkins Payne

Water Efficiency Assessment July 2022 by Watkins Payne

Utilities Statement July 2022 by Watkins Payne

Air Quality Statement 07/06/2022

Construction Environmental Management Plan issue B 22/07/2022 by Readie

Epsom Cycle Stand LMCS14-06 Landmark Street Furniture

Blea Cycle Shelter LMCS63-38-009 Landmark Street Furniture

Bridge Details CN-3292-04 Rev D Landmark Street Furniture

Acoustic Fence details J7/01296 Jacksons Fencing

Acoustic Fence Technical specifications JSW 29 issue 02 Jacksons Fencing

Environmental Statement Volume 1: Main Text and Volume 2: Technical Appendices by Turley (Technical appendices – transport by Vectos and noise and vibration by Clement)

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# Agenda Item 6



|                                     |  |
|-------------------------------------|--|
| <b>Planning Committee Date</b>      | 18.01.2023   |
| <b>Report to</b>                    | South Cambridgeshire District Council Planning Committee |
| <b>Lead Officer</b>                 | Joint Director of Planning and Economic Development      |
| <b>Reference</b>                    | 22/01972/FUL   |
| <b>Site</b>                         | 7 De Freville House, High Green, Great Shelford          |
| <b>Ward / Parish</b>                | Shelford/ Great Shelford                                 |
| <b>Proposal</b>                     | Change of use-to-Use Class E(a) and external works.      |
| <b>Applicant</b>                    | Co-operative Group Food Ltd                              |
| <b>Presenting Officer</b>           | Nick Yager   |
| <b>Reason Reported to Committee</b> | Called-in by Great Shelford Parish Council               |
| <b>Member Site Visit Date</b>       |  |
| <b>Key Issues</b>                   | 1.Highway Safety<br>2.Parking<br>3. Cycle Storage        |
| <b>Recommendation</b>               | <b>REFUSE</b>  |

## 1.0 Executive Summary

- 1.1 The application seeks planning permission for the change of Use-to-use Class (E) and external works.
- 1.2 The proposal is to allow the Co-Op to be relocated from their existing store at 76 High Street in Great Shelford.
- 1.3 The existing lawful use of the site remains as a furniture showroom.
- 1.4 Great Shelford Parish Council have commented in support of the application and called the application before Planning Committee. The application went before Delegation Meeting on the 15.11.2022. The panel decided that the application should be determined at Planning Committee.
- 1.5 The proposed change of use would lead to material harm to the highway safety with the under-provision of car parking and cycle storage within the curtilage of the site and undue risks that this has the potential to create, for cyclists (one of the more vulnerable highway user's groups) when legitimately using the Mandatory Cycle Lane on adjacent adopted public highway. The proposal has the potential to harm the surrounding neighbouring amenity by the under-provision of car parking.
- 1.6 The proposal is therefore contrary to Policies HQ/1, TI/2 and TI/3 of the South Cambridgeshire Local Plan 2018 and paragraph 111 of the National Planning Policy Framework 2021 that seek to ensure development would not have an unacceptable impact on highway safety.
- 1.7 Officers recommend that the Planning Committee refuse the application.

## 2.0 Site Description and Context

|   |   |                         |   |
|---|---|-------------------------|---|
| None relevant                           |   | Tree Preservation Order | x |
| Conservation Area                       | x | Local Nature Reserve    |   |
| Listed Building                         | x | Flood Zone 1            | x |
| Building of Local Interest              |   | Green Belt              |   |
| Historic Park and Garden                |   | Protected Open Space    |   |
| Scheduled Ancient Monument              |   | Controlled Parking Zone |   |
| Local Neighbourhood and District Centre |   | Article 4 Direction     |   |

\*X indicates relevance



- 2.1 The proposal site is located within the development framework and Conservation Area of Great Shelford. To the north of the site is Granhams Court and 2 Granhams Road. To the northeast of the site is Granhams Road and the Gables 1a Granhams Road. To the south of the site is High Green. High Green provides the main access to the site. There is a Mandatory Cycle Lane on each side of High Green. The site is located upon a corner plot of Granhams Road High Street Green.
- 2.2 The application site is approx. 63 metres from 21 High Green, Barn at De Freville Farm, De Freville Farmhouse and Farm building (Grade II listed). The site is located within flood zone 1 (low risk).
- 2.3 The site historically comprised a former public house (The De Freville Arms) which then operated as a furniture retailer (Class A1) for nearly 30 years. The building is attached to NY Wines and Bryan Turner Kitchens, the remaining floorspace is vacant. Above the unit are residential flats no 1-4 De Freville House.
- 2.4 To the north of the site is an area of car parking available for the current unit, adjacent units, and the residential flats. The rear car parking area did have a tree covered by a Tree Preservation Order TPO 0033 (2002). However, the tree has been granted removal under application S/0580/19/TP. The tree has since been removed from the car parking area.
- 2.5 The existing use of the site remains as a furniture showroom. Condition 3 of the furniture retail permission S/2425/87/F restricts the use of the application site to the storage and the sale of furniture and carpets and for no other purposes (including any other purposes in Class A1). Therefore, the application site does not benefit from the more recent flexible use classes under Class E.
- 2.6 The immediate surrounding land uses are residential including a variety of bungalows and residential properties.
- 2.7 The building is a two-storey building with brick and white rendering.
- 3.0 **The Proposal**
- 3.1 The application seeks planning permission for the material change of use to a shop (Class E) and external works.
- 3.2 The proposal seeks to relocate the existing Co-Op retail store from their existing store at 76 High Street in Great Shelford. The relocation would allow for a larger store. The existing store at 76 High Street has a total floor area of 200 sqm of which 47sqm is back of house.

- 3.3 The proposed retail store would extend to the entirety of the ground floor of Unit 7, with a total floor space of 373 m2. The sales area will comprise of 226 m2, back of house 117 m2 and 30 m2 will be for the internal plant.
- 3.4 The proposed external works are minor in nature and include the following: a new steel handrail, Soham security floor, 5 cycle stands, plant louvres and sliding entrance doors. The Plant is proposed to be located internally with louvres to vent the plant.
- 3.5 An off street car parking area is located within an area accessed off High Green. The parking is shared within NY Wines, Bryan Turner Kitchen and the residential flats located above the commercial units. The proposed submitted site plan shows 22 spaces. 15 spaces are allocated for the proposed store, 1 space is shown for NY wines, 4 spaces for the residential properties and 2 spaces shown for Bryan Turner Kitchens. The 2 spaces shown for the Bryan Turner Kitchens are located outside of the submitted redline boundary and are within the adopted public highway and therefore outside of the control of the applicant. The adjacent Mandatory Cycle Lane is located on High Green.
- 3.6 The entrance to the store would be located to the northeast facing upon Granhams Road. The store does not propose a rear entrance for customers to serve the car parking area.
- 3.7 The applicant has submitted further highway/transport information through the proposal in order to address/overcome the Highway Authority objections. This includes a Rebuttal Note and a further Transport Note. The Highway Authority was re-consulted on the additional information however, the Highway Authority maintained the application should be refused on highway safety. The Parish following the initial consultation response requested that the application should be reviewed at planning committee.

#### 4.0 **Relevant Site History**

| <b>Reference</b> | <b>Proposal</b>   | <b>Decision</b>       |
|------------------|---|-----------------------|
| S/2425/87/F      | - CHANGE OF USE TO FURNITURE SHOWROOM   | – Granted             |
| S/1669/88/F      | - USE OF FIRST FLOOR AS OFFICE  | – Granted             |
| S/0575/90/F      | – Extension to Showroom   | – Refused Application |
| S/1491/94/F      | - EXTENSION TO FURNITURE SHOWROOMS  | - Permitted           |
| S/0948/04/F      | - Fire Escape and Roof Garden for First Floor Flat Including Parapet Wall   | – Granted             |
| S/0875/14/FL     | - Construction of two-storey extension on south-east side of building following demolition of existing single-storey extension. Change of |                       |

use of first floor flat to main building to retail space. Extension to rear to provide additional retail/office space at ground floor with 1st floor extension above to provide 3no. flats. Construction of detached storage building and removal of chestnut tree. - Refused

S/1537/15/FL - Change of use of first floor flat to the main building for retail space. Extension to rear to provide additional retail office and cloakroom space at ground floor. First floor extension to provide 3 No. flats (2 No. net gain). – Granted

S/0991/16/FL - Change of use of first floor flat to the main building for retail space. Extensions to rear and side to provide additional retail office and cloakroom space at ground floor. First floor extension at rear and side to provide 3 No. 2 bedroom flats (2 No. net gain) – Granted

S/3452/16/DC - Discharge of Conditions 3 (Tree Protection) condition 4 (materials) condition 5 (window details) condition 6 (landscaping) and condition 11 (Construction Traffic Management Plan) of Planning Application S/0991/16/FL – Granted

S/0456/17/FL - Proposed demolition of single storey flat roof extension to rebuild one and a half storey extension and alterations – Granted

S/2809/17/DC - Discharge of Conditions 4 (Construction Traffic Management Plan) 5 (Tree Protection) & 6 (External Materials) of Planning Permission S/0456/17/FL – Granted

S/4461/17/VC - Variation of Conditions 1(b) and 5 and removal of Conditions 2 and 3 of planning permission S/2425/87/FL for change of use to furniture showroom – Refused

S/4463/17/FL - Installation of new shopfront plant and plant enclosure to rear new steel service door to rear of premises replace existing bollards with new stainless steel bollards - Permitted

S/3891/18/VC - Removal of Condition 5 (Sunday trading) of planning consent S/2425/87/FL for change of use from public house to furniture showroom – Granted

S/4542/18/FL - Change of use from furniture shop to mixed A1 (retail) and A4 (drinking establishment) – Granted

S/0580/18/TP – T1 Horse Chestnut to fell. Two replacement Magnoli Kobus trees to be planted to the front of the building (TPO 0033) (2002) T4).

20/02017/FUL – Change of use from Class A1 to Class A1, A2, B1 and D1 and erection of bin store and cycle parking – Granted

4.1 Planning permission was approved for the change of use of the former Public House (De Freville Arms) to a furniture showroom under S/2425/87/F. The planning permission was granted subject to five conditions. The conditions were as follows:

4.2 *Condition 1 a. An adequate space shall be provided within the site to enable vehicles to enter and leave in forward gear; park clear of the public highway; load and unload clear of the public highway.*

4.3 *Condition 1b. The permanent space to be reserved on the site for turning, parking and loading and unloading shall be provided before the commences and thereafter maintained.*

*Reason: In the interests of highway safety*

4.4 *Condition 2: the use hereby permitted shall not commence until space has been provided within the site to enable a minimum of 18 cars to be parked; such space shall not thereafter be used for any purpose other than the parking of vehicles.*

*Reason: To ensure adequate car parking accommodation is provided on the site*

4.5 *Condition 3: The premises shall be used for the storage and the sale of furniture and carpets and for no other purposes (including any other purposes in Class A1 of the Schedule to the Town and County Planning (Use Classes) order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.*

*Reason: The site is not of sufficient size to accommodate adequate car parking facilities for a general retail use of the scale hereby permitted*

4.6 *Condition 4: The use, hereby permitted shall not be carried out from any part of the premises until the existing use of the site as a public house cease.*

4.7 *Condition 5: The use of the premises for the purposes hereby permitted shall not take place other than between 0800 hours and 1800 hours on Monday to Saturdays, inclusive; the premises shall not be open on Sunday or Bank Holidays.*

*Reason: To minimise noise nuisance and general disturbance to residents living adjacent to the site*

4.8 The existing lawful use of the application site remains as a furniture showroom. Condition 3 restricts the previous permission to the storage and the sale of furniture and carpets for no other purposes (including any other purposes in Class A1). Therefore, the application site does not benefit from the more recent flexible use classes under Class E.

- 4.9 A planning application submitted in January 2018 by the Co-Op under S/4461/17/VC. The application sought to remove conditions 2 and 3 and variations of 1(b) and 5 of planning permission S/2425/87/F. However, this application was refused on the 31.10.2018 for the reasons below:
- 4.10 *The proposal does not adequately demonstrate that the operation parameters described within the application would not engender streetcar parking within the existing mandatory cycle lane to the detriment of highway safety.*
- 4.11 S/3891/18/VC was submitted following which granted the removal of condition 5 (Sunday Trading) attached to S/2425/87/F. The restrictive furniture shop (condition 3) and the minimum 18 car parking spaces (condition 2) were reimposed.
- 4.12 Planning permission 20/02017/FUL was granted in September 2020 for the material change of use of Unit 7 to Class A1, A2, B1 and D1 and the erection of bin store and cycle parking. The proposed description requires all uses to be present (A1 to A1, A2, B1 and D1) rather than just solely (Class A1) now Class E. This previous permission has not been implemented.

## 5.0 **Policy**

### 5.1 **National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Circular 11/95 (Conditions, Annex A)

### 5.2 **South Cambridgeshire Local Plan 2018**

S/1 – Vision

S/2 – Objectives of the Local Plan

S/3 – Presumption in Favour of Sustainable Development

S/7 – Development Frameworks

S/8 – Rural Centres

E/12 – New Employment Development in Villages

HQ/1 – Design Principles

NH/4 – Biodiversity

NH/14 – Heritage Assets

CC/8 – Sustainable Drainage Systems

CC/9 – Managing Flood Risk

SC/10 – Noise Pollution

SC/14 – Odour and Other Fugitive Emissions to Air

TI/2 – Planning for Sustainable Travel

TI/3 – Parking Provision

### 5.3 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Cambridgeshire Flood and Water SPD – Adopted November 2016

- 5.4 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Development affecting Conservation Areas SPD – Adopted 2009

District Design Guide SPD – Adopted March 2010

### 5.5 **Other Guidance**

- 5.6 Conservation Area Appraisal Great Shelford 2007

### 6.0 **Consultations**

#### **Parish Council – Support**

28.06.2022

- 6.1 Having considered this application at their meeting on 20th June, Great Shelford Parish Council support this application and have commented that they feel it is a better location for the store and reduces the risks currently associated with the location where it is now.

05.07.2022

- 6.2 Great Shelford Parish Council have asked me to contact you to ask that this application be taken to the Planning Committee for determination. They have seen the comments from the Highways Officer and have very strong feelings about current highway concerns and would like the opportunity to share these with the committee in order that they can make an informed decision when deciding whether to approve or refuse the application.

16.08.2022

- 6.3 This comment is being submitted on 16th August 2022 after receiving an extension in time to submit the Parish Council's comments, from Nick Yager on 1st August 2022.

- 6.4 Having considered the applicants response to the Highways comments at their meeting on Monday 15th August, Great Shelford Parish Council continue to support the application and have the following comments.
- 6.5 Members agree with the rebuttal submitted by the applicant to the Highways comments. In particular they would like to draw your attention to:
- 6.6 The applicant has offered to provide double yellow lines, with double yellow kerb blips, accompanied by signage of 'No waiting at any time' and 'no loading at any time'. Great Shelford Parish Council feel this is very worthwhile and appreciated.
- 6.7 On page 2 of the rebuttal, the applicant has offered to provide 'armadillos' or similar. Members appreciate this consideration but would prefer to see demarcated lanes similar to those on Trumpington Road and Hills Road as it can be seen that armadillos can be a hazard to cyclists, especially if they catch one.
- 6.8 In addition, Great Shelford Parish Council supports the applicant in their attempt to deter parking on the road with their offer of installing bollards along the pavement.
- 6.9 Comments have been raised about the safety of the junction. It is not necessarily true that the junction will be any busier, however, members feel that should the junction become busier then at this point, it would be prudent to look at the design of the aforesaid junction.

### **County Highways Development Management – Object**

*Full comments are available on the Council's website*

23.06.2022

Summary

- 6.10 The Local Highway Authority considers that the proposed development still has the high potential to engender the stopping of motor vehicles within the heavily used mandatory cycle lane on the eastern side of High Green which will force cyclists to enter a live motor vehicle traffic lane; this is an unexpected manoeuvre.
- 6.11 Insufficient off street parking provision in an environment where on street car parking is potentially very hazardous for one group of vulnerable highway users: cyclists. The maximum number of car parking spaces which the proposal could require is 24 for the proposed development alone. The site as a whole has the benefit of 22 spaces which include 2 spaces within the existing adopted highway which are not in control of the applicant.

- 6.12 When both stores would be open three of the fourteen generally available car parking spaces would be occupied by Noels Wines customers, leaving 11 for the Co-Operative Store.
- 6.13 The applicant provided data from three similar Co-Operative stores in Cambridgeshire. The count data it is clear that during the lunchtime and afternoon/early evening periods the vast majority of the car parks of the stores surveyed have more than 11 vehicles parked within them, which strongly infers that the level of proposed off street car parking is not sufficient for the proposed size of store and that as such on street car parking is likely.
- 6.14 The existing store does not have a car park; therefore, it is not comparable to the proposals. The provision of off-street parking will likely encourage more patrons to drive or will encourage passing drivers to stop as part of a linked journey e.g., stop in the shop on your way home.
- 6.15 Parking demand and standards – The car park may on average be within capacity, but that means at times it wont. Some dwell times will be above 9 minutes and vehicles wont always arrive and depart in a uniform manner as is being stated. A high turnover of vehicles could result in vehicle queues out of the site due to conflicts of vehicles manoeuvring into and out of spaces blocking the paths of others.
- 6.16 Proposed double yellow lines – This is only of permitted if the Traffic Regulation Order were to be approved prior to determination. In any case the same enforcement issue remains whether double yellow lines or the mandatory cycle lane requires enforcement.
- 6.17 The applicant has included two car parking bays that are within the adopted public highway. Their use cannot be designated for any single property and any vehicle that is taxed and insured may use these bays without time limit. The provision of these bays cannot be guaranteed as the Highway Authority has powers to control on street car parking if required. If the double yellow lines are installed as has been suggested by the applicant these bays would need to be removed as any vehicle parking within the bays would receive a penalty charge notice as the restriction would cover the whole of the adopted public highway up to the frontage of building of De Freville House.
- 6.18 Given the high potential for the availability of off street car parking to be limited throughout much of the trading day it is probable that a number of customers will chose to breach the law and stop in the Mandatory Cycle Lane while visiting the store, as stated above this is a significant risk to a vulnerable group of highway users.
- 6.19 Potential physical improvements to cycle lane (eg: upstand kerb) – This proposal would need to be considered as part of a comprehensive cycle scheme for the area. A short section of physical protection in isolation will not necessarily improve cycle safety. In any case this would be a maintenance burden on the Local Highway Authority.



- 6.20 25% of the deliveries are still be made directly to the NY Wine Store (I.e. not the off-site warehouse) and this is at their discretion and can't be conditioned.
- 6.21 The applicant has failed to account for the deliveries in its Transport Statement Addendum in respect to Bryan Turner Kitchen.
- 6.22 Appendix 1 shows that during the period of the deliveries for the proposed store only four car parking spaces are available (and the delivery vehicle blocks all the residential parking bays and the dedicated bay for Noels Wines). No timeframe for length of the deliveries has been given, but past applications for similar developments for the same applicant have stated that the Co-Op do not require specific refuse collections as the delivery vehicles also remove the refuse generated by the store. While this makes sense operationally it will increase the length of time that the delivery vehicle is stationary within the car park.
- 6.23 The applicant has failed to show how the more numerous small scale deliveries will service the proposed store and a swept path drawing showing this should be provided (if the car park is full where will such a vehicle turn).
- 6.24 The Transport Statement provided deals solely with the required level of car parking for the site and does not sufficiently address any safety issues that the development will have on the users of the public adoptable highway. The Local Highway Authority would again suggest that the previous 60 months accident records for the study area together with an analysis of any trends or clusters. This should be obtained from [business.intelligence@cambridgeshire.gov.uk](mailto:business.intelligence@cambridgeshire.gov.uk) as the applicant does appear to obtained the information as recommended.
- 6.25 The proposed cycle parking is shown outside the red line of the development site and within the existing adopted public highway. The scheme requires a minimum of 14 cycle parking spaces (not the ten shown) and these should be accommodated within land under the applicants control. This has the potential to impact further on the limited number of car parking spaces that the site is able to provide.
- 6.26 There appears to be an insufficient number of disabled persons parking spaces based on maximum number of 24 spaces which would at 5% of the total require 1.2 spaces which should be rounded up to 2 spaces, only 1 space has been provided by the applicant.
- 6.27 No further information on how the parking requirements (either motorised or non-motorised) for the thirteen staff have been provided. At present they would be at liberty to park without time limit in the two bays shown as designated for the kitchen show rooms or use the cycle hoops within the adopted public highway
- 6.28 In accordance with paragraph 111 of the National Planning Policy Framework the Highway Authority requests that the above planning application be refused for the following reason: - unacceptable impact on highway safety.

15.08.2022.

- 6.29 No significant further information (only a plan showing the Vehicle Tracking for Extra Long Mercedes Sprinter) has been submitted by the applicant within the submitted ADL REBUTTAL NOTE 29.07.2022. The Local Highway Authority Highways comments submitted on the 23rd June 2022 remain unchanged following the submission of the rebuttal note.

03.11.2022

- 6.30 Further to the submission of the Transport Note dated 17th October 2022 the Local Highway Authority has the following comments:

- 6.31 The assessment of the car parking requirements as provided by ADL within the submitted Transport Note is basically flawed as still showing 22 spaces which includes 2 spaces within the public highway. This is not the case. The site benefits from 20 car parking spaces which are under the control of the applicant. The application of the appropriate number of off highway car parking spaces that the site has demonstrates that the car park has the strong potential to be over capacity on a significantly higher number of occasions than the data present by ADL would suggest, leading to a higher potential for customers to stop within the mandatory cycle lane, with all the inherent risks that this creates.

- 6.32 The Highway Authority's request that the application be refused on the grounds of highway safety, therefore, still stands.

#### **Sustainable Drainage Officer – No Objection**

- 6.33 Please can the applicant confirm there are no external changes to either the building or external surfacing?

#### **Conservation Officer – No Objection**

- 6.34 It is considered that there are no material Conservation issues with this proposal.

#### **Tree Officer – No Objection**

- 6.35 I have no arboricultural objections. There are trees on or adjacent to this site address that are with a Conservation area.

#### **Environmental Health –No Objection**

- 6.36 The applicant has submitted a noise assessment. This methodology is considered suitable for use given the proposed development. It is noted, the

potential for significant adverse impact from noise whilst deliveries are being handled. Though there are some mitigating circumstances as mentioned in the assessment, this department agrees with the recommendation that a Noise Management Plan should be developed and submitted to the local authority.

6.37 Therefore, suggested condition of detailed Noise Manage Plan should be submitted prior to occupation and a informative stating the granting of this planning permission does not indemnify against statutory nuisance action.

## 7.0 **Third Party Representations**

7.1 Third party comments have been received in support and objection to the application;

7.2 Those in objection have raised the following issues:

- Highway Safety
- Traffic and Parking Problems
- Currently a busy location and become gridlocked when Granhams Road rail is closed or when someone parks on Granhams Road.
- Rather than traveling or walking to the centre of Shelford they will complete by car therefore increasing traffic
- If Co-Op traded on High Green, I suspect a number of the customers would park immediately off the main road entrance and block entrance to the fields
- The Number of Parking Spaces Earmarked for Co-Op Customer use Assessed against Demand
- Traffic Volume Counts the amount of vehicle traffic that flows along the A1301/ Granhams Road – the proposed site of a convenience store is significantly greater than the traffic that flows
- ADL have failed to demonstrate that the car park would be adequate for use as a convenience store car park,
- Convenient legal off-site vehicular parking facilities close to unit is insufficient
- Road Safety Proximity of tun Unit 7 Site to the Mandatory Cycle Lane
- Not enough parking for the store
- Significant traffic increase in recent years
- Inadequate room for delivery lorries
- Railtrack require access essential central to signalling and electoral facility serving the main Cambridge
- Proposed store adds nothing extra or new to local amenities
- The proposed store is situated sufficiently far away from the centre of the village

7.3 Those in support have given the following reasons:

- Makes perfect sense in this location to have the Co-Op with associated

parking.

- Current Co-Op in the village is too small.
- Shelford is growing and we need more amenities outside of the centre of the villages which makes it easier for people, walk cycle. There is parking on site, perfect location.
- The parking in Great Shelford Village is not sufficient and this most definitely will help to reduce the congestion
- Reduce congestion within the High Street Great Shelford
- Dedicated parking and delivery locations
- Access parking and servicing store
- Existing store could then return into a house
- Cycle lane is not busy the car park is hardly used
- Most customers would use the car park and not the cycle lane
- The existing building should be occupied and not left empty and longer
- Do not want to lose the Co-Op from Great Shelford

7.4 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

## 8.0 **Assessment**

### 8.1 **Principle of Development**

8.2 Policy S/7 of the Local Plan states that Development and redevelopment of unallocated land and buildings within development frameworks (as shown on the Policies Map) will be permitted provided that:

- a. Development is of a scale, density and character appropriate to the location, and is consistent with other policies in the Local Plan; and
- b. Retention of the site in its present state does not form an essential part of the local character, and development would protect and enhance local features of green space, landscape, ecological or historic importance; and
- c. There is the necessary infrastructure capacity to support the development;

8.3 The application is located within the development framework of Great Shelford, which is indicated as a Rural Centre by Policy S/8 of adopted Local Plan.

8.4 Given the existing restrictive retail use on Unit 7, this application is seeking planning permission for unrestricted use of the premises as a shop under Class E(a).

8.5 Given the principle of retail use of the premises has already been established there is no requirement to provide a retail impact assessment. In any event, the floorspace of the unit is below the threshold for Rural Centres (500m<sup>2</sup>) set out within Policy E/22.

- 8.6 The proposal would enable a larger Co-op store to serve the village and also provide a small increase in employment.
- 8.7 Overall, the proposal is in accordance with S/7 and S/8 and therefore, the principle of development is acceptable.

### **Highway Safety, Transport Impacts and Car Parking**

- 8.8 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.
- 8.9 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 8.10 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.11 The application is supported by a Transport Statement. Additional information was then submitted by the applicant in the form of an ADL Rebuttal Note submitted on the 01.08.2022 and an additional Transport Note submitted on the 20.11.2022.
- 8.12 Policy TI/3 of the Local Plan states that Car parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11. These are minimum parking standards.

### **Car Parking Provision**

- 8.13 The proposed retail store would extend to the entirety of the ground floor of Unit 7, allowing for a total floor space of 373m<sup>2</sup>. Policy TI/3 requires 1 space per 14 sqm<sup>2</sup> of the gross floor area of a retail food shop. The proposed total floor area is 373m<sup>2</sup> and  $373/14 = 26$ . Therefore, the proposed retail unit would require 26 car parking spaces based on the parking standards set out within the Local Plan (15 are proposed including 1 disabled space).
- 8.14 It is important to note that the planning permission for the wine bar and wine shop (S/4542/18/FL) included a car parking layout and a condition which required car parking for the 4 flats and 1 visitor space to be provided as part of the development. The total parking provision identified on the approved plans for this application was 22 spaces (17 for the commercial units and 5 for the residential use). The proposal would seek to retain the 4 spaces for the flats but has not included a visitor parking space as per this permission, which has been implemented.

- 8.15 Therefore, taking account the requirements of this proposal and the extant planning permission, the total parking provision for the entire site is; Residential use – 5 spaces, NY wines – 1 space, Bryan Turner Kitchens – 2 spaces and Co-op – 26 spaces; providing a total of 34 spaces.
- 8.16 The submitted block plan shows that there to be 22 spaces however, 2 spaces are located outside of the control of the applicant and are situated in the public highway. However, although they are outside the application site for this application, they were included within the application site under application S/4542/18/FL. Therefore, officers' views are that despite concerns raised by the highway authority, it is reasonable to consider these spaces within the calculations in terms of car parking capacity for the whole development. Nevertheless, even with their inclusion, there is still a shortfall of 12 spaces when assessed against the parking standards in policy TI/3.
- 8.17 The location of the store is on the main distributor road (A1301) through the village which includes a dedicated (Mandatory) cycle lane on each side. Officers have raised concerns that the location will result in greater car borne trips than that which may exist with the existing store, particularly in association with linked trips commuting to and from Cambridge. Further, noting the surrounding area, there are no other options for parking along High Green and Granhams Road without impeding vehicle, cycle or pedestrian movements. On this basis, given the under provision of off street parking, the Highway Authority considers that users would park along the adopted highway within the cycle lane to gain access to the site, to the detriment of highway safety, particularly for cyclists.
- 8.18 The applicant's additional Transport Note contained a parking survey in order to understand the parking demands of the application site. The parking survey identified the potential for some short-lived minor overspill of car parking. The Highway Authority consider this data adds weight to their concerns regarding the under provision of suitable car parking within the curtilage of the site and the undue risks that this has the potential to create, for cyclists (one of the more vulnerable highway user's groups) when legitimately using the Mandatory Cycle Lane on adopted public highway.
- 8.19 The Highway Authority have identified that there appears to be an insufficient number of disabled persons parking spaces. The previously approved parking layout under application S/4542/18FL showed 1 disabled parking space. There are no standards set out within the Local Plan for disabled parking provision, however reference is made to meeting national guidance. With reference to the Inclusive Mobility Best Practice guidance (Department for Transport 2021), for existing employment premises, 2% of parking capacity should be provided for blue badge holders with a minimum of 1 space. The proposal is therefore, considered acceptable in this regard.
- 8.20 The Highway Authority has also raised concerns regarding the impact on demand for use of the car park by members of staff. The applicant has stated there would be 13 members of staff anticipated to be employed for the proposal in a mixture of full and part time roles, only 2-3 member of staff are

on site at a time. The parking standards do not differentiate between customer and members of staff in terms of demand and therefore, it is not considered that the potential use by staff adds further demand to the shortfall identified. Nevertheless, the applicant has advised staff would be encouraged to travel to site by sustainable modes of transport.

- 8.21 The entrance of the store is located upon Granhams Road there is not a rear entrance from the car park into the store. Therefore, users would have to walk out of the car park and along High Green to the entrance upon Granhams Road which is approx. 30 metres. Whilst this is not a significant distance, the lack of direct link into the store from the car park may deter some customers from using the car park and adds further concern that indiscriminate car parking will take place within the public highway, including the cycle lanes.
- 8.22 The applicant has suggested that physical improvements (upstanding kerb or “armadillos”) to the public highway (cycle lane) could be installed or a Traffic Regulation Order (double yellow lines) imposed. The Highway Authority note a separate approval process for a traffic regulation order is required (which is not guaranteed) and the same enforcement requirements would still be necessary (enforcing illegal parking within the mandatory cycle lane), even if it were granted. Any physical barrier is considered to be a danger to cyclists and would not be appropriate over such a short distance within the cycle lane. These options are therefore, not considered to be appropriate solutions to overcome the harm identified. Therefore, despite the information presented by the applicant, concerns with regard to the lack of off-street parking remain in relation this proposal.
- 8.23 The Parish Council commented in support of the application and support the applicant in their attempt to deter parking on the road. However, for the reasons stated above concerns are raised in relation to the physical improvements.

### **Deliveries/Servicing**

- 8.24 Deliveries will be undertaken within the car park and the Transport Statement notes that these would be undertaken during quieter periods of trade and that 1-2 deliveries per day would take place by an 18T HGV (10.35m long) rigid vehicle. There would also be separate deliveries from LGV vans (up to 7.2m in length), with shorter stays (5-10 minutes) required. The Highway Authority consider that during the period of the deliveries for the proposed store, only four car parking spaces are available (and the delivery vehicle blocks all the residential parking bays and the dedicated bay for Noels Wines). However, the vehicle tracking (swept path analysis) indicates for a HGV arrival, 5 parking spaces would be impacted by the vehicle movement (3 of these would only be temporarily affected for manoeuvring purposes). 2 parking spaces (spaces 1 and 2) on the southern boundary would be occupied for the duration of the delivery. No timeframe for length of the deliveries has been provided but it is noted that for similar developments for other Co-Op stores, this will include a refuse collection. While this makes sense operationally it will increase the length of time that the delivery vehicle is stationary within the car

park. The applicant proposed that deliveries could be managed via a Delivery Management Plan including restrictions on when deliveries can take place (i.e. outside peak travel times). However, this is not supported by the Highway Authority given the concerns already raised about impacts on the highway network in relation to a shortfall of car parking on site and that this will be further exacerbated by the impact of deliveries.

- 8.25 In terms of reference to the planning history it is worth noting, the original planning permission included condition 3 which restricted the type of retail use, with the reason for the condition being; the site was not of sufficient size for a general retail use as it could not provide suitable car parking facilities. The application by the Co-op in 2018 (S/4461/17/VC) was also refused because of concerns regarding the impact of an intensification of the retail use of the site due to a lack of off- street parking and impact upon cyclists using the cycle lane within the public highway. The assessment in relation to this application is therefore, consistent in this regard.
- 8.26 The proposal fails to provide an appropriate level of off street parking in an area of significant vehicle and cycling movements. This will result in indiscriminate parking within the public highway which, due to the location and layout of the road network in the vicinity of the site, is unable to absorb the necessary capacity through legal on street parking. Servicing of the premises would also further reduce car parking availability on site each day, increasing the likelihood of indiscriminate parking in the public highway. The proposal would therefore, result in material harm to highway safety, particularly cyclists, one of the more vulnerable highway user groups, when legitimately using the Mandatory Cycle Lane on adopted public highway. The proposal is therefore contrary to Policies HQ/1, TI/2 and TI/3 of the South Cambridgeshire Local Plan 2018 and paragraph 111 of the National Planning Policy Framework 2021 that seek to ensure development would not have an unacceptable impact on highway safety.

### **Cycle Parking Provision**

- 8.27 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards which, for retail units, is 1 space per 25m<sup>2</sup>.
- 8.28 The proposed cycle parking is shown outside the red line of the development site and within the existing adopted public highway. The scheme requires a minimum of 15 cycle parking spaces (not the ten shown) and these should be accommodated within land under the applicant's control. Given the shortfall in car parking, provision should be made to encourage sustainable forms of transport to the site, particularly as the site is already serviced by the existing cycle network. However, as this is not achieved there is less incentive for customers and/or staff to travel sustainably to the site. Given the constraints of the site, if such provision was made, it would also likely further reduce the availability of on site parking. This adds further weight to the concerns



regarding on site parking provision and lack of provision to support sustainable forms of travel to and from the site.

- 8.29 The proposal therefore, fails to provide appropriate on site cycle parking provision to promote sustainable forms of transport, contrary to policies HQ/1, TI/2 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

### **Design, Layout, Scale and Landscaping**

- 8.30 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.
- 8.31 The District Design Guide SPD (2010) and Landscape in New Developments SPD (2010) provide additional guidance. The NPPF provides advice on achieving well-designed places and conserving and enhancing the natural environment.
- 8.32 The proposed external works are minor in nature and include the following: a new steel handrail, Soham security floor, 5 cycle stands, plant louvres and sliding entrance doors. The Plant is proposed to be located internally with louvres to vent the plant. The building retains its existing character, design, scale and massing. The overall appearance and character of the building will not change with the submitted proposal. The proposed steel handrail, Soham steel security doors and plant louvers are located facing towards the car parking area and therefore screened from the existing building. The insertion of the cycle stands would not appear of out character noting the surroundings along High Green.
- 8.33 The proposal is therefore not considered to lead to any material harm to the character of the area and the design and context of the existing building.
- 8.34 The Council's Tree Officer has raised no arboricultural objections. The proposed works due to the minor nature would not harm the surrounding trees. Within the rear car parking area did previously have a tree covered by a Tree Preservation Order TPO 0033 (2002). However, the tree has been granted removal under application S/0580/19/TP. The tree has since been removed from the car parking area. The proposal is therefore considered to be acceptable in terms of impact upon trees.
- 8.35 Overall, the proposed development would contribute positively to its surroundings. The proposal is therefore, compliant with South Cambridgeshire Local Plan (2018) policy HQ/1.

### **Heritage Assets**

- 8.36 The application falls with the Great Shelford Conservation Area. The application site is located approx. 63 metres from 21 High Green, Barn at De Freville Farm, De Freville Farmhouse and Farm building (Grade II listed) buildings which are opposite the site. The application site is mentioned within the Conservation Area Appraisal Great Shelford 2007.
- 8.37 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings.
- 8.38 Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 8.39 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.
- 8.40 Policy NH/14 of the South Cambridgeshire Local Plan (2018) requires development affecting heritage assets to sustain or enhance the character and distinctiveness of those assets. Policy HQ/1 states that all new development must be compatible with its location in terms of scale, density, mass, form, siting, design, proportion, material, texture and colour in relation to the surrounding area.
- 8.41 The proposal includes external works of a minor nature. These are; a new steel handrail, Soham security floor, 5 cycle stands, plant louvres and sliding entrance doors. The plant is proposed to be located internally with louvres to vent the plant. The proposal due to its minor external works is not considered to lead to any material harm upon the heritage assets. The proposal would not lead to any significant impacts to the surrounding Conservation Area and the setting of the listed buildings opposite. The proposal will retain the existing building character and design. Any proposed advertisements would require separate advertisement consent.
- 8.42 The Conservation Officer was consulted on the proposal has raised no objections.
- 8.43 It is considered that the proposal would preserve the character of the Conservation Area. The proposal is therefore, compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policy NH/14.

## **Biodiversity**

- 8.44 As part of delivering sustainable development the NPPF identifies an environmental objective which includes amongst other things, improving biodiversity. Paragraph 174 of the NPPF also states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. The Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with policy NH/4 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 8.45 Noting the minor nature of the external works and not increase the size of the existing commercial unit, it is not considered the proposal would lead to any material harm to the ecology of the area. It is therefore, not considered reasonable or necessary to include conditions relation to provision of ecological enhancements or biodiversity net gain.
- 8.46 Officers are satisfied that the proposed development complies with the NPPF, policy NH/4, the Biodiversity SPD 2022 and 06/2005 Circular advice.

#### **Water Management and Flood Risk**

- 8.47 Policies CC/7, CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 8.48 The site is in Flood Zone 1 and is therefore considered at low risk of flooding. The Drainage Officer was consulted on the proposal and asked the applicant if they could confirm there are no external changes to either the building or external surfacing. Due to the minor nature of the external works located within a low-risk flood zone 1 and the factor that hard standing will not be increasing the proposal will not increase with the risk of flooding.
- 8.49 The proposal is in accordance with Local Plan policies CC/7, CC/8 and CC/9 and NPPF advice.

#### **Amenity**

- 8.50 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.
- 8.51 The minor nature of the proposed external works by their nature will not lead to any overbearing, loss of light or overlooking effects.

- 8.52 The application site is surrounded by neighbouring amenity to the north, east, south and west across High Green Road. Further, there are four residential properties located above the application site at 1<sup>st</sup> floor level. The application site has an hours of use restriction associated with its former use as a furniture showroom which is; between 0800 hours and 1800 hours on Monday to Saturdays, inclusive; the premises shall not be open on Sunday or Bank Holidays. The planning permission that has been implemented (S/4542/18/FL) includes a condition which restricts the use of the premises from 11:00-23:00 Monday to Saturday and 11:00-16:00 on Sundays and public/bank holidays. The proposed change of use would lead to an intensification of the site in terms of hours of use which is from 07:00-23:00, 7 days per week. Noise and disturbance and therefore consideration needs to be sought in terms of the impacts upon the existing residential properties surrounding and above the site by virtue of noise and disturbance.
- 8.53 The applicant has submitted a noise assessment in accordance with BS:4142, "Methods for rating and assessing Industrial and Commercial sound" to consider the impact the development may have on the surrounding area. The Environmental Health Officer was consulted on the application and stated methodology is considered suitable for use given the proposed development of this nature. It is noted that in the report, there is the potential for significant adverse impact from noise whilst deliveries are being handled. Though there are some mitigating circumstances within the recommendations as mentioned in the assessment. The Environmental Health Officer stated that a Noise Management Plan should be developed and submitted to the local authority. The Environmental Health Officer then stated that that a condition requiring that prior to first operation of the premises, the applicant shall provide a detailed Noise Management Plan (NMP), which is reasonable in this instance if the application was recommended for approval.
- 8.54 The proposed convenience store would expect to receive 1-2 depot deliveries per day as well as additional local supply deliveries. Conditions would need to be placed on the application that deliveries would not be undertaken at anti-social hours (via a Delivery Management Plan as set out above) and that opening hours were sensitive to residential uses within and adjacent to the site, if the application was recommended for approval.
- 8.55 Subject to conditions, it is considered that the amenity of existing residents could be appropriately mitigated to ensure there were no adverse impacts from noise and disturbance associated with the use of the premises. The suggested conditions would be applied if the application was recommended for approval.
- 8.56 Subject to conditions, the proposal would be unlikely to cause material harm to the living condition of amenity of its surrounding neighbours. The proposal is in accordance with HQ/1 of the South Cambridgeshire Local Plan 2018.

**9.0 Third Party Representation**

9.1 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the tables below:

| <b>Third Party Comments in Objection</b>  | <b>Officer Response</b>   |
|---|---|
| High Safety and Parking Concerns.   | The Highway Authority have assessed the application site in its current form and consider the proposal due to the under provision to be harmful highway safety and parking of the area.   |
| Rather than traveling or walking to the centre of Great Shelford they will travel by car therefore increasing traffic.                                | This is noted, the location of the store outside of the village centre would lead to more of the customers to travel by car which increases traffic and puts additional pressure on the car parking of the site.  |
| Inadequate room for lorry delivery.   | Deliveries will be undertaken within the car park. Deliveries is not supported by the Highway Authority given the concerns already raised about impacts on the highway network in relation to a shortfall of car parking on site and that this will be further exacerbated by the impact of deliveries.   |
| The submitted transport information has failed to demonstrate the application car park is suitable. Concerns with the traffic flow date.              | This is noted and included as a reason for refusal as explained within the Highway Safety section of the report. The Highway Authority have assessed the submitted data and maintain their objection.   |
| The proposed store is situated sufficiently far away from the centre of the village. The proposed store adds nothing extra or new to local amenities. | The proposed store is located away from the village centre. This provides benefits as will provide additional amenities outside of the village centre. However, in this instance this does not outweigh the material harm to the highway safety identified. The location of the store being outside of the village centre raises concerns as customers would be more likely to drive to the location. |
| Railtrack require access essential central to signalling  | Comments reived relating to the Railtrack. The Highway objection relates to the proposal leading to an under provision of off-street  |

|   |  |
|---|--|
| and electoral facility serving the main Cambridge.  | parking harming leading to harm to the highway safety.   |
| <b>Third Party Comments in Support</b>  | <b>Officer Response</b>  |
| Better location for the new Co-Op and reduces the risks currently associated with the location of the site.   | It is noted the proposal would provide some access to parking as the existing store does not provide. Further, the store in this location provides facilities outside of the village centre. However, the proposal will lead to harm as identified by the Highway Authority upon the highway safety and parking of the area. |
| Parish Council have stated that is not necessarily true that the junction will be any busier. However, should the junction become busier then at this point, it would be prudent to look at the design of the junction. | The Highway Authority have assessed the application site in its current form and consider the proposal to be harmful highway safety and parking of the area.   |
| The current store is too small.   | The proposal would lead to an increase of the floor area of the existing Co-Op.<br><br>The proposed store would have a floor area of 173m <sup>2</sup> larger than the existing.<br><br>However, the proposal would lead to material harm to the highway safety and parking of the area.                                     |
| Shelford needs more amenities outside of the village centre.  | It is noted the economic benefits of providing a store upon the outside of the Village Centre providing jobs and services to the community. However, in this location this does not out weight the material harm upon the highway safety and parking or the area.  |
| The parking in Great Shelford Village is not sufficient and this most definitely will help to reduce the congestion. Reduce congestion along Great Shelford   | Planning applications are assessed on their own merits. The existing store does not have access to its own parking. The congestion of the existing store within the village centre does not overcome the material harm to the highway safety that the proposed store would create.   |

|   |  |
|---|--|
| Dedicated parking and delivery locations.                               | The proposal would have allocated parking and delivery locations within the existing car park. However, the under provision of car parking would lead to material harm to the highway safety and car parking of the area.                                |
| Existing store could then return into a house.                          | The re-use of existing building would be in the control of the owners and outside of the planning system.  |
| Cycle lane is not busy the car park is hardly used.                     | The Highway Authority has confirmed the proposed store would lead to material harm upon the adjacent cycle lane.   |
| Most customers would use the car park and not the cycle lane.           | The concerns raised by the Highway Authority is that the proposal would lead to material harm to the cycle lane due to the under provision of onsite car parking provided.   |
| The existing building should be occupied and not left empty and longer. | It is noted a benefit of the scheme that the existing site remains current vacant, and the proposal would bring the building back into use. However, in this instance this does not outweigh the harm to the highway safety and car parking of the area. |
| Do not want to lose the Co-Op from Great Shelford.                      | The proposal is for a change of the use of the application site. The loss of the Co-Op would be outside of the planning system if the existing store was to relocate.  |

## 10.0 Other Matters

- 10.1 Waste/ refuse bin location is shown within the northern corner of the car park within an area of the rear car parking, which is reasonable.

## 11.0 Planning Balance

- 11.1 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 11.2 The proposal would contribute to the local economy including the provision some limited additional employment jobs, a larger convenience store to serve the village and additional local spend. Further, the proposal would contribute to the re-use of a building that is current vacant within the development

framework of Great Shelford. Whilst these are benefits of the scheme, they carry limited weight and do not outweigh the harm identified above.

- 11.3 The proposal would lead to material harm to the highway safety with the under provision of on site car and cycle parking. It is considered this will lead to indiscriminate parking within the public highway, including a Mandatory Cycle Lane. This will result in undue risks for cyclists (one of the more vulnerable highway user's groups) when legitimately using the Mandatory Cycle Lane on the adopted public highway. Off site servicing arrangements will also exacerbate harm in terms of occupying car parking spaces. Furthermore, the proposal fails to provide appropriate cycle parking to encourage sustainable means of travel to and from the site.
- 11.4 The proposal is therefore contrary to Policies HQ/1, TI/2 and TI/3 of the South Cambridgeshire Local Plan 2018 and paragraph 111 of the National Planning Policy Framework 2021 that seek to ensure development would not have an unacceptable impact on highway safety.

## **12.0 Recommendation**

**Refuse** for the following reasons:

1. The proposal fails to provide an appropriate level of off street parking in an area of significant vehicle and cycling movements. This will result in indiscriminate parking within the public highway which, due to the location and layout of the road network in the vicinity of the site, is unable to absorb the necessary capacity through legitimate on street parking. Servicing of the premises would also further reduce car parking availability on site each day, increasing the likelihood of indiscriminate parking in the public highway. The proposal would therefore, result in material harm to highway safety, particularly cyclists, one of the more vulnerable highway user groups, when using the Mandatory Cycle Lane on adopted public highway. The proposal is therefore, contrary to Policies HQ/1, TI/2 and TI/3 of the South Cambridgeshire Local Plan 2018 and paragraph 111 of the National Planning Policy Framework 2021 that seek to ensure development would not have an unacceptable impact on highway safety.
2. The proposal fails to provide adequate cycle storage to a sufficient standard. The proposed cycle parking is shown outside the red line of the development site and within the existing adopted public highway. The scheme requires a minimum of 15 cycle parking spaces within the application site. Given the shortfall in car parking, provision should be made to encourage sustainable forms of transport to the site, particularly as the site is already serviced by the existing cycle network. The proposal, therefore, fails to provide appropriate on site cycle parking provision to promote sustainable forms of transport, contrary to policies HQ/1, TI/2 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.





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# Agenda Item 7



|  |  |
|--|--|
| <b>Planning Committee Date</b>               | 18.01.2023   |
| <b>Report to</b>                             | South Cambridgeshire District Council<br>Planning Committee  |
| <b>Lead Officer</b>                          | Joint Director of Planning and Economic<br>Development   |
| <b>Reference<br/>Site<br/>Ward / Parish</b>  | 22/03852/FUL<br><br>Balsham  |
| <b>Proposal</b>                              | Re-submission of previous approval -<br>S/1629/16/FL - Change green area outlined in<br>red on the plan into an additional parking area<br>due to very limited parking availability and<br>neighbour disputes  |
| <b>Applicant</b>                             | Mr Sean Gentle, Housing, South<br>Cambridgeshire District Council  |
| <b>Presenting Officer</b>                    | Nick Yager   |
| <b>Reason Reported to<br/>Committee</b>      | Land within ownership of the Council/<br>Application submitted by an officer of the<br>Council   |
| <b>Member Site Visit Date<br/>Key Issues</b> | <ol style="list-style-type: none"><li>1. No material harm to the parking of the<br/>area.</li><li>2. No adverse impact upon the character<br/>or appearance of the area,</li><li>3. No adverse impact upon the amenities<br/>of neighbouring properties.</li></ol> |
| <b>Recommendation</b>                        | <b>APPROVE</b> subject to conditions   |

## 1.0 Executive Summary

- 1.1 The application seeks planning permission for the material change of use of a soft landscape (grassed) area into additional car parking. The application would lead to an additional of two car parking spaces.
- 1.2 Land is within ownership of the Council and the application is submitted by officer of the Council's Housing team.
- 1.3 The application is a re-submission of previous approval S/1629/16/FL. The past application was approved on the 06.09.2018 however, was never implemented and the time limit has since lapsed. The re-submission the size and scale as the past approval.
- 1.4 No third-party representations or Parish Council comments received.
- 1.5 Officers recommend that the Planning Committee approves the application.

## 2.0 Site Description and Context

|   |   |                         |  |
|---|---|-------------------------|--|
| None relevant                           | x | Tree Preservation Order |  |
| Conservation Area                       |   | Local Nature Reserve    |  |
| Listed Building                         |   | Flood Zone 2 and 3      |  |
| Building of Local Interest              |   | Green Belt              |  |
| Historic Park and Garden                |   | Protected Open Space    |  |
| Scheduled Ancient Monument              |   | Controlled Parking Zone |  |
| Local Neighbourhood and District Centre |   | Article 4 Direction     |  |

\*X indicates relevance

- 2.1 The application site is located within the development framework and Parish boundary of Balsham. The application site is located within Dolls Close. The application is surrounded by residential properties. The application site is not located within a Conservation Area nor is there any listed buildings located within proximity of the site. The site is located within flood zone 1 (low risk) and there is no surface water identified within the area.

### **3.0 The Proposal**

- 3.1 The application seeks planning permission for the material change of use of a soft landscaped (grassed) area into an additional parking area. The application would lead to an additional two car parking spaces. The increase of parking area to an increase of hard surfacing by approximately 70m<sup>2</sup>.
- 3.2 The application is a re-submission of previous approval S/1629/16/FL. The past application was approved on the 06.09.2018 however, this permission was never implemented, and the time limit has since lapsed. The re-submission is an identical submission to the past permission.
- 3.3 An amended parking plan was provided on the 24.10.2022. This was provided due highway comments regarding surface water drainage across the public highway. The amended plans provided included a gulley to a soakaway and provided an area of car parking to be constructed of a porous paving for infiltration.
- 3.4 Land is within ownership of the Council and the application is submitted by an officer of the Council's Housing team and is therefore, referred to committee.

### **4.0 Relevant Site History**

| <b>Reference</b> | <b>Description</b>  | <b>Outcome</b> |
|------------------|---|----------------|
| S/1629/16/FL     | Creation of additional parking area on existing green area. | Approved       |

- 4.1 The application is a re-submission of previous approval S/1629/16/FL. The past application was approved on the 06.09.2018 however, was never implemented and the time limit has since lapsed. The re-submission is an identical submission to the previous permission.

### **5.0 Policy**

#### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

## 5.2 **South Cambridgeshire Local Plan 2018**

S/7 – Development Frameworks

CC/8 – Sustainable Drainage Systems

CC/9 – Managing Flood Risk

HQ/1 – Design Principles

NH/2 – Protecting and Enhancing Landscape Character

NH/4 – Biodiversity

TI/3 – Parking Provision

## 5.3 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

- 5.4 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Landscape in New Developments SPD – Adopted March 2010

District Design Guide SPD – Adopted March 2010

## 6.0 **Consultations**

### 6.1 **Parish Council**

No comments received.

### 6.2 **County Highways Development Management - No Objection**

1<sup>st</sup> Comment

The primary works proposed by this application are outside the extent of the public highway. However, the works will abut the public highway on all four sides. As such, the Local Highway Authority wish to ensure that these works do not result in surface water from the works area drains across or onto the public highway

2<sup>nd</sup> Comment

The introduction of a soakaway to the proposal is welcomed. New kerbing and carriageway tie-in will need to be installed along the public highway as part of these works. These details will need to be agreed and approved by the Local Highway Authority via a separate Section 278 Agreement.

The Local Highway Authority therefore confirmed a no objection and requested a falls and levels condition and informative to be included on any granted permission.

### **6.3 Sustainable Drainage Officer – No Objection**

The development proposed is acceptable subject to the imposition of the condition requiring the details of disposals of surface water.

### **6.4 Tree Officer – No Objection**

I have no arboricultural or hedgerow objections this application.

### **6.5 Environmental Health –No Objection**

No comments.

### **7.0 Third Party Representations**

7.1 No third-party representations received.

### **8.0 Member Representations**

8.1 No comments received.

8.2 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

### **9.0 Assessment**

#### **Principle of Development**

9.1 Policy S/7 of the Local Plan states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.

9.2 The supporting text to policy S/7 sets out the development frameworks define where policies for the built-up areas of settlements give way to policies for the countryside. This is necessary to ensure that the countryside is protected from gradual encroachment on the edges of villages and to help guard against incremental growth in unsustainable locations.

- 9.3 The application proposes the creation of additional parking area on existing soft landscaped (grassed) area. The proposal is located within the development framework of Balsham. There are no in-principal objections to the proposal the proposal is in accordance with Local Plan Policy S/7.

### **Design, Layout, Scale and Landscaping**

- 9.4 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.
- 9.5 Policy NH/2 is relevant to the landscape and visual impacts of a proposal. It seeks to permit development only where it respects and retains or enhances the local character and distinctiveness of the local landscape and its National Character Area.
- 9.6 The District Design Guide SPD (2010) and Landscape in New Developments SPD (2010) provide additional guidance. The NPPF provides advice on achieving well-designed places and conserving and enhancing the natural environment.
- 9.7 The proposal would lead to the creation of an additional parking area on existing grassed area. The proposal is adjacent to and will be seen in context with the existing car parking area of Dolls Close. The proposal will lead to an increase of hard surfacing by approx. 70m<sup>2</sup> to allow for an additional two car parking spaces.
- 9.8 Whilst the proposal will result in the loss of small area of grass, its replacement with additional car parking will not have an adverse impact upon the character or appearance of the area. The existing footpaths and hedge lines around the site will remain in place. Therefore, retaining the local character of the Close.
- 9.9 Materials are shown within the submitted parking plan which will be secured through condition 2 (Approved Plans).
- 9.10 The Tree Officer was consulted on the application and stated that there were no arboricultural or hedgerow objections this application. The proposal would therefore not lead to any harm to important trees or hedgerows.
- 9.11 Overall, the proposal is compliant with South Cambridgeshire Local Plan (2018) policies HQ/1 and NH/2.

### **Biodiversity**



- 9.12 The NPPF (paragraph 174) and the Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with policy NH/4 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 9.13 The proposal would lead to an increase of hard surfacing and the removal of existing grassed area. Noting the context of the site, which is a small area of amenity grassland, the proposal would not lead to material harm to biodiversity of the area. The proposal would lead to limited opportunities for biodiversity enhancements and biodiversity net gain in this instance noting the existing and proposed context. Therefore, biodiversity conditions are not considered to be reasonable or necessary in this instance.
- 9.14 Officer's satisfied that the proposed development complies with policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

#### **Water Management and Flood Risk**

- 9.15 Policies CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 9.16 The site is in Flood Zone 1 and is therefore considered at low risk of flooding. There are no surface water flood risk issues.
- 9.17 The Council's Sustainable Drainage Engineer has advised that the development proposed is acceptable subject to the imposition of the condition that prior to commencement of development a scheme for the disposal of surface water, which is considered to be reasonable in this instance.
- 9.18 The applicants have suitably addressed the issues of surface water management and flood risk, and subject to conditions the proposal is in accordance with the NPPF and Local Plan policies CC/8 and CC/9.

#### **Highway Safety and Transport Impacts**

- 9.19 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.
- 9.20 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for

larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.

- 9.21 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.22 The Highway Authority was consulted on the application and initially stated that the primary works proposed by this application are outside the extent of the public highway. However, the works will abut the public highway on all four sides. As such, the Local Highway Authority wish to ensure that these works do not result in surface water draining across or onto the public highway.
- 9.23 An amended parking plan was provided on the 24.10.2022. The amended plans provided included a gully to soakaway and provided an area of car parking to be constructed of a porous paving for infiltration. The Highway Authority was then re-consulted and raise no objection subject to a levels condition. The Highway Authority noted that new kerbing and carriageway tie-in will need to be installed along the public highway and that these works will need to be agreed and approved by the Local Highway Authority via a separate Section 278 Agreement.
- 9.24 The proposal accords with the objectives of policy TI/2 and HQ/1 of the Local Plan and is compliant with NPPF advice.

### **Amenity**

- 9.25 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.
- 9.26 There are a number of residential properties which surrounding the Close. It is understood that availability of on street parking has been a source of neighbour complaint and therefore, is being proposed to alleviate these concerns. Given there are existing vehicle movements already taking place in the locality, it is not considered that the addition of 2 car parking spaces will create a material increase in noise and disturbance for existing residents. The amenity of existing occupiers is therefore, not considered to be materially harmed by the proposal.
- 9.27 No objections have been received from neighbouring occupiers. Given the adjacent context, location, size, and design of the proposal it is not

considered unlikely to give rise to any significant amenity impacts in terms of additional noise and disturbance. The proposal is therefore compliant with Local Plan policy HQ/1.

## 9.28 Third Party Representations

9.29 No third-party representations received.

## 10.0 Recommendation

**Approve** subject to the following conditions:

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

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004)

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

| Plan Type            | Drawing No.          | Date Submitted |
|----------------------|----------------------|----------------|
| Location Plan        |                      | 26.08.2022     |
| Amended Parking Plan | 01.2022.Dolls Rev 03 | 24.10.2022     |

3. Prior to commencement of development a scheme for the disposal of surface water that can be maintained for the lifetime of the development shall be provided to and agreed in writing with the local planning authority. This would need to include:

- a) The existing drainage arrangements of the site including discharge location and rate where appropriate;
- b) The proposed discharge location in accordance with the drainage hierarchy and reasonable evidence this can be achieved; and
- c) A site plan identifying indicative locations for sustainable drainage features.
- d) Evidence to support b) which must include infiltration/percolation testing or written confirmation from the appropriate water authority/third party that a discharge to its drainage system is acceptable.
- e) Details of foul discharge location or treatment plant and discharge location.

All external areas should utilise permeable surfaces.

Reason: To reduce the risk of pollution to the water environment and to ensure a satisfactory method of surface and foul water drainage in

accordance with Policies CC/7 and CC/8 of the South Cambridgeshire Local Plan 2018.

4. The works area shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the public highway. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: for the safe and effective operation of the highway in accordance with Policies TI/2 and HQ/1 of the South Cambridgeshire Local Plan 2018.

### **Informatives**

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

# Agenda Item 8



|  |  |
|--|--|
| <b>Planning Committee Date Report to</b> | 18 <sup>th</sup> January 2023<br>South Cambridgeshire District Council<br>Planning Committee |
| <b>Lead Officer</b>                      | Joint Director of Planning and Economic Development  |
| <b>Reference</b>                         | 22/04826/HFUL  |
| <b>Site</b>                              | 77 Church Lane   |
| <b>Ward / Parish</b>                     | Girton   |
| <b>Proposal</b>                          | Single storey extension to rear and loft extension with rear facing dormer window            |
| <b>Applicant</b>                         | Mr. Ammar Al Asaad   |
| <b>Presenting Officer</b>                | Charlotte Spencer  |
| <b>Reason Reported to Committee</b>      | Application submitted by an officer of the Council   |
| <b>Member Site Visit Date</b>            | N/A  |
| <b>Key Issues</b>                        | 1. Design, Layout and Scale<br>2. Residential Amenity  |
| <b>Recommendation</b>                    | <b>APPROVE</b> subject to conditions   |

## 1.0 Executive Summary

- 1.1 The application seeks planning permission for a single storey extension to rear and loft extension with rear facing dormer window.
- 1.2 Officers consider that the proposal would have an acceptable impact on the character and appearance of the existing dwelling, street scene and surrounding area. In addition, it is considered that it would have an acceptable level of impact on the residential amenity neighbouring properties.
- 1.3 Officers recommend that the Planning Committee approve the application.

## 2.0 Site Description and Context

|   |   |                         |   |
|---|---|-------------------------|---|
| None relevant                           | X | Tree Preservation Order |   |
| Conservation Area                       |   | Local Nature Reserve    |   |
| Listed Building                         |   | Flood Zone              | 1 |
| Building of Local Interest              |   | Green Belt              |   |
| Historic Park and Garden                |   | Protected Open Space    |   |
| Scheduled Ancient Monument              |   | Controlled Parking Zone |   |
| Local Neighbourhood and District Centre |   | Article 4 Direction     |   |

- 2.1 The application relates to a detached bungalow located to the east of Church Lane. The brick and tile dwelling is set back from the road by an area of hardstanding and soft landscaping which provides space for off street parking. To the rear lies a long garden which acts as private amenity space.
- 2.2 The application property is attached to No.79 Church Lane to the south and shares a side boundary with No.75 Church Lane to the north. To the rear lies Nos.1 and 3 Gifford Close.
- 2.3 The area is residential in character and appearance and the site lies within the Girton Development Framework.

## 3.0 The Proposal

- 3.1 The application is seeking planning permission for a single storey extension to rear and loft extension with rear facing dormer window.
- 3.2 The rear extension would span for a depth of 11.4 metres for a width of 5.1 metres, with a smaller 1.9 metre deep element adjacent to the boundary

with No.79 Church Lane. It would be characterised by a hipped roof with a maximum height of 4.3 metres.

- 3.3 The roof space would be converted to habitable use and a dormer with a width of 1.4 metres, depth of 2.9 metres and height of 1.5 metres would be installed on the rear roof slope. A roof light would be installed to the front.

#### **4.0 Relevant Site History**

None relevant.

#### **5.0 Policy**

##### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

##### **5.2 South Cambridgeshire Local Plan 2018**

S/1 – Vision

S/2 – Objectives of the Local Plan

S/3 – Presumption in Favour of Sustainable Development

S/7 – Development Frameworks

HQ/1 – Design Principles

##### **5.3 Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

#### **6.0 Consultations**

##### **6.1 Parish Council – No Objection**

- 6.2 Application looks to be straight forward, would match the adjoining semi-detached dwelling and there is no feedback from neighbours.

#### **7.0 Third Party Representations**

- 7.1 No neighbour representations have been received.

## **8.0 Assessment**

### **Design, Layout and Scale**

- 8.1 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.
- 8.2 The rear extension would be large and would have a depth greater than that of the existing property. However, it would be of a similar size and scale to both neighbouring properties. The roof would be set down from the main ridge and so it is considered that it would appear as a subservient addition. It would be located to the rear and so it would not be overly visible from the public realm.
- 8.3 The rear dormer would be limited in size and scale and would appear subordinate within the roof plane. It has been designed to match the existing dormer at the attached property at No.79 Church Lane. It is considered that the front roof light would have a limited visual impact.
- 8.4 Subsequently, it is considered that the proposal would have an acceptable impact on the character and appearance of the existing dwelling house, street scene and surrounding area. The proposal accords with Policy HQ/1 of the South Cambridgeshire Local Plan (2018).

### **Amenity**

- 8.5 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.

### **8.6 Neighbouring Properties**

1 letter of support has been received.

Impact on No. 79 Church Lane

- 8.7 The smaller element of the rear extension would be built up to the shared boundary line with No.79. This element would mirror the depth of a similar lean-to extension at the neighbouring property and so would not project beyond it. There are doors from the rear of this extension which lead out to the garden. The larger extension would be located 2.4 metres from the shared boundary and project beyond the depth of no.79, which has also been extended. Given the separation between the properties, it is not considered the proposal would be overbearing or cause an unreasonable



sense of enclosure to no.79. The application site is positioned to the north of no.79 and therefore, the proposal would not result in material overshadowing or undue loss of light. There are windows within the side elevation of the extension at no.79 facing the application site which appear to serve a kitchen. The proposal would also seek to install openings (windows and doors) within the side elevation facing no.79. However, there is an existing fence between the properties which would prevent material overlooking between the properties. On the whole, no concerns are raised with regard to the impact on the living conditions of the occupiers of no.79.

#### Impact on No.75 Church Lane

- 8.8 The extension would be located 1.1 metres from the shared boundary line with No.75 and 3 metres from this property. No.75 benefits from a large rear extension and so the proposal would not project beyond the rear of this property. It is also set slightly higher than the application site. There are two side windows facing the application property, one of which serves a non-habitable room. The other serves a habitable space to the rear of the property, however, this space also benefits from openings onto a rear conservatory which provides light into this area of the dwelling. In any event, due to the height of the extension and separation from the neighbour's flank wall, it would not lead to undue loss of light. Furthermore it would not be overbearing or cause an undue sense of enclosure to no.75. The extension would contain windows within the flank elevation facing this property however, there is a boundary fence which would prevent material overlooking between the properties.
- 8.9 Subsequently, it is not considered the proposal would materially harm the amenity of the living conditions of occupiers of neighbouring properties. The proposal would comply with Policy HQ/1 of the South Cambridgeshire Local Plan (2018).

#### Planning Balance

- 8.10 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, as well as all other material planning considerations, the proposed development is recommended for approval.

#### 9.0 Recommendation

- 9.1 **Approve** subject to:

The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

#### Planning Conditions

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

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

# Agenda Item 9



## **GREATER CAMBRIDGE SHARED PLANNING**

### **PLANNING COMMITTEE PROTOCOL FOR OFFICER-LED SITE VISITS**

**Planning Committee Date:** 18 January 2023

**Report to:** South Cambridgeshire District Council Planning Committee

**Report by:** Phil McIntosh, Interim Delivery Manager (West) and s106, Greater Cambridge Shared Planning Service.

Email: phil.mcintosh@greatercambridgeplanning.org

**Ward/parishes affected:** All

---

## **1. Executive summary**

- 1.1 The report is being referred back to SCDC planning committee following debate at the meeting on 14 December 2022.
- 1.2 Procedural guidance on the conducting of committee site visits can be found in Part 6 of the Cambridge City Council Constitution and Part 4 of the South Cambridgeshire District Council Ethical Handbook (May 2020). The District's Ethical Handbook does not form part of the District's Constitution, but supplements some of the documents that are, such as the Code of Conduct.
- 1.3 On occasions, the South Cambridgeshire District Council Planning Committee (SCDC PC) may wish to visit a site, where development is planned, before making a decision. This report confirms the procedure for requesting site visits and the conduct of site visits, that will be followed on those occasions when such site visits take place

- 1.4 The Greater Cambridge Shared Planning Service is supported by three planning committees, and as such the need for consistency in arranging and undertaking planning committee site visits is recognised. A planning committee protocol for officer-led site visits (Appendix A) has been prepared which sets out the approach which will be followed by all three planning committees - JDCC, Cambridge City Council Planning Committee and South Cambridgeshire District Council Planning Committee. It is the intention that this protocol will supplement the City and District Councils' existing procedural guidance on the conduct of site visits.

## **2. Recommendation**

- 2.1 Officers recommend that the South Cambridgeshire District Council Planning Committee:

- (i) Notes this report and the accompanying planning committee protocol for officer-led site visits.
- (ii) Confirms the protocol for officer-led site visits for the South Cambridgeshire District Council Planning Committee.

Subject to the following amendments to the protocol:

- Requests for site visits to include local ward members
- The attendance of site visits to include local ward members, who must abide by the terms of the protocol, and be briefed on the site visit protocol procedures and conduct in advance of that visit, by the lead Delivery Manager or planning case officer.
- Modest changes to the protocol relating to points of clarification and textural changes to avoid repetition.

With officer delegation to carry out these proposed changes.

### **3. Background**

- 3.1 Planning committee site visits are helpful in enabling Members to see the site of a planning application, so that they gain a better understanding of its location, physical characteristics and relationships to neighbouring uses, before the application is determined.
- 3.2 During a planning committee site visit, the merits of the application are not discussed, nor is a decision reached at this time. The proper forum to discuss the application is at the Planning Committee meeting, when all information is in the public arena, and Councillors' debate and decide on the full proposal.
- 3.3 The purpose of the protocol for officer-led site visits is to guide the conduct of Planning Committee site visits, to enable Members to ensure that such visits are conducted in accordance with the Councils' procedural guidance.

#### **Requests for SCDC PC Site Visits**

- 3.4 The decision on whether to organise a formal SCDC site visit will rest with the Delivery Manager, taking into consideration the views of the SCDC PC Chair.
- 3.5 A site visit can result from any one of the following:
- (i) A request by a Councillor of the SCDC PC in writing (giving reasons why the site visit is considered necessary) during the time that an application is being processed.
  - (ii) The Director of Planning and Economic Development, or Delivery Manager considers that one is necessary in the interests of proper decision making.
  - (iii) The SCDC PC calls for a site visit following a deferral of a decision purposely for a site visit.
- 3.6 The site visit will take place at a date and time fixed by the Delivery Manager, following discussion with the Chair of SCDC and Democratic Services.
- 3.7 For complex or sensitive applications which are being referred to SCDC, a site visit agenda as appropriate will be prepared by the planning case officer and circulated to Members in advance of the site visit. The site visit agenda will confirm the meeting point, set out the purpose and format of the visit, and highlight any important notes such as the need for appropriate attire.

- 3.8 Members will be encouraged to attend organised site visits: in the event that this is not possible, and Members wish to independently visit, the site visit should be undertaken from public land only; contact with applicants and objectors should be avoided. By failing to do so a perception of bias could arise, which in turn might lead to the SCDC PC's decision being susceptible to challenge.

### **Conduct of SCDC PC Site Visits**

- 3.9 SCDC PC site visits are solely for the purpose of viewing the site, understanding its location and immediate environs to be able to put the development proposal into context, and discussing the facts of the application. It is not a meeting to discuss the planning merits of the scheme or to make decisions.
- 3.10 SCDC PC site visits will be led by the Delivery Manager and/or the planning case officer with support from the Chair of SCDC PC. On occasion, technical officers of the Council or officers from other authorities may be invited to attend a site visit by the planning case officer to clarify factual or technical matters.
- 3.11 The site visit will only be attended by Members of SCDC PC, unless there are circumstances where it is necessary for the landowner or their representatives to be in attendance. As a private meeting, public rights of attendance and speaking do not apply.
- 3.12 Members will travel to the meeting point for the site visit independently, unless the Director of Planning and Economic Development or Delivery Manager agrees that alternative arrangements shall be provided by the shared planning service.
- 3.13 Members may ask their questions including any requests for specific information from the Applicant (or any representatives of the Applicant) if they are present. Members should ensure that they can hear the Officers' presentation and the questions and answers.
- 3.14 Before closing the site visit, the Delivery Manager or planning case officer will seek confirmation that Members are satisfied they have seen everything they need to make a decision, after which will draw the site visit to a close.
- 3.15 Members should avoid engaging in private conversations with each other on the subject of the application or with the Applicant (or any representatives of the Applicant) if they are present at the time of the site visit. Questions regarding points of clarification in relation to the proposed development may be asked at the discretion of the Delivery Manager/planning case officer.

- 3.16 For the purposes of factual record, attendance at a site visit will be recorded by officers including the locations visited. No formal notes of a site visit will be recorded.

## **4. Implications**

### **Financial Implications**

- 4.1 The cost of the SCDC PC meetings are covered within existing budgets. The introduction of a planning committee site visit protocol is not anticipated to increase the frequency of SCDC PC meetings or its caseload so as to introduce significant additional costs. The arrangement and attendance of SCDC PC site visits is also not anticipated to introduce significant additional costs. Officers will nevertheless keep these ongoing costs under review.

### **Staffing Implications**

- 4.2 There are no staffing implications arising from this report.

### **Equality and Poverty Implications**

- 4.3 An Equality Impact Assessment (EQIA) has not been undertaken in respect of this report, because the site visit protocol relate to the terms of reference of a committee and no material changes are proposed to the operation of the Committee meetings which will follow existing practices.

### **Environmental Implications**

- 4.4 None.

### **Procurement Implications**

- 4.5 None.

### **Community Safety Implications**

- 4.6 None.

## **5. Consultation and Communication Considerations**

5.1 No formal consultation has been undertaken in the preparation of this report. The committee site visit protocol is a matter for the Local Authorities and no formal consultation is required.

## **6. Background Papers**

6.1 Background papers used in the preparation of this report:

- South Cambridgeshire District Council Ethical Handbook (May 2020) [Ethical Handbook.pdf \(moderngov.co.uk\)](#) and Constitution. [Agenda for Constitution on Thursday, 9 June 2022 \(moderngov.co.uk\)](#)

## **7. Report Author**

Phil McIntosh, Interim Delivery Manager (West) and s106, Greater Cambridge Shared Planning Service.

Email: [phil.mcintosh@greatercambridgeplanning.org](mailto:phil.mcintosh@greatercambridgeplanning.org)



## **APPENDIX 1:**



### **PLANNING COMMITTEE PROTOCOL FOR OFFICER-LED SITE VISITS**

**JOINT DEVELOPMENT CONTROL COMMITTEE (JDCC); CAMBRIDGE CITY COUNCIL PLANNING COMMITTEE (City PC); SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL PLANNING COMMITTEE (SCDC PC)**

### **FORMAL PLANNING COMMITTEE PROTOCOL FOR OFFICER-LED SITE VISITS**

**JOINT DEVELOPMENT CONTROL COMMITTEE (JDCC); CAMBRIDGE CITY COUNCIL PLANNING COMMITTEE (City PC); SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL PLANNING COMMITTEE (SCDC PC)**

#### **Purpose of a Planning Committee Site Visit**

Planning committee site visits are solely for the purpose of viewing the site, understanding its location and context immediate environs to be able to put the development proposal into context, and discussing the facts of the application.

Site visits will be led by the relevant Lead Delivery Manager (Lead DM) and/or the planning case officer with support from the Chair of Planning Committee. On occasion, technical officers of the Council or officers from other authorities may be invited by the planning case officer to attend a site visit to clarify factual or technical matters.

A site visit is not a meeting to discuss the merits of a development proposal, and no decisions will be made at the site visit by the Planning Committee. The Lead DM/planning case officer will make this clear at the beginning of the visit within their introduction.

As a private inspection to gain an understanding of the facts relating to an application, site visits are not part of the formal consideration of the application, and public rights of attendance and speaking do not apply.

## **Requests for Site Visits:**

The decision on whether to organise a formal committee site visit rests with the relevant Lead DM. For the JDCC this is the Strategic Sites Delivery Manager and for the City PC and SCDC PC this is the Delivery Manager or Area Delivery Managers. The Lead DM will take into consideration the views of the relevant Planning Committee Chair with regard to:

1. The complexity or sensitivity of the development proposal.
2. The characteristics of the site and its surroundings.

A site visit can result from any one of the following:

1. A request by a Member of the JDCC, City PC or SCDC PC in writing (giving reasons why the site visit is considered necessary) during the time that an application is being processed.
2. The Director of Planning and Economic Development, or Lead DM considers that one is necessary in the interests of proper decision making.
3. The JDCC, City PC or SCDC PC calls for a site visit following a deferral of a decision purposely for a site visit.

The site visit will take place at a date and time fixed by the Lead DM and/or the planning case officer following discussion with both the Chair of the relevant Planning Committee (or if they are not available, the Vice Chair), and the Committee Services Manager.

Members will travel to the meeting point for the site visit independently, unless the Director of Planning agrees that alternative arrangements shall be provided by Greater Cambridge Shared Planning (GCSPS).

For complex or sensitive applications which are being referred to a Planning Committee, a site visit agenda as appropriate will be prepared by the planning case officer and circulated to Members of that committee in advance of the site visit. The site visit agenda will confirm the meeting point, set out the purpose and format of the visit, and highlight any important notes such as the need for appropriate attire.

Members are encouraged to attend organised site visits. In the event that this is not possible, and Members wish to independently visit, the site visit should be undertaken from public land only and contact with applicants and objectors should be avoided. By failing to do so a perception of bias could arise which in turn might lead to the Planning Committee's decision being susceptible to challenge.

## **Conduct of Site Visits:**

- Members will view the site from the nearest public space and any other public spaces as considered appropriate by the planning case officer. Should access to the application site (or any other private land) be considered necessary to view the site, the planning case officer will seek the consent of the relevant landowner in advance.
- The site visit will usually only be attended by Members of the Planning Committee unless there are circumstances where it is necessary for the landowner or their representatives to be in attendance.
- Officers will open the site visit; give a brief presentation on the site, the setting of the proposed development and the specific reasons why the site inspection was requested.
- Members may ask their questions of officers including any requests for specific information that may be required to assist their consideration of the item at the Committee meeting. Exceptionally, questions may be asked directly to the Applicant's representative should they be present. Members need to ensure that they can hear the officers' presentation and the questions and answers.
- Before closing the site visit the Lead DM or planning case officer will seek confirmation that Members are satisfied that they have seen everything they need, after which will draw the site visit to a close.
- Members should avoid engaging in private conversations on the subject of the application with each other during the site visit as this can give the wrong impression to others present or anyone observing the site visit outside of it.
- Members should avoid engaging in conversations with the public should any be present at the time of the site visit.
- Members should avoid engaging in conversations with the applicant (or any representatives of the applicant) if they are present at the time of the site visit. Questions regarding points of clarification in relation to the proposed development may be asked at the discretion of the Lead DM/planning case officer.
- For the purposes of factual record, no formal notes of the site visit will be made. The Lead DM or planning case officer will make a record of the date and time of the site visit, attendance and the locations visited.

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# Agenda Item 10

## REPORT TO:

**Planning Committee January 2023**

## LEAD OFFICER:

**Joint Director of Planning and Economic Development**

## Compliance Report

### Executive Summary

1. On 1<sup>st</sup> January 2023 there were 154 open cases in South Cambridgeshire, compared with 165 cases one month beforehand.
2. Details of all compliance 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.
3. Statistical data including October 2022 and November 2022 is contained in Appendices 1 and 2 to this report.

### Updates to Service Delivery

The Planning Compliance Team is part of the Development Management service of the Greater Cambridge Shared Planning Service and I have attached below an organisational chart of the team for your information.

Toby Williams  
Interim Development Manager (East Team) and Planning Compliance

**Christopher Braybrooke**  
**Principal Planning Compliance Manager**

John Shuttlewood  
Principal Planning Compliance Officer (2 days a week)

Alistair Funge  
Senior Planning Compliance Officer

Nick Smith  
Senior Planning Compliance Officer

Tony Wallis  
Senior Planning Compliance Officer

Neil Langley (3 days a week)  
Senior Planning Compliance Officer

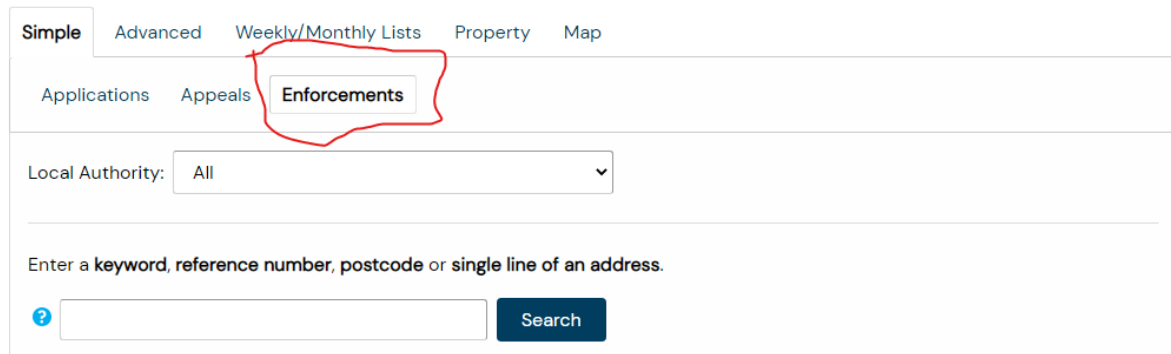
Rachel Arnall  
Senior Planning Compliance Officer

Alleged breaches of planning control continue to be reported online using the e-form, alongside the dedicated Planning Compliance webpage, with information being made available to residents and businesses as to what constitutes a breach of planning control. The Compliance Team email address will be turned off at the end of this month but individual officers can still be contacted through their own email addresses.

Last month saw the launch of the public online digital planning enforcement register. This brings the two Council's registers together, showing notices that go back to 1990. Copies of the notices are also published, where available.

### Planning – Simple Search

Search for Planning Applications, Appeals and Tree Works Applications by keyword, application reference (e.g. 11/O945/FUL or S/4480/17/OL), postcode or by a single line of an address.



The screenshot shows a web interface for searching planning records. At the top, there are five tabs: 'Simple', 'Advanced', 'Weekly/Monthly Lists', 'Property', and 'Map'. Below these, there are three sub-tabs: 'Applications', 'Appeals', and 'Enforcements'. The 'Enforcements' tab is highlighted with a red circle. Below the sub-tabs is a dropdown menu labeled 'Local Authority:' with 'All' selected. Below that is a text input field with the placeholder text 'Enter a keyword, reference number, postcode or single line of an address.' and a blue 'Search' button.

Finally, the draft Greater Cambridge Shared Planning Compliance Policy will be currently open to consultation until 20<sup>th</sup> January 2023. Details are available online.

### Updates on significant cases

Should Members wish for specific updates to be added to the Compliance Report then please request these from the Principal Planning Compliance Officer and they will be added to the next available Planning Committee.

**Background Papers**

Planning Enforcement Register.

Statistical Analysis of Uniform Planning Enforcement Software Program.

**Appendices**

Appendix 1: Compliance Cases Received and Closed.

Appendix 2: Notices Served.

**Report Author:**

John Shuttlewood – Principal Planning Compliance Officer Date: 09101/23

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## Appendix 1

### Enforcement Cases Received and Closed.

| Month         | South Cambridgeshire |           |          |               |                      |       |           |
|---------------|----------------------|-----------|----------|---------------|----------------------|-------|-----------|
|               | Received             | No Breach | Resolved | Not Expedient | Application Approved | Other | LPA Total |
| December 2022 | 8                    | 11        | 0        | 2             | 4                    | 2     | <b>19</b> |
| November 2022 | 23                   | 5         | 0        | 4             | 3                    | 2     | <b>14</b> |
| October 2022  | 27                   | 6         | 0        | 3             | 0                    | 2     | <b>11</b> |

### Quarterly Totals for Past 5 Years

| Quarter    | South Cambridgeshire |           |          |               |                      |       |            |
|------------|----------------------|-----------|----------|---------------|----------------------|-------|------------|
|            | Received             | No Breach | Resolved | Not Expedient | Application Approved | Other | LPA Total  |
| Qtr 1 2022 | 85                   | 26        | 0        | 19            | 1                    | 21    | <b>67</b>  |
| Qtr 2 2022 | 42                   | 33        | 0        | 12            | 3                    | 18    | <b>66</b>  |
| Qtr 3 2022 | 59                   | 22        | 0        | 9             | 7                    | 6     | <b>44</b>  |
| Qtr 4 2022 | 0                    | 0         | 0        | 0             | 0                    | 0     | <b>0</b>   |
| Qtr 1 2021 | 93                   | 58        | 48       | 22            | 22                   | 53    | <b>203</b> |
| Qtr 2 2021 | 132                  | 24        | 25       | 12            | 16                   | 40    | <b>117</b> |
| Qtr 3 2021 | 91                   | 46        | 47       | 14            | 13                   | 32    | <b>152</b> |
| Qtr 4 2021 | 113                  | 59        | 20       | 15            | 9                    | 29    | <b>132</b> |
| Qtr 1 2020 | 100                  | 44        | 2        | 5             | 1                    | 6     | <b>58</b>  |

## Appendix 2

### Public Enforcement Notices served

#### December 2022

| Reference   | Ward   | Parish          | Address   | Notice Issued                  |
|-------------|--------|-----------------|---|--------------------------------|
| EN/00492/21 | Linton | Castle Camps CP | Moat Farmhouse Moat Farm Park Lane<br>Castle Camps Cambridge Cambridgeshire<br>CB21 4SR | Operational Development Notice |

#### November 2022

| Reference   | Ward       | Parish        | Address  | Notice Issued  |
|-------------|------------|---------------|--|--|
| EN/00184/22 | Barrington | Barrington CP | Acre Orwell Road Barrington Cambridge<br>Cambridgeshire CB22 7SF | Enforcement Notice -<br>Material Change of Use<br>Annexe |

#### October 2022

| Reference                 | Ward | Parish | Address | Notice Issued |
|---------------------------|------|--------|---------|---------------|
| *** No Notices Issued *** |      |        |         |               |

### Planning Contravention Notices served

These notices are served as part of the investigation process into allegations concerning breaches of planning control and as such, full details are not available to the public.

December - 0

November 2022 – 0

October 2022 - 0

# Agenda Item 11



**South  
Cambridgeshire**  
District Council

**Report to:** Planning Committee

18 January 2023

**Lead Officer:** Joint Director of Planning and Economic Development

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## **Appeals against Planning Decisions and Enforcement Action**

### **Executive Summary**

1. This report informs Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as of 30 December 2022. Summaries of recent decisions of importance are also reported, for information.

### **Appendices**

Appendix 1: Decisions Notified by the Secretary of State

Appendix 2: Appeals received

Appendix 3: Local Inquiry and Informal Hearing dates scheduled

Appendix 4: Appeals Awaiting Decision from Inspectorate

Appendix 5: Appeals Pending Statement

### **Report Author:**

Ian Papworth

Telephone Number:

Technical Support Officer (Appeals)

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## Appendix 1

### Decisions Notified By The Secretary of State

| Reference     | Address   | Details   | Decision  | Date       | Planning Decision |
|---------------|---|---|-----------|------------|-------------------|
| 21/01485/FUL  | 2A North Brook End Steeple Morden               | Conversion and adaption of an existing building to a Self-Build Dwelling  | Dismissed | 7/12/2022  | Refused           |
| 21/00968/HFUL | 72 West Street Toft                             | Two storey extension to garage to form home office  | Allowed   | 7/12/2022  | Refused           |
| 21/03864/FUL  | 2A North Brook End Steeple Morden               | Change of use, conversion and adaption of an existing building to a Self-Build Dwelling (Re-submission of 21/01485/FUL) | Dismissed | 7/12/2022  | Refused           |
| 21/01102/FUL  | Land Between 2 And 4 High Street Great Eversden | Erection of dwelling  | Dismissed | 14/12/2022 | Refused           |
| 21/01058/LBC  | 1 May Street Great And Little Chishill          | Listed building permission to rebuild the flint boundary wall (EN/00111/21 & 20/02001/LBC)                              | Dismissed | 19/12/2022 | Refused           |
| 21/02743/FUL  | Land Rear Of 11 Bury Road Stapleford            | Erection of a single storey dwelling on land to the rear of 11 Bury Road, Stapleford                                    | Dismissed | 23/12/2022 | Refused           |

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Appeals Received

| Reference    | Address  | Details   | Date Appeal lodged |
|--------------|--|---|--------------------|
| 22/03406/OUT | Land North Of<br>Field Side<br>Thriplow Road<br>Fowlmere | Outline application<br>for the development<br>of up to 9 self and<br>custom build<br>dwellings, with all<br>matters reserved<br>except access,<br>along with all<br>ancillary works | 21/12/2022         |

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## Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- Local Inquiries

| Reference    | Name         | Address  | Planning decision or Enforcement? | Date confirmed/proposed |
|--------------|--------------|--|-----------------------------------|-------------------------|
| 21/00953/FUL | Mr David Roe | Former Hotel Felix<br>Whitehouse Lane<br>Cambridge | Planning Decision                 | 31/1/2023               |

- Informal Hearings

| Reference    | Name                                       | Address  | Planning decision or Enforcement? | Date confirmed/proposed |
|--------------|--|--|-----------------------------------|-------------------------|
| EN/00216/21  | Nelson Charles<br>Arthur James<br>O'Conner | Land To The North<br>Of The Old Coal Yard<br>Chesterton Fen Road<br>Milton | Enforcement Notice                | TBC                     |
| EN/00362/21  | Mary Siobhan<br>Howe                       | Cherry Trees<br>Priest Lane<br>Willingham                                  | Enforcement Notice                | TBC                     |
| 21/00629/S73 | Abbey<br>Developments Ltd                  | Land To The North<br>And South Of<br>Bartlow Road<br>Linton                | Planning Decision                 | 10/1/2023               |

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Appeals Awaiting Decision from Inspectorate

| Reference      | Address   | Description   | Reason for appeal                    |
|----------------|---|---|--------------------------------------|
| EN/00216/21    | Land To The North<br>Of The Old Coal<br>Yard<br>Chesterton Fen Road<br>Milton | Mobile homes sited<br>on land without<br>planning permission.   | Appeal against<br>enforcement notice |
| ENF/0214/18    | 22 Cambridge Road<br>Foxton   | Without planning<br>permission: 1. The<br>material change of<br>use of the land<br>hatched in blue on<br>the attached plan to a<br>coach depot including<br>the parking and<br>storage of coaches,<br>and 2. The creation<br>of an area of<br>hardstanding for use<br>as a coach depot on<br>the land hatched in<br>blue on the attached<br>plan. | Appeal against<br>enforcement notice |
| 20/05079/FUL   | 17 Heydon Road<br>Great And Little<br>Chishill                                | Erection of one and a<br>half storey dwelling.  | Against Refusal of<br>Permission     |
| 21/01540/CLUED | Poplar Cottage<br>Nosterfield End<br>Shudy Camps                              | Certificate of<br>lawfulness under<br>Section 191 for an<br>existing single storey<br>rear extension  | Against Refusal of<br>Permission     |
| 21/04068/FUL   | Land North East Of<br>155 Rampton Road<br>Willingham                          | Demolition of<br>redundant agricultural<br>building and erection<br>of two dwellings with<br>associated<br>development<br>(amendments to<br>application<br>21/02578/PR103Q)   | Against Refusal of<br>Permission     |

## Appendix 4

|                |   |   |                                   |
|----------------|---|---|-----------------------------------|
| 20/04431/FUL   | The Arches<br>Schole Road<br>Willingham                     | Removal of existing mobile chalet unit and erection of new single storey dwelling with new 'link' to existing brick and tile 'medical Unit', with temporary provision for the siting of 2 no static caravans for occupation during construction phase.                        | Against Refusal of Permission     |
| EN/00615/21    | Byeways<br>Station Road<br>Harston                          | Breach of condition 2- 21/02100/HFUL (extension being built bigger than approved) (erection of outbuilding in rear garden exceeding PD)   | Appeal against enforcement notice |
| 21/00629/S73   | Land To The North<br>And South Of<br>Bartlow Road<br>Linton | S73 Variation of condition 11 (Foul water drainage) of outline planning permission S/1963/15/OL (Residential development for up to 55 dwellings with landscape buffer and new vehicular accesses from Bartlow Road) for revised wording to refer to the foul drainage design. | Against Refusal of Permission     |
| 22/00455/CLUED | Blackberry Barn<br>4 Over Mereway<br>Willingham             | Certificate of lawfulness under S191 for the continued use of land as domestic garden.  | Against Refusal of Permission     |
| 21/03534/FUL   | Hoffers Brook Farm<br>Cambridge Road<br>Foxton              | Creation of a new vehicular access to the A10 and associated landscape works.   | Against Refusal of Permission     |
| 20/01779/FUL   | Land East And West<br>Of<br>110 Cinques Road<br>Gamlingay   | Erection of 5 dwellings   | Against Refusal of Permission     |

## Appendix 4

|                |  |   |                                   |
|----------------|--|---|-----------------------------------|
| 21/00298/FUL   | Green Fox Farm<br>Fowlmere Road<br>Melbourn  | Farmland diversification, ecological enhancements and erection of 1no. residential dwelling with an associated change of use in land from agricultural to residential.  | Non-determined within 8 weeks     |
| EN/00362/21    | Cherry Trees<br>Priest Lane<br>Willingham  | Without planning permission, the change of use of the land from agricultural use to the use of the land for the running of a dog rescue organisation and the erection of associated kennels   | Appeal against enforcement notice |
| EN/00063/22    | The Land And Property Situated And Comprising Willow Grange Farm<br>Ely Road<br>Chittering | Without planning permission: a) The undertaking of works to facilitate a weddings and events venue business at Willow Grange Farm including the erection of a marquee, bell tents, shepherd huts, toilet facilities and safari tents together with hard standings, decking and pathways; b) A Material Change of Use of the land from Agriculture to a weddings and events venue. | Appeal against enforcement notice |
| EN/00208/22    | 10 Shirley Close<br>Milton   | Without planning permission, the creation of a new dwelling   | Appeal against enforcement notice |
| 21/04135/PRIOR | Dottrell Hall Farm<br>Newmarket Road<br>Fowlmere   | Prior approval for change of use of an agricultural building to 5 dwellings (2no 4bed and 3no 2bed) (Class C3)  | Against Refusal of Permission     |

## Appendix 4

|               |  |  |                                   |
|---------------|--|--|-----------------------------------|
| 22/00489/FUL  | Heathfield House<br>Hurdles Way<br>Thriplow    | Retrospective application for the erection of five air conditioning units within plant compounds for a/c units providing noise mitigation and painting of flues matt black   | Against Refusal of Permission     |
| EN/01566/20   | Whines Lane Farm<br>Track<br>Over              | Without planning permission, the change of use of the land from agricultural to a mixed use of open-air storage and residential use. To include the siting of a caravan used for residential purposes, the storage of motor vehicles and associated paraphernalia, storage of building materials and the construction of a wooden structure. | Appeal against enforcement notice |
| 21/03211/FUL  | Land West Of Casa<br>D Foseta<br>St Neots Road | Erection of 2 No. dwellings and associated garages   | Against Refusal of Permission     |
| 21/05101/HFUL | 3 Ravensdale<br>Landbeach                      | Erection of glazed porch   | Against Refusal of Permission     |

## Appendix 4

|                             |   |  |                               |
|-----------------------------|---|--|-------------------------------|
| 21/02117/FUL                | The Jolly Millers<br>73 High Street<br>Cottenham                        | Change of use of public house (SG) with flat to dwelling (C3), demolition of existing annex/outbuildings, erection of detached dwelling and creation of amenity space, bin storage and parking and manoeuvring for 2 dwellings | Against Refusal of Permission |
| 22/00082/PRIOR              | Enterprise Nurseries<br>Ely Road<br>Landbeach                           | Conversion of existing glasshouse/barn to a 6 bedroom motel  | Against Refusal of Permission |
| 22/00484/FUL                | Enterprise Nurseries<br>Ely Road<br>Landbeach                           | Erection of 1 No. bungalow.  | Against Refusal of Permission |
| 22/00199/PRIOR              | Land At Station Road<br>Longstanton                                     | Proposed 18.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.  | Against Refusal of Permission |
| 22/00964/PRIOR              | Land And Buildings To The East Of Gage Farm<br>Branch Road<br>Comberton | Change of use of agricultural building to 1 No. dwellinghouse (use class C3) and associated operational development.   | Against Refusal of Permission |
| 22/00199/PRIOR              | Land At Station Road<br>Longstanton                                     | Proposed 18.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.  | Against Refusal of Permission |
| 22/01878/PRIOR              | Land At London Road<br>Sawston  | Installation of a 15.0m Phase 9 super slimline Monopole and associated ancillary works.  | Against Refusal of Permission |
| 21/05251/FUL & 21/05252/LBC | 46 High Street<br>Balsham   | Conversion of existing annexe into 2no 2bed flats and associated works.  | Against Refusal of Permission |
| 22/01156/FUL                | Land Adj 73 High Street<br>Little Shelford                              | Erection of a single storey bungalow along with associated works   | Against Refusal of Permission |

## Appendix 4

|                |  |   |                                      |
|----------------|--|---|--------------------------------------|
| 21/04473/FUL   | Warren Lodge<br>Fowlmere Road<br>Fowlmere                            | Erection of a<br>machinery and store<br>building.   | Against Refusal of<br>Permission     |
| 21/04745/FUL   | 41 Back Road<br>Linton   | Erection of<br>replacement dwelling<br>and associated<br>garage   | Against Refusal of<br>Permission     |
| 21/05689/OUT   | Land To The South<br>Of Banworth<br>Ely Road<br>Landbeach            | Outline application for<br>3 dwellings with<br>some matters<br>reserved except for<br>access.   | Non-determined<br>within 8 weeks     |
| 21/02795/S73   | Land East Of<br>Highfields Road<br>Highfields Caldecote<br>Caldecote | Variation of condition 18<br>(scheme for a shared use<br>footway/cycleway along<br>the western side of<br>Highfields Road) and 20<br>(scheme for the design and<br>materials to be used for<br>access and public rights of<br>way) of planning<br>permission S/3777/19/VC<br>(Variation of condition 23<br>(water drainage scheme)<br>of planning permission<br>S/2510/15/OL for Outline<br>planning permission for up<br>to 140 residential dwellings<br>(including up to 40%<br>affordable housing)<br>removal of existing<br>temporary agricultural<br>structures and debris<br>introduction of structural<br>planting and landscaping<br>informal public open space<br>and children's play area<br>community orchard and<br>allotments surface water<br>flood mitigation and<br>attenuation vehicular<br>access points from<br>Highfields Road and<br>associated ancillary works.<br>All matters to be reserved<br>with the exception of the<br>main site access) | Against Refusal of<br>Permission     |
| 21/04971/PRIOR | Mill Lane<br>Histon  | Installation of a 16.0m<br>Phase 8 Monopole C/W<br>wrapround Cabinet at base<br>and associated ancillary<br>works   | Against Refusal of<br>Permission     |
| EN/00394/21A   | Land adjoining 16<br>Chalky Road<br>Great Abington                   | Without planning<br>permission, the erection of<br>a building (edged in black<br>on attached plan for<br>identification purposes<br>only).  | Appeal against<br>enforcement notice |



## Appendix 4

|               |  |  |  |
|---------------|--|--|--|
| 20/01564/FUL  | Land To The South<br>East Of Burton End<br>West Wickham  | Mixed use of<br>agricultural and solar<br>farm   | Against Refusal of<br>Permission         |
| 20/03845/HFUL | 30 Manor Road<br>Gamlingay                               | Amendment to<br>S/0371/08/F<br>'Extension to dwelling<br>and erection of<br>double garage /<br>conservatory' to<br>include the<br>installation of a roof<br>light and the removal<br>of a first floor window<br>on the southern<br>elevation | Against<br>condition(s) on<br>permission |
| 21/00953/FUL  | Former Hotel Felix<br>Whitehouse Lane<br>Cambridge       | Demolition of existing<br>buildings and<br>erection of a care<br>home (Use Class C2)<br>with external amenity<br>space, access,<br>parking, landscaping<br>and other associated<br>works   | Against Refusal of<br>Permission         |
| 22/00664/FUL  | 25 Station Road<br>Over                                  | Subdivision of<br>existing garden plot<br>and the erection of a<br>detached<br>dwellinghouse<br>including the stopping<br>up of the existing<br>driveway access and<br>creation of new<br>vehicular access to<br>station road.               | Against Refusal of<br>Permission         |
| 21/05641/OUT  | Land To The South<br>Of 86<br>Chrishall Road<br>Fowlmere | Outline planning<br>application for 15no<br>self-build dwellings,<br>with details pursuant<br>to access and layout,<br>and all other matters<br>including<br>appearance, scale<br>and landscaping<br>reserved for<br>subsequent approval.    | Against Refusal of<br>Permission         |

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Appeals Pending Statement

| Reference    | Address                                | Details   | Date Statement due |
|--------------|--|---|--------------------|
| 22/02960/FUL | 16 Dowding Avenue<br>Waterbeach        | Erection of a 3 bedroom detached dwelling and parking on side garden of existing dwelling     | 18/1/2023          |
| EN/00184/22  | Land At Acre Orwell Road<br>Barrington | Alleged change of use of the land from agricultural to living in a caravan without permission | 23/1/2023          |

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