

Our Ref: 20/02453/S73
Your Ref: Demolition of the existing bu...

27 May 2021



Mr Gerry Caddoo
Landbrook Homes Ltd
The Retreat, Fews Lane
Fews Lane
Longstanton
Cambridge
CB24 3DP
Cambridgeshire

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

www.scambbs.gov.uk | www.cambridge.gov.uk

Dear Mr Caddoo

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Application under Section 73 to Remove or Variation of a Condition

Proposal: Variation of condition 7 (Traffic Management plan) pursuant to planning permission S/0277/19/FL to reflect the proposals in the Traffic Management Plan to substitute the current wording in Condition 7 with "The development hereby permitted shall be carried out in accordance with the Traffic Management Plan prepared by SLR Consulting, Version Final_1 and dated December 2019 as amended by planning committee on the 26th May 2021 in relation to paragraph 3.2.4" (Re-submission of 20/01547/S73)

Site address: The Retreat Fews Lane Longstanton CB24 3DP

We are pleased to enclose your formal notice of planning permission for the above development. Please ensure that work is carried out in line with the approved plans referred to on the decision notice. This will avoid the need for any enforcement action.

Making changes to the approved plans

In the event that you wish to change your proposal, please contact your case officer who will advise you on whether the change can be dealt with as a "non-material" or "material" amendment. In either case you will have to complete a form and provide fresh drawings.

Important information regarding conditions

If you have been granted Planning Permission / Listed Building Consent / Advertisement Consent you may wish to get started immediately, however it is always important to carefully read the decision notice in full before any work begins.

The majority of planning decisions have conditions attached. Some conditions request further information that requires approval by the Local Planning Authority before any development takes place ('pre-commencement'). All conditions are set out on the decision notice.

Under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is a criminal offence to carry out unauthorised works to a listed building. Under Section 9 of the Act, a

person shall be guilty of an offence should they fail to comply with any condition attached to the consent.

How do I discharge the conditions

Please note that the process takes up to eight weeks from the date the Local Planning Authority receives a valid application. Therefore it is important to plan ahead and allow plenty of time before work is due to commence.

You need to fill in a form to submit your request to discharge conditions, and accompany the relevant details/samples. You can download the necessary form by using the following link:
<https://www.greatercambridgeplanning.org>

Alternatively you can submit an application to discharge the conditions through the Government's Planning Portal website: <https://www.planningportal.co.uk/applications>. Please note, The Planning Portal refers to it as 'Approval of details reserved by a condition'.

When the required information has been submitted you will receive a reference and an acknowledgement letter. Once the Local Planning Authority is satisfied that the requirements of the condition have been met you will receive a formal notification that the conditions have been discharged.

Appeals against conditions

You should also be aware that the applicant has the right to appeal against any conditions attached to this Notice, please see <https://www.gov.uk/planning-inspectorate> for details. If you are concerned about any condition you should contact the case officer in the first instance for advice.

Yours sincerely



SJ Kelly
Joint Director For Planning & Economic Development For
Cambridge & South Cambridgeshire



Notice of Planning Permission
Subject to conditions

Reference 20/02453/S73
Date of Decision 27 May 2021

Mr Gerry Caddoo
Landbrook Homes Ltd
The Retreat, Fews Lane
Fews Lane
Longstanton
Cambridge
CB24 3DP
Cambridgeshire

The Council hereby GRANTS Planning Permission for:

Variation of condition 7 (Traffic Management plan) pursuant to planning permission S/0277/19/FL to reflect the proposals in the Traffic Management Plan to substitute the current wording in Condition 7 with "The development hereby permitted shall be carried out in accordance with the Traffic Management Plan prepared by SLR Consulting, Version Final_1 and dated December 2019 as amended by planning committee on the 26th May 2021 in relation to paragraph 3.2.4" (Re-submission of 20/01547/S73)

at

The Retreat Fews Lane Longstanton CB24 3DP

In accordance with your application received on 21 May 2020 and the plans, drawings and documents which form part of the application.

Conditions

- 1 Conditions 3-6 and 9 -16 of planning permission S/0277/19/FL (set out below as conditions 3-6 and 9 -16) shall continue to apply to this permission. Where such conditions pertaining to S/0277/19/FL have been discharged, the development of 20/02453/S73 shall be carried out in accordance with the terms of discharge and those conditions shall be deemed to be discharged for this permission also. The development hereby permitted shall be begun before the expiration of 3 years from the date of permission S/0277/19/FL being 9 May 2019.

Reason To define the terms of the application.

- 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.

- 3 The materials to be used in the construction of the external surfaces of the dwellings hereby permitted shall be as described in the application form or shall be submitted to and

approved in writing by the Local Planning Authority prior to the commencement of development. Where materials are approved by the Local Planning Authority, the development shall be carried out in accordance with the approved details.

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018)

- 4 Prior to the first occupation of the development, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/6 of the adopted South Cambridgeshire Local Plan 2018)

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

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NE/6 of the South Cambridgeshire Local Plan 2018)

- 6 Prior to the first occupation of the development a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment for each dwelling shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy HQ/1 of the adopted South Cambridgeshire Local Plan 2018.)

- 7 The development hereby permitted shall be carried out in accordance with the 'Traffic Management Plan prepared by SLR Consulting, Version Final_1 and dated December 2019, as amended by planning committee on the 26th May 2021 in relation to paragraph 3.2.4' unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety

- 8 (Not Applicable)

- 9 No development above slab level shall occur until schemes for the provision and implementation of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The schemes shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

(Reason - To reduce the risk of pollution to the water environment, to ensure a satisfactory method of foul water drainage and to reduce the risk of flooding in accordance with Policies CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018).

- 10 All finished floor levels shall be a minimum of 300 mm above the existing ground level.

(Reason - To reduce the risk of flooding in accordance with policy CC/9 of the South Cambridgeshire Local Plan 2018)

- 11 No development above slab level shall take place until a scheme has been submitted that demonstrates a minimum of 10% of carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The scheme shall be implemented and maintained in accordance with the approved details prior to the occupation of the development.

(Reason - In accordance with policy CC/3 of the South Cambridgeshire Local Plan 2018 and paragraphs 148, 151 and 153 of the National Planning Policy Framework 2018 that seek to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.)

- 12 The development hereby approved shall not be occupied until a water conservation strategy, which demonstrates a minimum water efficiency standard equivalent to the BREEAM standard for 2 credits for water use levels, unless demonstrated not practicable, has been submitted to and approved in writing by the local planning authority. Works shall be carried out in accordance with the approved details.

(Reason - To improve the sustainability of the development and reduce the usage of a finite and reducing key resource, in accordance with policy CC/4 of the south Cambridgeshire Local Plan 2018.)

- 13 The dwellings hereby approved shall not be occupied until they have been made capable of accommodating Wi-Fi and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) has been provided to the public highway that can accommodate fibre optic cabling or other emerging technology, unless otherwise agreed in writing with the Local Planning Authority.

(Reason - To ensure sufficient infrastructure is provided that would be able to accommodate a range of persons within the development, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.)

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

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018).

- 15 During the period of demolition and construction, no deliveries shall be made to and from the site between 0730 and 0930 hours and between 1500 and 1800 hours on weekdays or before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

(Reason - To minimise noise disturbance for adjoining residents and to reduce potential conflicts with pedestrians, particular schoolchildren using Fews Lane and High Street in accordance with Policy CC/6 and HQ/1 of the South Cambridgeshire Local Plan 2018)..

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

(Reason - In the interests of protection of residential amenity and the character of the area in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018).

Informatives

- 1 The Council urges the applicant to establish a liaison mechanism between residents, the site manager and Longstanton Parish Council to monitor compliance with the Traffic Management Plan and to resolve any disputes.
- 2 If during the development contamination not previously identified is found to be present at the site, such as putrescible waste, visual or physical evidence of contamination of fuels/oils, backfill or asbestos containing materials, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority.
- 3 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.
- 4 There shall be no burning of waste or materials on site without the prior consent of the Council's Environmental Health Officer.

Plans and drawings

This decision notice relates to the following drawings:

Reference/Document/Drawing Title	Date Received
FLL-45-01	28.01.2019
FLL-45-02	28.01.2019

It is important the development is carried out fully in accordance with these plans. If you are an agent, please ensure that your client has a copy of them and that they are also passed to the contractor carrying out the development. A copy of the approved plan(s) is/are kept on the planning application file.

Authorisation

Authorised by:



SJ Kelly
Joint Director For Planning & Economic Development For
Cambridge & South Cambridgeshire

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

Date the decision was made: 27 May 2021

Working with the applicant

The LPA positively encourages pre-application discussions. Details of this advice service can be found at <https://www.greatercambridgeplanning.org>. If a proposed development requires revisions to make it acceptable the LPA will provide an opinion as to how this might be achieved. The LPA will work with the applicant to advise on what information is necessary for the submission of an application and what additional information might help to minimise the need for planning conditions. When an application is acceptable, but requires further details, conditions will be used to make a development acceptable. Joint Listed Building and Planning decisions will be issued together. Where applications are refused clear reasons for refusal will identify why a development is unacceptable and will help the applicant to determine whether and how the proposal might be revised to make it acceptable.

In relation to this application, it was considered and the process managed in accordance with paragraph 38 of the National Planning Policy Framework.

General Notes

This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Your attention is specifically drawn to the requirements of the Equality Act 2010 and the Equality Act (Disability) regulations 2010, the British Standards Institution BS8300:2009 "Design of Buildings and their approaches to meet the needs of disabled people – Code of Practice" and to Approved Document 'M' "Access to and use of buildings", volumes 1 and 2 of the Building Regulations 2010 and to Approved Document 'B' "Fire Safety", volumes 1 and 2 of the Building Regulations 2010, in request of guidance on means of escape for disabled people. The development should comply with these requirements as applicable

It is an offence under Section 171 of the Highways Act 1980 to temporarily deposit building materials, rubbish or other things on the public highway or make a temporary excavation on it without the written consent of the Highway Authority. The Highway Authority may give its consent subject to such conditions as it thinks fit.

The applicant is reminded that under the Wildlife and Countryside Act 1981(Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.

Building Regulations 2010

The project may be subject to the requirements of the Building regulations 2010.

Advice and assistance can be obtained from our Building Control Team, 3C Building Control on 0300 7729622 or buildingcontrol@3csharedservices.org link to website at www.3csharedservices.org

They will work with you offering competitive fee quotations and pre-application advice upon request.

Appeals to the Secretary of State

The applicant has a right to appeal to the Secretary of State against any conditions of this planning permission, under Section 78 of the Town & Country Planning Act 1990. The appeal must be made on a form which may be obtained from:

The Planning Inspectorate,
Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN
Telephone 0303 444 5000 or visit
<https://www.gov.uk/planning-inspectorate>

If an enforcement notice is or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: **28 days** of the date of service of the enforcement notice, **OR** within **6 months** (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Purchase Notices

If the Local Planning Authority or the Secretary of State grants permission subject to conditions the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Before starting work

It is important that all conditions, particularly pre-commencement conditions, are fully complied with, and where appropriate, discharged prior to the implementation of the development. Failure to discharge such conditions may invalidate the planning permission granted. The development must be carried out fully in accordance with the requirements of any details approved by condition.

Street Naming and Numbering

In order to obtain an official postal address, any new buildings should be formally registered with South Cambridgeshire District Council. Unregistered addresses cannot be passed to Royal Mail for allocation of postcodes.

Applicants can find additional information, a scale of charges and an application form at www.scambs.gov.uk/snn. Alternatively, applicants can contact the Address Management Team: call 08450 450 500 or email address.management@scambs.gov.uk.

Please note new addresses cannot be assigned by the Council until the footings of any new buildings are in place.

Third Party Rights to challenge a planning decision

Currently there are no third party rights of appeal through the planning system against a decision of

a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision.

Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review.

A 'claim for judicial review' includes a claim to review the lawfulness of a decision, action or failure to act in relation to the exercise of a public function, in this case, a planning decision. The court's permission to proceed is required in a claim for Judicial Review. A claim for Judicial Review is dealt with by the Administrative Court and if leave to judicially review a planning decision is granted, the Judicial Review will be decided by a judge at the High Court.

An application to Judicial Review a decision must be made within **6 weeks** of the decision about which you have a grievance being made. For further information on judicial review and the contact details for the Administrative Courts, please go to <http://www.justice.gov.uk/>