



Planning Committee Date	18 th December 2023
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/02320/S73
Site	Waterbeach Court, Denny End Road
Ward / Parish	Waterbeach
Proposal	S73 to vary condition 6 (Total number of caravans) of planning ref: C/64/949 (Addition of nine additional caravan sites (Concrete hard standings) toilets and stores, provision of central laundry and four showers (Outline)) to enable the site to be reorganised including a potential increase in caravan numbers to up to 63. Change 59 (current maximum) to 63.
Applicant	Ben Moore
Presenting Officer	Tom Chenery
Reason Reported to Committee	Called-in by Cllr Bradnam Third party representations
Member Site Visit Date	6 th December 2023
Key Issues	1.Impact on the Character and Appearance of the Area 2.Impact on Neighbouring Amenity 3.Impact upon Trees 4. Impact upon Drainage
Recommendation	REFUSE
Executive Summary	

- 1.1 The application seeks an amendment to planning permission reference C/64/949 (Addition of nine additional caravan sites (Concrete hard standings) toilets and stores, provision of central laundry and four showers (Outline)) to enable the site to be reorganised including a potential increase in caravan numbers to up to 63. The original consent was granted in 1960 for the siting of residential caravans on this site.
- 1.2 The proposal seeks to alter the wording of Condition 6 of permission reference C/64/0949 which states that the total number of caravans on the site shall at no time exceed 59. The proposal seeks to increase the number of caravans on the site by 4 to 63 in total.
- 1.3 The application site is located to the north west of Waterbeach within the development framework. The site is not located within any defined Conservation Area, the Green Belt or in an area at risk of fluvial flooding (Flood Zone 1). There are some areas at low and medium risk of surface water flooding. A policy designated site (Land north of Waterbeach) is located directly to the north of the site.
- 1.4 Within the centre of the site within the central green area, including 8 trees which all benefit from Tree Preservation Orders.
- 1.5 The principle of development is considered to be acceptable as considered within application ref RC/0355/59/ and C/64/0949.
- 1.6 However, the proposal is considered to cause harm to the character and appearance of the area. The additional caravans, parking, amenity areas and residential paraphernalia would result in a greater intensification of the site leading to a cramped form of development that would constitute an overdevelopment of the site.
- 1.7 The proposal is considered to cause harm to the amenity and living conditions of neighbouring occupiers and future occupiers.
- 1.8 The proposal is considered to unduly impact upon the existing protected trees on the site as well as the replacement trees within the site.
- 1.9 The proposal is considered to cause unnecessary harmful flooding impacts as well as unnecessary harmful ecological implications.
- 1.10 Officers recommend that the Planning Committee Refuse the application.

2.0 Site Description and Context

None relevant		Tree Preservation Order	X
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 comprises caravans with a defined building lineage surrounding a central green with an access road around the perimeter of the site. The caravans/mobile homes are single storey in height and range in scale with smaller and larger caravans on narrow plots.
- 2.2 To the north and west of the site is the former RAF Waterbeach site with commercial properties lying further west. To the east of the site is a residential cul de sac known as Providence Way. To the south of the site are residential properties which front Denny End Road.

3.0 The Proposal

- 3.1 The application seeks to vary condition 6 (Total number of caravans) of planning ref: C/64/949 (Addition of nine additional caravan sites (Concrete hard standings) toilets and stores, provision of central laundry and four showers (Outline)) to enable the site to be reorganised including a potential increase in caravan numbers to up to 63. This changed the current maximum number of units from 59 to 63.
- 3.2 Planning permission was granted for the erection of a caravan site and a toilet block under planning reference RC/59/355 on the 27th January 1960. Although this limited the siting of the caravans to a temporary period of 1 year, through the passage of time, the development as a whole is considered to be lawful, a proposed certificated of lawful development was granted in 2023 which approved up to 59 caravans on site to be located anywhere throughout the site.
- 3.3 A subsequent planning application was submitted under planning reference C/64/949 (also reference as C/0949/64/) which allowed for the addition of 9 caravan sites (concrete hardstanding), toilets and stores. This was granted on the 14th January 1965. The application seeks to vary condition 6 of the C/64/949 planning application.

3.4 Conditions 6 reads: The total number of caravans on the site shall at no time exceed 59 (fifty nine). The proposal seeks to alter this condition so that the total number of caravans on the site shall at no time exceed 63. This would be an increase in 4 caravans on the site.

4.0 Relevant Site History

Reference	Description	Outcome
RC/0355/59/	Erection of toilets, for caravan site and layout of site	Approved
C/64/949(C/0949/64/)	Addition of 9 additional caravan sites (concrete hardstanding), toilets and stores (outline)	Approved
C/0715/68/O	Parking six caravans and erection of eight garages	Refused
S/1150/10	Erection of Office Building	Approved
S/1866/18/TP	TPO 0004 (2008): T2 (purple leaved plum) to fell and replace T2 T5 T8 and T10 (purple leaved plum) crown lift to 1.5m and reduce back over extended branches by no more than 50cm and T1 T4 T6 T7 T9 (crab apples) crown lift to 1.5m and crown reduce by 1.5m. ..	Approved
22/03964/CL2PD	Certificate of lawfulness under S192 for a proposed use of land within the existing caravan site for the siting of static caravans without restriction on the layout of the caravans (up to the permitted number of 59).	Certificate Granted
23/0330/TTPO	Reason to fell TPO trees - to meet the legal requirements of the site licence conditions - see additional statement T6 Cherry - Fell T7 Apple - Fell T8 Cherry - Fell T9 Apple - Fell	Approved

4.1 Planning permission was granted on the site for the siting of caravans under application reference RC/0355/59/ and an additional 9 caravan sites under application reference C/64/949(C/0949/64/).

4.2 A certificate of lawful development was granted under application 22/03964/CL2PD which confirmed that the proposed use of the central green area within the site can be used to site static caravans.

4.3 A tree works application was submitted and approved under application reference 23/0330/TTPO which allowed for the felling of 4 trees within the central green area and the replacement of these trees located within the site.

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

Technical Housing Standards – Nationally Described Space Standard (2015)

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/7 – Development Frameworks

S/9 – Minor Rural Centres

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

NH/4 – Biodiversity

H/8 – Housing Density

H/9 – Housing Mix

H/10 – Affordable Housing

H/12 – Residential Space Standards

TI/3 – Parking Provision

5.3 Neighbourhood Plan

Waterbeach Neighbourhood Plan (made 23 March 2022)

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:

District Design Guide SPD – Adopted March 2010

Affordable Housing SPD – Adopted March 2010

Listed Buildings SPD – Adopted 2009

Trees and Development Sites SPD – Adopted January 2009

5.6 Other Guidance

- 5.7 Greater Cambridge Housing Strategy 2019 – 2023

6.0 Consultations

6.1 Waterbeach Parish Council – Object

6.2 Objection on the grounds of:

- Loss of Green Space
- Loss of Communal Space
- Access Issues
- Breach of Conditions 4 and 5 of previous application
- Contrary to Waterbeach Neighbourhood Plan
- Loss of Public Amenity
- Issues with Flooding, Drainage and Sewers

6.3 County Highways Development Management - No Objection

6.4 Lead Local Flood Authority – Object

- 6.5 The increase in caravan numbers will increase the impermeable area on the site. It needs to be demonstrated that the existing drainage system can withstand the increase in surface water runoff with no detrimental effects.

- 6.6 **Archaeology - No Objections** or recommendations
- 6.7 **Waterbeach Internal Drainage Board - No Objection**
- 6.8 **Environment Agency - No Response**
- 6.9 **Anglian Water - No Response**
- 6.10 **Senior Sustainability Officer – Object**
- 6.11 No information has been provided and unable to offer comments.
- 6.12 **Landscape Officer – Object**
- 6.13 No drawings provided regarding location of additional plots. Unable to assess the impact.
- 6.14 **Ecology Officer – Object**
- 6.15 There is insufficient information to determine the application.
- 6.16 **Tree Officer – Object**
- 6.17 The plans do not identify the exact location of the additional caravans and consideration is required regarding the TPO trees on site. Additional information is required.
- 6.18 **Environmental Health**
- 6.19 Contamination – No Objection
- 6.20 Environmental – No Comments
- 7.0 Third Party Representations**
- 7.1 32 representations have been received objecting to the proposal.
- 7.2 Those in objection have raised the following issues:
- Principle of development
 - Does not fall within the scope of S73 application
 - Character, appearance and scale
 - Density and overdevelopment
 - Lack of detail
 - Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)

- Construction impacts
- Highway safety
- Car parking and parking stress
- Loss of biodiversity
- Impact on and loss of trees
- Drainage and flooding
- Loss of Greenspace
- Fire Safety Regulations Issues
- Sewerage Issues
- Water Supply
- Security Issues
- Flooding Impacts
- Concern over loss of Over 50's restriction
- Loss of housing value
- Unnecessary Toilet Block and Laundry Facilities
- Would not add to local housing stock
- Loss of Communal Space
- Breach of Conditions 4 and 5 of previous application

8.0 Member Representations

8.1 Cllr Bradnam has made a representation objecting to the application on the following grounds:

- Overdevelopment of the site
- Loss of Amenity Space
- Loss of Green Space
- Built form on Green Space
- Surface Water Flooding
- Sewerage Issues
- Maintenance Issues
- Water Issues
- Lack of Information

9.0 Local Interest Groups and Organisations / Petition

9.1 A 234 signature petition has been received objecting to the application on the following grounds:

- Overcrowding of the site
- Loss of Amenity Space
- Loss of light
- Loss of Greenspace
- Highways/Pedestrian Safety Issues

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 Principle of Development

- 10.2 Planning Practice Guidance states that new issues may arise after planning permission has been granted, which require modification of the approved proposals. [Paragraph: 001 Reference ID: 17a-001-20140306].
- 10.3 Section 73 of the Town and Country Planning Act provides for applications for planning permission to develop land or change the use of land or a building without complying with conditions previously imposed on a planning permission. In determining such an application under S73, the decision maker must take into account any changes in circumstances since the parent permission was issued.
- 10.4 Where an application under section 73 is granted, the effect is the issue of new planning permission, sitting alongside the original permission, which remains intact and unamended [Paragraph: 015 Reference ID: 17a-015-20140306].
- 10.5 In this case, there has been no relevant material change in circumstances at the site.
- 10.6 Advice within the National Planning Practice Guidance states that the original planning permission will continue to exist whatever the outcome of the application under section 73 and to assist with clarity, decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. In granting permission under section 73 the Local Planning Authority may also impose new conditions - provided the conditions do not materially alter the development that was subject to the original permission and are conditions which could have been imposed in the earlier planning permission.
- 10.7 In deciding an application under section 73, the Local Planning Authority must only consider the condition/s that are the subject of the application - it is not a complete re-consideration of the application. The Local Planning Authority can grant permission unconditionally or subject to different conditions, or they can refuse the application if they decide the original conditions should continue. There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.
- 10.8 Paragraph 135 of the NPPF seeks to ensure that the quality of approved schemes is not diminished through amendments and careful consideration has been given in the assessment of the revised proposal.

- 10.9 The principle of development is considered to be acceptable and has been established through the previous applications RC/0355/59/ and C/64/949(C/0949/64/). Although this limited the siting of the caravans to a temporary period of 1 year, through the passage of time, the development as a whole is considered to be lawful, a proposed certificated of lawful development was granted in 2023 which approved up to 59 caravans on site to be located anywhere throughout the site.
- 10.10 In addition to this, although no definitive information has been provided regarding the siting, appearance, and nature of the proposed caravans, as the description of development describes them as caravans, they will be considered as such.
- 10.11 Objections have been raised by the Local Ward Councillor, Parish Council and neighbouring residents as to whether a Section 73 (Variation of Condition Application) is applicable as condition 5 of the host application (C/0949/64/) states that any additional buildings on site to be the subject of a separate planning application.
- 10.12 A Section 73 planning application is a planning application in its own right and as such would not conflict with the details of condition 5 of application C/0949/64/.
- 10.13 Having regard to the established principle of the development, consideration of the application therefore turns to examining the impact of varying the condition on the character of the area, impact in respect of the amenity of neighbouring and future occupiers, any highways safety implications, any flooding implications, any harmful ecological implications and any other material considerations.

10.14 Housing Provision

- 10.15 Objections have been made regarding the site being densely populated and that the proposal would not supply required housing in the area. Within the applicants planning statement, it indicates that a benefit of the proposal is that the development would provide a greater number of affordable units.

Mix and affordable housing

- 10.16 Policy H/9 'Housing Mix' requires a wide choice, type and mix of housing to be provided to meet the needs of different groups in the community. H/9 states the mix of affordable homes is to be set by local housing needs evidence.
- 10.17 The existing units on site are considered to be residential caravans and are do not fall within the definition of a dwellinghouse. Therefore the proposal does not need comply with the requirements of Policy H/9.

- 10.18 Nonetheless, within the applicants planning statement it indicates that proposal would provide a small number of 'affordable and modest homes'.
- 10.19 Although not considered to be dwellinghouses, no detail has been provided regarding the type of tenure for the mobile homes that would be put forward nor whether any of the mobile homes would be affordable under the definition set out within Annexe 2 of the National Planning Policy Framework.
- 10.20 In the absence of this information the proposal is considered to be for the provision of residential mobile homes, akin to market housing and therefore does not comply with policy H/10.

10.21 Design, Layout, Scale and Landscaping

- 10.22 Paragraph 130 of the NPPF states that all new development should function well and add to the overall quality of the area as well as always seeking to secure high quality design and maintain a strong sense of place using the sites surrounding streetscape.
- 10.23 Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 10.24 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.
- 10.25 The District Design Guide SPD (2010) provides additional guidance.
- 10.26 Policy WAT14 of The Waterbeach Neighbourhood Plan indicates that proposals will be supported where a design led approach has been taken, as well as those which have regard to the existing built environment and that described within the Waterbeach Heritage and Character Assessment.
- 10.27 Policy WAT24 of the Waterbeach Neighbourhood Plan states that application involving existing park homes sites will be supported where residential amenity is maintained or improved.
- 10.28 The application site at present consists of an existing caravan site to the north of Denny End Road and to the south of Waterbeach New Town (formerly RAF Waterbeach). The existing site has a single access point from Denny End Road which leads to a central shared green space planted with eight established trees which are protected by TPOs. The

homes are located around an outer loop road which also provides access to the mobile homes. Each mobile home has a small garden, car parking spaces and some of the plots have established hedges and small trees within the gardens, particularly towards the north and west edges of the site.

- 10.29 The western and southern part of the site are highly visible from views along Denny End Road, with the centre of the site, particularly the central green area, being partially visible from the streetscene and from public views. The eastern portion of the site is hidden behind existing residential development.
- 10.30 The proposal is seeking to increase the number of caravan plots on the site from the established 59 to 63.
- 10.31 No details have been provided regarding the exact location of the proposed caravans/mobile homes, however, the applicant and their planning agent together with the amended indicative layout plan has suggested that the proposed caravans/mobile homes would be located within the central green space within the site. There is also no other space located within the site that would facilitate additional caravans and as such it is considered that the additional caravans would be located in this space.
- 10.32 A number of objections have been raised regarding the harmful impact the proposal would have on the character of the site as well as the wider area as a result of caravans/mobile homes being located within the central green space within the site. Condition 4 as set out on the decision notice of application reference C/0949/64/, requires an area of land at least $\frac{1}{4}$ acre in extent to be provided as open space for playground and recreation use.
- 10.33 The submitted planning statement highlights that any of the land within the existing caravan site can be used for the siting of static caravans without restriction on the layout of the caravans. This is confirmed through a certificate of lawfulness decision (reference 22/03964/CL2PD). This application which sought confirmation that any part of the site could be used to site a caravan.
- 10.34 The certificate was granted as it had been demonstrated that the area of green space required by condition 4 (the area located centrally within the site) of application reference C/0949/64/, had been provided and there was no other restriction within any other conditions which required the greenspace to be retained in perpetuity. The conditions attached to that permission simply required the green space had to be provided.
- 10.35 In light of the certificate of lawfulness, the siting of caravans/mobile homes within the area of greenspace, located centrally within the site is acceptable. The applicant has indicated that this certificate of lawfulness is a fallback position for the addition of caravans within the site.

- 10.36 Although the siting of caravans within the central green space and subsequent loss of this green space is considered to be lawful; as well as being a material consideration for this application, the consideration of how additional caravans will impact upon the sites character and appearance is still necessary.
- 10.37 Given that no definitive layout plan has been submitted it is necessary to assess the proposed impacts the development would have, should the units be located in two options for locations, the central greenspace and then additional units in and amongst the existing units.

Siting of Caravans/Mobile Homes on Central Green Space

- 10.38 As set out above, it is acknowledged that the central green space is able to accommodate caravans without adding any extra caravans beyond that allowed by condition 6. This would result in the moving of existing caravans on the site, being relocated to this central area from other parts of the site. The caravans on the site at present are tightly positioned around the green.
- 10.39 Conversations with the applicant and planning agent have indicated that should any caravan be moved into the central green area, the vacant space created would be infilled with a larger caravan which would replace two smaller ones. This would retain and increase the existing built form on the site, without increasing the number of caravans and therefore still complying with the planning conditions set out in the original decision notice.
- 10.40 The submitted proposed indicative site layout indicates a number of different locations of where the proposed caravans would be located within the central green.
- 10.41 The indicative plan suggests that there is the potential for 5 caravans running from north to south to be located within the central green space.
- 10.42 The proposed site layout also indicated that the location/siting of the existing caravans/mobile homes would not be altered, however, it is acknowledged that in the absence of any specific plan, the actual siting is only to be assumed and is not definitive. This part of the assessment is therefore based on the impact the proposal would have based on this.
- 10.43 There are 8 of protected trees on the site, all of which benefit from a Tree Preservation Order (TPO). These trees are located around the outside of the central green area. The trees are considered to provide significant amenity value to the site and any harm to these trees is considered to cause a harmful impact on the character and area of the site.

- 10.44 A tree works application was submitted (reference 23/0330/TTPO) which sought to remove 4 trees to the north, north east and east of the green to allow for the site to meet site licence requirements, including a wider access road for emergency vehicles. The tree works application did require the replanting of 4 new trees (which would still be protected) and are located more centrally within the green space. There are 4 other trees located to the south and west of the green space. The proposed site plan, when cross referenced within the tree replacement plan, would result in caravans being located where new trees are to be replanted as well as within their root protection area. Further to this, proposed new caravan 4/5 would be located within the Root Protection Area of an existing TPO tree at the south. The increase in access, the stated reason behind the removal of the trees, does not seem to be indicated on the amended plan.
- 10.45 It is not evident from the submitted information, what the extent of the caravan plots would be. The proposed plan seemingly indicates that the mobile homes would be the scale of a standard modest sized caravan, although it would be assumed that each caravan would have an area of private amenity space and car parking. This would likely result in the overall footprint of each new caravan/mobile home 'plot' to be greater than that outlined on the plan.
- 10.46 The reason for condition 6 being applied to the decision of application reference C/0949/64/ is to preserve the amenities of the site. The siting of caravans within the central green space would result in the loss of protected trees which as stated provide significant amenity value to the site and are part of the overall established character of the site. The siting of the caravans within this central area would also be in direct conflict with the tree works application reference 23/0330/TTPO. No details have been provided as to how the trees, both existing and those to be replaced, would be protected as part of the proposal. In the absence of this information, it has to be considered that the proposal would result in harm to the overall character of the immediate site as well as the wider area.
- 10.47 In addition to this, the additional residential paraphernalia associated with the additional caravans, would result in the site appearing cramped and an over intensification of the site that would appear as an overdevelopment of the site. In the absence of any information clearly identifying how the site would be laid out, including details of plot boundaries and how the caravans would appear and how this would be managed, it is to be assumed that the additional residential paraphernalia would spill out on to existing access roads and from public viewpoints appear overly cramped.
- 10.48 Overall, the fallback position of Caravans being placed within the central greenspace is accepted as a material consideration that is given weight within the planning balance and does result in the character of the site being changed. The siting of caravans within the green space would not

result in an increase in numbers of caravans on the site and would therefore potentially increase the openness of the site. However, in the absence of any detailed plans indicating the proposed site layout of additional caravans and their associated development within this central area, it is considered that the caravans/mobile homes would result in an intensification of the current use which would result in a cramped form of development which would be tantamount to an overdevelopment of the site. In addition to this, it would result in the loss of several protected trees on the site which contribute significantly to the immediate established character of the site as well as the wider character and appearance of the area. This proposal would therefore be harmful to the character and appearance of the area and would conflict with Section 12 of the NPPF, Policy HQ/1 of the Local Plan, Policy WAT14 and WAT 24 of the Waterbeach Neighbourhood Plan and the South Cambridgeshire District Design Guide.

Siting of Caravans within outer ring

- 10.49 As indicated, no definitive plan has been submitted which indicates the exact location of the proposed additional Caravans/Mobile Homes – the submitted indicative plan shows two options. It has been established that some caravans/mobile homes could be sited within the central green space provided that they do not impact upon the existing trees which benefit from TPO's.
- 10.50 In light of this, there may be the potential for one or two caravans to be sited within the greenspace without causing additional harm, which would result in the requirement for the other potential caravans to be situated within the existing ring of caravans/mobile homes around the existing part of the site. The existing caravans on the site range from narrow, modest caravans to larger caravans. Most are of a similar scale with small private amenity areas and parking spaces. It is acknowledged that it is possible for some larger caravans to be reduced in scale to accommodate smaller mobile homes, however, it is not clear whether there would be any scope to allow for a private amenity space or any car parking.
- 10.51 In the absence of any details regarding how any additional caravans could be situated in and amongst the existing caravans/mobile homes on the site which are tight and compact in nature, it is considered that any additional units which would be at odds with the established character of the site. The additional units and their additional residential paraphernalia would also result in a cramped form of development that would be tantamount to an overdevelopment of the site.
- 10.52 This proposal be harmful to the character and appearance of the area and would conflict with Section 12 of the NPPF, Policy HQ/1 of the Local Plan, Policy WAT14 and WAT24 of the Waterbeach Neighbourhood Plan and the South Cambridgeshire District Design Guide.

10.53 Overall, due to the lack of information regarding the potential siting of additional caravans, it is not possible to definitively assess the proposals impact on the immediate character of the area, or the wider character and appearance of the area. Nonetheless, irrespective of whether the caravans would be situated within the central green space, or the outer ring of existing caravans, the proposal would result in the loss of trees which contribute significantly to the amenity of the site and would result in a cramped form of development which would equal and overdevelopment of the site. The proposal as a whole would be harmful to the character and appearance of the area and would conflict with Section 12 of the NPPF, Policy HQ/1 of the Local Plan, Policy WAT14 of the Waterbeach Neighbourhood Plan and the South Cambridgeshire District Design Guide.

10.54 Trees

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

10.56 There are 8 trees located within the site that all benefit from Tree Preservation Orders (TPO). As indicated within this report, 4 trees have been granted permission to be felled and replaced under tree works application 23/0330/TTPO.

10.57 These new trees should be placed centrally within the greenspace area.

10.58 It has also been indicated that there is no specific layout plan for the proposal, nor any details regarding how the proposed additional caravans would be located around the trees on the site.

10.59 The Council's Tree Officer has advised that in the absence of any Arboricultural information as well as a specific layout plan it is not possible to determine whether there is any harm.

10.60 The trees provide significant amenity value to the site and wider character of the area and their loss as stated above is considered to be harmful.

10.61 Given that no information has been provided which indicates how the trees would be protected as a result of the development, the proposal is considered have an unacceptable impact upon these trees and would cause harm.

10.62 For the reasons outlined above, the proposal would cause harm to the existing trees on the site which contribute significantly to the amenity of the area and would conflict with Paragraph 131 of the National Planning Policy Framework, Policies NH/2, NH/4 and HQ/1 of the Local Plan and Policy WAT14 of the Waterbeach Neighbourhood Plan.

10.63 Biodiversity

- 10.64 Paragraph 180 of the NPPF aims to protect harm to biodiversity and states that should the proposal result in loss or deterioration of habitats, it should be refused.
- 10.65 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.
- 10.66 No details have been provided regarding how the proposal would impact upon biodiversity on the site.
- 10.67 The application has been subject to formal consultation with the Council's Ecology Officer, who has indicated that the site is in an Impact Risk Zone and is close to areas where a number of species have been recorded including a common lizard along Car Dyke Road.
- 10.68 Given that no details have been provided regarding how the proposal would not cause harm to any protected and/or priority species or habitats, the proposal is considered to conflict with Paragraph 180 of the NPPF, Policy NH/14 of the Local Plan, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

10.69 Water Management and Flood Risk

- 10.70 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.
- 10.71 The application site is located within Flood Zone 1 (Low Risk), however is located in an area at Low and Medium risk of surface water flooding. Section 4.3 of the Flood and Water SPD and Paragraph 163 of the NPPF indicate that a site specific Flood Risk Assessment is required
- 10.72 No site specific Flood Risk Assessment has been submitted as part of the application and as a result it is not possible to consider whether the proposal would have a negative impact on the flood risk on the site or the impact it would have on the adjacent dwellings and area.
- 10.73 The Local Drainage Officer has been consulted on the scheme and has stated that no comment can be made unless a Flood Risk Assessment has been submitted.

10.74 Therefore, due to a lack of information, the proposal is considered to have a negative impact on the surface water flood risk of the site and would have a negative flooding impact on the surrounding area. The proposal would be contrary to Section 14 of the NPPF, Policies CC/9 of the Local Plan and the Cambridge Flood and Water SPD (2018)

10.75 Highway Safety and Transport Impacts

10.76 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.

10.77 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.

10.78 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.

10.79 The proposal would not alter the existing access arrangements.

10.80 The Local Highways Authority has been consulted on the scheme and has raised no objection to the proposal.

10.81 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority who raise no objection to the proposal.

10.82 The proposal accords with the objectives of policy TI/2 of the Local Plan and is compliant with NPPF advice.

10.83 Cycle and Car Parking Provision

10.84 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.

10.85 Cycle Parking

10.86 TI/3 requires 1 cycle space per bedroom. The supporting text advises that for residential purposes cycle parking should be within a covered, lockable enclosure and that for houses this could be in the form of a shed or

garage, for flats either individual lockers or cycle stands within a lockable, covered enclosure are required. All cycle parking should be designed and located to minimise conflict between cycles, pedestrians and vehicles.

10.87 No detail has been provided regarding any cycle parking arrangements.

10.88 At present there is no definitive cycle parking, with most cycle parking being located within the curtilage of each caravan/mobile home.

10.89 Given that no detail has been provided regarding the exact location of any proposed additional caravans, it is not possible to establish whether it is possible to provide cycle spaces within each unit. In the absence of this information it is considered that the proposal does not provide the cycle requirements of policy TI/3 and would therefore conflict with this policy.

10.90 Car Parking

10.91 TI/3 requires 2 spaces per dwelling – 1 space to be allocated within the curtilage. The supporting text to the policy advises that the Council will encourage innovative solutions such as shared parking areas, for example where there are a mix of day and night uses, car clubs and provision of electric charging points and that a developer must provide clear justification for the level and type of parking proposed and will need to demonstrate they have addressed highway safety issues.

10.92 Similarly to cycle parking, no details have been provided indicating whether each additional unit would provide any car parking. Each existing caravan on the site provides at least 1 car parking space for each caravan/mobile home. Waterbeach does have a number of services within the village, however, a number of these services are at least 500m from the application site. Although this is a distance that could be cycled, given there is no provision for cycle storage for the new dwellings it is not possible to secure this. Due to the tight nature of the site, any additional car parking would likely result in overspill in to existing roads on the site and in to the public highway. This could then result in highways safety implications.

10.93 Due to the lack of information regarding car parking, the proposal is considered to conflict with policies HQ/1 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

10.94 Amenity

10.95 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.

10.96 The District Design Guide 2010 advises that to prevent the overlooking of habitable rooms to the rear of residential properties and rear private gardens, it is preferable that a minimum distance of 15m is provided between the windows and the property boundary. It advises that a 12 metre separation is allowed where blank walls are proposed opposite the windows to habitable rooms.

10.97 No details have been provided regarding the location or siting of the proposed new caravans. In the absence of this information, it is not possible to assess whether the proposal would cause harm to neighbouring occupiers on the site or any new caravan.

10.98 In the absence of this information, it is assumed that the proposal would result in undue harm to the amenity and living conditions of neighbouring occupiers. The proposal would conflict with Section 12 of the NPPF, Policy HQ/1 and H/12 of the Local Plan.

10.99 Construction and Environmental Health Impacts

10.100 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.

10.101 The Council's Environmental Health Team have assessed the application and not objected to the scheme. The proposal is therefore considered to comply with policies CC/6, CC/7, SC/9, SC/10, SC11, SC/12 'Air Quality' and SC/14.

10.102 Summary

10.103 Due to the significant lack of information regarding the proposed layout of the site or the scale and design of the additional caravans/mobile homes it is not possible to assess whether the proposal would cause harm to the amenity of neighbouring or future occupiers. It is therefore considered that in the absence of this information, the proposal would cause harm to the amenity and living conditions of neighbouring and future occupiers and would conflict with Section 12 of the NPPF, policy HQ/1 of the Local Plan, Policy WAT24 of the Waterbeach Neighbourhood Plan and the District Design Guide 2010.

10.104 **Open Space and Recreation**

10.105 Policy SC/8 states that Planning Permission will not be granted for proposals resulting in the loss of land or buildings providing for recreational use, playing fields or for the loss of allotments or community orchards provided the proposal complies with several criteria.

10.106 A number of objections has been received regarding the loss of the greenspace.

10.107 A lawful development certificate confirmed that it is possible to erect caravans within any part of the site and that there is no requirement to provide any green space on the site.

10.108 This area is not considered to be recreation or open space and as such its loss is not considered to conflict with Policy SC/8. The loss of the greenspace and intensification of the site has been considered within the character and appearance of the area.

10.109 Third Party Representations

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

Third Party Comment	Officer Response
Fire Safety Regulations/Issues	As the site is a Caravan/Mobile Home/Park Home site, any proposal would have to comply with any licensing requirements or fire safety requirements. This is not a consideration of this planning application.
Loss of House Value	Loss of Value on neighbouring properties is not a material consideration and therefore cannot be considered as part of the planning application.
Sewage/Drainage/Flooding	No details have been provided regarding any sewerage or drainage connections/details. Sewerage connections are considered at the building control stage of any development. The impact the proposal would have on drainage is considered in Section 9.66 of the report.
Loss of Over 50's restriction	There are no conditions on the existing planning application which specifically restricts the site to over 50's. In the absence of any condition of this nature, there are no current restrictions on age requirements. The proposal would not alter this.
Loss of Communal Space	Considered within Section 10.104
Security	The sites security is not a material planning consideration of this application.
Covenants	A planning permission would not override covenants and private rights. These are

	civil matters between different landowners and not a material planning consideration.
Ownership	No conclusive evidence has been put to the Council to demonstrate that the applicant does not own all the land within the application site. The applicant(s) have confirmed that the correct certificate of ownership has been served.

10.111 Planning Balance

10.112 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).

10.113 Summary of harm

10.114 It is acknowledged that it is possible to locate caravans within any part of the site, particularly the central greenspace lawfully. This is an agreed fallback position and is given considerable weight within the planning balance.

10.115 Nonetheless, no detail has been provided regarding the exact layout of the site with the additional 4 caravans the proposal seeks to add. The applicant has provided a proposed site layout plan which indicates where up to 5 caravans could be located, however this is speculative with a number of different options. The proposed caravans would be located where it would result in harmful impacts to the existing TPO trees located within the green space and as such would cause harm.

10.116 In addition to this, irrespective of whether caravans were located elsewhere within the site, it is considered that the additional intensification of the use of the site as well as the additional residential paraphernalia, this would result in a cramped form of development which would be tantamount to an overdevelopment of the site. This would cause harm to the character and appearance of the immediate site and wider character of the area.

10.117 Furthermore, due to the lack of information regarding their scale and layout of the proposed additional caravans, it is considered that the proposal would cause harm by virtue of unacceptable impacts upon the protected trees, unacceptable ecological implications, unacceptable flooding impacts, unacceptable amenity impacts to neighbouring and future occupiers as well as not provide adequate car and cycle parking.

10.118 Summary of benefits

10.119 The proposal would provide 4 additional caravans/mobile homes which would provide a limited benefit to the local area.

10.120 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 benefits of the scheme would not outweigh the identified harm and the development is recommended for Refusal.

10.121 The proposal would conflict with policies Section 12 and 15 of the NPPF, policy NH/2, NH/4, CC/9, HQ/1 and TI/3 of the Cambridge Local Plan, the Waterbeach Neighbourhood Plan and the South Cambridgeshire District Design Guide 2010.

11.0 Recommendation

11.1 **Refuse** for the following reasons:

1. The proposal would cause harm to the character and appearance of the area by virtue of the intensification of the use of the site which would result in the loss of protected trees which provide significant visual amenity to the immediate site and wider character of the area. The additional residential paraphernalia would result in a cramped form of development that would be tantamount to an overdevelopment of the site which in turn would also result in harm to the character and appearance of the area. The proposal would conflict with Section 12 of the National Planning Policy Framework (2023) specifically paragraphs 130 and 134, Policies NH/2, and HQ/1 of the South Cambridge District Council Local Plan (2018), Policies WAT14 and WAT24 of the Waterbeach Neighbourhood Plan (2022) and the South Cambridgeshire District Design Guide (2010).
2. Due to a lack of information regarding the siting, scale and design of any caravan, it is not possible to determine whether the proposal would result in any undue harm to the amenity or living conditions of any neighbouring or future occupiers. By a virtue of this lack of information it is considered that the proposal would result in harm to the amenity and living conditions of neighbouring and future occupiers and as such would conflict with the National Planning Policy Framework (2023) specifically paragraphs 130 and 134, Policy HQ/1 of the South Cambridge District Council Local Plan (2018), Policies WAT14 and WAT24 of the Waterbeach Neighbourhood Plan (2022) and the South Cambridgeshire District Design Guide (2010).
3. Due to a lack of information, it is not possible to determine whether the proposal would cause any undue impact on any protected species on

the site and as such by virtue of this lack of information, it is considered the proposal would cause harm to protected species which would be contrary to Section 15 of the National Planning Policy Framework (2021), Policy NH/4 of the South Cambridgeshire District Council Local Plan and the Biodiversity SPD (2009).

4. Due to a lack of information, it is not possible for the LPA to determine whether the proposal would cause any undue impact on the flood risk or any negative flooding impacts on the surrounding area. The site is located in a low to medium risk area of surface water flooding to which a Flood Risk Assessment is required. By virtue of this lack of information, the proposal is considered to cause unnecessary flooding impacts and would be contrary to Section 14 of the National Planning Policy Framework, Policy CC/9 of the South Cambridgeshire District Council Local Plan (2018) and the Cambridge Flood and Water SPD.
 5. The proposal has not provided any information regarding the cycle parking or car parking of the additional caravans. Due to the constrained nature of the site, it is considered that in the absence of any specific information regarding the site layout and the cycle and car parking provision the development would fail to comply with the cycle and parking guidance set out in Policy TI/3. As a result, the proposal would conflict with Policy TI/3 of the South Cambridgeshire District Council Local Plan (2018).
- 11.2 In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation if required in connection with this development.