

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 December 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/1297/10 – Croydon

**Change of use to Holiday Lets - Croydon Farm, Lower Road, Croydon,
Royston, Cambridgeshire, SG8 0EH for Mr & Mrs Moon**

Recommendation: Approve

Date for Determination: 11 October 2010

Notes:

This application has been reported to the Planning Committee for determination, as the Officer recommendation is contrary to the response from the Parish Council on material planning grounds.

Members will recall this site from November Planning Committee. The Committee gave officers delegated powers to approve the application, subject to the completion of a Section 106 Legal Agreement limiting occupation and use of the proposed holiday lets and requiring from the applicant a contribution towards the cost of the speed limit along Lower Road, and to the Conditions referred to in the report from the Corporate Manager (Planning and New Communities). Should there be no agreement to contribute towards the reduction of the speed limit, officers would present a further report to a future meeting of the Planning Committee.

Since the above decision officers have further investigated the potential for the applicant to contribute towards the improvement of the B1042, of which the application site uses for access. The November Planning Committee report is attached for reference at Appendix 1.

Further Consultations

1. The applicants agent wrote directly to the Local Highway Authority immediately after the outcome at November Committee. The letter reads as follows:

All of the Members were supportive of the scheme in principle but the issue was raised about potential reduction of speeds along the road frontage to this site and the initiative, which I think the County Highways are bringing forward to try and get speed reduced.

Unfortunately, despite the circumstances of our application the decision was deferred pending my clients being asked if they would like to make some form of financial contribution towards this aim/objective.

From my clients point of view their scheme is only marginally viable considering the additional costs being incurred and they certainly cannot

afford to make contributions to the efforts to reduce speeds along this frontage however laudable that aim might be.

As far as I am concerned the facts of this matter are; -

- (a) There is an extant consent for conversion of these barns to holiday lets in place, which my clients can embark upon tomorrow.*
- (b) You have no objections to these proposals in principle as all relevant visibility splays etc can be met.*
- (c) Just as the Local Parish and the County Highways might not have any money in the current financial climate for putting these measures into place then similarly my clients do not have any extra money available from their plot to make such contributions.*
- (d) I am not aware of any formal scheme for this traffic measure, whether this has been costed, whether it has a timescale attached to it and therefore how can my clients make a contribution to a scheme, which has no status.*
- (e) In any case how much would my clients be expected to contribute?*
- (f) Why would my clients be required to contribute when their immediate neighbours, i.e. the horse livery, which generates substantially more traffic, will not be asked nor will any other frontage owners or users along this stretch of the major road, a totally unreasonable situation.*

Local Highways Authority

2. As Members will note from the November Committee report the LHA raise no objections to the proposals subject to suitable visibility splays. I have since requested further information on the proposed Speed Review and whether the LHA would request a contribution towards a reduction in the existing speed limit. The LHA has responded:

The proposed 50mph limit on the B1042 Lower Road extends from the A1198 to just after the Mill Lane (Shingay) junction. It does not incorporate the stretch of Lower Road where Croydon Farm Barns is located, which is just over 2km away from the proposed 50mph limit.

The Speed Review summary report is added for information at Appendix 2.

Conclusion

3. In light of the above information it is considered by officers to be unreasonable to refuse this application based on the requirement of monies for road improvements without sufficient evidence to justify such a request. Members are reminded of the advice given at Paragraph 13 of the November Committee report. This advises that planning obligations must, amongst other things, be necessary and directly relevant to the development to be permitted. To request a contribution in this instance, would in my view, fall short of these requirements. It would also give rise to a legitimate claim for costs in the event of an appeal.

Recommendation

4. Delegated powers to approve/refuse subject to the approval of the details of the legal agreement agreeing terms of use and the following conditions:
 1. Sc1 – Full Planning Permission time limit
 2. Sc95 – Approved Plans
 3. Sc13 – Materials
 4. Sc5 – Landscape Scheme
 5. Sc6 – Landscape Implementation (Rc6)
 6. Sc27 – Contamination (Rc27)
 7. Sc38 – Noise during construction (Rc38)
 8. Sc23 – Foul Water
 9. Sc24 – Surface Water
 10. Sc20 - Vehicle Visibility (2.4m x 215m)
 11. Sc54 – Bird Nest boxes
 12. Sc58 – Lighting

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies adopted July 2007.
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007.
- South Cambridgeshire Local Development Framework (LDF) Supplementary Planning Documents: Biodiversity; District Design Guide.
- Circulars 11/95 and 05/2005.
- Planning File Refs: S/1068/05/F and S/1297/10/F

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