

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 November 2011

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S/0021/11 - SAWSTON

Extension of time limit for implementation of previously approved planning permission S/1800/04/ F for restoration, refurbishment and change of use of Hall to hotel; restoration and conversion of coach house to hotel accommodation; erection of new restaurant, pool and treatment, accommodation, creche and laundry facilities, and plant buildings; alterations to internal roads, and new parking area, at Sawston Hall, Church Lane, for Mr S Coates

Recommendation: Approval

Date for Determination: 6 May 2011

This Application has been reported to the Planning Committee for determination because the application is a departure from the development plan that is required to be referred to the Secretary of State in the event that Members are minded to grant approval.

Members will visit this site on 1 November 2011

Conservation Area

Departure Application

Site and Proposal

1. This 24 hectares approximately site is occupied by the Hall, a former stable block used as part of the attached restaurant and a number of outbuildings, its grounds and Sawston Hall Meadows Site of Special Scientific Interest (SSSI). Residential properties bound the site to the northeast, south and west. Church Lane, from which vehicular access is obtained, Spring Close Cottage and St Mary's Church are to the north. The site is located close to the centre of Sawston.
2. The site's heritage designations are as follows:
 - Sawston Hall is Grade I Listed;
 - Within the site a statue of Atlas and a pump located within the central courtyard area are Listed in their own right Grade II;
 - The entrance gates are Listed Grade II;
 - The grounds are Grade II Listed on the National Historic Parks and Gardens Register;
 - The site abuts St Mary's Church, a Grade I Listed Building;

- The site has been identified as being of archaeological interest
- It is located within Sawston Conservation Area;
- Parts of the grounds are designated a SSSI;
- A significant area of trees are subject of a TPO;
- The Hall and grounds are outside of the village development limits and are within the countryside and Green Belt.

History of the Building

3. The records show the original house on the site was destroyed by fire in 1553 by a mob reacting to the fact that Mary Tudor had stayed there. The current clunch stone building was built between 1557-1584 probably from stones salvaged from Cambridge Castle. Date stones on the building provide some evidence for this chronology.
4. In the architectural analysis submitted as part of the applications, it is suggested that the original floor plan was in a U-shape consisting principally of a Great Hall and screens passage. By 1600 the current courtyard arrangement had been laid out with the long gallery being formed on the southern side. The northern wing remains the oldest part of the building.
5. The building was privately owned by descendents of the Huddlestone family from 1557 until 1982 when it was sold. The family were catholic and there is a private chapel and at least three priest holes in the building.
6. The building was extensively remodelled in the Victorian period - the chapel, most of the windows, main staircase and general layout, including the short gallery, date from this period.
7. During WWII the building was requisitioned for use by the 66th Fighter Wing Command in association with Duxford Airfield and graffiti still remains in the attic floor from this period.
8. Alterations in the twentieth century include alterations to the attic floor roof trusses, an extension to the coach house to form a restaurant and a glazed link to this.
9. In the period 1982- 2002 the Hall was used as a private educational establishment. This went into receivership and the building has not had a secure use for over nine years. The site was acquired in 2006 by the applicant.

The Proposal

10. The current application seeks to extend the time period for implementation of planning permission S/1800/04/F. Condition 1 of this planning permission required development to start within five years, that is by 8 February 2011.
11. The renewal proposal seeks change of use of the site as a whole for use as a hotel and associated leisure facilities. As part of the submission the following details have been received:
 - a) Brought forward from S/1800/04/F:

- An historical architectural appraisal of the building by Mr T Baggs.
 - An assessment of the impact on the historic designed landscape, gardens and grounds by Dr Twigs Way and Dr David Brown;
 - Ecological Assessment
 - design and access statements; and
 - A business case and plan for the proposals,
- b) Submitted with current application
- Heritage Statement
 - Updated Ecological Survey
 - Indicative Viability Appraisal
12. The main Hall would accommodate the ground floor public lounge and bar areas. It is hoped to have the chapel re-consecrated. The upper floors would accommodate 16 bedroom suites and the ground floor a further four rooms.
 13. The coach house would be converted to provide a further 8 bedroom suites. The attached restaurant would be removed.
 14. New build elements would include a restaurant built to accommodate the existing garden wall - the glazed form would give the appearance of a modern peach or glasshouse in design; a series of three accommodation blocks located where outbuildings from WWII are currently standing to provide a further 13 rooms.
 15. A total of 41 bedrooms are thus proposed. A freestanding modern design swimming pool with indoor and outdoor facilities is proposed close to the new accommodation blocks - this will have a grass covered dome roof and utilise a traditional 'HaHa' ditch element to secure the outdoor pool. A crèche and laundry facility and plant buildings are also proposed.
 16. The hotel will retain existing tennis courts on site.
 17. The aim is for the hotel to be environmentally friendly and sustainable by using solar energy, electric cars and a reed bed filter.
 18. Vehicular access will be rerouted through the woodland to the eastern side of the church, so that vehicles approach the main frontage of the Hall. On an 1811 tithe map, an avenue is shown in this position leading to Church Lane. It is not clear if this was a former access driveway or not and there has been debate over this between the landscape consultants for the applicant and the Garden History Society.
 19. The case to justify this new approach is that it utilizes a former visual access that relates to the character of the Hall and by minimizing the loss of trees and seeking a no dig approach represents a sensitive and reasonable approach. Some of the existing hard surfacing will be replaced by lawn. Parking will be on the western side of the site where previously some temporary buildings associated with the language school were located. The Leylandii hedge will be removed and new planting is proposed.
 20. The application was amended by plan SCDC 1 submitted 2 May 2011 and amended 29 September 2011 to show pavement details to each side of the access to secure highway safety improvements as required by the Local Highway Authority.

Planning History

21. The principle applications in the planning history to date are summarised as follows:

- 1964 - Planning permission was approved for restaurant use to the coach house and extension (**SC/0567/63**);
- 1971 - Change of use was granted to business conference centre and erection of a hostel for 70 persons (**SC/0064/71/O**);
- 1972 - Permission was granted for 131 dwellings to be built on part of the estate (**SC1228/72/D**);
- 1974 - Planning permission was granted for the erection of a covered way between the main hall and restaurant (**SC/1316/73/F**);
- 1973 -renewal of the permission for change of use to conference centre and erection of 70 person hostel (**SC/1381/73/O**);
- 1982 - Change of use to a language teaching and research centre was approved (**S/0221/82/F**);
- 1990 - the erection of 2 tennis courts approved;
- 1991- Alterations and extensions to stables and restaurant (not implemented) (**S/1413/91/LB and S/1416/91/F**) Approved;
- 1991 - West garden - erection of students and tutors accommodation building (not implemented) **S/1450/91/F** Approved. As part of this proposal, a master plan for the site was produced by Donald Insall & Associates. This proposed in addition to the one approved block a further two student accommodation blocks and a lecture theatre and sports hall in the west garden;
- 1996- renewal of stable block applications **S/1413/91/LB and S/1416/91/F - (S/1916/96/F and S/1917/96/LB)** Approved;
- 1997 - Renewal of students and tutors block **S/1450/91/F (S/1129/97/F)** Approved;
- 1998/2000 Siting of portable buildings to provide student accommodation. Approved (**S/1571/00/F and S/0093/98/F**);
- 2002 - Second renewal of stable block applications **S/1916/96/F and S/1917/96/LB (S/0109/02/F and S/0264/02/LB)** Approved;
- 2003- Second renewal of student and tutors accommodation **S/1129/97/F (S/2018/02/F)** Refused.
- 2004- Change of use of main hall and coach house to hotel, erection of restaurant building, accommodation buildings, pool and treatment building, crèche and laundry facilities; alterations to internal roads, provision of parking area (**S/1800/04/F**) and associated listed building consent (**S/2054/04/LB**) Approved with Section 106 Agreement dated 31 January 2006.
- 2011- Listed building application for internal refurbishment and repair to Hall and Coach House comprising structural alterations to cellar and kitchen, alterations to

structural openings, doors, windows and floors, installation of bathrooms and kitchen, drainage, heating and electrical works. Approved 4 October 2011
(**S/0028/11/LB**)

Current applications

Planning applications

- **S/0762/11** Erection of stable block, waste compound and fenced equestrian arena for domestic use
- **S/0764/11** Change of use of Hall and Coach House from language teaching and research centre to a single family dwelling.
- **S/0765/11** Erection of indoor pool building for domestic use following demolition of existing outbuildings.
- **S/0766/11** Erection of two staff flats, estates office and garages for domestic use following removal of earth bund; recladding of existing barn.

Listed Building Applications

- **S/0022/11** Extension of time limit for implementation of previously approved listed building consent S/2054/04/LB
- **S/0767/11** Extension of garden wall; Erection of two staff flats, estates office and garages for domestic use; Recladding of existing barn.
- **S/0821/11** Extension and alteration of existing garden wall to facilitate erection of garages, office and staff accommodation.

Planning Policy

22. **Planning Policy Statements:**
PPS 1- Delivering Sustainable Development
PPS5- Planning for the Historic Environment
PPS 7 - Sustainable Development in Rural Areas
23. **South Cambridgeshire Local Development Framework (LDF) Core Strategy** (2007)
ST/1 (Green Belt);
ST/3 (Re-Using Previously Developed Land and Buildings);
ST/4 (Rural Centres).
24. **South Cambridgeshire Development Control Policies Development Plan Document** (2007)
DP/1 (Sustainable Development);
DP/2 (Design of New Development);
DP/3 (Development Criteria);
DP/4 (Infrastructure and New Developments);
DP/7 (Development Frameworks);
GB/1 (Development in the Green Belt);
GB/2 (Mitigating the Impact of Development in the Green Belt);
ET/10 (Tourist Facilities and Visitor Accommodation);
SF/1 (Protection of Village Services and Facilities);
SF/6 (Public Art and New Development);
NE/1 (Energy Efficiency);
NE/3 (Renewable Energy Technologies in New Development);
NE/4 (Landscape Character Areas);

NE/6 (Biodiversity);
NE/12 (Water Conservation);
NE/14 (Lighting Proposals);
NE/15 (Noise Pollution);
CH/1 (Historic Landscapes);
CH/2 (Archaeological Sites);
CH/3 (Listed Buildings);
CH/4 (Development Within the Curtilage or Setting of a Listed Building);
CH/5 (Conservation Areas);
TR/1 (Planning for More Sustainable Travel);
TR/2 (Car and Cycle Parking Standards)

25. **Supplementary Planning Documents**

Development Affecting Conservation Areas (2009)
Open Space in New Developments SPD (2009)
Public Art SPD (2009)
Trees & Development Sites SPD (2009)
Biodiversity SPD (2009)
Listed Buildings SPD (2009)
District Design Guide SPD

26. **Circular 11/95 - The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development of permitted, enforceable, precise and reasonable in all other respects.

27. **Circular 05/2005 – Planning Obligations:** States that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects.

Consultations

28. **Sawston Parish Council** – No objection to the principle of the development, but in respect of the proposal to provide footways the each side of the access in Church Lane, recommendation of refusal, stating: ‘The road would become too narrow. The Parish Council feel the footpath is not needed. It is unnecessary and would make the situation worse because of the traffic to the entrance of the car park opposite and Portabello Lane opposite’.

29. **Pampisford Parish Council-** Recommendation of approval, commenting that: ‘The situation re. traffic has changed during five years and should permission be granted we would suggest that further evaluation of traffic movements and impacts should be carried out.’ The Parish Council thought a hotel would boost the economy of Sawston, although they were aware that there is now a Holiday Inn Express Hotel at Whittlesford Station that did not exist when the initial application was approved to turn Sawston Hall into a hotel.

30. **Trees and Landscape Officer** - No objection to the proposal.

31. **Corporate Manager (Health and Environmental Services)** - In the interests of safeguarding residential amenity conditions should be attached to any consent granted to regulate noise from power driven plant or equipment, power-operated machinery during the construction period, and details of external lighting.

32. **Conservation Officer** - The approach taken in the proposal is supported as a special case to provide an economic base for the future maintenance of the grade I listed building and grounds, whilst retaining those elements of the greatest significance. Recommendation of approval subject to repeating the conditions attached to S/1800/04/F.
33. **English Heritage** - No comments. The application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.
34. **Cambridgeshire Archaeology** - States that the site lies in an area of high archaeological potential and it is possible that significant archaeological deposits survive on site. It recommends that the site is subject to a programme of archaeological investigation in order to confirm the presence or absence, date, character and significance of any archaeological deposits. This programme of work can be secured through the inclusion of a condition on any planning consent and should be commissioned and undertaken at the expense of the developer.
35. **Cambridgeshire Fire and Rescue Service** - Asks that adequate provision is made for fire hydrants by way of Section 106 Agreement or planning condition.
36. **Cambridgeshire Police Architectural Liaison Officer** – Good lighting and CCTV combined with signage is needed to reduce the risk of crime in the car park. Any recommendations for perimeter treatments should not compromise the security of the site.
37. **Garden History Society** – Sawston Hall has been identified as a designed landscape of special historic interest in the national context, and has been included on the 'Register of Parks and Gardens of Special Historic Interest' at Grade II. The GHS would urge that the owner commission a Conservation Management Plan, which will ensure that any works to this important designed historic landscape are informed by a thorough understanding of the demands of such heritage assets. Such a plan should include the whole designed landscape, regardless of ownership, to cover such details as choice of boundaries and erection of sheds. Alternatively, the applicant and Local Planning Authority should work together to see if the existing documentation could be used or adapted to serve this purpose.
38. **Local Highway Authority** – Has confirmed the consideration given in S/1800/04/F to the proposal in terms of trip generation, impact upon transport network, layout, mitigation measures, sustainability and, subject to the securing of a pedestrian footway along Church Lane, it states that the proposed access and parking details as shown upon the site plan SAW/01.101E are acceptable.
39. The Highway Authority states that it has always had issues relating to the inter-vehicle visibility splays at this access in relationship to the use of the site as a hotel, and these were raised at the time of the original application. The provision of a footway would allow the creation of suitable inter-vehicle visibility splays from the access and enable pedestrian access to the hotel from the village, without the need to walk in the live carriageway. There have been some significant changes in highway design since 1976 [see Councillor Bard's comment, below], not least the implementation of the Equality Act 2010, where the local highway authority may be seen as being discriminatory if no provision for pedestrians is made to access the hotel. Footway users include the most vulnerable highway users, e.g. wheelchair users/visually impaired.

40. The LHA notes that there have been no accidents at this junction since 2008, but the language school ceased operating in 2004. A hotel generates a significant different traffic pattern than a language school. The fact there have been no accidents to date, does not make an access 'safe'.
41. There is sufficient space to provide a 1.4m wide footway to the church gate while maintaining a 5m wide carriageway. A 1.4m wide footway is a little below the normal range that the Local Highway Authority would seek for a new development, but given the site constraints this width will be a significant improvement on the existing where pedestrians are forced to walk within the live carriageway
42. Before the scheme is brought forward the Local Highway Authority recommends that it be subject to a stage 1 and 2 safety audit to establish whether there is anything fundamentally wrong with the concept. As the proposal is not specifically designed to mitigate a given accident history of a known site the use of the criteria for the 'October list' would give a skewed answer, whereas the use of the Safety Audit process should provide a more rounded critique of the proposal.
43. The Local Highway Authority has indicated that it will accept the provision of these highway works by condition on a planning application rather than via a Section 106 legal agreement.
44. **Environment Agency** - No objection subject to details of satisfactory methods of foul and surface water drainage so as to prevent the increased risk of pollution to the water environment being approved by condition on any planning permission issued.
45. **Natural England** - Natural England has not yet been informed of the location of the proposed reed bed, and whether an alternative cleansing tank will also be required. Assurance is sought that there will be no nutrient enrichment or pollution threat to the aquatic and grassland interest of the SSSI. This requirement was added as Condition 14 of the previous approval. In the event of the approval of the current application Natural England requests that this condition is attached again.

Applicant's Response

46. In respect of traffic generation, the applicant has advised:
'The language school generated a very high level of traffic. My mother worked as a teacher at the language school. She said that as well as the owner and his wife there were around 8 teachers, 1 receptionist, 1 typist, 4 catering staff, 2 cleaners, 3 gardeners and a handyman. In addition, there was significant contractor traffic. There were also around 60 pupils. Whilst some lived in the village there were a large number of airport runs and drop offs. Whilst it is hard to accurately assess there could easily have been at least 60-80 traffic movements during the daytime resulting from this large organisation. The language school also had a significant events/ conference business with weekly weddings with often up to 50 cars attending in one evening. Before the language school the Huddelstons ran the house as a tourist attraction with 10,000 visitors per year and constant events/ weddings. Also a number of pupils lived on site resulting in demand for taxis etc.'

Representation from Local Member Councillor D Bard

47. Councillor Bard has stated:

'I was concerned to learn that the County Council Highways Department is apparently requesting a clause in the Sawston Hall S106 which requires the applicant to fund a

raised pavement in Church Lane. This requirement, which directly affects some 200 residents in Church Lane, St Mary's Road, Hall Crescent and Huddleston Way has been added without any consultation with the Parish Council, local District members or residents. Although it was long before my time on the Council (1976), when the Southfield Estate was built off an extension of Church Lane, I understand that it was agreed not to put a raised footpath between the High Street and Paddock Way as this part of Church Lane would become too narrow to allow two vehicles to pass if part of the carriageway was converted to raised footpath. This position has been confirmed by the Parish Council on several occasions since then. I have checked the County Council accident incidence map for 2008-10 inclusive and there were no recorded accidents in Church Lane during that period.

48. 'A footpath was never proposed when Sawston Hall was used as a language school, creating far more pedestrian traffic in Church Lane than is now the case. It seems to me that this has been carried over en bloc from the previous application (for a hotel). A footpath on the South side of Church Lane would have the effect of forcing traffic over to the north side and making access to numbers 2 & 4 Church Lane more difficult. I would also point out that the entrance to car park behind the shopping parade is frequently busy and has to accommodate large vehicles making deliveries. There is not sufficient space within the car park for these vehicles to turn and so they must reverse either in or out. Manoeuvring of large vehicles within the existing road space is quite difficult at present and the presence of a footway would exacerbate the situation.
49. 'I would also point out that as a local member, resident and, for a time, language school host family, I was never aware of any particular accident problems when the language school was operating and pedestrian traffic in Church Lane was far higher than it is now or is likely to become if the current application is approved. No doubt the County has accident statistics for this period (approx 20 years prior to 2000).'

Representations

50. One letter of concern has been received from the occupier 18 St Marys Road relating to the possibility of excess traffic and car parking in Church Lane, impact on the Hall as a historic building, and public access near to the rear boundary with No.18.

Planning Comments

Principal of extending the time limit for implementation

51. In granting the previous application, members considered the issues related to change of use, internal and external alterations to the Hall, demolition, new build, impact on listed buildings and their setting, impact on character and appearance of the Conservation Area, development plan policies including impact on Green Belt, archaeology, impact on trees, ecological impact, impact on surrounding uses and sustainability. The current application does not affect these considerations any differently, subject to the comments below. The policy context has altered since the last grant of planning permission, but there are no significant changes in emphasis in the current policies or regimes of advice towards for to warrant a different consideration of the proposal.
52. The business case for the development has been revised to reflect current trading conditions. The conclusion of the appraisal by Humberts Leisure remains as in 2004, which is that the submitted scheme is required to provide return on capital to allow for the restoration of the listed building.

53. In order to ensure an appropriate use of the site, having carefully considered the detailed advice from HLL Humberts Leisure and considering that the continuing income generated by occupation of the new build elements of the scheme would provide revenue to ensure that the Hall and grounds are appropriately maintained, it is considered that there are very special circumstances in this instance to justify the approval of the scheme even though it constitutes inappropriate development in the Green Belt and as a departure from development plan policies.
54. It is considered that the proposal would not seriously detract from the openness of the Green Belt or the visual amenities of the countryside

Vehicular access

55. The Local Highway Authority has required provision of a footway to each side of the vehicular access. The previous planning permission S/1800/04/F was granted without requiring the provision of these highway works, despite a recommendation from the local highway authority at that time that such provision be made. The issue was considered at judicial review. The High Court decision dated 27 April 2007 stated:
- 'Having undertaken two inspections of the site (albeit different persons were present at different times) it was obviously open to the Committee to reach a different view from the Highway Authority as to the significance to be attached to the failure to provide visibility splays of the recommended length. In reaching a conclusion about significance the members of the committee were entitled to have regard to the views expressed by the members who visited the site, their own experience in these matters and, of course, the views of Highway Authority and the Claimant's consultant. To repeat there is no evidence that they failed to have regard to any of those potential sources when reaching a decision'.*
56. The material circumstances remain the same as in the previous decision, with the exception that the Equality Act 2010 places a duty to consider the needs of the disabled. Members will visit the site before considering the proposal. On balance officers consider that the precedent set by the previous decision and the continued concern expressed by Sawston Parish Council and one of the local Councillors about the consequential narrowing of the carriageway outweigh the requirement to provide the pedestrian pavements.

Other matters

57. The applicant has agreed to enter into a Section 106 Agreement to ensure that the site is occupied as a single planning unit.

Recommendation

58. The application is required to be referred to the Secretary of State in the event that Members are minded to grant planning permission. If the Secretary of State does not call the application in, the application should be approved subject to conditions. Recommendation is one of approval, subject the applicant entering into a Section 106 legal obligation to occupy the site as a single planning unit, and to the following conditions:

Conditions

1. Time limit
2. Approved plans
3. Details of external materials

4. Details of crèche/ laundry building and access road
5. Archaeology
6. Protection of trees during construction
7. Details of hard and soft landscaping
8. Implementation of landscaping
9. Hours of use of power-operated machinery during construction period
10. Details of power-driven plant or equipment
11. Details of external lighting
12. Scheme of pollution control
13. Retention of car parking
14. Method of dig for access roads
15. No demolition of retained buildings
16. Ecological Management Plan
17. Details of reed bed
18. Fire hydrants
19. Use of crèche
20. Travel Plan
21. Water conservation
22. Energy efficiency
23. Renewable energy generation

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

- Circulars 05/2005 and 11/1995
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- South Cambridgeshire Development Control Policies Development Plan Document 2007
- SPD
- Planning Files ref S/0021/11, S/18800/04/F

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