

Our Ref: 20/03934/FUL  
Your Ref: Mead - Fallback

2 March 2021



Louise Gregory  
Acorus Rural Property Services  
Old Market Office  
10 Risbygate Street  
Bury St Edmunds  
IP33 3AA

South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

[www.scams.gov.uk](http://www.scams.gov.uk) | [www.cambridge.gov.uk](http://www.cambridge.gov.uk)

Dear Sir/Madam

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**  
**Application for Planning Permission**

Proposal: Conversion of agricultural building to 2 No. dwellings.

Site address: Barn At Moores Farm Fowlmere Road Foxton

Your client: Mr T Mead

Further in the above matter, please find enclosed our formal decision notice relating to your client's application for planning permission. Please be sure to remind your client that the scheme should be carried out in line with the approved plans. 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 requirement 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 faithfully



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



**Notice of Planning Permission**  
Subject to conditions

Reference 20/03934/FUL  
Date of Decision 2 March 2021

Louise Gregory  
Acorus Rural Property Services  
Old Market Office  
10 Risbygate Street  
Bury St Edmunds  
IP33 3AA

The Council hereby GRANTS Planning Permission for:

Conversion of agricultural building to 2 No. dwellings

at

Barn At Moores Farm Fowlmere Road Foxton

In accordance with your application received on 22 September 2020 and the plans, drawings and documents which form part of the application subject to the conditions set out below.

Conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.

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

Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

- 3 No development shall take place until:

a) The application site has been subject to a detailed desk study and site walkover, to be submitted to and approved by the Local Planning Authority.

b) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.

c) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy SC/11 of the South Cambridgeshire Local Plan 2018.

- 4 Prior to the first occupation of the dwellings hereby permitted, the works specified in any remediation method statement detailed in Condition 1 must be completed and a Verification report submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy SC/11 of the South Cambridgeshire Local Plan 2018.

- 5 If, during remediation or construction works, any additional or unexpected contamination is identified, then remediation proposals for this material should be agreed in writing by the Local Planning Authority before any works proceed and shall be fully implemented prior to first occupation of the dwellings hereby approved.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy SC/11 of the South Cambridgeshire Local Plan 2018.

- 6 Prior to commencement of the hereby approved development, a scheme for the disposal of surface water and foul water that can be maintained for the lifetime of the development shall be provided to and agreed in writing with the local planning authority.

This would need to include:

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

Reason - To ensure the proposal would make adequate provision for foul and surface water drainage so as not to adversely impact the water environment in accordance with policies CC/7 and CC/8 of the South Cambridgeshire Local Plan 2018.

- 7 The development hereby permitted shall not proceed above base course level 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 dwelling.

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 2019 that seeks to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.

- 8 The dwellings hereby approved shall not be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with.

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

- 9 The dwellings hereby approved shall not be occupied until the dwelling has been provided with infrastructure, including sockets, cabling and connection points, sufficient to enable 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, 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 property and improve opportunities for home working and access to services, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.

- 10 Prior to occupation of the hereby approved development, the access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme to be submitted to, and approved in writing by, the Local Planning Authority.

Reason - In the interests of highway safety, in accordance with policies HQ/1 and TI/2 of the South Cambridgeshire Local Plan 2018.

- 11 No development above slab level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. 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 South Cambridgeshire Local Plan 2018.

- 12 No development above slab level shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local

Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. 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, enhances biodiversity and preserves the openness of the adjacent Green Belt, in accordance with Policies HQ/1, NH/4 and NH/8 of the South Cambridgeshire Local Plan 2018.

- 13 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, enhances biodiversity and preserves the openness of the adjacent Green Belt, in accordance with Policies HQ/1, NH/4 and NH/8 of the South Cambridgeshire Local Plan 2018.

- 14 No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. 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.

- 15 All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Bat Roost Assessment and Nesting Bird Survey (Eco-Check, May 2020).

Reason - To preserve and enhance ecological interests in accordance with Policies S/3, HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and the provisions of the National Planning Policy Framework.

- 16 Prior to first occupation of the hereby approved development, a lighting design strategy for biodiversity features or areas to be lit shall be submitted to, and agreed in writing by, the Local Planning Authority. The strategy shall:

a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy, in perpetuity. No external lighting, other than that agreed in the strategy, shall be installed thereafter in perpetuity.

Reason - To preserve and enhance ecological interests and to preserve the character and appearance of the area from unacceptable light pollution, in accordance with Policies S/3, HQ/1 NH/2, NH/4 and SC/9 of the South Cambridgeshire Local Plan 2018 and the provisions of the National Planning Policy Framework.

- 17 Prior to the first occupation of the hereby approved development, a scheme of biodiversity enhancements shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme must include details of enhancements as per the Preliminary Version 1 Aug-14 Bat Roost Assessment and Nesting Bird Survey (Eco-Check, May 2020). The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

Reason - To preserve and enhance ecological interests in accordance with Policies S/3, HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018 and the provisions of the National Planning Policy Framework.

- 18 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, B, C, D, E, F, G or H 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 preserving the character and appearance of the area, in accordance with policies HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018.

- 19 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 of Part 2 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 preserving the character and appearance of the area, in accordance with policies HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018.

## Informatives

- 1 The application is for conversion of an existing agricultural buildings into dwellings. Whilst this proposal will not result in an increase in impermeable area; in accordance with Chapter 6 of the Flood & Water Supplementary Planning Document we strongly encourage the use of sustainable drainage techniques (SuDS) to take account of the effects of climate change. SuDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SuDS offer significant

advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

- 2 The SCDC Drainage Officer response was amended during the course of the application to ensure that appropriate surface water and foul water drainage is provided for the proposed development.
- 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.

#### Plans and drawings

This decision notice relates to the following drawings:

<b>Reference/Document/Drawing Title</b>	<b>Date Received</b>
MEAD FPP2D 20-02 (Revision RA)	21.01.2021
MEAD S1 FP 20-01 (Revision RA)	21.01.2021
Preliminary Bat Roost Assessment and Nesting Bird Survey	22.09.2020
MEAD S2 FP 20-01	22.09.2020

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: 2 March 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](mailto:buildingcontrol@3csharedservices.org) link to website at [www.3csharedservices.org](http://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](http://www.scambs.gov.uk/snn). Alternatively, applicants can contact the Address Management Team: call 08450 450 500 or email [address.management@scambs.gov.uk](mailto: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/>