

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REBUTTAL TO APPELLANTS' PROOFS OF EVIDENCE**

**KAREN PELL-COGGINS**

**APPEAL BY CHURCHILL RETIREMENT LIVING LTD.**

**AGAINST THE NON-DETERMINATION OF A FULL PLANNING APPLICATION  
FOR REDEVELOPMENT TO FORM 39 RETIREMENT LIVING APARTMENTS  
FOR OLDER PERSONS INCLUDING COMMUNAL FACILITIES, CAR PARKING  
AND ASSOCIATED LANDSCAPING**

**AT STATION ROAD, GREAT SHELFORD, CB22 5LT**

PINS Reference: APP/W0530/W/22/3296300

LPA Reference: 21/05276/FUL

## **1.0 Introduction**

- 1.0 This rebuttal has been prepared to disprove particular points within the Proofs of Evidence of Mr Shellum and Mr Lemberg with a view to saving time at the Inquiry.
- 1.2 In preparing this rebuttal I have not addressed every point raised in the Proofs of Evidence, however this does not mean I am in agreement with any of their views by virtue of omission.

## **2.0 Proof of Evidence of Matthew Shellum**

- 2.1 In paragraph 1.3 of the proof, Mr Shellum states that the proposal 'as agreed by the Council's Conservation Officer would be an enhancement to the setting of the Great Shelford Conservation Area'.
- 2.2 The Council's Conservation Officer commented as follows (**see attachment 1**):  
'It is considered that there are no material Conservation issues with this proposal.'
- 2.3 In paragraph 1.10 of the proof, Mr Shellum states that the scheme provides substantial planning benefits as follows: -
- 'Enhancement of and positive contribution to the setting of the Great Shelford Conservation Area (substantial weight).'
- 2.4 In paragraph 5.18 of the proof, Mr Shellum states: 'It is agreed that the proposed building sustains and enhances the setting of the Great Shelford Conservation Area.'
- 2.5 I consider that the proposal would preserve the setting of the Conservation Area, but I have not agreed that it enhances the setting of the Conservation Area. As explained above, the Conservation Officer did not state that there

would be an enhancement to the Conservation Area, and that would not be a fair reading of the Council's position.

- 2.6 In paragraph 6.8 of the proof (p.27), Mr Shellum notes that the Council's Conservation Officer in raising no objections to the proposal advises that the proposal causes no harm to the character and appearance of the Great Shelford Conservation Area. The proof continues: 'The officer's report .. confirms that the proposal complies with Policy NH/14 of the Local Plan which requires development affecting heritage assets to sustain or enhance the character and distinctiveness of those assets. With that in mind, it is difficult to conceive how the Council have arrived at a conclusion that the design of the scheme is harmful to the character and appearance of the area.'
- 2.7 In my view, this conflates two separate areas of assessment. The impact of the development upon the Conservation Area is in relation to the significance of heritage assets. That is a separate matter from the impact of the scheme in design terms on the overall character and appearance of the area, and the quality of the development.
- 2.8 In paragraph 8.14 of the proof, Mr Shellum states that: '.. the district and its settlements are constrained by Green Belt. The extent and availability of land suitable for development that meet the strategic objectives of the development plan such as the appeal site needs to be used effectively and efficiently.'
- 2.9 The village of Great Shelford is surrounded by Green Belt, but that does not restrict development within its Development Frameworks pursuant to Policy S/7. The Green Belt does also not cover the whole district.
- 2.10 Further, there is an allocation in the emerging Greater Cambridge Local Plan for approx. 100 dwellings on a site to be released from the Green Belt on land between Hinton Way and Mingle Lane (just to the north of Shelford station). The First Proposals including this site went under public consultation in November to December 2021 (**see attachment 2**)

- 2.11 In paragraph 8.10 of the proof, Mr Shellum advises that the officer's report to committee identifies specialist housing schemes granted since 2017 in the district. The proof continues: ‘.. most as can be seen from the descriptions are for C2 use care facilities there is relatively little in the way of C3 retirement living apartments. From a review of Rightmove there are no currently available specialist properties in Great Shelford for older persons. The closest existing schemes are within the city of Cambridge...’
- 2.12 The Council has granted permission for 2 out of 8 schemes for C3 retirement living apartments (25% of all specialist housing care schemes).
- 2.13 Planning permission was granted in December 2021 for a retirement village with a C2 use (indicative 110 retirement apartments and 110 bed spaces) in the Green Belt adjacent to the village of Stapleford (which adjoins Great Shelford). There is currently a pre-application enquiry in for the reserved matters scheme (**see attachment 3**).
- 2.14 A search on Rightmove on 29 June 2022 showed a house for sale in Peacocks in Great Shelford, which is an over 60's development (27 properties in total) with an on-site manager (**see attachment 4**). It also showed a 9 other retirement properties within 1 mile of Great Shelford, the majority in Hauxton and Trumpington (**see attachment 5**).

### **3.0 Proof of Evidence of Gideon Lemberg**

- 3.1 In paragraph 7.49 of the proof, Mr Lemberg states that ‘the Committee Report suggests that the proposed retirement building should be offset from neighbouring properties by the distances recommended in the District Design Guide (30m for a three storey scheme). This is also suggested by the Urban Design Officer's consultation response...’
- 3.2 This is a misreading of the Committee Report. The design guide is advice only and sets out the recommended back-to-back distances. I have never requested the development to provide those specific separation distances.

The appropriate separation distance is a matter of fact and degree, set against the recommended distances in the Design Guide.

- 3.3 In paragraph 7.54 of the proof, Mr Lemberg states that with regard to No 4 Station Road, 'at its closest point the proposed window to window relationship is 17.3m however this is to a narrow secondary window that serves part of an open plan living/dining space at First Floor. The main outlook from the open plan space is towards the south east via a set of large bi-folding doors.'
- 3.4 I do not consider the south facing window to be a secondary window. The first floor is an open plan room with lounge and dining areas. The doors to the rear serve the lounge and the window to the south serves the dining area and is the main outlook from that space.
- 3.5 I attach what I believe is the developer's brochure for this scheme, including No. 4 Station Road. This shows a different layout with a lounge window at first floor level and a bedroom window at second floor level facing the site (**see attachment 6, p.13**). These are the main windows as they face south and would result in a loss of privacy to an additional window.
- 3.6 In paragraph 7.56 of the proof, Mr Lemberg advises that within the local and wider context 'it is not uncommon for window to window distances to be at a shorter distance than the Design Guide requirement. Section 09 of the Appeal Brochure shows window to window distances, and window to amenity distances within recently constructed developments in Great Shelford.'
- 3.7 The developments at Fletchers Way and Old School Court are typical street relationships for properties within the same development. The development at Granta Terrace is a typical street relationship.
- 3.8 In any event, each application site is different and should be determined upon its own merits.

#### **4.0 Attachments**

Attachment 1	Conservation Officer's comments to appeal scheme
Attachment 2	Emerging allocation in Great Shelford in Greater Cambridge Local Plan
Attachment 3	Stapleford retirement village plan showing location and land uses, and extract from Planning Statement
Attachment 4	Sales particulars for Peacocks, Great Shelford
Attachment 5	List of retirement properties within 1 mile of Great Shelford
Attachment 6	Sales brochure for development to north of site.