



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE
Telephone: 01353 665555

MEETING: **PLANNING COMMITTEE**

TIME: 1:00pm

DATE: **Wednesday, 2nd December 2020**

VENUE: **PLEASE NOTE: Due to the introduction of restrictions on gatherings of people by the Government due to the Covid-19 outbreak, this meeting will be conducted remotely facilitated using the Zoom video conferencing system. There will be no access to the meeting at the Council Offices, but there will be public speaking in accordance with the Council's Public Speaking at Planning Committee Scheme. Details of the public speaking and public viewing arrangements for this meeting are detailed in the Notes box at the end of the Agenda.**

ENQUIRIES REGARDING THIS AGENDA: Adrian Scaites-Stokes

DIRECT DIAL:(01353) 665555 EMAIL: adrian.scaites-stokes@eastcamb.gov.uk

Membership:

Conservative Members

Cllr Bill Hunt (Chairman)
Cllr Christine Ambrose Smith
Cllr David Brown
Cllr Lavinia Edwards
Cllr Josh Schumann
Cllr Lisa Stubbs (Vice Chair)

Liberal Democrat Members

Cllr Matt Downey (Lead Member)
Cllr Alec Jones
Cllr John Trapp
Cllr Gareth Wilson

Independent Member

Cllr Sue Austen
(Lead Member)

Substitutes:

Cllr David Ambrose Smith
Cllr Lis Every
Cllr Julia Huffer

Substitutes:

Cllr Charlotte Cane
Cllr Simon Harries
Cllr Christine Whelan

Substitute:

Cllr Paola Trimarco

Lead Officer:

Rebecca Saunt, Planning Manager

Quorum: 5 Members

A G E N D A

1. Roll Call, Apologies and Substitutions

2. **Declarations of Interest**
To receive declarations of interest from Members for any Items on the Agenda in accordance with the Members Code of Conduct
3. **Minutes**
To receive and confirm as a correct record the Minutes of the Planning Committee meeting held on 4th November 2020
4. **Chairman's Announcements**
5. **20/00880/OUT**
Change of use from agricultural land to recreational land to create a new recreational ground for the parish to include pitches, parking, changing rooms, access and associated works
OS Land Parcel 7216 Bury Lane Haddenham Cambridgeshire
Applicant: Haddenham Parish Council
Public Access Link:
<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QD72VAGGMWN00>
6. **20/01145/FUL**
Installation of a solar array and associated development
N I A B Agrigate Research Hub Hasse Road Soham Ely Cambridgeshire
Applicant: NIAB
Public Access Link:
<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QFS4OOGGH5C00>
7. **20/01069/FUL**
Construction of 1no. four bedroom two storey detached dwelling and garage/games room/gymnasium
72B West Street Isleham Ely Cambridgeshire CB7 5RA
Applicant: A.T. Consultants & Builders Ltd
Public Access Link:
<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QGSR3OGG0CU00>
8. **Planning Performance Report – October 2020**

NOTES:

1. Since the introduction of restrictions on gatherings of people by the Government in March 2020, it has not been possible to hold standard face to face public meetings at the Council Offices. This led to a temporary suspension of meetings. The Coronavirus Act 2020 has now been implemented, however, and in Regulations made under Section 78 it gives local authorities the power to hold meetings without it being necessary for any of the participants or audience to be present together in the same room.
A live stream of the meeting will be available on YouTube for public viewing. See website for details.
2. The Council has a scheme to allow public speaking at Planning Committee using the Zoom video conferencing system. If you wish to speak at the Planning Committee, please contact Adrian Scaites-Stokes, Democratic Services Officer for the Planning Committee, adrian.scaites-stokes@eastcambs.gov.uk to register your wish to speak by 10am on Tuesday, 1st December 2020. Alternatively, you may wish to send a statement to be read at the Planning Committee meeting if you are not able to access remotely, or do not wish to speak via a remote link. Please note that public speaking is limited to 5 minutes in total for each of the following groups:
 - Objectors
 - Applicant/agent or supporters
 - Local Parish/Town Council
 - National/Statutory Bodies
3. Reports are attached for each agenda item unless marked "oral".
4. If required all items on the agenda can be provided in different formats (e.g. large type, Braille or audio tape, or translated into other languages), on request, by calling Main Reception on (01353) 665555 or e-mail: translate@eastcambs.gov.uk
5. If the Committee wishes to exclude the public and press from the meeting, a resolution in the following terms will need to be passed:

"That the press and public be excluded during the consideration of the remaining item no(s). X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s) there would be disclosure to them of exempt information of Category X of Part I Schedule 12A to the Local Government Act 1972 (as amended)."



AGENDA ITEM NO. 3

Minutes of a meeting of the Planning Committee facilitated via the Zoom Video Conferencing System at The Grange, Nutholt Lane, Ely on Wednesday, 4th November 2020 at 1:00pm.

PRESENT

Cllr Bill Hunt (Chairman)
Cllr Christine Ambrose Smith
Cllr Sue Austen
Cllr Matt Downey
Cllr Julia Huffer (as a Substitute Member)
Cllr Alec Jones
Cllr Joshua Schumann
Cllr Lisa Stubbs
Cllr John Trapp
Cllr Gareth Wilson

OFFICERS

Maggie Camp – Legal Services Manager
Barbara Greengrass – Planning Team Leader
Molly Hood - Planning Officer
Anne James – Planning Consultant
Rebecca Saunt – Planning Manager
Adrian Scaites-Stokes – Democratic Services Officer

IN ATTENDANCE

Mr Andrew Moffatt – Applicant's Representative (Agenda Item 5)
Mr Richard Haysom – Applicant's Representative (Agenda Item 5)
Cllr Mike Rouse – City of Ely Council (Agenda Item 5)
Ms Susan Stepney – Applicant (Agenda Item 6)
Mr Charles Whyte – Applicant (Agenda Item 6)

48. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillors David Brown and Lavinia Edwards. It was noted that Councillor Huffer would act as a Substitute Member for Councillor David Brown for the duration of the meeting.

49. DECLARATIONS OF INTEREST

Councillor Jones revealed that he had previously talked to the Applicants with regard to agenda item 6 and so would not vote on that application.



50. **MINUTES**

It was resolved:

That the Minutes of the meeting held on 7th October 2020 be confirmed as a correct record and be signed by the Chairman.

51. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

- Adrian Scaites-Stokes, Democratic Services Officer, was welcomed to the Committee meeting, as he would be taking over the clerking from the previous officer.
- Consultant Planning Officer Dan Smith would become a full time member of the Council's Planning Department, as a Senior Planning Officer, from the 1st December, and was described as an exceptionally competent officer and was welcomed to the Council.

52. **20/00730/FUM – SWIMMING POOL, NEWNHAM STREET, ELY**

The Committee considered a report, reference V92 previously circulated, for an application for the erection of 13 dwellings and associated parking and landscaping at a Newnham Street Ely site.

The Planning Consultant sought approval for the application, subject to a Section 106 (S106) agreement and suitable conditions. The site had a long access road and was surrounded by a play park, sports hall, parking area and the rear gardens of nearby houses.

Cllr Downey joined the meeting at this point, 1:10pm.

The proposal consisted of an access road into a parking area, with the site consisting of a terrace of one 5-bedroom dwelling, six 3-bedroom market housing and two 1-bedroom study flats with gardens plus four 1-bedroom affordable housing apartments opposite, which would face the sports hall. There was no intention to gate off the entrance, allowing free access to the site.

The main considerations in determining this application were: the principle of development, residential amenity; visual amenity; access and highway safety; flood and drainage risk; ecology and biodiversity; affordable housing; other matters.

Principle of Development

The application site was covered by policy ELY3 of the adopted Local Plan 2015 for a mixed use scheme, providing residential uses, car parking and community uses as appropriate. It would not be against policy ELY3 to consider this area of the allocation, as the housing phase would leave the Newnham



Street Car Park and Sports Centre retained for community/mixed use. The proposal would not compromise the ability of other parts of the allocation from coming forward in the future. The Local Plan acknowledged that the delivery timescales for parts of the allocation site were under third party control and the policy provided a vision for the area, and key principles, which redevelopment schemes for all or part of the area would need to accord with.

Residential Amenity

Due to the design, there was no potential for overlooking from the proposed dwellings to the dwellings in Lynn Road. The proposal was reduced in bulk and massing compared to the old swimming pool building and consideration had been given to the overall design to ensure future residents' residential amenity would be acceptable. The Applicants would be required, under Condition 19, to give details of their re-routing of the current footpath during the construction of the development, to ensure access for pedestrians to and from the city centre.

Visual Amenity and Historic Environment

No listed buildings would be affected. The proposal had been designed to provide views through the site, when viewed from the public open space in Deacons Lane, of the Cathedral beyond and therefore would open up a key view that was previously obscured by the old swimming pool building. The Conservation Officer had raised no objections to the proposal and overall there would be a neutral contribution to the visual amenity of the area.

Access and Highway Safety

Service and delivery vehicles would be able to access the site. The buildings would be constructed off-site as module buildings and then placed in situ, meaning there would be minimal disruption. The footpath would be retained, allowing access through from Deacons Lane to the city centre. Due to the reduction of traffic volumes, as the swimming pool had been demolished, parking would not be a problem. Even though there was an under-provision of parking on the site, this was deemed acceptable due to the site's location.

Ecology and Biodiversity

The site would provide new gardens and courtyards with the potential to enhance biodiversity and this would be secured by condition.

Affordable Housing

The four 1-bedroom affordable housing units were intended to be sold at £100K each, as discounted market sales homes, which was one of the defined forms of affordable housing, as set out in detail within the report, meeting the requirements of policy HOU3.

Other Matters

There were no concerns over potential flooding of the site.

The application met the requirements of both national and local plans and was therefore recommended for approval.



At the invitation of the Chairman, Mr A Moffatt spoke on behalf of the Applicants and made the following comments:

- The application for residential development on this site was not against the Policy ELY3.
- The supporting text to the Policy stated that housing would be the most appropriate use of the site.
- Paragraphs 7.47 and 7.48 of the officer's report made it clear that this proposal would make a neutral impact on the visual amenity and the proposal would enhance the area.
- The site would open up a key view of the Cathedral.
- Comparing the proposal to the former swimming pool building would show how it would enhance the area, as bulk and massing would be reduced.
- There was less demand on parking in this area, as the swimming pool was no longer there.
- Refuse vehicles would be able to access the site.
- A bin store would be provided, as requested by the waste services.
- The visual amenity would not be compromised.
- It would provide a good mix of housing.
- Parking would be adjacent the footpath, accessed over a shared use area, which would be of a typical highways standard.
- There would be a nett environmental gain.
- The surface water scheme was acceptable.
- The provision of £100K affordable housing was a new concept.
- The proposal would accord with national and local policies.
- It would be a sustainable development.

Councillor Trapp suggested that the £100K homes did not have to be specifically supplied on this site and could be provided anywhere else, therefore this was not relevant to this application. In reply, Mr Moffatt reminded the Committee that under the Section 106 (S106) agreement, four of the houses had to be at £100K to comply with Policy.

Councillor Wilson questioned the position of the affordable homes and queried why they were for sale and not for rent. He also wanted to know what conditions would be included for their re-sale. Mr Moffat explained that those homes were units 8 to 11 and would be for sale. This was only one form of affordable housing, as set out in the National Planning Policy Framework, and came with a significant discount from the market value of those homes. The re-sale value of those homes would be set out in the S106 agreement, so it would be controlled, to ensure they were retained as affordable housing. This would mean that the proportion of the value would be taken forward, so any re-sale would not be a full market value. The value of other similar, market, houses were estimated at between £170K to £180K.

Councillor Schumann asked whether the Applicants had engaged with the City Council, whether it had raised any concerns and whether the application had been changed as a result. Mr Moffatt confirmed that a presentation had been given to the City Council and it had highlighted some issues. A response had



been given with an explanation about those concerns. No specific changes had been made to the application, but clarifications had been made. Discussions had also taken place with the District Council and amendments made prior to the proposal's submission.

Councillor Downey noted that it had been stated a significantly greater discount had been given on the affordable housing and he requested clarification of that figure. Mr Moffatt said this was significantly more than the usual 20% discount.

At the invitation of the Chairman, Councillor M Rouse spoke on behalf of the City of Ely Council and made the following comments:

- The City Council were opposed to this development in principle, with nobody in favour of it.
- The land had been purchased by the previous Ely Urban District Council to protect it from development.
- It was not a good scheme, as it was contrived and would be cramped on this site.
- The site itself had been used for recreational purposes and should continue to be kept for those purposes.
- The development would have an adverse impact on the existing play area.
- A few more affordable houses was too high a price to accept this proposal.
- The one-off sale of this land would do nothing for the community.
- This would be a huge opportunity missed and would be the start of residential development of the Paradise site.
- The City Council had not been consulted on what this site should be used for, so the District Council should enter talks to consider the use of this site.

Councillor Jones noted that Councillor Rouse had alluded to other uses of the site and asked what they could be. Councillor Rouse reiterated that the site had been for recreational use, was a city centre site and the previous swimming pool had contributed to the city centre by drawing people in. He had nothing specific to suggest for the site, but when the opportunity arose it should be used to explore possible options to attract people into the centre. The City Council did not get the opportunity to consider other options that could have benefitted the city.

Councillor Trapp wondered whether the projected splash pool could be moved to this site. Councillor Rouse acknowledged the recreational use of the site and it was extremely important that children could play outside. The idea of a splash pool was supported and whether it could be installed on this site could be explored. The £100K houses could be built elsewhere.

Councillor Stubbs noted that the City Council had been consulted and asked what suggestions it had made for this site's development. The proposal met the ELY3 Policy requirements, and the Local Plan had been adopted by the Council. Councillor Rouse stated that the City Council had been presented with



a housing scheme, which the Council did not like in principle, and rejected the proposal as it was not for a residential site. This site had been looked at many times, but this proposal would be piecemeal development.

Councillor Downey encouraged Councillor Rouse to expand on his comment about whether any other developer would get permission for this site. Would a higher proportion of affordable housing be acceptable? Councillor Rouse thought this would be difficult for Members, as it was the District Council's Trading Company putting this application in, and they needed to look at the planning issues. The principle of building there was a sticking point, though social housing might be an appropriate use.

Councillor Schumann reminded the Committee that Policy ELY3 specified a mixed use scheme for this area, with any development to be an enhancement of the Conservation Area. He asked whether the City Council believed that residential development should be done around the Paradise site and whether this scheme would enhance the area. Councillor Rouse conceded that it could be possible to have some residential development on the site as a whole, but it would have to be designed so that there was no conflict with the Paradise field. The architect had done their best, but it was a difficult site and would cause problems and the proposed scheme would not enhance the area.

Councillor Hunt asked the Applicant's representative whether the development would affect the cricket played on the Paradise field, whether it would intrude and what had been presented to the City Council. Mr Moffatt could not see any way in which the development would impinge on the field, as there were existing trees in between the site and the field. The development would be within the site of the previous swimming pool, so would not impact on the field. A virtual meeting had been held with the City Council, after information had been given in advance, and the proposals had been presented. The response had been a rejection, not to the specific proposal, but to development on this site in principle.

Councillor Wilson wanted to know how the Planning Department would ensure the affordable housing would remain so into the future and how this would be monitored. He thought the scheme could have been better and the affordable housing should be for rent. However, there appeared to be no planning reasons why the application should be rejected.

The Planning Consultant reminded the Committee that the application would be subject to a S106 Agreement, so this would be used to secure the affordable housing and retain the continued use of that housing as affordable in perpetuity. If not, then appropriate action could be taken. The Planning Manager stated that the legal agreement would be tied to the land and properties in perpetuity. Any modification to that would have to be applied for to the Council.

Councillor Trapp asked whether the footpath would remain, how surface water would be discharged, stated there was no opportunity to have electric vehicle



charging points and commented that the bike store was very small. The Planning Consultant explained that a new footpath would form part of the shared space, the Local Lead Flood authority had stated that they were happy with the surface water discharge arrangements, and a drainage condition would be included in the agreement. There were cycle stores within each property and charging points could be fitted retrospectively, but there was no policy requirement at present to supply them.

Councillor Hunt, in picking up that last point, asked if charging points could be installed at a later date. Mr Haysom confirmed that was possible, as standard charging points could be fitted without any issues.

Councillor Ambrose Smith noted that the land was a 'brown field' site and the scheme would be pleasant with four £100K houses, giving first time buyers an opportunity to purchase a home.

Councillor Jones thought the proposed housing would be adequate and it was a fairly nice scheme. He was concerned about the potential loss of the site, as the loss of an attraction would affect the High Street. Other possible uses of the site had not been explored, as the City Council did not want a residential development there. He was reticent to approve the application and wondered whether this could come back in the future to explore other options.

Councillor Schumann was looking for consistency in the Committee's decision making. This application had a significant lack of support from the parish and local Members. Refusing this application could lead to an appeal, whereas approving it would be the end of the matter. In light of the discussions it was important to be seen to be doing the right thing. Fundamentally this was a 'brown field' site and there was a current housing crisis, so there was some merit in the scheme, as it would provide much needed housing. Where the application fell down was that it would not enhance the Conservation Area, although there would be no adverse impact. Perhaps this application should be deferred.

Councillor Stubbs was mindful of the City of Ely Council's views, as it had been consulted. However, the City Council had been heavily involved with the ELY3 Policy, which included for residential development as part of a mixed use scheme in this area. There was a housing crisis and this application would give a fantastic opportunity for people to live in the city centre in starter homes. The site would also provide a good view and open up views of the Cathedral. She therefore proposed that the application be approved.

Councillor Ambrose Smith seconded the proposal, stating that it was similar to some schemes used in Cambridge with a communal area and gardens.

Councillor Trapp thought the diagrams were misleading, as it was a cramped site. The problem centred on what the site should be used for. The £100K houses were good but could be built elsewhere in Ely.



Councillor Downey suggested that the application could be rejected, as it would not enhance the Conservation Area. If a residential development was wanted it should go above and beyond the minimum requirements. It would not be much use deferring the application, so it would be best to reject it and hope the Applicants came back with an enhanced scheme to benefit the community.

Councillor Huffer agreed that it was a 'brown field' site and informed the Committee that a similar scheme in Fordham, with eight £100K homes, had generated enormous interest. The Committee was reminded that the parishes had many occasions where developments had been forced onto green field sites. Ely was blessed with many leisure facilities already and this was a brown field site.

Councillor Hunt had seen pictures of the old swimming pool and found it very difficult not to conclude that the proposal would enhance the area with this new build. The view of the Cathedral would be better, the Council was trying to address the housing shortage and attempting to get as much affordable housing as it could. The new development would also not intrude onto the green space.

When put to the vote:

It was resolved:

That planning application reference 20/00730/FUM be APPROVED subject to the signing of the S106 Agreement and the conditions detailed in the report within Appendix 1 with authority delegated to the Planning Manager and Legal Services Manager to complete the S106 and issue the planning permission.

53. 20/00853/FUL – 4B WEST DRIVE GARDENS, SOHAM

Molly Hood, Planning Officer, presented a report (reference V93, previously circulated) for an application for a single storey conservatory/garden room extension, a small observatory and a small window in a detached garage.

The application was for a side extension to a detached property, with a ground floor conservatory and first floor terrace, which would have a 1.8metre glass screen.

The main considerations in the determination of this application were: residential amenity; visual impact and the existing hedge.

Residential Amenity

The terrace had a floor space of 23 square metres with an observatory. It would have a significant detrimental impact, due to overlooking and the loss of privacy of neighbouring dwellings because of views into their curtilages. The terrace would encourage the residents to use it more often, with views into others' private amenity space.



Visual Impact

There were minimal concerns about this and the proposed materials to be used were considered appropriate.

The Hedge

The hedge backed onto Mereside properties, which were of a single storey construction. There would be a condition to maintain the hedge to 2.5 metres in height and no further conditions would be wanted. If the hedge died back it would take a significant amount of time to restore it to its current state. There was no guarantee how long the hedge would last.

Due to the significant detrimental effect of overlooking and loss of privacy to properties in Mereside and West Drive Crescent, and with the hedge not providing long term protection, the application was recommended for refusal.

At the invitation of the Chairman, Ms S Stepney, Applicant, made the following comments:

- The general principle of privacy was supported, so the extension had been carefully designed to minimise light pollution and overlooking.
- The Applicants had been advised the proposed screen would be adequate, as this would be equivalent to looking out of the window, but they would be happy to extend the screen if required.
- There had been no objections from neighbours.
- The green boundary consisted of trees that were around 40 years old and they could last another 60 years or so.
- A 6 foot tall fence could be installed if the hedge suffered from die back and the Applicants would be happy to accept a condition for a fence replacement.

Councillor Trapp asked how the observatory would be accessed, suggesting that if there was no terrace then accessing the observatory would be a problem. In response, the Applicants stated that it would be accessed via a bedroom, through some French doors. Outside access would be needed for maintenance purposes.

Councillor Ambrose Smith questioned the use of the observatory and was informed that the Applicants were formerly professional astronomers, so it would be used for a serious hobby.

Councillor Jones had called this application in for consideration by the Committee because of two main areas of concern. Had the Applicants done enough to avoid overlooking neighbouring properties? The existing back wall was fairly plain and the screen would continue this wall. There was also the question about the legacy of protection, using the hedge or screening, that needed consideration. Would future occupiers maintain that protection?



Councillor Wilson noted that there had been no objections, except from Council officers who had objected to the potential for overlooking. If the terrace screening was properly conditioned there should not be an issue.

Councillor Ambrose Smith reminded the Committee that the upper area would be used for serious business and the Applicants were willing to make amendments to overcome the objections. Therefore the officer's recommendation for refusal should be rejected.

Councillor Schumann was minded to concur with Councillor Ambrose Smith and proposed that the application be approved, subject to the agreement of suitable conditions including the maintenance of the screening in perpetuity. The application issue of overlooking would be mitigated through conditions and there would be no significant visual impact. This was duly seconded by Councillor Ambrose Smith.

Councillor Trapp noted the objection due to visual intrusion but suggested that the observatory should be conditioned and nothing else.

Councillor Stubbs was still undecided, but was mindful of the views expressed. There were concerns that the local residents would not pick up the impact of this development and would complain later. So, she was not convinced that the application should be approved and would support the officer's recommendation for refusal.

When put to the vote:

It was resolved:

That planning application reference 20/00853/FUL be APPROVED, as it would not create any significant overlooking or overshadowing, which cannot be mitigated against. Any residual overlooking would not be significant enough to warrant the refusal of the application.

It was further resolved:

That the Planning Manager be given delegated authority to impose suitable conditions, including specifically the maintenance of the terrace screening in perpetuity.

54. **PLANNING PERFORMANCE REPORT – SEPTEMBER 2020**

Rebecca Saunt, Planning Manager, presented a report (reference V94, previously circulated) which outlined the performance of the Planning Department for September 2020.

There was just one update to the report, the Notice of an Appeal for McCann had been due to take place in November but had been delayed until 14th and 15th January and would be a virtual hearing instead of written representations.



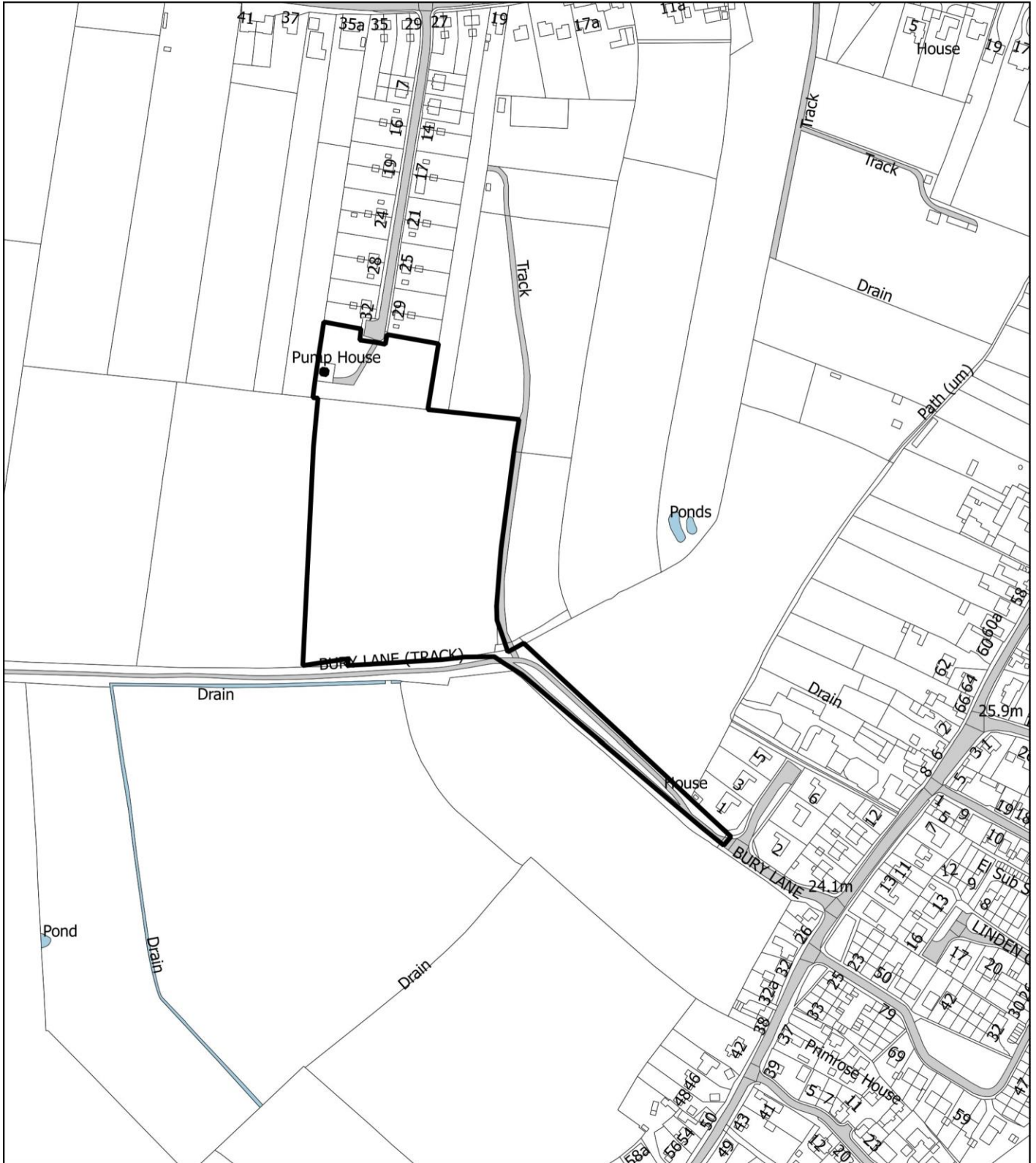
East Cambridgeshire District Council

It was noted that most of the Appeals against delegated decisions had been dismissed.

It was resolved:

That the Planning Performance Report for September 2020 be noted.

The meeting closed at 3:20pm.



20/00880/OUT
OS Land Parcel 7216
Bury Lane
Haddenham

Date: 16/11/2020
Scale:1:4.00

© Crown copyright.
All rights reserved 100023279 (2020)

MAIN CASE

Reference No: 20/00880/OUT

Proposal: Change of use from agricultural land to recreational land to create a new recreational ground for the parish to include pitches, parking, changing rooms, access and associated works

Site Address: OS Land Parcel 7216 Bury Lane Haddenham
Cambridgeshire

Applicant: Haddenham Parish Council

Case Officer: Emma Barral Planning Officer

Parish: Haddenham

Ward: Haddenham
Ward Councillor/s: Gareth Wilson

Date Received: 20 August 2020 **Expiry Date:** 11th December 2020
[V120]

1. **RECOMMENDATION**

- 1.1 Members are recommended to REFUSE the application for the following reasons:
- Policy COM7 states that development proposals shall be capable of accommodating the level/type of traffic generated without detriment to the local highway network and the amenity, character or appearance of the locality. Policy COM4 states that new community facilities should not have a significant adverse impact (itself or cumulatively) in terms of the scale or nature of traffic generated. The level of traffic generated by the proposed development cannot be safely accommodated and it would cause significant detrimental harm to traffic movement on the public highway, as there is a high probability that it will overburden the capacity of New Town Road. The application is therefore considered to be contrary to Policy COM4 and COM7 of the Local Plan 2015, due to detrimental harm to the highway network.
 - Policy ENV7 of the East Cambridgeshire Local Plan 2015 states that all development proposals will be required to protect biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features such as trees, hedgerows, woodland, wetland and ponds. Policy ENV 7 also states that all applications for development that may affect biodiversity and geology interests must be accompanied by sufficient information to be determined by the Local Planning Authority, including an

ecological report, to allow potential impacts and possible mitigation measures to be assessed fully. The proposed application site may contain protected species. However, no ecology report has been submitted with the application and therefore the ecological impacts of the proposed development cannot be fully assessed. The application is therefore considered to be contrary to Policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environments SPD, as it has not demonstrated how biodiversity impacts will be mitigated and a net gain secured.

2. SUMMARY OF APPLICATION

- 2.1 The application submitted seeks Outline Planning Consent (with all matters reserved) for the change of use from agricultural land to recreational land to create a new recreational ground for the Haddenham Parish Council (applicant) to include football pitches, parking, changing rooms, access and associated works. The applicant has described the proposed development as the first phase of a wider recreational scheme within the parcel of land in question (red line plan) which will initially provide an additional 3 Football Pitches with access and parking for 30 cars.
- 2.2 Haddenham Parish Council have indicated that they are initially looking at providing three 84 metres (275 feet) by 58 metres (190 feet) football pitches (which could be reconfigured to a full size football pitch measuring 104 metres (341 feet) by 70 metres (229 feet) plus two 49 metres (160 feet) by 66 metre (216 feet) smaller pitches) but they are in discussion with the Cambridge Football Foundation regarding the actual configuration they would support. A car parking area and changing room would also be proposed. However, please note that the block plan submitted is indicative as the matters of access, layout, appearance, scale and landscaping are currently not being considered.
- 2.3 The Applicants statement provides that “The Parish Council has agreement to purchase approximately 6.5 Acres (2.6 hectares) of the 11.6-acre (4.5 hectares) field (OS parcel no 7216). There are potentially two options for vehicular access; via New Town Road off the A1123 through Pocket Park, which is owned by the Parish Council. A gated opening would be made between the site and Pocket Park although it is envisaged the hedge would remain intact as a barrier/screen between the Recreational Area and the houses in New Town Road. The second option would be via Bury Lane and into the field through an existing gate access. It is intended that consultation will be carried out with residents as to the preferred access once outline permission has been granted”.
- 2.4 Haddenham Parish Council advised Officers that after receiving pre-application advice they would undertake consultations (an event) with the local community, given the number of concerns raised around the time of their first application (LPA Ref 20/00152/FUL). However, this has not been undertaken this year given the COVID 19 pandemic this year and the need to socially distance. Hence, the application is submitted as an Outline Planning Application to establish the principle of development to allow more specific details to be agreed at a later date through a Reserved Matters Application.

2.5 The application has been called to Planning Committee by Councillor Wilson because he has been asked by Haddenham Parish Council to do so. Councillor Wilson has commented that he feels that “the Highways objection is based on a misunderstanding of the use by our children’s football teams. As this project is already part of East Cambs Sporting Strategy and we are already fairly sure of a Football Foundation grant of up to £750,000 to help pay for football pitches and pavilion on the only flat field that we have been able to find after a three year search in Haddenham. Haddenham has 13 youth teams but only three pitches”.

2.6 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council’s Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

3.0 PLANNING HISTORY

3.1 A previous application was submitted under LPA Ref 20/00152/FUL; however, this application was withdrawn on the 8th April 2020 with Haddenham Parish Council advising that they would re-submit at a later date once the necessary public consultation had taken place and when they had more detailed documentation to support the application.

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site is located to the west of the village framework of Haddenham. The site can be accessed from a single track off Bury Lane from Aldreth Road to the south-east. To the north of the application site lies New Town Road which leads into Pocket Park to the south which is adjacent to the application site. The application site comprises an agricultural field.

4.2 It is noted that Haddenham Parish Council has an existing recreational ground within the village framework in the centre of the village. The existing facility has 2 pitches which are shared with the cricket ground. Given the existing shortage of pitches for the existing local teams, several have to play outside of the village in other locations.

5.0 RESPONSES FROM CONSULTEES

5.1 A site notice was displayed at the site on the 17th September 2020 and the proposal was advertised in the Cambridge Evening News on the 27th August 2020. Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's website.

Environmental Health - 21 August 2020- “We have given comments on this site in the past and I include these below for reference.

In principle I have no objections to raise for the change of use of the site but I would request a condition which stipulates that there is no external floodlighting to be installed without prior written approval from the LPA.

Other comments- I have read the Design and Access Statement and it states that “We envisage no floodlighting to the pitches on the site in this phase” but reading on it would appear as though this is something which may be considered in the future. In principle I have no objections to make for the change of use of the site but in any subsequent applications for the elements mentioned in the D&AS it is likely I will be requesting times of use as well as requesting evidence that the development will not affect the residential amenity of nearby residential properties. Until that time I would request a condition which stipulates that there is no external floodlighting to be installed without prior written approval from the LPA”.

Technical Officer Access - 3 September 2020- “All signage to be clear and good contrast. Accessible parking bays to be provided. Gravel road surface not suitable for wheel chairs. Please provide an approach path in a suitable surface for wheelchair supporters. Accessible toilet to be provide in the changing rooms with a ramp to the building”.

Community & Leisure Services - 3 September 2020- “The limitations of the existing recreation ground facilities in Haddenham have been recognised by users and stakeholders, and the Parish Council has addressed many of the qualitative weaknesses through improvements to the current site. They are making the most of what they have. But there are also limitations of space there: the Parish Council noted in its consultation response to our recent District playing pitch and outdoor facilities review that 6 of the 11 junior football teams currently play away from the village, and increasingly rely on the goodwill of those external host facilities. These limitations have been recognised in our strategy, and by the FA's draft Local Football Facilities Plan, which served both to review and build upon that work in respect of football in particular. The proposal to create a new playing field, to supplement the existing site, is a logical response to those limitations, and wholly consistent with these wider strategies. And the intention to broaden the scope of use to include other leisure activities, based on consultation with local residents, is potentially important in ensuring that the new facility helps to increase activity levels across the local community as a whole.

Clearly there is further work to be done in respect of the layout and design detail, and the phasing of the development; but I would be fully supportive of the proposal at this stage. I hope that these comments are of some assistance, but please let me know if you wish me to clarify or elaborate upon them in any way”.

ECDC Trees Team - 17 September 2020- “No objections to the change of use on any tree issues”.

ECDC Trees Team – 28th September- “Further to previous comments the access from New Town Road should ideally use as much of the existing track that provides access to the pumping station, this would significantly reduce to amount of tree lost to enable this development as illustrated on the plan below. Conditioning a soft landscaping scheme to include suitable mitigation planting and screening to aid the integration of this development into the surrounding landscape and reduce noise and light pollution will be advantageous”.

Sport England - 28 September 2020- "The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space#open-space-sports-and-recreation-facilities>.

This application falls within the scope of the above guidance as it relates to the creation of new playing fields.

Sport England assesses this type of application in light of the National Planning Policy Framework (NPPF) and against its own planning objectives, which are Protect - To protect the right opportunities in the right places; Enhance - To enhance opportunities through better use of existing provision; Provide - To provide new opportunities to meet the needs of current and future generations. Further information on the objectives and Sport England's wider planning guidance can be found on its website: <https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport>

The Proposal and Assessment against Sport England's Objectives and the NPPF

This application seeks outline planning consent for new playing fields on 2.7 hectares of land to the south of New Town Road, Haddenham.

The East Cambs Playing Pitch Strategy (2020) identified a need for additional sports pitches in Haddenham, particularly for youth/mini football, and also identified the existing pitches at Haddenham Recreation Ground as being of poor quality. Some Haddenham teams therefore have to travel to pitches outside the village. Haddenham Rovers Colts FC run 12 teams at mini/youth level but have to use pitches at Wilburton Recreation Ground to meet their needs. They also use Haddenham Primary School. The need to improve Haddenham Recreation Ground is a high priority within the PPS, as is the need for additional pitches in Haddenham.

The application is only outline at this stage, and shows indicative pitch markings as well as additional car parking and a small pavilion.

I have noted that there are concerns from local residents regarding this application, with regard to additional traffic along New Town Road, and the loss of part of the pocket park at the southern end of this road.

By providing new pitches that could help address established local playing pitch deficiencies, the proposal would meet objective 3, and therefore Sport England supports this application in principle, though we accept that the use of this land would cause problems for local residents on match days.

Sport England recommends that a ground conditions assessment is undertaken by a sports turf specialist/agronomist who can recommend a scheme for preparing the playing fields to the required specification. The recommended scheme should then be implemented. Detailed guidance on the issues that require consideration is set out in Sport England's guidance 'Natural Turf for Sport', and .

A copy of this guidance can be found at:

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/outdoor-surfaces>

As the application is only in outline form, full details of site layout, pitch markings, pavilion details etc would need to be approved at reserved matters stage, if the application is approved.

Conclusion

This being the case, Sport England offers its support for this this application, as it is considered to meet Objective 3 as set out above.

Sport England recommends, based on our assessment, that if the Council is minded to approve the application, the following planning conditions should be imposed.

1. No development shall take place unless and until:
 - a. A detailed assessment of ground conditions of the land proposed for the new playing field land shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
 - b. Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority after consultation with Sport England.

*Reason: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with LP Policy ***

2. The playing field/artificial grass pitch shall be used for Outdoor Sport and for no other purpose (including without limitation any other purpose in Class D2 Use Classes Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

*Reason: To protect the [playing field/artificial grass pitch] from loss and/or damage, to maintain the quality of and secure the safe use of sports pitch/es and to accord with LP Policy **.*

3. Prior to the bringing into use of the playing fields a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

Reason: To ensure that new facility/ies is capable of being managed and maintained to deliver a [facility] which is fit for purpose, sustainable and to ensure sufficient

*benefit of the development to sport (National Planning Policy Framework (NPPF) para 97) and to accord with LP Policy ***

If you wish to amend the wording of the recommended condition(s), or use another mechanism in lieu of the condition(s), please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice”.

Parks And Open Space - 28 October 2020- “I think all should be ok (in relation to the ditch along Bury Lane), as I have access from the track way to maintain the ditch. Is the POS going to the parish, if its likely to come to us, we will need access from adopted roads to enter the POS”.

Local Highways Authority - 20 October 2020- “The highways authority has the following comments on the proposal:

- This application is for all matters reserved. As such the access with New Town Road and the internal arrangement is to be determined at a later date and I therefore can only comment on the broader highways impacts
- New Town Road is a narrow residential street with no parking restrictions and high levels on-street parking occupation. There is no current enforceable powers to restrict parking on either side of the road and therefore the access road to this development is in my opinion unsuitable
- It is likely that coaches will be required to gain access to these facilities. However, given the above New Town Road is not suitable for such vehicles. If permitted it is likely that coaches will have to park on A1123 / West End which will obstruct the free flow of traffic and be detrimental to highways safety
- The shown internal parking layout has no turning or parking for coaches and therefore is not suitable for its proposed use. The access has no measurements so I am unable to determine if this would be suitable for all sized vehicles required
- ECDC as the parking authority and should make sure during the reserve matters stage that there is adequate parking and turning on site for a facility all required parking and vehicles sizes. New Town Road appears to have no additional or limited on-street parking capacity.

On balance and given the information submitted it is my opinion that New Town Road is not suitable for the numbers and vehicle type of use that would be required to facilitate this development”.

Local Highways Authority – 27 October 2020- “This is an outline application with all matters reserved so there is very little to comment on. Bury Lane was not shown

as vehicle access? This is also just a single track un-metalled road. If this was to be used it would have to be made up to a two way adoptable road with footways. I cannot provide comments on everything that has not been included and that is outside of the application and the approval sort. I don't believe that the New Town Road is suitable or there is enough room internally to provide the parking needed. In my opinion there would be a negative impact on the highway if permitted. However, I can only advise you on what I believe to be the impacts to the highway and on what has been submitted".

Local Highways Authority- 3 November 2020- "New Town Road is not suitable as an access road to a sports facility of this size and the number and sizes of vehicles that will be needed for it to function as such. Bury Lane might be ok but this application does not seek access arrangements. This is really more of an amenity issue at this stage as there is not enough information associated with all matters reserved access to properly consider all of the impacts to the highways. Personally I do not think this is the correct application type for this kind of development and a full application should have been submitted".

Cambridge Ramblers Association - No Comments Received

Haddenham Parish Council - No Comments Received as they are the applicant.

Ward Councillors – Councillor Wilson- "I have been asked by the Parish Council to call in this application, because we feel that the Highways objection is based on a misunderstanding of the use by our children's football teams. As this project is already part of East Cambs Sporting Strategy and we are already fairly sure of a Football Foundation grant of up to £750,000 to help pay for football pitches and pavilion on the only flat field that we have been able to find after a three year search in Haddenham. Haddenham has 13 youth teams but only three pitches".

5.2 Neighbours – A total of 49 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

31 New Town Road- Objection- Concerns for parking on New Town Road and the number of parking spaces (30) proposed given the number that three football matches would generate- everyone will drive. Concerns for queuing on the A1123 and space available on New Town Road. Concerns for noise and loss of privacy, anti-social behaviour and flood lights. Concerns for the loss of pocket park, concerns for biodiversity, planting and flooding.

6 Mill Yard- Objection- Concerns for parking on New Town Road and the number of parking spaces (30) proposed given the number that three football matches would generate- everyone will drive. Concerns for queuing on the A1123 and space available on New Town Road. Concerns for noise and loss of privacy, anti-social behaviour and flood lights. Concerns for the loss of pocket park, concerns for biodiversity, planting and flooding (same letter as 31 New Town Road).

17 New Town Road- Objection- Concerns for access. No public consultation event has taken place from the Parish Council. Concerns for biodiversity, emergency services having access, anti-social behaviour, noise pollution, light pollution (flood

lights). Concerns for highway safety along the A1123 and New Town Road. Cycling is not possible along New Town Road. Concern for the loss of pocket park as open space.

The Ark Baby and Toddler Group, Aldreth Village Centre- Objection- Concerns for the loss of pocket park as a green space, concerns for biodiversity. Increase in traffic New Town Road is unsuitable for the increase in traffic this proposal will bring. No public consultation from the Parish Council has taken place. Access should be provided from Bury Lane to the south.

18 New Town Road- Objection- Traffic relation concerns, significant concerns for the loss of pocket park and open space, there will be more than 30 vehicles needing to park and New Town Road is not suitable to support to level of cars as a result of the recreational ground on match days and training. Concerns for biodiversity loss and loss of species.

19 West End- Objection- Concerns for land ownership. Any alteration to the maintenance, surface or layout of Bury Lane will have serious and unacceptable consequences on the access to as well as the safety and security of all the land adjacent to Bury Lane. Concerns for flooding and drainage, concerns for trees, wildlife and biodiversity at pocket park. Concerns for noise pollution.

27 New Town Road- Objection- Pocket park is an established green space used by a lot of people, concerns for the noise impacts.

38 Aldreth Road- Objection- Concerns for historic views in Haddenham, concerns for species in pocket park, loss of habitat. Bury land junction is unsuitable for amount of traffic, light pollution from flood lights, antisocial behaviour, noise pollution in evening.

11 New Town Road- Objection- Concerns for the loss of pocket park and wildlife, increase in traffic to a small road, concerns for access.

30 New Town Road- Objection- Concerns for biodiversity, surface water, concerns for the loss of pocket park. Concerns for increase in traffic, level of parking proposed, highway safety and no cycle facilities. Council have chosen pocket park access rather than upgrading Bury Lane due to the costs. No public consultation event to get residents views on access options.

32 New Town Road- Objection- Loss of privacy, congestion, loss of trees, loss of wildlife, loss of pocket park.

50 High Street- Objection- Concerns for disruption to wildlife and many species including bats and badgers- no details in the planning submission in relation to biodiversity and net gain. Concerns for surface water drainage and flooding.

6 Tunbridge Lane- Objection- Newtown Road is a narrow, quiet cul-de-sac, with many cars already parking on the street – as there is not space width-ways for a car outside each house, we often have to park outside other peoples' houses, and the access can be greatly hindered when delivery vehicles, refuse collection lorries or emergency service vehicles are needed. Concerns for loss of pocket park and

wildlife. 30 car parking spaces if not sufficient for the number of pitches, access arrangements are unclear. Should alternative access not be made, all construction vehicles will have to access the recreational area through Newtown Road – this road is simply not suitable for such heavy traffic.

27 New Town Road- Objection- Concerns for the loss of pocket park, the proposal does not comply with COM4 of the Local Plan 2015. This not an accessible location, a significant level of traffic will be generated, no Transport Impact Assessment has been submitted, New Town Road is not suitable to the increase in traffic, inadequate parking facilities will put pressure on New Town Road. The proposals will have a huge impact on the character and appearance of the area. No public consultation has been carried out. Concerns for biodiversity, trees and habitats. The application is not supported by sufficient evidence. “This planning application should be refused as it is contrary to Policies COM3, COM4, ENV1, ENV2, ENV7, COM7 and COM8 of the ECDC Local Plan due to the inadequate road access, unacceptable impact upon traffic safety and parking issues, adverse and significant change of landscape character of the edge of the settlement and the loss of Pocket Park which is an important village open space. Additionally, increased noise, disturbance, loss of privacy, and emissions will all affect my enjoyment of my property adversely. These issues will all worsen further if future development as envisioned is proceeded with. These impacts cannot be mitigated against by planning conditions given the nature of the development. The Pocket Park is a well established village green space, and should be considered as such with regard to losing it to become access for the recreational ground. Not only does the park have an important social role for residents, it also contains many wildlife habitats and species, some of which are protected or endangered. There are also significant environmental impacts to consider both in the loss of at least a large section of the park, and the change in use of the field from agricultural to recreational land. In my view, no exceptional circumstances have been submitted which warrant a loss of our Pocket Park”.

6 Hinton Way- Objection- New Town Road is not suitable nor is Bury Lane. No public consultation has been undertaken by the Parish Council.

43 West End- Objection- The land is not suitable for football pitches, safety of access and along New Town Road. Concerns for the loss of pocket park, concerns for biodiversity and wildlife.

43 Aldreth Road- Supportive- Fully support the need for the facility and the essential need for the Colts Football Club which supports 200 children in the village, sport is essential for health and mental wellbeing.

9 Metcalf Way- Supportive- Should encourage sport and healthy activities, the facility will be an asset to the community.

29a Lode Way- Supportive- Haddenham Rove has around 200 children participating and 75 volunteers, benefits of football for children, there is a need for the facility.

44 Duck Lane- Supportive- The proposal will provide a much needed facility.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 4	New community facilities
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Design Guide
Flood and Water
Natural Environments
Contamination

6.3 National Planning Policy Framework 2019

8	Promoting healthy and safe communities
9	Promoting sustainable transport
11	Making effective use of land
12	Achieving well designed places
14	Meeting the challenge of climate change, flooding and coastal change
15	Conserving and enhancing the natural environment

7.0 PLANNING COMMENTS

The main planning considerations relate to the principle of development, the impact upon character and appearance of the area, residential amenity, highways safety and parking provision, flood risk, drainage and biodiversity.

7.1 **Principle of Development**

7.2 The need for the scheme has been clearly demonstrated by the applicant. Haddenham has a Youth Football Academy with 11 teams and an adult club with 2 Men's teams. They share the two current pitches on the Parish's existing recreation ground. The recreation ground is also shared with the cricket club and this creates additional issues due to overlapping seasons. Despite the football clubs utilising Haddenham's Primary School pitch, 6 out of the 11 Academy teams have to source pitches in other villages and Haddenham Parish Council have advised that is becoming increasingly difficult year on year with increasing demand. Haddenham Parish Council is therefore keen to ensure that memberships do not drop as a result of the lack of space and facilities within the village.

7.3 In terms of the principle of development, Policy COM4 of the Local Plan 2015 is relevant and states as follows:

Proposals for new or improved community facilities should be located within settlement boundaries wherever possible. In exceptional circumstances facilities may be permitted in the countryside, where there is a lack of suitable and available land within settlements, or where a rural location is required.

Proposals for all new or improved community facilities should:

- *Be well located and accessible to its catchment population (including by foot and cycle).*
- *Not have a significant adverse impact (itself or cumulatively) in terms of the scale or nature of traffic generated.*
- *Not have a significant adverse impact on the character of the locality, or the amenity of nearby properties.*
- *Demonstrate that opportunities to maximise shared use have been explored; and*
- *Be designed to facilitate future adaptation for alternative community uses or shared use.*

7.4 While the site is not located within the settlement boundary of Haddenham, it is clear that there are no other suitable or available sites within the development envelope of Haddenham that would be able to facilitate the proposed recreational ground and football pitches. It is also considered that the site would be well located to its catchment population given that there is existing access from Bury Lane and the site is located directly to the south of Pocket Park. Therefore, the most appropriate foot and cycle links are from New Town Road leading into Pocket Park to access the site. Therefore, in relation to the first requirement of Policy COM4 of the Local Plan 2015, the facility would be well located.

7.5 In terms of traffic generation, Haddenham Parish Council have noted that the football pitches will be used Saturdays and Sundays during the football season and evenings for training when daylight permits and occasionally during the week for other activities such as “walking” football or exercise classes and other clubs for example Archery. During the pre-application stages County Highways commented in relation to the proposals that advised that “the proposal will create a significant demand for parking which unless sufficient dedicated parking is provided is likely to be displaced onto adjacent streets. While this may not have safety issues, it is likely to have a detrimental impact on the amenity of adjacent streets”. The matter of highways safety, access and car parking is addressed further below.

7.6 In relation to the impact upon the character and appearance of the locality and neighbour amenity, this would depend on the extent of development above the change of use of the land in isolation- which given that the application is for Outline Planning Consent, these details are indicative. Nonetheless, given the distances retained to the settlement boundary and New Town Road to the north of the application site, it does not appear that the proposed football pitches would result in significant harm to visual amenity. Moreover, given the distances retained to neighbouring dwellinghouses, the proposed development does not appear to result in harm to neighbour amenity. However, these matters are fully addressed below.

7.7 It is considered that the proposed development would not conflict with the last two points of the policy wording. As expressed above, while several of the requirements of Policy COM4 are met in relation to the location of the proposed recreational ground, others are not and therefore the principle of the development is not considered to be acceptable in relation to the scale and nature of traffic generated.

7.8 **Visual Amenity**

7.9 In terms of visual amenity, Policy ENV2 of the Local Plan 2015 requires proposals to ensure that location, layout, scale, form, massing, materials and colour relate sympathetically to the surrounding area and each other. The full details of the visual appearance, layout and scale have not been included within the application and would need to be assessed at reserved matters stage.

7.10 In terms of visual amenity, the application site is located within the open countryside and is surrounded by agricultural fields. Given this openness within the surrounding landscape any large buildings may result in visual harm to the countryside setting. The size, scale and location of the proposed changing room is not known; however a modestly sized building would not result in significant harm to visual amenity. Moreover, the provision of three football pitches alone are not considered to result in a significant degree of harm to visual amenity. The proposal is set back from the road well away from housing and the existing properties in New Town Road are screened from the development by the large mature hedge on the Boundary of Pocket Park with the new site.

7.11 Any lighting would need to be carefully assessed, however the applicant has expressed that they do not envisage floodlighting to the pitches on the site in this phase. Moreover, the applicant has expressed that they will provide 3m high (probably weld mesh or similar fencing) to the boundary with the rest of the field and as necessary behind goals and other areas as necessary to stop balls leaving the pitch/grounds. However, with detailed matters not being considered and the extent of the proposals unclear, it is difficult to fully assess the visual impact of fences within the application site.

7.12 The proposed change of use of the land in isolation from agricultural land to recreational land would not be significantly harmful to the rural character and appearance of the area. Therefore, the proposed recreational ground in this location could generally conform to the aims and objectives of Policy ENV2 of the Local Plan 2015 on these points alone and there is certainly enough space within the site for the desired use.

7.13 **Residential Amenity**

7.14 Policy ENV2 of the East Cambridgeshire District Council's Local Plan 2015 states that proposals should ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. There is more than sufficient distance between the indicative recreational ground layout and the neighbouring occupiers at Aldreth Road to the east and New Town Road to the north of the application site. These distances are considered sufficient to prevent overlooking or overshadowing impacts to neighbouring occupiers and it has been demonstrated that there is

sufficient room within the application site to achieve an acceptable layout for a recreational ground. The full impact of the proposed dwelling on the residential amenity of nearby occupiers would be assessed at reserved matters stage once all of the details are submitted.

- 7.15 The applicant has stated in their submission that they do not envisage floodlighting to the pitches on the site in this phase. However, this could be provided as part of a Reserved Matters Application or Discharge of Condition submission. The introduction of flood lighting may be detrimental to the character and appearance of the area and to residential amenity to the southern dwellings on New Town Road.
- 7.16 Environmental Health have not objected in relation to noise pollution. As such it would be unreasonable to object to the development on the issue of potential noise pollution to residents as a result of the proposed recreation ground. However, with so many unknowns this may affect the future layout of the proposed scheme if the application was to be approved. In terms of the impact to residential amenity as a result of traffic generation, these matters a further discussed below.
- 7.17 **Highway Safety and Car Parking**
- 7.18 The proposed means of access is reserved for future consideration. However, in order to access whether the principle of the development is acceptable, the proposed development must comply with Policy COM4 of the Local Plan 2015 which states that proposals for new community facilities should not have a significant adverse impact (itself or cumulatively) in terms of the scale or nature of traffic generated or upon residential amenity.
- 7.19 Policy COM7 of the Local Plan 2015 requires applications to provide safe and convenient access to the highway network and provide a comprehensive network of routes, giving priority for walking and cycling. Furthermore, Policy COM7 states that development proposals shall be capable of accommodating the level/type of traffic generated without detriment to the local highway network and the amenity, character or appearance of the locality.
- 7.20 During the earlier pre-application discussion, Officers informally consulted County Highways in relation to the proposed development and they raised concern in relation to parking provision and the amenity of local residents given the influx of vehicles in the surrounding streets. Any discussions between Haddenham Parish Council and County Highways since the pre-application advice was issued and the submission of the current application are not known to Officers.
- 7.21 As expressed in the earlier part of this report, the applicants have provided options within their red line plan in relation to access arrangements to serve the recreational ground. There are potentially two options for vehicular access; via New Town Road off the A1123 through Pocket Park, or the second option would be via Bury Lane and into the field through an existing gate access. The applicants have stated that “it is intended that consultation will be carried out with residents as to the preferred access once outline permission has been granted”. As such, it is not clear whether both accesses are proposed to be used to serve the site.

- 7.22 On consultation with County Highways several concerns have been raised in relation to broader highway safety matters, as specific details relating to access are currently not being considered. Their objections relate primarily to New Town Road not being suitable for the numbers and vehicle type of use that would be required to facilitate this development. While the applicant has expressed that no coaches would need to access the facility, County Highways have maintained their objections to the proposed development. As such, County Highways consider that New Town Road is not suitable as an access road to a sports facility of this size and the number and sizes of vehicles that will be needed for it to function. While County Highways expressed that Bury Lane might be a feasible option, this option was not preferable at pre-application stage by Highways or Officers given that this is a single track. Moreover, the applicant has expressed that Bury Lane is a Private Green lane and they would not want to upgrade it to the adoptable standard suggested by County Highways. As expressed there are many unknowns with the current application, with one of the main issues being the level of information provided. Whether Pocket Park or Bury Lane will be used as the key access point is not clear, however the significant number of third party comments relating to highway safety, access, capacity and car parking in relation to the use of New Town Road have been carefully reviewed and noted.
- 7.23 Overall, County Highways have expressed as part of their consultation that the proposed development would be a negative impact on the highway if permitted. They have also expressed that this is really more of a capacity and amenity issue at this stage as there is not enough information associated with all matters reserved access to properly consider all of the impacts to the highways. Therefore, the proposed development is not considered to comply with the aims of Policy COM4 of the Local Plan 2015 in terms of the scale or nature of traffic generated or upon residential amenity. As such, Officers consider that any further intensification of use of this road will become a serious amenity issue for residents.
- 7.24 As already expressed, Policy COM7 states that development proposals shall be capable of accommodating the level/type of traffic generated without detriment to the local highway network and the amenity, character or appearance of the locality. In the views of the Local Highway Authority, the level of traffic generated by the proposed development cannot be safely accommodated and it would cause significant detrimental harm to traffic movement on the public highway, as there is a high probability that it will overburden the capacity of New Town Road. The application is therefore considered to be contrary to Policy COM7 of the Local Plan 2015.
- 7.25 In relation to car parking, Officers are content that there is sufficient space within the application site to accommodate 30 cars. While the layout of the development is reserved for future consideration, the indicative layout demonstrates that adequate parking and turning could be provided on site to serve the proposed recreational ground and this is considered to comply with Policy COM8 of the Local Plan 2015. However, with this being a layout issue it would be for any future reserved matters to consider and provide adequate parking spaces for motor vehicles and cycles in order for the scheme to comply with Policy COM8 of the Local 2015.
- 7.26 **Flood Risk and Drainage**

- 7.27 The site is located in Flood Zone 1 where the principle of development is considered acceptable in terms of Flood Risk. A scheme for the disposal of foul and surface water drainage can be secured by condition to ensure that a suitable scheme is proposed which prevents the increased risk of flooding and improves and protects water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 7.28 **Biodiversity**
- 7.29 Paragraph 170(d) of the NPPF advises that development proposals should minimise impacts on biodiversity and secure net gain. Additionally, the paragraph discusses the importance of establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 175(d) advise that opportunities to incorporate biodiversity improvements should be encouraged, stating that development should be supported where the primary objective is to conserve or enhance biodiversity. Policy ENV7 of the Local Plan 2015 seeks to maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals, seeking to deliver a net gain in biodiversity proportionate to the scale of development. Policy ENV 7 also states that all applications for development that may affect biodiversity and geology interests must be accompanied by sufficient information to be determined by the Local Planning Authority, including an ecological report, to allow potential impacts and possible mitigation measures to be assessed fully. It also states that all development will be required to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds. Policy ENV7 goes on to state that Where there is reason to suspect the presence of protected species, trees and woodland, applications must be accompanied by a survey carried out by a qualified individual assessing their presence and, if present, the proposal must be sensitive to, and make provision for, their needs, in accordance with the relevant protecting legislation.
- 7.30 The Council adopted its Natural Environment SPD on the 24th September 2020 to help make sure new development in East Cambridgeshire both protects the current natural environment, but also creates new areas for wildlife to thrive. Furthermore, the Natural Environment SPD also seeks for biodiversity net gain under policy NE6. Under policy NE9 of the Natural Environment SPD, new planting must be an integral part of the design of a development rather than as an afterthought. Native new planting should be provided that reflects the local character and a suitable species mix should be provided that helps to promote a wide range of biodiversity and contribute to enhancing green infrastructure.
- 7.31 As layout is not being agreed, the impact upon habitats and biodiversity is difficult to review. As noted above, there are significant unknowns given that this is an Outline Planning Application. While the proposed recreational use in relation to the proposed football pitches alone may have a limited impact upon biodiversity, the buildings/changing room and parking areas may have more of substantial impact. While Officers have visited the site and did not see any substantial biodiversity issues, the number of third party comments associated with the loss of habitats, species and biodiversity have been reviewed and acknowledged. It has been reported that the

application site is high in ecological potential and potentially in the presence of protected species. Therefore, the ecological impacts of the proposed development cannot be fully assessed as no ecology survey has been provided with the application. Without such surveys it is not possible for the concerns raised to be overcome and without this level of information it is unknown if the proposed development will have a determinantal impact on biodiversity in the local area. All proposals are required to provide mitigation measures and to lead to deliver a net gain in biodiversity proportionate to the scale of development.

7.32 The proposal therefore fails to adequately demonstrate that there would not be any significant harm caused to ecology, contrary to policies ENV1 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environments SPD.

7.33 **Trees**

7.34 In relation to trees, the Trees Officers have reviewed the proposals and have advised that any access from New Town Road should ideally use as much of the existing track that provides access to the pumping station, this would significantly reduce to amount of tree lost to enable this development as illustrated on the plan below. They also advised that conditioning a soft landscaping scheme to include suitable mitigation planting and screening to aid the integration of this development into the surrounding landscape and reduce noise and light pollution will be advantageous. The Applicant has stated in their submission that a tree planting scheme and/or any screening requirements will be carried out at the recommendations of ECDC Tree Officer. As such, it is considered that the requirements of Policy ENV7 of the Local Plan 2015 in relation to trees can be complied with subject to relevant conditions.

7.35 **Planning Balance**

7.36 The Outline Planning Application route was chosen by the applicant while they undertake public consultation and to agree the scheme with the Cambridge Football Association. The Outline Application seeks planning permission for the change of use of the application site from agricultural to recreational land for the provision of 3 new football pitches, access road and parking to provide for the increased demand within the village. There is no denying the need for the proposed development and there is support from the Councils Community and Leisure Services and Sport England. Comments were not received from the Cambridgeshire Football Association.

7.37 The application site is well related to the defined settlement envelope and is considered to be within a sustainable location. Furthermore, the proposed development would not cause any significant detrimental impacts to visual amenity however this would be further assessed as Reserved Matters Stage.

7.38 However, on balance, it is considered that these benefits do not outweigh the significant and demonstrable harm which would be caused in relation to capacity

and amenity issues of the public highway along New Town Road. Policy COM7 states that development proposals shall be capable of accommodating the level/type of traffic generated without detriment to the local highway network and the amenity, character or appearance of the locality. Policy COM4 of the Local Plan 2015 states that proposals for new community facilities should not have a significant adverse impact (itself or cumulatively) in terms of the scale or nature of traffic generated or upon residential amenity.

7.39 The level of traffic generated by the proposed development cannot be safely accommodated and would cause significant detrimental harm to traffic movement on the public highway, as there is a high probability that it will overburden the capacity of New Town Road. The application is therefore considered to be contrary to Policy COM4 and COM7 of the Local Plan 2015.

7.40 Finally, the proposed application site may contain protected species. However, no ecology report has been submitted with the application and therefore the ecological impacts of the proposed development cannot be fully assessed. The application is therefore considered to be contrary to Policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environments SPD, as it has not demonstrated how biodiversity impacts will be mitigated and a net gain secured.

7.41 For these reasons the application is recommended for refusal.

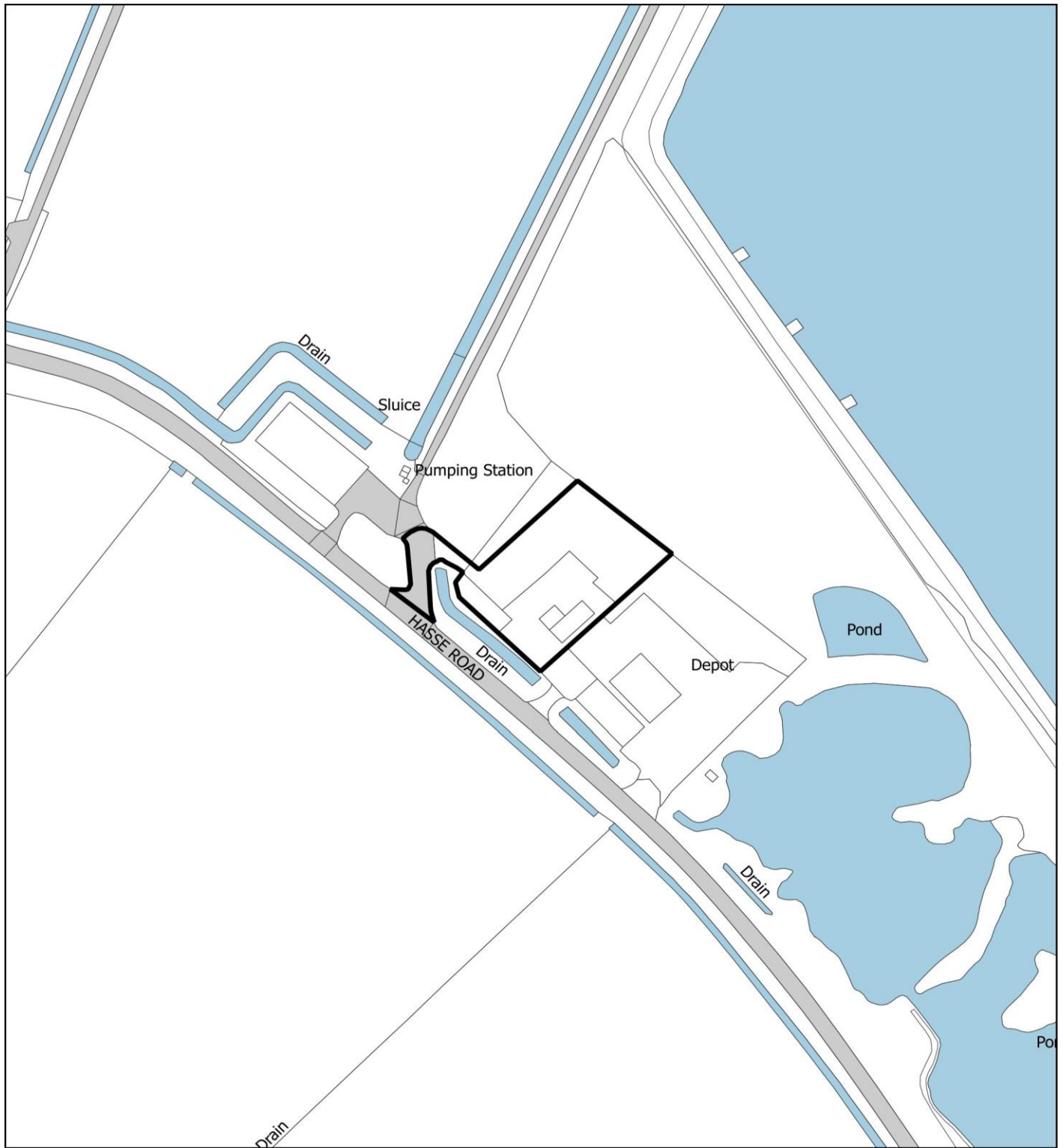
<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
20/00880/OUT	Emma Barral Room No. 011 The Grange Ely	Emma Barral Planning Officer 01353 665555 emma.barral@eastc ams.gov.uk

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>



20/01145/FUL



N I A B Agrigate Research Hub
Hasse Road District Council
Soham

East Cambridgeshire

Date: 16/11/2020

Scale: 12,000

© Crown copyright.
All rights reserved 100023279 (2020)

MAIN CASE

Reference No: 20/01145/FUL

Proposal: Installation of a solar array and associated development

Site Address: N I A B Agrigate Research Hub Hasse Road Soham Ely
Cambridgeshire CB7 5UW

Applicant: NIAB

Case Officer: Emma Barral Planning Officer

Parish: Soham

Ward: Soham North

Ward Councillor/s: Victoria Charlesworth
Alec Jones

Date Received: 28 August 2020 **Expiry Date:** 11th December 2020

[V121]

1.0 **RECOMMENDATION**

1.1 Members are recommended to approve, subject to the recommended conditions below that can be read in full on the attached Appendix 1.

- 1 Approved Plans
- 2 Time Limit
- 3 Hard Landscaping
- 4 Biodiversity Enhancements
- 5 Constructions Hours
- 6 Tree Protection
- 7 Piling Foundations
- 8 Surface Water

2.0 **SUMMARY OF APPLICATION**

2.1 The delegations of Section 70 and 72 of the Town and Country Planning Act 1990 applications does not apply to any non-householder planning applications which relate to large scale renewable energy development. Planning applications for large scale renewable energy development are defined in several ways including “proposals for photovoltaic cells not located on domestic or commercial buildings over 200 metres squared”. The proposed development is for a 450sqm zone for the proposed solar PV array.

- 2.2 This application submitted relates to a small scale solar array and associated development attached to the existing facility at the NIAB Innovation Hub.
- 2.3 The proposed development comprises a permanent small scale solar array with the capacity to provide approximately 30kW of photovoltaic (PV) technology. An example of a typical and appropriate panel is submitted with this application as an indication. The PV modules will be arranged in four rows on ground mountings orienting towards the south at an angle of 45 degrees. An exact model of panel mounting system is not known at this stage, but the proposed mounts accommodate a configuration of one panel high. This would allow the solar arrays to stand 2.7 metres (8.8 feet) above ground level.
- 2.4 The proposal would also include an electrical generation and storage module (steel container) which is proposed to be 3 metres (9.8 feet) in length x 2 metres (6.5 feet) in width and 2.2 metres (7.2 feet) in height with a low pitched roof. Amended Plans were received on the 18th November 2020 to demonstrate the smaller unit. This will house equipment including the ground source heat pump, batteries, inverter and controls for all the potential renewable energy systems on the site. The power from this will then be fed back to the main incoming board of the site via underground pipework. A control system at this point will distribute the power to site or feed back to the grid as required.
- 2.5 In addition, an existing shipping container that currently sits on the site of the proposed solar PV array would be relocated to the east of the application site. Other associated development includes the installation of some additional concrete hardstanding in the north of the site.
- 2.6 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

3.0 PLANNING HISTORY

- 3.1 There is no relevant planning history.

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site is located to the north of Hasse Road, outside the develop envelope of Soham.
- 4.2 The application site consists of a 0.2975ha (0.75 acres) piece of land that forms part of the National Institute of Agricultural Botany's (NIAB) Eastern Agri-Tech Innovation Hub, which offers laboratory and office space for temporary and short-term use by start-ups and SMEs in the sector of Agri-tech research and development. The proposals are located on land adjacent to the main Hub buildings. The land is currently laid to grass and gravel and part of the proposed development site is currently occupied by a temporary storage container which would require relocation. The proposals are located on an under-utilised part of the Hub site.

4.3 The application site is bordered to the south by a deep vegetated drainage ditch and line of mature trees, immediately beyond which is Hasse Road. The site is bordered to the east by the main NIAB Innovation Hub buildings. The northern boundary is marked by a line of mature trees. Beyond the NIAB Hub to the east and north is a large reservoir, a series of ponds and woodland. Uses otherwise surrounding the site are agricultural with pockets of deciduous woodland.

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Soham Parish Council - No Comments Received

Ward Councillors - No Comments Received

Consultee For Other Wards In Parish - No Comments Received

The Ely Group Of Internal Drainage Board - 15 September 2020- "This application for development is within the Middle Fen and Mere Internal Drainage District. The Board has no comment from a drainage point of view".

Lead Local Flood Authority - 19 November 2020- "As it isn't a major application we wouldn't normally provide any comments. From an initial scan of the documents we wouldn't anticipate there being any significant surface water implications but we haven't undertake a thorough review".

Lead Local Flood Authority - 19 November 2020- "We believe it would be reasonable to ask for a surface water condition. The condition does not need to required high levels of detail, however, it must be demonstrated that there will be mitigation included within the site, to ensure any overland flows from potential rutting (due to concentration of surface water along the drip line of the PV panels) will not increase any flood risk to surrounding land or property. This could be through the use of swales to intercept any overland flows, or infiltration trenches to capture and dissipate the surface water from the drip lines".

Defence Infrastructure Organisation Safeguarding (Wind Turb) - 6 November 2020- "Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on 20/10/20. I can confirm the MOD has no safeguarding objections to this proposal".

National Air Traffic Services Ltd - 22 October 2020- "The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other

party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted”.

ECDC Trees Team - 21 October 2020- “The submitted Arboricultural Impact Assessment and Arboricultural Method Statement document is acceptable please condition compliance with its recommendations if the application is successful”.

Environmental Health - 10 September 2020- “The implementation of solar farms is a frequent cause of complaint due to the pile driving required to install the arrays. After examining the plans and noting the small-scale nature of the proposal as well as the location I have no immediate concerns to raise but I would recommend a slightly modified set of construction hours as there do appear to be residential dwellings nearby. I would therefore advise that construction times and deliveries during the construction phase are restricted to the following:

08:30 - 17:00 each day Monday - Friday
08:30 - 13:00 on Saturdays and
None on Sundays or Bank Holidays

Finally, the applicants should be advised that planning permission does not confer immunity from action under statutory nuisance. Either by local authority or a private individual.

No other points to raise at this time but please send out the environmental notes”.

Environmental Health- 18 November 2020- “I was referring to Poplar Farm to the southeast and 48 Hasse Road to the northwest.

Those recommended hours for the piling are the standard ones I propose whenever ground piling is to be used as that is really the only realistic control for the noise and vibration. This appears to be a relatively small scale development so I’m sure the noise and vibration wouldn’t last for a long time but it would still be preferable to have those restricted hours attached”.

5.2 Neighbours – No neighbouring properties were notified and no responses were received. A site notice was displayed on the site on the 17th September 2020.

6.0 The Planning Policy Context

East Cambridgeshire Local Plan 2015

GROWTH 2	Locational Strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design

ENV 4	Energy efficiency and renewable energy in construction
ENV 6	Renewable energy development
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV11	Conservation Areas
ENV12	Listed Buildings
ENV 14	Sites of archaeological interest
COM 5	Strategic green infrastructure
COM 7	Transport impact
COM 8	Parking provision

Supplementary Planning Documents

Design Guide
 Contaminated Land
 Cambridgeshire Flood and Water
 Natural Environments
 Renewable Energy (Commercial Scale) SPD

National Planning Policy Framework 2019

- 2 Achieving sustainable development
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

7.0 PLANNING COMMENTS

7.1 The application has been accompanied by a number of reports including an Arboricultural Report, Ecological Impact Assessment and a Business Plan.

7.2 Principle of Development

7.3 The National Planning Policy Framework (NPPF) sets out that the planning system has three overarching principles in relation to achieving sustainable development; these being economic, social and environmental objectives (paragraph 8). The economic objective seeks to secure a strong, responsive and competitive economy, supporting growth and the provision of infrastructure. The social objective seeks to support strong, vibrant and healthy communities by providing well-designed and safe built environments. The environmental objective seeks to contribute to protecting the natural, built and historic environment by making effective use of land, improving biodiversity and using natural resources prudently. The objective seeks to minimise waste and pollution, and mitigate and adapt to climate change while moving to a low carbon economy. Chapter 14 of the NPPF sets out that Local Planning Authorities (LPAs) should support community-led initiatives for renewable and low carbon energy, including sites which fall outside of areas identified in local plans. Furthermore, this chapter states

that LPAs should not require applicants to demonstrate the overall need for such projects and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. Paragraph 154b of this chapter states that LPAs should approve the application if its impacts are, or can be made acceptable.

- 7.4 Policy GROWTH 2 of the East Cambridgeshire Local Plan 2015 discusses the locational strategy for the District and sets out that outside development envelopes, development will be strictly controlled in order to protect the countryside and the setting of towns and villages. Development outside of the development envelopes is restricted to a limited number of categories, one of which is renewable energy projects (bullet point 12). Applicants are directed to policy ENV 6 of the Local Plan 2015.
- 7.5 ECLP Policy ENV 6 sets out that renewable energy schemes will be supported wherever possible and that the wider environmental, social and economic benefits will be given significant weight, unless these benefits are outweighed by significant adverse impacts that cannot be remediated and made acceptable in relation to:
- *The local environment and visual landscape impact.*
 - *Impact on the character and appearance of the streetscape/buildings.*
 - *Key views, in particular those of Ely Cathedral.*
 - *Protected species.*
 - *Residential amenity.*
 - *Safeguarding areas for nearby airfields; and*
 - *Heritage assets.*
- 7.6 Policy ENV 6 states that the visual and amenity impacts of proposals will be assessed on their merits, both individually and cumulatively. Provision should be made for the removal of facilities and reinstatement of the site, should they cease to operate.
- 7.7 East Cambridgeshire District Council's supplementary planning document 'Renewable Energy Development (Commercial Scale)' 2014 sets out the District's approach to renewable energy proposals. While the principle of renewable energy projects is supported by the Core Strategy, Paragraph 2.4.5 of the 'Renewable Energy Development (Commercial Scale)' document advises that renewable energy proposals will be considered on their own merits, on a case by case basis. The paragraph sets out that applications will be assessed in terms of their environmental, economic or social benefits, and whether there are any adverse impacts, for example on landscape character, the natural and historic environment, public rights of way and highway network, residential amenity and the operation of aviation sites.
- 7.8 The principle element of the proposals comprise a small scale solar array with the capacity to provide approximately 30kW of photovoltaic (PV) technology. These proposals form part of a wider business upgrade and refurbishment project being pursued by NIAB at the Eastern Agri-Tech Innovation Hub. Integral to the success of this wider term strategy is the implementation of renewable energy systems on the site. This will allow the site to secure energy security and to provide additional research and development opportunities within the Agri-tech industry associated with the technologies on site.

- 7.9 The proposals would provide significant benefit to the existing business and local area, as outlined in the submitted Business Plan. The renewable energy project complies with the overarching social, economic and environmental aims of the NPPF, and would contribute to the mitigation and adaptation to climate change by helping to move towards a low carbon economy. The proposal also meets the aims of ECLP policies GROWTH 2 and ENV 6 which seek to secure opportunities for renewable energy generation in the District. The policy stance gives substantial weight to the provision of renewable energy projects. The principle of development for this scheme is therefore considered to be acceptable subject to all other material considerations being satisfied, matters which will be considered in the remainder of this report.
- 7.10 Visual Amenity
- 7.11 Policy ENV1 of the Local Plan 2015 requires proposals to protect, conserve and enhance traditional landscape features and the unspoilt nature and tranquillity of the area. Policy ENV2 of the Local Plan 2015 requires proposals to ensure that location, layout, scale, form, massing, materials and colour relate sympathetically to the surrounding area and each other. Paragraphs 127 and 130 of the NPPF seek to secure visually attractive development which improves the overall quality of an area and is sympathetic to local character and history.
- 7.12 The principle reason for the proposed development is to produce electricity through the harnessing of solar energy. The site would otherwise remain in its current use and these proposals would complement that use onsite that relates to research and development for the agricultural industry. The siting and design of these minor proposals is considered to be well related to the existing site. Whilst located within the countryside, the existing use of the site is for industrial and research and development purposes, and so comprises a substantial amount of built environment. The various elements of the scheme are intrinsic to this existing built development, and would be seen as a very minor extension to the existing site.
- 7.13 The proposed layout incorporates four rows of solar PV arrays. The electrical generation and storage module will be a steel container measuring 3 metres (9.8 feet) in length x 2 metres (6.5 feet) in width and 2.2 metres (7.2 feet) in height with a low pitched roof and is therefore modest in size and scale. An existing shipping container is relocated on the site to the east of its existing position.
- 7.14 The proposed development is set back within the site and also behind existing dense vegetation, which would therefore screen views towards the development. Due to the scale of development, the visual impact would be negligible in the context of its relationship with the adjacent site and the current existence of a large shipping container in the location of the proposed solar array.
- 7.15 The proposed development is considered to comply with accordance with policies ENV1, ENV2 and ENV6 of the Local Plan 2015.
- 7.16 Trees and Landscaping
- 7.17 Existing trees on the site are retained. The Trees Officer has commented that the submitted Arboricultural Impact Assessment and Arboricultural Method Statement

document is acceptable and that compliance with its recommendations should form a planning condition.

- 7.18 Due to the small scale nature of the proposals and the need to futureproof other land within the site for future proposals, no additional soft landscaping is proposed at this stage. The ground under the solar panels would however be seeded with a wildflower/grass seed mix. Some hard landscaping is proposed via additional concrete hard standing in the northern section of the site as such a hard landscaping condition is recommended. The proposal therefore complied with Policy ENV1 of the Local Plan 2015.
- 7.19 Heritage Assets
- 7.20 The site is not located within close proximity to any Listed Buildings or Conservation Areas. There would therefore be no harm to any designated or non-designated heritage asset.
- 7.21 In respect of key views from Ely Cathedral, the application site is located approximately 7km from Ely Cathedral. The solar PV arrays would measure approximately 2.7m in height (8.8 feet), which is lower than the existing buildings on the site. Furthermore, the area for the PV array is under 450 square metres. At this distance and within these development parameters, views from Ely Cathedral would be negligible. The proposal therefore complies with Policies ENV6, ENV11 and ENV12 of the Local Plan 2015.
- 7.22 Residential Amenity
- 7.23 It is considered due to the nature of the proposal that while it is operational, the proposal will have very limited impact upon residential amenity.
- 7.24 The nearest residential dwellinghouse to the north-west of the application site is located over 175 metres (574 feet) away from the site where the solar panels would be located. Also, Poplar Farm to the southeast and 48 Hasse Road to the northwest. The Environmental Health Team have been consulted and have commented that due to the small-scale nature of the proposal as well as the location they have no immediate concerns to raise but they would recommend a slightly modified set of construction hours as there do appear to be residential dwellings nearby. The relevant conditions have therefore been appended.
- 7.25 It is considered that subject to suitable conditions the proposal will be acceptable in regards to policies ENV2 and ENV6 of the Local Plan 2015 in relation to residential amenity.
- 7.26 Highways
- 7.27 Policy COM 8 of the Local Plan 2015 seeks to ensure that proposals provide adequate levels of parking, and Policy COM 7 require proposals to provide safe and convenient access to the highway network. The site is accessed currently from Hasse Road. The proposals would utilise this existing access without modification. The use of the site is not changing or intensifying as part of this development, so long term traffic movements

are not a consideration of these proposals. Due to the nature of the development, it would not give rise to a need for additional parking on the site.

- 7.28 The existing facilities for access are therefore considered safe and appropriate for the proposed development in accordance with Policy COM7 of the Local Plan 2015.
- 7.29 Biodiversity
- 7.30 Paragraph 170(d) of the NPPF advises that development proposals should minimise impacts on biodiversity and secure net gain. Additionally, the paragraph discusses the importance of establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 175(d) advise that opportunities to incorporate biodiversity improvements should be encouraged, stating that development should be supported where the primary objective is to conserve or enhance biodiversity. Policy ENV7 of the Local Plan 2015 seeks to maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals, seeking to deliver a net gain in biodiversity proportionate to the scale of development. Furthermore, the Natural Environment SPD also seeks for biodiversity net gain under policy NE6. Under policy NE9 of the Natural Environment SPD, new planting must be an integral part of the design of a development rather than as an afterthought. Native new planting should be provided that reflects the local character and a suitable species mix should be provided that helps to promote a wide range of biodiversity and contribute to enhancing green infrastructure.
- 7.31 An Ecological Impact Assessment, prepared by AGB Environmental, was submitted with the application to ensure that no ecological implication arise from the proposed development. This concludes that the proposed development will not adversely affect any statutory or non-statutory designated nature conservation sites.
- 7.32 To provide a biodiversity gain, a condition will be imposed requiring biodiversity improvements. Particularly the recommendations from the Ecological Impact Assessment (dated 27th August 2020) should be incorporated into the development, for instance bird boxes and seeding a wildflower and grassland mix under the solar panels. The proposed plans show the site around the solar panels to be gravel, however compliance with the Ecological Impact Assessment (dated 27th August 2020) is recommended which includes a wildflower and grassland mix under the solar panels.
- 7.33 It is considered that with appropriate conditions appended to any grant of permission, the proposed scheme could deliver a measurable net gain in biodiversity in accordance with policies ENV7 of the Local Plan 2015, paragraphs 170 and 175 of the NPPF, and policy NE9 of the Natural Environment SPD.
- 7.34 Flood Risk and Drainage
- 7.35 As the proposals comprise 'minor development', a site specific flood risk assessment is not submitted with this application. However, the Environment Agency's Flood Mapping

information has been examined, and an extract of the Flood Map for Planning map for this site is submitted with the application.

- 7.36 This shows that site falls within an area of Flood Zone 3 that benefits from flood defences with respect to flooding from rivers and sea. This is land that would have a high probability of flooding without the local flood defences. These protect the area against a river flood with a 1% chance of happening each year, or a flood from the sea with a 0.5% chance of happening each year.
- 7.37 The Environment Agency's maps confirm that the developable area of the site is not at risk from any other sources of flooding. There is a drainage ditch directly adjacent to the south west of the site, which holds water which flows into the fishing lake east of the site.
- 7.38 Solar developments, especially of this scale, are not generally associated with increasing flood risk, nor are they particularly vulnerable to flood risk. The installation of the rows of PV panels does not require any significant amounts of concrete, as the posts are usually simply driven into the soil. Usually, less than 1% of the site area associated with the solar array is likely to comprise of an increase in impermeable surfaces.
- 7.39 Rainfall falling onto the solar panels would runoff directly to the ground beneath and due to the permeability of the underlying soils, partly infiltrate the ground or runoff to the nearest watercourse as it does in the site's existing bareground state. Even in extreme surface water flood events, the solar array could remain operational as the panels will be elevated from the ground surface.
- 7.40 The following link (<https://flood-warning-information.service.gov.uk/long-term-flood-risk/map?easting=560471.27&northing=277241.05&map=SurfaceWater>) referenced shows that the application site area is in a low risk zone, however medium risk depth is located on the south side of Hasse Road. Even at the lower risk there is very limited surface water flooding risk within the site. As such surface water would not travel into the site where the solar panels would be located on the north site of Hasse Road as this is at low risk for surface water flooding.
- 7.41 Officers have discussed the need for a surface water drainage condition with the Lead Local Flood Authority who commented that "we believe it would be reasonable to ask for a surface water condition. The condition does not need to required high levels of detail, however, it must be demonstrated that there will be mitigation included within the site, to ensure any overland flows from potential rutting (due to concentration of surface water along the drip line of the PV panels) will not increase any flood risk to surrounding land or property. This could be through the use of swales to intercept any overland flows, or infiltration trenches to capture and dissipate the surface water from the drip lines". As such, a surface water condition is required to prevent risk to other surrounding land owners.

- 7.42 The development is not therefore vulnerable to flooding, and it would not lead to additional risk of flooding elsewhere offsite. The proposals are therefore considered in accordance with ENV8 of the Local Plan and Section 14 of the NPPF subject to the condition as recommended by the Lead Local Flood Authority to prevent additional risk of flooding downstream.
- 7.43 Other Matters
- 7.44 The application site is not located within close proximity to any major operational airfields. Defence Infrastructure Organisation Safeguarding has no safeguarding objections to the proposal and Air Traffic Services Ltd have confirmed that the proposed development does not conflict with safeguarding criteria. Furthermore, the solar array, comprising just four rows and a capacity of approximately 30kW, is not considered sufficiently large enough to cause any impacts in relation to glint and glare.
- 7.45 Summary
- 7.46 Chapter 14 of the NPPF sets out that Local Planning Authorities should support initiative for renewable energy developments. Policy ENV6 of the Local Plan 2015 states that renewable energy schemes will be supported wherever possible providing that the benefits of the proposals outweigh any harms. East Cambridgeshire District Council also has a Supplementary Planning Document 'Renewable Energy Development (Commercial Scale)' which sets out that the principle of renewable energy development is accepted. The principle of development in this instance is therefore considered to be acceptable.
- 7.47 In terms of the visual impacts of the proposals, given the limited visibility, remote location, setback nature and small scale nature of the proposed development, the proposed development is not considered to be significantly harmful to visual amenity.
- 7.48 The amenity of local residents can be protected through the use of appropriate conditions to limit the construction hours. Furthermore, the proposed solar panel development is not sufficiently large enough to cause any impacts in relation to glint and glare.
- 7.49 There are no significantly detrimental impacts on highway safety as a result of the development, and following completion of construction, traffic movements to and from the site would be minimal.
- 7.50 The proposal is considered to comply with the adopted Local Plan 2015, Renewable Energy Development SPD and National Policy (NPPF).
- 7.51 On this basis it is recommended that the application is approved, subject to the recommended conditions that can be read in full in Appendix 1.

8.0 APPENDICES

8.1 Recommended Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
20/01145/FUL	Emma Barral Room No. 011 The Grange Ely	Emma Barral Planning Officer 01353 665555 emma.barral@eastc ams.gov.uk

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX 1 - 20/01145/FUL Conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

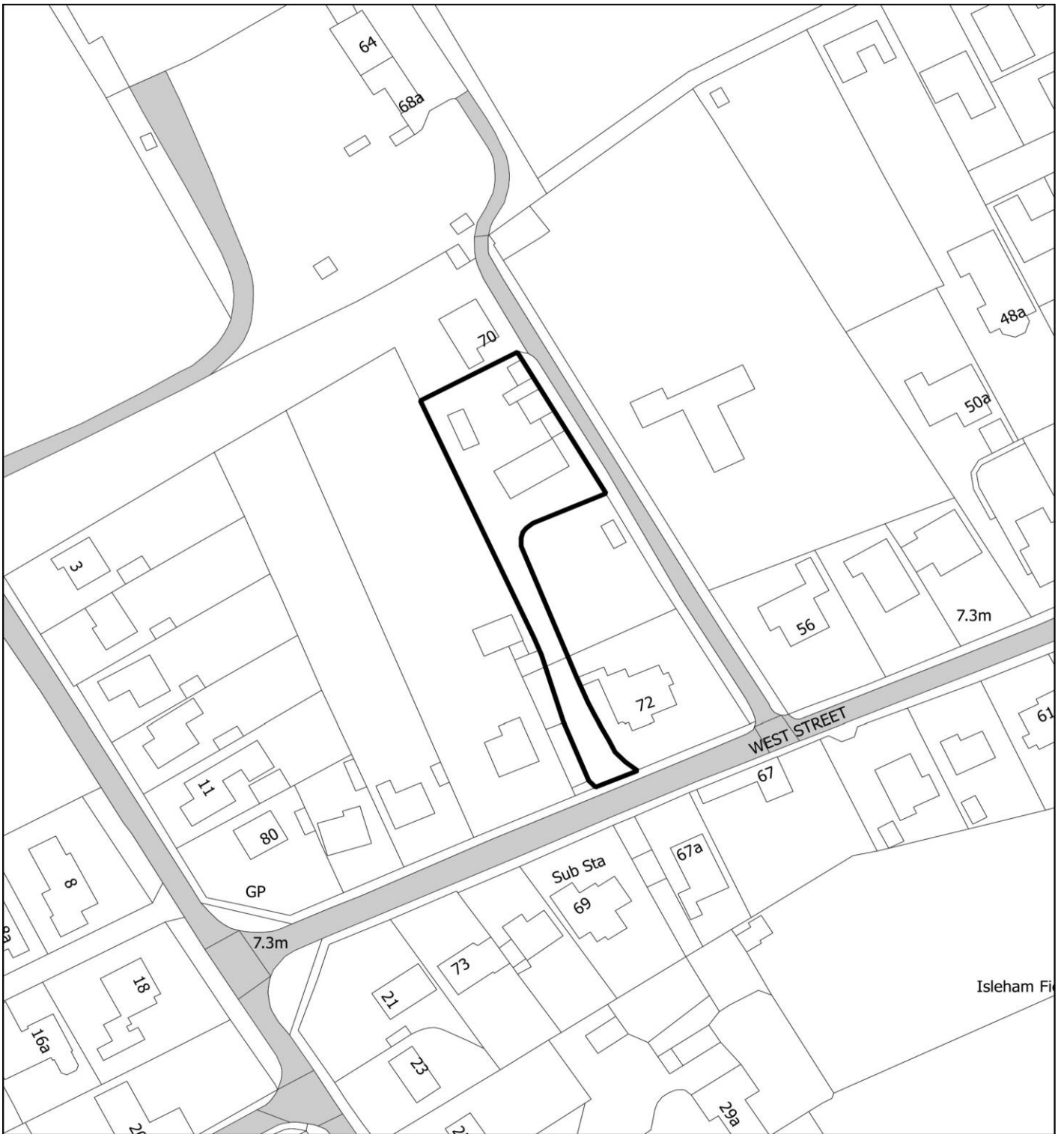
Plan Reference	Version No	Date Received
111807-IW-ZZ-XX-DR-0010		28th August 2020
111807-IW-ZZ-0-DR-0050		28th August 2020
111807-IW-ZZ-XX-DR-A-0060	P1	19 th November 2020
Arboricultural Impact Assessment		28th August 2020
Ecological Impact Assessment	Final	28th August 2020
RM093		18 th November 2020

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No above ground construction shall commence until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include hard standing location and details. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme submitted to and approved in writing by the Local Planning Authority prior to first occupation.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 4 Notwithstanding the approved plans, the biodiversity improvements stated in the Ecological Impact Assessment by AGB Environmental (dated 27th August 2020) shall be installed prior to the first use of the hereby approved development and thereafter maintained in perpetuity.
- 4 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD.
- 5 No construction works and deliveries during the construction phase shall take place outside of the following hours:
08:30 - 17:00 each day Monday - Friday
08:30 - 13:00 on Saturdays and None on Sundays or Bank Holidays and Public Holidays
- 5 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 6 The development hereby permitted shall be carried out in accordance with the submitted Arboricultural Impact Assessment and Arboricultural Method Statement dated 1st September 2020.

- 6 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.
- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 8 No development shall take place until a scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to completion of the works.
- 8 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

Planning Committee Update – 2nd December 2020

Agenda Item	Application Reference	Additional Info Received/Updates to Committee																					
6	20/01145/FUL	<p>The developer has submitted a revised plan today on the 2nd December 2020 (Drawing Number- 111807-IW-ZZ-XX-DR-A-0060 P2) which clarifies all existing/proposed hard and soft surfacing. The plan removes a concrete element originally shown in the northern part of the site and replaces with grass. Also, the originally proposed gravel underneath the solar panels is replaced with herbal grazing ley in line with the submitted Ecological Impact Assessment by AGB Environmental (dated 27th August 2020).</p> <p>As a result, this has revised Condition 1 to include the updated plan. Condition 3 (hard landscaping) is now not required. Condition 4 is revised as the opening wording of “Notwithstanding the approved plans” is now not required.</p> <p>1 Development shall be carried out in accordance with the drawings and documents listed below</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Plan Reference</th> <th style="text-align: left;">Version No</th> <th style="text-align: left;">Date Received</th> </tr> </thead> <tbody> <tr> <td>111807-IW-ZZ-XX-DR-0010</td> <td></td> <td>28th August 2020</td> </tr> <tr> <td>111807-IW-ZZ-0-DR-0050</td> <td></td> <td>28th August 2020</td> </tr> <tr> <td>111807-IW-ZZ-XX-DR-A-0060</td> <td>P2</td> <td>2nd December 2020</td> </tr> <tr> <td>Arboricultural Impact Assessment</td> <td></td> <td>28th August 2020</td> </tr> <tr> <td>Ecological Impact Assessment</td> <td>Final</td> <td>28th August 2020</td> </tr> <tr> <td>RM093</td> <td></td> <td>18th November 2020</td> </tr> </tbody> </table> <p>1 Reason: To define the scope and extent of this permission.</p> <p>3 The biodiversity improvements stated in the Ecological Impact Assessment by AGB Environmental (dated 27th August 2020) shall be installed prior to the first use of the hereby approved development and thereafter maintained in perpetuity.</p> <p>3 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD.</p>	Plan Reference	Version No	Date Received	111807-IW-ZZ-XX-DR-0010		28th August 2020	111807-IW-ZZ-0-DR-0050		28th August 2020	111807-IW-ZZ-XX-DR-A-0060	P2	2 nd December 2020	Arboricultural Impact Assessment		28th August 2020	Ecological Impact Assessment	Final	28th August 2020	RM093		18 th November 2020
Plan Reference	Version No	Date Received																					
111807-IW-ZZ-XX-DR-0010		28th August 2020																					
111807-IW-ZZ-0-DR-0050		28th August 2020																					
111807-IW-ZZ-XX-DR-A-0060	P2	2 nd December 2020																					
Arboricultural Impact Assessment		28th August 2020																					
Ecological Impact Assessment	Final	28th August 2020																					
RM093		18 th November 2020																					



20/01069/FUL

72B West Street
Isleham



East Cambridgeshire
District Council

Date: 16/11/2020

Scale: 1:1.25

© Crown copyright.

All rights reserved 100023279 (2020)

MAIN CASE

Reference No: 20/01069/FUL

Proposal: Construction of 1no. four bedroom two storey detached dwelling and garage/games room/gymnasium

Site Address: 72B West Street Isleham Ely Cambridgeshire CB7 5RA

Applicant: A.T. Consultants & Builders Ltd

Case Officer: Rachael Forbes Planning Officer

Parish: Isleham

Ward: Fordham And Isleham
Ward Councillor/s: Julia Huffer
Joshua Schumann

Date Received: 17 September 2020 **Expiry Date:** 9th December 2020

[V122]

1.0 **RECOMMENDATION**

1.1 Members are recommended to APPROVE the application subject to the recommended conditions below:

- 1 Approved Plans
- 2 Time Limit -FUL
- 3 Reporting of unexpected contamination
- 4 Foul and Surface Water
- 5 Parking and turning
- 6 Specified materials
- 7 Construction times - Standard hours
- 9 Piling foundations
- 10 Biodiversity Improvements
- 11 Landscaping works

The conditions can be read in full on the attached appendix A.

2.0 **SUMMARY OF APPLICATION**

2.1 The application seeks permission for a four bedroom dwelling and detached garage at Plot 2 at 72 West Street, Isleham. Plot 2 was also part of another application, 19/00366/FUL, which was for three detached dwellings on land at 72 West Street,

Isleham, which was split into three plots. Plot 2, under application 19/00366/FUL was originally proposed to be a two storey dwelling, which officers considered to be too large and was objected to by the Trees Officer as it was situated in the Root Protection Area (RPA) of the trees to the east, which are subject to a Tree Preservation Order (TPO). The plans were amended to reduce the scale and height of the dwelling and the dwelling was removed from the RPA, which was considered to be acceptable and the application was approved. An application was then submitted for Plot 2 only, 19/00877/FUL, which was refused at Planning Committee for the following reason:

'Policy ENV1 of the East Cambridgeshire Local Plan, 2015 states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV2 states that development proposals ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area. The proposed development by virtue of its scale and mass, would be out of keeping with the surrounding dwellings. It would be visually prominent in the street scene and would present an expanse of 14.3 metres on both the north east and south west elevations at a height of 7 metres and lacks articulation and interest. The proposed dwelling would appear to be a two storey dwelling against adjacent dwellings of 1.5 or single storey and would therefore be dominant and out of keeping in the street scene. The proposal fails to comply with policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 as it does not provide a complementary relationship with the existing development or relate sympathetically to the surrounding area'.

- 2.2 The previous application was decided at Planning Committee and therefore in accordance with the Council's constitution, officers have approached the Chair and Vice-Chair of Planning Committee as to whether they wish to see this application at Planning Committee. The Chair and Vice-Chair confirmed that they did wish to see this application at Planning Committee, which is now before you.
- 2.3 This application seeks planning permission for a four bedroom dwelling and detached garage. The proposed dwelling subject of this application would be approximately 7.1 metres (23.29ft) in height, 15 metres (49.21ft) in width and 15.3 metres (50.19ft) in length. The detached garage, which is approximately 6.5 metres (21.32ft) in height, 9 metres (29.52ft) in width and 6.7 metres (21.98ft) in length, would be positioned to the east of the principal elevation. The materials proposed are white sand and cement render walls, cream UPVC windows and doors, farmhouse red pantile roof, hardiplank boarding to the dormer windows and TBS Culford brickwork for the brick plinth.
- 2.4 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcamb.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

3.0 PLANNING HISTORY

19/00877/FUL	Proposed five bedroom house and detached garage, parking, access and associated site works	Refused	05.12.2019
19/00366/FUL	Construction of 3 no. dwellings, parking, garaging, access road and associated site works	Approved	22.08.2019

4.0 THE SITE AND ITS ENVIRONMENT

72 West Street is a single storey detached dwelling. To the west of the dwelling is a brick built outbuilding, which has planning consent to be converted under application 19/00366/FUL; at the time of the site visit for this application, the approved conversion was underway. The land to the rear of 72 West Street has planning approval for two dwellings granted under application 19/00366/FUL; Plot 1 is nearing completion and Plot 2 is subject of this application. To the east of the site there is a private road which serves approximately nine dwellings; there are TPO trees along the boundary of the site. To the west, there is a residential dwelling and its associated land. To the north is another residential dwelling, 70 West Street, which is a two-storey dwelling. The site is within the development envelope for Isleham and is not within the Conservation Area. The area is characterised by a mix of house types and styles.

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Cadent Gas Ltd - 24 September 2020

'An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works'.

Cadent Gas Ltd - 29 September 2020

'Should you be minded to approve this application please can the following notes be included an informative note for the Applicant

****PLEASE NOTE - the below information is related to Low and Medium Pressure Assets. You may be contacted separately by our engineers regarding High/Intermediate Pressure Pipelines.****

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to'.

Cambridgeshire Archaeology - No Comments Received

Local Highways Authority - No Comments Received

Environmental Health Officer - 24 September 2020

Due to the close proximity of existing properties I would advise that construction times and deliveries during the construction phase are restricted to the following:

07:30 - 18:00 each day Monday - Friday

07:30 - 13:00 on Saturdays and

None on Sundays or Bank Holidays

If it is necessary to undertake ground piling I would request that a method statement be produced and agreed in writing with the Local Planning Authority (LPA) before work takes place. If there is no intention to utilise ground piling then I would request this be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA.

No other points to raise at this time but please send out the environmental notes.

Waste Strategy (ECDC) - 8 October 2020

East Cambs District Council will not enter private property to collect waste or recycling,

therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should

have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).

Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.

CCC Growth & Development - No Comments Received

Parish Council - 6 October 2020

No concerns

Ward Councillors - No Comments Received

ECDC Trees Team – 22 October 2020

‘The arb report is dated 2018, however these are mature Sycamores and their Root Protection Areas will not have increased dramatically therefore I am happy to accept the details within the report and the tree protection details.

The rear build line of the proposed dwelling is also in line with a previously approved layout which takes the footprint to the edge of the indicated RPA.

No Objection providing the tree protection is installed following demolition and crown lifting works as stated in the report’.

Environmental Health Officer - 20 October 2020

‘I have read the Envirosearch report dated 11th March 2019. The report does not mention the previous agricultural use of the site which has the potential to cause land contamination. However, I note that site has been cleared and stripped so any risk is likely to be low. Due to the proposed sensitive end use of the site (residential) I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission’.

5.2 **Neighbours** – Nine neighbouring properties were notified and a site notice displayed on 9th October 2020. No responses have been received.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 2	Housing density
ENV 1	Landscape and settlement character
ENV 2	Design

ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations

Design Guide

Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

Flood and Water

Natural Environment SPD

6.3 National Planning Policy Framework 2019

2 Achieving sustainable development

5 Delivering a sufficient supply of homes

9 Promoting sustainable transport

11 Making effective use of land

12 Achieving well-designed places

14 Meeting the challenge of climate change, flooding and coastal change

15 Conserving and enhancing the natural environment

16 Conserving and enhancing the historic environment

6.4 Planning Practice Guidance

7.0 PLANNING COMMENTS

The main considerations of this application are: principle of development, visual amenity, residential amenity, highway safety, parking provision, ecology and trees and other matters.

7.1 **Principle of Development**

7.2 Policy GROWTH 2 of the East Cambridgeshire Local Plan, 2015 states that the majority of development will be focused on the market towns of Ely, Soham and Littleport but more limited development will take place in villages which have a defined development envelope. Within the defined development envelopes housing, employment and other development to meet local needs will normally be permitted – provided that there is no significant adverse impact on the character and appearance of the area and that all other material planning considerations are satisfied.

7.3 The site is located within the development envelope of Isleham and therefore the principle of development in this location would be considered acceptable subject to satisfying all other relevant material planning considerations.

7.4 As concluded in the recent appeal decision APP/V0510/W/20/3245551, Land between 27 and 39 Sutton Road, Witchford, the Council can demonstrate a five-year

supply of deliverable housing sites of between 5.3 and 5.6 years. As such, the housing policies in the adopted East Cambridgeshire Local Plan 2015 are considered to be up-to-date.

7.5 **Visual Amenity**

7.6 Policy ENV1 of the East Cambridgeshire Local Plan, 2015 states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV 2 states that development proposals ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area.

7.7 The proposal seeks the provision of a two storey, four bedroomed detached dwelling on Plot 2, to the north of the site. Plot 2 would sit behind Plot 1 and the existing dwelling (number 72) and would therefore be considered as backland development. The principle of backland development in this location has been established under approved application 19/00366/FUL and refused application 19/00877/FUL. It is therefore considered that backland development in this location would be considered acceptable.

7.8 Under application 19/00366/FUL, Plot 2 was originally proposed to be a two-storey dwelling, with a larger footprint which encroached into the root protection area (RPA) of the TPO trees. Officers were concerned about the height and scale of the proposed dwelling. The height was reduced from two storey to 1.5 storey, the scale was reduced and the dwelling located outside of the RPA and the application was approved. Application 19/00877/FUL originally proposed the dwelling at Plot 2 in its original form, however the plans were amended to reduce the height, length and width of the dwelling. This application was refused at Planning Committee for the reason set out in paragraph 2.1 of this report.

7.9 The proposed dwelling subject of this application would be approximately 7.1 metres (23.29ft) in height, 15 metres (49.21ft) in width and 15.3 metres (50.19ft) in length. The detached garage, which is approximately 6.5 metres (21.32ft) in height, 9 metres (29.52ft) in width and 6.7 metres (21.98ft) in length, would be positioned to the east of the principal elevation, in the same position as the previously approved garage under 19/00366/FUL. The proposed dwelling has a simple frontage and has dormer windows which are featured in the properties opposite, 58 and 58a West Street; the principal elevation of the proposed dwelling is very similar to that at 58a West Street. The materials proposed are white sand and cement render walls, cream UPVC windows and doors, farmhouse red pantile roof, hardiplank boarding to the dormer windows and TBS Culford brickwork for the brick plinth.

7.10 Approved application 19/00366/FUL is an extant permission and therefore forms a material consideration in the determination of this application. The approved dwelling at Plot 2 measured approximately 17.8 metres (58.39ft) at its widest point, 13 metres (42.65ft) in length at its longest point and 7.1 metres (23.29ft) in height. The dwelling proposed under this application will add approximately 2.3 metres (7.54ft) in length but will lose approximately 2.8 metres (9.18ft) in width and therefore is of a similar scale to the approved dwelling. The proposed dwelling is approximately 7.1 metres (23.29ft) in height which is the same as the approved dwelling and is also the same

as the dwelling under construction at Plot 1. The proposed garage will be approximately 0.1 metres (0.32ft) wider than the previously approved garage and will be the same length (6.7 metres/21.98ft). The proposed garage will add approximately 0.7 metres (2.29ft) in height, however, it will sit between the proposed dwelling at Plot 2 and the dwelling at Plot 1 and it is considered that there will be limited views of the garage from the wider street scene view.

- 7.11 The materials chosen largely differ from Plot 1, with the exception of the TBS Culford brickwork, however both Plot 1 and the dwelling to the north, 70 West Street have red roof tiles. It is considered that there is a mixture of materials seen in the street scene, however both the brick and tile colour are seen within the street scene and therefore the materials are considered to be appropriate.
- 7.12 It is noted that the proposal description does describe the dwelling as a two-storey dwelling. However, it is the same height as the previously approved dwelling at Plot 2. Furthermore, it gives the appearance of a 1.5 storey as it features dormer windows within the roof space.
- 7.13 It is considered the proposed dwelling is in keeping with the character and appearance of the area and provide a complementary relationship with the existing development and is therefore considered to comply with policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015.
- 7.14 **Residential Amenity**
- 7.15 Policy ENV2 of the East Cambridgeshire Local Plan, 2015 states that new development will be expected to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity.
- 7.16 To the north of the application site is 70 West Street, a two-storey detached dwelling. To the direct east is a private road and on the opposite side of this is 58 and 58a West Street. To the south is previously approved Plot 1. To the west is number 74 West Street.
- 7.17 The proposed dwelling is situated approximately 9 metres (29.52ft) from the northern boundary at its closest point, 8 metres (26.24ft) to the eastern boundary and 4.5 metres (14.76ft) to the western boundary. There are dormer windows on the north and south elevations which all serve bedrooms. The dormers on the south elevation will look towards the parking areas/garages of both Plots 1 and 2. It is considered that these windows would not overlook any private amenity space. The dormer windows on the rear elevation are positioned approximately 16.8 metres (55.11ft) from the north boundary and it is considered that this is a sufficient distance not to result in a significant overlooking impact to 70 West Street.
- 7.18 There are dormer windows proposed on the west elevation which serve bedrooms; these windows are approximately 11 metres (36.08ft) from the boundary which is considered sufficient to avoid a significant overlooking impact. Furthermore, the area to the west is not private amenity space.

- 7.19 It is considered that there is sufficient distance between the dwellings to not result in an overbearing impact.
- 7.20 Given the sun's natural path rising in the east and setting in the west, it is considered that the main impact would be to number 70 West Street as it is north of Plot 2. However, it is considered that there is sufficient distance between the dwellings as to not result in a significant impact to residential amenity.
- 7.21 Policy ENV 2 sets out that new development should ensure that users of new buildings, especially dwellings, enjoy high standards of amenity. The plot size as stated in the application form is 1,100sqm (0.11 hectares/0.27 acres) exceeds the guidance of 300sqm (0.03 hectares/0.074 acres) set out in the Design Guide SPD. The built form takes up less than a third of the plot and the garden size provided is in excess of the 50sqm (0.005 hectares/0.012 acres) requested.
- 7.22 It is considered that the proposed dwelling would not result in a significant adverse impact to residential amenity and would provide high standards of amenity to future occupiers in accordance with policy ENV 2 of the East Cambridgeshire Local Plan, 2015
- 7.23 **Highway Safety and Parking**
- 7.24 Policy COM 7 of the East Cambridgeshire Local Plan, 2015 states that development proposals shall provide a safe and convenient access to the highway network. The access for the proposed dwelling would be that approved under 19/00366/FUL. The Local Highway Authority have been consulted as part of the application, however, no comments have been received. The access under the original application (19/00366/FUL) was to serve the host dwelling (72 West Street) and the three dwellings approved under that application, one of which this dwelling would replace. Therefore, there would be no more intensification of use than previously approved.
- 7.25 The Local Highway Authority had no objections to application 19/00366/FUL in principle and they requested conditions in relation to the access being laid out as per the approved plan with the access 5 metres (16.40ft) wide for 15 metres (49.21ft) and turning and parking areas to be laid out prior to occupation. The access has been constructed; it appeared at the site visit that the only hardstanding left to be completed would be the parking and turning areas to serve the proposed dwelling subject to this application.
- 7.26 Policy COM 8 of the East Cambridgeshire Local Plan, 2015 states that development proposals should provide adequate levels of car and cycle parking in accordance with the Council's parking standards. The parking standards set out that there should be two car parking spaces per dwelling and 1 cycle parking space. The proposed dwelling has two car parking spaces and single car space within the garage. There are no cycle spaces shown on the plan, however, it is considered that given the size of the plots that there would be sufficient space to accommodate these.
- 7.27 It is therefore considered that the proposal complies with policies COM 7 and COM 8 of the East Cambridgeshire Local Plan, 2015.

7.28 **Ecology and Trees**

7.29 Policy ENV7 of the East Cambridgeshire Local Plan, 2015 states that all applications for development that may affect biodiversity and geology interests must be accompanied by sufficient information to be determined by the Local Planning Authority, including an ecological report, to allow potential impacts and possible mitigation measures to be assessed fully. It also states that all development will be required to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds.

7.30 In respect of ecology, the application form states that there are no protected or priority species or designated sites important habitats or other biodiversity features on the site. No further ecological information was sought under the previous application 19/00366/FUL due to the site being considered as unsuitable for protected species and therefore it would be unreasonable and unnecessary to request this information now. Although the site plan shows the provision of bird/bat boxes, it is considered that further biodiversity enhancements could be provided and this could be secured by condition.

7.31 The Trees Officer had initially raised concern in respect of 19/00366/FUL around the boundary treatments in proximity to the trees and what those boundary treatments would be as installing a fence could result in damage to the tree roots. Plot 2 was also positioned too close to the RPA to allow for protective fencing alone as this would need to be moved to allow access for building. Following the reduction in scale of Plot 2, the Trees Officer had no further objection but noted that an updated tree protection plan would be required providing details of the areas where the protective fencing would need to be moved to allow access for buildings and details of the ground protection required in these locations. In respect of this application, the Trees Officer has commented that the arboricultural report is dated 2018, however as the trees are mature Sycamores that their Root Protection Areas will not have increased dramatically therefore is happy to accept the details within the report and the tree protection details. The Trees Officer further commented that the rear build line of the proposed dwelling is also in line with a previously approved layout which takes the footprint to the edge of the indicated RPA. The Trees Officer concluded that there is no objection providing the tree protection is installed following demolition and crown lifting works as stated in the report. This is secured by condition 9.

7.32 The proposal is therefore considered to comply with policy ENV 7 of the East Cambridgeshire Local Plan, 2015.

7.33 **Flood Risk and Drainage**

7.34 Policy ENV 8 states that all developments and re-developments should contribute to an overall flood risk reduction. The policy states that development would not be permitted where:

- It would intensify the risk of flooding during the lifetime of the development taking into account climate change allowances, unless suitable flood management and mitigation measures can be agreed and implemented.

- It would increase the risk of flooding of properties elsewhere during the lifetime of the development, taking into account climate change allowances, by additional surface water run-off or by impeding the flow or storage of flood water.
- It would have a detrimental effect on existing flood defences or inhibit flood control and maintenance work.
- The risk of flooding would cause an unacceptable risk to safety; or
- Safe access is not achievable from/to the development during times of flooding, taking into account climate change allowance.

7.35 The application site is situated within flood zone 1, where development is expected to be situated and where flood risk is low and therefore would not require the submission of a flood risk assessment. The application forms states that surface water would be disposed of via soakaways, with foul water to be disposed of via mains sewer. Details have been shown on drawing number 03/2488/20 and they appear to be similar to the details approved under 19/00366/DISA. Therefore, no further details would be required.

7.36 The proposal is therefore considered to comply with policy ENV 8 of the East Cambridgeshire Local Plan, 2015.

7.37 **Other Material Matters**

7.38 Policy ENV 9 of the East Cambridgeshire Local Plan, 2015 states that all development proposals should minimise and where possible, reduce all emissions and other forms of pollution, including light and water pollution and ensure no deterioration in air or water quality. Proposals will be refused where there are unacceptable pollution impacts, including surface and groundwater quality.

7.39 The Scientific Officer was consulted as part of approved application 19/00366/FUL and has commented that the site is at very low risk of land contamination but due to the sensitive end use of the site requested a condition that if contamination is found that was not previously identified that work must cease and a site investigation and risk assessment carried out.

7.40 The Scientific Officer has commented on this application that he has read the submitted Envirosearch report dated 11th March 2019. He has commented that the report does not mention the previous agricultural use of the site which has the potential to cause land contamination, however the site has been cleared and stripped so any risk is likely to be low. Due to the proposed sensitive end use of the site (residential) it is recommend that standard contaminated land condition relating to unexpected contamination is attached to any grant of permission. This has been recommended as condition 3.

7.41 The proposal is therefore considered to comply with policy ENV 9 of the East Cambridgeshire Local Plan, 2015.

7.42 Cambridgeshire Archaeology have been consulted as part of the proposal. As part of application 19/00366/FUL, the following comments were received:

'Our records indicate that the site lies in an area of high archaeological potential, situated roughly 420m to the west of the scheduled earthwork remains of fish ponds, hollowed lanes and platforms that were part of the Isleham priory (National Heritage

List for England reference 1013278, Historic Environment Record reference DCB221): an alien Benedictine priory 100m west of St Andrew's Church (Historic Environment Record reference 07591). One of over 150 Benedictine monasteries founded in England, Benedictine monasticism had its roots in the rule written about AD 530 by St Benedict of Nursia for his own abbey at Monte Cassino but the earliest attempts to develop an order came only in 1216. The only remaining standing priory building at Isleham is the Chapel of St Margaret of Antioch (a Grade I Listed Building, NHLE ref 1126476, HER ref DCB713) to the north of which lie the buried foundations of the conventional buildings and the earthwork remains of the associated agricultural complex (07528).

Adjacent to the proposed development area are the gardens of Isleham Hall, dating from the 16th century (Historic Environment Record reference MCB19362), with extensive evidence for prehistoric and Roman activity in the vicinity, including ring ditch remains of Bronze Age burial mounds (MCB17114) and numerous finds of prehistoric and Roman artefacts. Archaeological investigations adjacent to the site identified evidence of a post-mill and a large volume of ceramic building material, which may have originated from the former Isleham Hall (post-excavation works on going ECB4999).

We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition’.

7.43 However, following reconsultation for the revised design, plans and elevations for Plot 2 of 19/00366/FUL, they then commented:

‘Thank you for consulting us again with regard to the revised design, plans and elevations for Plot 2. The archaeological programme which was recommended in mitigation of the development impacts has now been completed and we therefore remove our recommendation for the inclusion of an archaeological condition on any permission you may be minded to grant for development within the redline area indicated’.

The red line boundary does not include any land that was not part of the red line boundary under application 19/00366/FUL and therefore the imposition of an archaeological condition would not be reasonable or necessary. The proposal is therefore considered to comply with Policy ENV 14 of the East Cambridgeshire Local Plan, 2015.

7.44 **Planning Balance**

7.45 The proposal seeks a four bedroom detached dwelling. It is similar in scale and height to the previously approved dwelling under 19/00366/FUL. 19/00366/FUL is an extant permission which has been implemented (although Plot 2 itself has not commenced) and therefore forms a material consideration. It is considered that the proposed dwelling would not result in harm to the character and appearance of the area, would not result in a significant impact to the residential amenity of neighbouring dwellings or future occupiers and complies with the relevant policies in respect of highway safety and parking, ecology and trees, flood risk and drainage and contaminated land. The proposal is therefore recommended for approval.

8.0 APPENDICES

- 8.1 Appendix A - Proposed conditions
- 8.2 Appendix B - Officer Report 19/00366/FUL
- 8.3 Appendix C - Officer Report 19/00877/FUL

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
20/01069/FUL	Rachael Forbes Room No. 011	Rachael Forbes Planning Officer 01353 665555
19/00877/FUL	The Grange Ely	rachael.forbes@eastcambs.gov.uk

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX A - 20/01069/FUL Conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
01/2488/20		17th September 2020
02/2488/20		17th September 2020
03/2488/20		17th September 2020
04/2488/20		17th September 2020
05/2488/20		17th September 2020
06/2488/20		17th September 2020

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 3 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 ENV9 of the East Cambridgeshire Local Plan 2015.
- 4 The foul and surface water disposal shall be carried out in accordance with the details shown on drawing number 03/2488/20. The scheme(s) shall be implemented prior to the occupation of each plot.
- 4 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 5 Prior to first occupation of each plot or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

- 5 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 6 The materials to be used in the construction of the external surfaces, including walls, roof, doors and windows, shall be as specified on 05/2488/20. All works shall be carried out in accordance with the approved details.
- 6 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 0730 to 1800 each day Monday - Friday, 0730 to 1300 Saturdays and none on Sundays, Bank Holidays and Public Holidays.
- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 8 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.
- 8 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 9 All works shall be carried out in accordance with the Arboricultural Impact Assessment, Urban Forestry, 29th November 2018. If, during construction, it becomes apparent that further works or changes are required, work shall not progress any further on site until the applicant has secured a site meeting with a suitably qualified professional to agree the details and phasing of any tree surgery works not detailed in the submitted report. A written schedule shall be submitted to and approved in writing by the Local Planning Authority.
- 9 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 10 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD, 2020.
- 11 All soft landscaping 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.

- 11 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

EAST CAMBRIDGESHIRE DISTRICT COUNCIL

PLANNING SERVICES



OFFICER REPORT

Application Number: 19/00366/FUL

Proposal: Construction of 3 no. dwellings, parking, garaging, access road and associated site works

Location: 72 West Street Isleham Ely Cambridgeshire CB7 5RA

Applicant: The Executors Of Joan Reed

Agent: Andrew Fleet

Case Officer: Rachael Forbes

The Application:

The application seeks permission for three detached dwellings on land at 72 West Street, Isleham. Plot 1, to the immediate north of 72 West Street is proposed to be a 1.5 storey detached dwelling. Plot 2, situated to the north of Plot 1 was originally proposed to be a two storey dwelling, which officers felt was too large and was objected to by the Trees Officer as it was situated in the root protection area (RPA) of the trees to the east, which are subject to a Tree Preservation Order (TPO). The plans have been amended to reduce the scale and height of the dwelling and the dwelling has been removed from the RPA. Plot 3 is situated to the front of the site and will be a conversion of an existing building.

Relevant Plans:

Plan Reference	Version No	Date Received
18: 108-2	A	12th June 2019
18: 108-7	Plot 2	12th June 2019
18:108-5	Plot 3	21st March 2019
18:108-3	Plot 1	11th March 2019
18:108-0	A	21st March 2019

The Site and its Environment:

72 West Street is a single storey detached dwelling. To the west of the dwelling is a brick built outbuilding (which is proposed to be converted). There is an access between the dwelling and the outbuilding. To the rear of the dwelling is a closed board fence. Beyond this, there is land which the application form states was previously a farmyard and there are some outbuildings present which are proposed to be demolished. To the east of the site there is a private road which serves several dwellings; there are TPO trees along the boundary of the site. To the west, there is a residential dwelling and its associated land. To the north is another residential dwelling, 70 West Street. The site is within the development envelope for Isleham.

Planning History:

No relevant planning history.

Replies to consultations:

Cadent Gas Ltd - 8 April 2019

'Should you be minded to approve this application please can the following notes be included an informative note for the Applicant

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to'.

Cambridgeshire Archaeology - 8 April 2019 & 9 August 2019

Our records indicate that the site lies in an area of high archaeological potential, situated roughly 420m to the west of the scheduled earthwork remains of fish ponds, hollowed lanes and platforms that were part of the Isleham priory (National Heritage List for England reference 1013278, Historic Environment Record reference DCB221): an alien Benedictine priory 100m west of St Andrew's Church (Historic Environment Record reference 07591). One of over 150 Benedictine monasteries founded in England, Benedictine monasticism had its roots in the rule written about AD 530 by St Benedict of Nursia for his own abbey at Monte Cassino but the earliest attempts to develop an order came only in 1216. The only remaining standing priory building at Isleham is the Chapel of St Margaret of Antioch (a Grade I Listed Building, NHLE ref 1126476, HER ref DCB713) to the north of which lie the buried foundations of the conventional buildings and the earthwork remains of the associated agricultural complex (07528).

Adjacent to the proposed development area are the gardens of Isleham Hall, dating from the 16th century (Historic Environment Record reference MCB19362), with extensive evidence for prehistoric and Roman activity in the vicinity, including ring ditch remains of Bronze Age burial mounds (MCB17114) and numerous finds of prehistoric and Roman artefacts. Archaeological investigations adjacent to the site identified evidence of a post-mill and a large volume of ceramic building material,

which may have originated from the former Isleham Hall (post-excavation works on going ECB4999).

We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition.

Following reconsultation:

'Thank you for consulting us again with regard to the revised design, plans and elevations for Plot 2. The archaeological programme which was recommended in mitigation of the development impacts has now been completed and we therefore remove our recommendation for the inclusion of an archaeological condition on any permission you may be minded to grant for development within the redline area indicated'.

Parish - 30 April 2019 & 6 August 2019

'It is over development of the site and the size of the properties are inappropriate to the land available'.

Following reconsultation, the Parish Council have raised no objections or concerns about the application.

Ward Councillors -

No Comments Received

Local Highways Authority -15 April 2019 & 29 July 2019

'The Highways Authority has no objection in principal to this application

Recommended Conditions

HW11A – Access to be laid out to approved drawing number 18;108-2 and be a min of 5m wide for 15m in to the property

HW14A – Turning and parking areas

Informatives

This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council'.

Following reconsultation:

'The amendment does not appear to change the visibility at the junction, nor turning and parking within the site from that previously considered and I therefore have no objections.

The conditions and informative previously recommended on the 15th April remain applicable and should be appended to any permission'.

ECDC Trees Team - 18 April 2019 & 8 August 2019

'A specification will be needed for any tree work proposed as part of this application.

What is the proposed boundary treatment in proximity to the trees? If new fencing is to be installed details of how the installation of it will avoid causing damage to significant tree roots. Please condition LS5A Boundary Treatments.

Plot 2 is too close to the root protection area (RPA) for fencing alone as this will need to be moved to allow access ground protection will be required to facilitate building operations. Details of this will be required please condition TR5A Arboricultural Method Statement, to ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.

There appears to be hard standing of some sort located within the RPA of the trees this will need to be installed via reduced dig operations with details submitted for approval.

I'm also concerned that shading caused by the existing trees could lead to conflict with the future residents of properties due to lack of light.

A condition for no burning of any materials on site will be required'.

Environmental Health - 1 April 2019 & 17 July 2019

'Due to the proposed number of dwellings and the close proximity of existing properties I would advise that construction times and deliveries during the construction phase are restricted to the following:

07:30 – 18:00 each day Monday – Friday
07:30 – 13:00 on Saturdays and
None on Sundays or Bank Holidays

No other points to raise at this time but please send out the environmental notes'.

'The only thing I'd like to add to my previous comments are that if it is necessary to undertake ground piling I would request that a method statement be produced and agreed in writing with the Local Planning Authority (LPA) before work takes place. If there is no intention to utilise ground piling then I would request this be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA'.

Environmental Health (Scientific Officer):

'Thank you for consulting me on the above proposal. I have read the Envirosearch report dated 11th March 2019 and accept the findings. The site is at very low risk of land contamination and no further work is required. Due to the proposed sensitive end use of the site (residential) I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission'.

Waste Strategy (EADC) – 17 April 2019

• East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances and/or loose gravel/shingle driveways; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).

- Each new property requires two bins; this contribution is currently set at £43 per property.

CCC Growth & Development -

No Comments Received

A site notice was displayed near the site on 10 April 2019. In addition nine neighbouring properties have been directly notified by letter. Two responses have been received raising the following concerns:

'Whilst I do not object to this planning application as a whole we do have concerns regarding the height of the 5 bedroom detached property as it is a 2 story house rather than a bungalow or chalet bungalow and the visual impact it will have on all surrounding buildings i.e The Old Hall which is a Grade II listed building. The parish council had these concerns when we built our property last year and I am unsure as to how these rules would be different on this application.

The height of the 5 bedroom detached property is too high. No other buildings surrounding it are of this size and height. Our house will be hugely overlooked as it is a large 2 storey building as opposed to a bungalow or chalet bungalow. We have recently built opposite this plot and height restrictions were placed on our planning applications which resulted in many changes to our plans. The same rule should be applied on this application'.

No comments were received following reconsultation.

The Planning Policy Context:

East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 2	Housing density
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

Supplementary Planning Documents

- Design Guide
- Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated
- Flood and Water
- Developer Contributions

National Planning Policy Framework 2019

2	Achieving Sustainable Development
5	Delivering a sufficient supply of homes
9	Promoting sustainable transport
11	Making effective use of land
12	Achieving well-designed places

- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment

Planning Comments:

The main considerations of this application are: principle of development, visual amenity, residential amenity, highway safety, parking provision, ecology and trees and other matters.

Principle of Development:

Policy GROWTH 2 of the East Cambridgeshire Local Plan, 2015 states that the majority of development will be focused on the market towns of Ely, Soham and Littleport but more limited development will take place in villages which have a defined development envelope. Within the defined development envelopes housing, employment and other development to meet local needs will normally be permitted – provided that there is no significant adverse impact on the character and appearance of the area and that all other material planning considerations are satisfied.

The site is located within the development envelope of Isleham and therefore the principle of development in this location would be considered acceptable subject to satisfying all other relevant material planning considerations.

The Council is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all local planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits.

Visual Amenity:

Policy ENV1 of the East Cambridgeshire Local Plan, 2015 states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy EV2 states that development proposals ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area.

The proposal seeks the provision of three dwellings; a dwelling at the front of the site, which will be a conversion of the existing building, to create a two bedroom, single storey dwelling (Plot 3) and two 1.5 storey detached dwellings; Plot 1, a three bed dwelling and Plot 2 a four bed dwelling.

Plots 1 and 2 would sit behind the existing dwelling (number 72) and would therefore be considered as backland development. Backland development is present along this section of West Street with dwellings to the rear of 48 and 50 West Street and 1 Hall Barn Road. There are also two dwellings behind 54 and 56 West Street. Although they are not strictly backland as they are accessed by a private road and not through the two dwellings, it is considered that the proposed development is similar to the development behind 54 and 56 in layout. It is therefore considered that backland development in this location would be considered acceptable.

Plots 1 & 2:

Plot 2 was originally proposed to be a two storey dwelling, with a larger footprint which encroached into the root protection area (RPA) of the TPO trees. Officers were concerned about the height and scale of the proposed dwelling. The height has been reduced from two storey to 1.5 storey, the scale has been reduced and the dwelling has been located outside of the RPA.

Plot 1 is situated to the immediate north of the existing dwelling, with plot 2 behind it. They are both proposed to be 1.5 storey dwellings. The existing dwelling is single storey and is likely to be lower in height than the two proposed dwellings, although no existing elevation drawings have been provided as there is no change to the existing dwelling itself. It was noted on site that the 1.5 storey dwelling behind numbers 54 and 56 is visible from the street scene as it is higher than the dwelling in front of it. It is considered therefore that the provision of 1.5 storey dwellings behind a single storey dwelling would not be out of keeping with the immediate street scene.

Both Plot 1 and 2 will be approximately 7.1 metres in height at their highest points. Plot 1 is approximately 27.7 metres wide at its widest point (including the attached garage) and 13 metres in length at its longest point. Plot 2 is approximately 17.8 metres at its widest point and 13 metres in length at its longest point. By way of comparison, 58 and 58a West Street, which are situated across the tree lined private road, are of a similar scale and height. 58 West Street is approximately 7.8 metres in height, 22.8 metres in width (including the attached garage), and 26.4 metres in length. 58a West Street is approximately 6.9 metres in height, 16.9 metres in width and 13.7 metres in length.

The design of Plot 1 and Plot 2 are different to each other, however they do share features seen on dwellings within the street scene. Both dwellings have projecting gables, which are seen in the host dwelling and Plot 2 has dormers windows which are featured in the properties opposite, 58 and 58a West Street. The materials proposed for the dwellings are Traditional Brick and Stone 'Culford Mixture' facing bricks, Lifestyles 'Ashford Pantiles Restoration' roof tiles and double glazed Anthracite Aluminium Thermal Break windows and doors. It is considered that there is a mixture of materials seen in the street scene, however both the brick and tile colour are seen within the street scene and therefore the materials are considered to be appropriate.

While it is noted that the adjacent dwellings at 58 and 58a sit on substantial plots, it is considered that this is not the case for most of the dwellings in West Street, including 70 West Street, situated to the north of the application site, 72 West Street (the host dwelling) and the dwellings at 48-56 West Street. In respect of Plots 1 and 2, the Design Guide SPD states that most building plots should be 300sqm and that the footprint of the proposed development should be no more than one third of the plot size. Plot 1 is approximately 900sqm, with approximately 239sqm of footprint, which equates to 26.5% coverage. Plot 2 is approximately 885sqm, with approximately 218sqm of footprint, which equates to 24.6% coverage. Although the Design Guide is only a guide, the proposal does exceed the guidance set out and the proposed plots exceed many of the plot sizes in the surrounding area.

It is noted that a further dwelling was previously applied for under application 17/00896/OUT, adjacent to 58a West Street. This proposal involved dividing the plot at 58a West Street. It was considered that the proposed development was sustainable and that the proposal would not result in harm to the character and appearance of the area; the proposal was refused on the impact to highway safety and the Local Highway Authority concerns that incremental development would result in an intensification of use of the access onto West Street. The current proposal seeks to use the existing access and not the private road adjacent to the site.

Plot 3:

Plot 3 sits to the front of the site, across the access from the host dwelling.

The proposal is the conversion of the existing building to a two bedroom, single storey dwelling. The proposed footprint and dimensions of the building will remain the same. The openings proposed in the dwelling reflect the existing openings; on the east elevation there will be one extra opening for the front door, on the north elevation there is the provision of patio doors and on the west elevation the proposed window will be smaller than the existing window. The materials for Plot 3 have not been specified; these details can be secured by condition to ensure that any changes proposed would be appropriate and in keeping with the character and appearance of the area.

It is considered that all three plots are in keeping with the character and appearance of the area and they provide a complementary relationship with the existing development and are therefore considered to comply with policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015.

Residential Amenity:

Policy ENV2 of the East Cambridgeshire Local Plan, 2015 states that new development will be expected to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity.

To the north of the application site is 70 West Street. To the direct east is a private road and on the opposite side of this is 58 and 58a West Street. To the south is the host dwelling, 72 West Street. To the west, adjacent to plot 3 is number 74 West Street.

Plot 1:

Plot 1 is a 1.5 storey dwelling to the north of the host dwelling, 72 West Street. It is situated approximately 7.4 metres from the eastern boundary and 9.2 metres to the western boundary. There are windows at first floor level on the east and west elevations, both of which serve bedrooms. In respect of the window facing east, it is considered that given there is 7.4 metres to the boundary and the private road between Plot 1 and number 58 West Street that this would be sufficient to avoid a direct interaction between windows and an overlooking impact. In respect of the window facing west, the land directly opposite does not appear to be part of the residential curtilage of the property and it is therefore considered that the window would not result in a significant impact to residential amenity.

It is considered that there is sufficient distance between the dwellings to not result in an overbearing impact.

Given the sun's natural path rising in the east and setting in the west, it is considered that the main impact would be to the dwelling at Plot 2 as it is north of Plot 1. However, it is considered that the impact would mainly be to the detached garage and parking area and would not impact on any windows in the dwelling or private amenity space.

Policy ENV 2 sets out that new development should ensure that users of new buildings, especially dwellings, enjoy high standards of amenity. As noted above, the plot size exceeds the guidance set out in the Design Guide SPD. The built form takes up less than a third of the plot and the garden size provided is in excess of the 50sqm requested. There was concern around the impact of the trees on the private amenity space and eastern elevation of the dwelling. The trees themselves are beyond the boundary of the site and it was observed on site they have high canopies. Although, they may result in some overshadowing, given the sun's natural path, it is considered that this impact would only be present in the morning, when the sun is in the east. It is considered that this would not result in a significant impact to residential amenity.

Plot 2:

Plot 2 is a 1.5 storey dwelling to the north of the application site. It is situated approximately 12.5 metres from the northern boundary, 7.5 metres to the eastern boundary and 1.4 metres to the western boundary. There is a window at first floor level on the south elevation and doors and Juliet balcony on the north elevation. The window on the south elevation serves a bedroom and will look towards the parking areas/garages of both Plots 1 and 2. It is considered that this window would not overlook any private amenity space. The doors and Juliet balcony are situated approximately 12.5 metres to the boundary and it is considered that this is a sufficient distance not to result in an overlooking impact to 70 West Street.

It is considered that there is sufficient distance between the dwellings to not result in an overbearing impact.

Given the sun's natural path rising in the east and setting in the west, it is considered that the main impact would be to number 70 West Street as it is north of Plot 2. However, it is considered that there is sufficient distance between the dwellings as to not result in a significant impact to residential amenity.

Policy ENV 2 sets out that new development should ensure that users of new buildings, especially dwellings, enjoy high standards of amenity. As noted above, the plot size exceeds the guidance set out in the Design Guide SPD. The built form takes up less than a third of the plot and the garden size provided is in excess of the 50sqm requested. As above, there was concern around the impact of the trees on the private amenity space and eastern elevation of the dwelling. As above, it is considered there would only be an overshadowing impact in the morning when the sun is in the east but that there is also a substantial portion of the garden to the north which will not be affected by overshadowing from the trees.

Plot 3:

Plot 3 is a proposed single storey, two bed dwelling, converted from the existing building.

Plot 3 is situated on the boundary with number 74 West Street. There are windows on all four elevations; the window on the south elevation will face the road and the window on the north boundary will face into the proposed garden area. There is a window proposed on the west elevation which is in place of the existing window; it will be smaller and at an approximate height of 1.7 metres above floor level. It is considered that this window would not result in a significant overlooking impact due to its size and height and as the front of the dwelling at number 74 West Street is a public view. The windows on the east elevation face into the site towards the host dwelling. There is a small porch area on the side of 72 West Street opposite the windows on the east elevation; it is considered given its use that the proposed windows would not result in a direct overlooking impact.

It is considered that any overshadowing or overbearing impacts experienced from the existing building would not be worsened by the conversion as the building footprint/height is remaining the same.

Policy ENV 2 sets out that new development should ensure that users of new buildings, especially dwellings, enjoy high standards of amenity. The plot size and garden areas are sufficient and it is considered that the proposed dwelling would provide a high standard of amenity.

It is considered that the proposed dwellings would not result in a significant adverse impact to residential amenity and would provide high standards of amenity to future occupiers in accordance with policy ENV 2 of the East Cambridgeshire Local Plan, 2015.

Highway safety and parking provision:

Policy COM 7 of the East Cambridgeshire Local Plan, 2015 states that development proposals shall provide a safe and convenient access to the highway network. The proposal seeks to utilise the existing access to serve the host dwelling and the three proposed dwellings. The access will be 5 metres in width for the first 15 metres. The Local Highway Authority has been consulted as part of the application and have no objections to the application in principle. They have requested conditions in relation to the access being laid out as per the approved plan with the access 5 metres wide for 15 metres and turning and parking areas to be laid out prior to occupation.

Policy COM 8 of the East Cambridgeshire Local Plan, 2015 states that development proposals should provide adequate levels of car and cycle parking in accordance with the Council's parking standards. The parking standards set out that there should be two car parking spaces per dwelling and 1 cycle parking space. All three dwellings have two car parking spaces and plots 1 and 2 both

have garages. There are no cycle spaces shown on the plan, however, it is considered that given the size of the plots that there would be sufficient space to accommodate these.

It is therefore considered that the proposal complies with policies COM 7 and COM 8 of the East Cambridgeshire Local Plan, 2015.

Ecology and Trees:

Policy ENV7 of the East Cambridgeshire Local Plan, 2015 states that all applications for development that may affect biodiversity and geology interests must be accompanied by sufficient information to be determined by the Local Planning Authority, including an ecological report, to allow potential impacts and possible mitigation measures to be assessed fully. It also states that all development will be required to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds. No ecology survey is required due to the lack of features present that would be likely to attract protected species as per Natural England's standing advice.

The plans show that the hedge on the eastern boundary is to be retained and shows a native species hedge to be planted to the front of Plot 1. The TPO trees on the western boundary will also be retained. The application form states that there are no protected or priority species or designated sites important habitats or other biodiversity features on the site. There are no further biodiversity enhancements proposed; it is considered that this could be secured by condition.

The Trees Officer had initially raised concern around the boundary treatments in proximity to the trees and what those boundary treatments would be as installing a fence could result in damage to the tree roots. Plot 2 was also positioned too close to the RPA to allow for protective fencing alone as this would need to be moved to allow access for building. Following the reduction in scale of Plot 2, the Trees Officer had no further objection but noted that an updated tree protection plan would be required providing details of the areas where the protective fencing would need to be moved to allow access for buildings and details of the ground protection required in these locations and this can be secured by condition.

The proposal is therefore considered to comply with policy ENV 7 of the East Cambridgeshire Local Plan, 2015.

Other Matters:

Drainage:

Policy ENV 8 states that all developments and re-developments should contribute to an overall flood risk reduction. The policy states that development would not be permitted where:

- It would intensify the risk of flooding during the lifetime of the development taking into account climate change allowances, unless suitable flood management and mitigation measures can be agreed and implemented.
- It would increase the risk of flooding of properties elsewhere during the lifetime of the development, taking into account climate change allowances, by additional surface water run-off or by impeding the flow or storage of flood water.
- It would have a detrimental effect on existing flood defences or inhibit flood control and maintenance work.
- The risk of flooding would cause an unacceptable risk to safety; or
- Safe access is not achievable from/to the development during times of flooding, taking into account climate change allowance.

The application site is situated within flood zone 1 and therefore would not require the submission of a flood risk assessment. The application forms states that surface water would be disposed of via

soakaways, with foul water to be disposed of via mains sewer. No further details have been provided and it is therefore considered that a scheme for the disposal of foul and surface water would be required by condition.

The proposal is therefore considered to comply with policy ENV 8 of the East Cambridgeshire Local Plan, 2015.

Contaminated Land:

Policy ENV 9 of the East Cambridgeshire Local Plan, 2015 states that all development proposals should minimise and where possible, reduce all emissions and other forms of pollution, including light and water pollution and ensure no deterioration in air or water quality. Proposals will be refused where there are unacceptable pollution impacts, including surface and groundwater quality.

The Scientific Officer has been consulted as part of the application and has commented that the site is at very low risk of land contamination but due to the sensitive end use of the site, has requested a condition that if contamination is found that was not previously identified that work must cease and a site investigation and risk assessment carried out.

Conclusion:

The proposal is considered to comply with relevant planning policies and does not result in a significant negative impact to the character and appearance of the area or to residential amenity. The application is therefore recommended for approval.

RECOMMENDATION:

Approve

1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
18: 108-2	A	12th June 2019
18: 108-7	Plot 2	12th June 2019
18:108-5	Plot 3	21st March 2019
18:108-3	Plot 1	11th March 2019
18:108-0	A	21st March 2019

1 Reason: To define the scope and extent of this permission.

2 The development hereby permitted shall be commenced within 2 years of the date of this permission.

2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

3 The development hereby permitted consists of three phases as shown as 'Plot 1', 'Plot 2' and 'Plot 3' on Drawing No. 18: 108-2 Rev A and shall be completed in accordance with that phasing plan.

3 Reason: The applicant has requested that the development be undertaken in a phased manner for the purposes of CIL.

4 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local

Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.

- 4 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 ENV9 of the East Cambridgeshire Local Plan 2015.
- 5 No development shall take place on each phase until a scheme to dispose of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to the occupation of each plot.
- 5 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 6 The access shall be laid out in accordance with approved drawing number 18: 108 - 2 Rev A and be a minimum width of 5m, for a minimum distance of 15m measured from the near edge of the highway carriageway and thereafter retained in perpetuity.
- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 Prior to first occupation of each plot or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 8 For each plot, no above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the occupation of each plot and shall remain thereafter.
- 8 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 9 No above ground construction shall take place on Plot 3 until details of the walls, roof, doors and windows to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 9 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 The materials to be used in the construction of the external surfaces of Plot 1 and 2 shall be as specified in the email dated 12th June 2019 from Andrew Fleet, specifying facing bricks: Traditional Brick and Stone Culford Mixture, roof tiles: Lifestyles Ashvale Pantiles, Restoration

and windows and doors: Aluminium Thermal Break, double glazed, colour Anthracite. All works shall be carried out in accordance with the approved details.

- 10 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 11 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 07:30-18:00 each day Monday-Friday, 07:30-13:00 Saturdays and none on Sundays or Bank Holidays.
- 11 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development of the relevant plot, the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.
- 12 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 13 No development shall take place on Plots 1 or 2 until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, has been submitted for each plot, to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.
- 13 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 14 Prior to occupation of each plot, a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 14 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 15 No burning of waste shall take place on site during the clearance or construction phases.

- 15 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 16 Prior to first occupation of each plot, a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant (including retained existing trees/hedgerows) 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.
- 16 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 17 No above ground construction shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include hard surfacing materials. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.
- 17 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

Signed: Rachael Forbes

Dated: 21/8/19

Case Officer



21/8/19

Planning Manager

MAIN CASE

Reference No: 19/00877/FUL

Proposal: Proposed five bedroom house and detached garage, parking, access and associated site works

Site Address: Plot 2 Site North West Of 72 West Street Isleham Cambridgeshire

Applicant: Mr & Mrs D Geach

Case Officer: Rachael Forbes Planning Officer

Parish: Isleham

Ward: Fordham And Isleham
Ward Councillor/s: Julia Huffer
Joshua Schumann

Date Received: 3 July 2019 **Expiry Date:**

1.0 RECOMMENDATION

1.1 Members are recommended to REFUSE this application for the following reasons:

- 1) Policy ENV1 of the East Cambridgeshire Local Plan, 2015 states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV2 states that development proposals ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area. The proposed development by virtue of its scale and mass, would be out of keeping with the surrounding dwellings. It would be visually prominent in the street scene and would present an expanse of 15.3 metres on both the north east and south west elevations at a height of 7 metres and lacks articulation and interest. The proposed dwelling would appear to be a two storey dwelling against adjacent dwellings of 1.5 or single storey and would therefore be dominant and out of keeping in the street scene. The proposal fails to comply with policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 as it does not provide a complementary relationship with the existing development or relate sympathetically to the surrounding area.

2.0 SUMMARY OF APPLICATION

2.1 The application seeks permission for a five bedroom dwelling and detached garage at Plot 2 at 72 West Street, Isleham. Plot 2 was also part of another application, 19/00366/FUL, which was for three detached dwellings on land at 72 West Street, Isleham, which was split

into three plots. Plot 2, under application 19/00366/FUL was originally proposed to be a two storey dwelling, which officers considered to be too large and was objected to by the Trees Officer as it was situated in the Root Protection Area (RPA) of the trees to the east, which are subject to a Tree Preservation Order (TPO). The plans were amended to reduce the scale and height of the dwelling and the dwelling was removed from the RPA, which was considered to be acceptable and the application was approved. This application sought permission for the original design for Plot 2, submitted under application 19/00366/FUL, which is a five bedroom, two storey dwelling. The plans have been amended to reduce the height, width and length of the proposed dwelling.

2.2 The application has been called in to Planning Committee by Cllr Schumann as he believes the application is very finely balanced and the Parish Council have no objections to it and therefore it should be taken to committee for consideration.

2.3 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcamb.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

3.0 PLANNING HISTORY

3.1 19/00366/FUL Construction of 3no. dwellings, Approved 21.08.2019
parking, garaging, access road
and associated site works

4.0 THE SITE AND ITS ENVIRONMENT

4.1 72 West Street is a single storey detached dwelling. To the west of the dwelling is a brick built outbuilding, which has planning consent to be converted under application 19/00366/FUL. There is an access between the dwelling and the outbuilding. To the rear of the dwelling is a closed board fence. Beyond this, there is land which the application form states was previously a farmyard and there are some outbuildings present which are proposed to be demolished as part of application 19/00366/FUL. To the east of the site there is a private road which serves approximately nine dwellings; there are TPO trees along the boundary of the site. To the west, there is a residential dwelling and its associated land. To the north is another residential dwelling, 70 West Street, which is a two storey dwelling. The site is within the development envelope for Isleham and is not within the Conservation Area.

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Cadent Gas Ltd - 1 August 2019

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact

Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Local Highways Authority - 1 August 2019

I note that this plot is already subject to a current planning application number 19/00366/FUL. The proposal here does not increase the number of properties served off of the proposed access, nor does it affect access arrangements, turning and parking provision.

The conditions and informative recommended for 19/00366/FUL therefore remain applicable to this application.

Local Highways Authority - 15 October 2019 (additional comments following amendment)

The observations in my correspondence dated 1st August 2019 remains applicable. I note however that the red line boundary has been removed from the site layout plan that was present on that superseded plan; The Local Planning Authority may wish to have this reinstated.

CCC Growth & Development - No Comments Received

Minerals And Waste Development Control Team - No Comments Received

ECDC Trees Team - 1 August 2019

Plot 2 is too close to the root protection area (RPA) for fencing alone as this will need to be moved to allow access ground protection will be required to facilitate building operations.

Plot 2 also appears to have hard standing of some sort located within the RPA of the trees this will need to be installed via reduced dig operations with details submitted for approval.

I'm concerned that the scale of the building in plot 2 will put it so close to the TPO trees that shading and leaf litter will be an issue and could lead to conflict with the future residents of plot 2 due to lack of light, blocked gutters and lack of grass.

I object to this application due to the detrimental effect it's likely to have on the neighbouring TPO trees.

Conservation Officer - No Comments Received

Waste Strategy (ECDC) - 9 July 2019

- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances and/or loose gravel/shingle driveways; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).

• Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.

Parish Council - 6 August 2019

Objection on grounds of the following Material Planning Considerations:

Please see our previously submitted objections to 19/00366/FUL

Specifically that it is an over development of the site and the size of the properties are inappropriate to the land available.

Parish Council – 22nd October 2019 (additional comments following amendment)

No concerns about the application.

Ward Councillors - No Comments Received

- 5.2 Neighbours – 14 neighbouring properties were notified and no responses were received. A site notice was displayed near the site on 11th July 2019 and a press advert was published in the Cambridge Evening News on 18th July 2019.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 2	Housing density
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Design Guide

Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

Flood and Water

Developer Contributions and Planning Obligations

6.3 National Planning Policy Framework 2019

- 2 Achieving sustainable development
- 5 Delivering a sufficient supply of homes
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment

6.4 Planning Practice Guidance

7.0 PLANNING COMMENTS

7.1 The main considerations of this application are: principle of development, visual amenity, residential amenity, highway safety, parking provision, ecology and trees, flood risk and drainage and other matters.

7.2 Principle of Development

7.3 Policy GROWTH 2 of the East Cambridgeshire Local Plan, 2015 states that the majority of development will be focused on the market towns of Ely, Soham and Littleport but more limited development will take place in villages which have a defined development envelope. Within the defined development envelopes housing, employment and other development to meet local needs will normally be permitted – provided that there is no significant adverse impact on the character and appearance of the area and that all other material planning considerations are satisfied.

7.4 The site is located within the development envelope of Isleham and therefore the principle of development in this location would be considered acceptable subject to satisfying all other relevant material planning considerations.

7.5 The Council is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all local planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits.

8.0 Visual Amenity

8.1 Policy ENV1 of the East Cambridgeshire Local Plan, 2015 states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV 2 states that development proposals ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area.

8.2 The proposal seeks the provision of a two storey, five bedroomed detached dwelling on Plot 2, to the north of the site. Plot 2 would sit behind Plot 1 and the existing dwelling (number 72) and would therefore be considered as backland development. Backland development is present along this section of West Street with dwellings to the rear of 48 and 50 West Street and 1 Hall Barn Road. There are also two dwellings behind 54 and 56 West Street. Although they are not strictly backland as they are accessed by a private road and not through the two dwellings, it is considered that the proposed development is similar to the development behind 54 and 56 in layout. It is therefore considered that backland development in this location would be considered acceptable.

8.3 Under application 19/00366/FUL, Plot 2 was originally proposed to be a two storey dwelling, with a larger footprint which encroached into the root protection area (RPA) of the TPO trees. Officers were concerned about the height and scale of the proposed dwelling. The height was reduced from two storey to 1.5 storey, the scale was reduced and the dwelling located outside of the RPA. This application originally proposed the dwelling at Plot 2 in its original form,

however the plans have now been amended to reduce the height, length and width of the dwelling.

- 8.4 The proposed dwelling would be approximately 7 metres in height, 15.3 metres in width and 15.3 metres in length; this has been reduced from approximately 7.9 metres in height, 15.4 metres in width and 15.9 metres in length. The principal elevation has two projecting gables with a glazed centre section. The detached garage, which is approximately 5.8 metres in height, 9.1 metres in width and 6.9 metres in length, would be positioned in front of the eastern gable.
- 8.5 The adjacent plot to the south, Plot 1, has planning consent for a 1.5 storey dwelling which is approximately 7.1 metres in height (planning reference 19/00366/FUL). It is approximately 27.7 metres wide at its widest point (including the attached garage) and 13 metres in length at its longest point. The existing dwelling to the front of the site is single storey, as is the adjacent proposed barn conversion (Plot 3 of 19/00366/FUL). 58 West Street, which is situated across the tree lined private road is approximately 7.8 metres in height, 22.8 metres in width (including the attached garage), and 26.4 metres in length. 58a West Street, which is adjacent to 58 West Street is approximately 6.9 metres in height, 16.9 metres in width and 13.7 metres in length.
- 8.6 While the proposed dwelling is of similar measurements to those in the vicinity, the neighbouring dwellings have a variety of heights, lengths and widths in the elevations to break up the length. The approved scheme on the adjacent Plot 1 is approximately 27.7 metres at its widest point, however the principal elevation is broken up by projecting gables of varying heights. It is approximately 13 metres in length at its longest point, however it does have smaller elements as well. The proposed dwelling at Plot 2 presents a two storey expanse, for the entire 15.3 metres, particularly on the north east and south west elevations. There is very little variation in height or width, with the exception of a very small single storey projection to both elevations.
- 8.7 Although the proposed dwelling is of a lower height than 58 West Street and a similar height to Plot 1 and 58a West Street, it does not give the appearance of a 1.5 storey dwelling or single storey dwelling, similar to those in the immediate street scene. While it is accepted that the proposal is a self-build project and therefore it would not necessarily be expected to match the design of neighbouring dwellings, it is considered that it would be expected to reflect the character of the dwellings. There were no other similar dwellings observed in the street scene; all of the dwellings to the front are single storey and 1.5 storey behind numbers 54 and 56 West Street.
- 8.8 It is considered that the proposal results in a dwelling which is of a scale and which is not in keeping with the existing built form in the area. It would give the appearance of a two storey dwelling in an area which is largely 1.5 storey and single storey dwellings and it would be visually prominent within the street scene. The proposal would be visually prominent on approach from the west and although not as visually prominent from the east when approaching on West Street, from the private road it would present an unbroken expanse of 15.9 metres on a dwelling that would be perceived as two storey.
- 8.9 It is considered that the proposal does not provide a complementary relationship with the existing development and is therefore contrary to policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015.

9.0 Residential Amenity

- 9.1 Policy ENV2 of the East Cambridgeshire Local Plan, 2015 states that new development will be expected to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity. The plot size exceeds the guidance set out in the Design Guide SPD, which is 300sqm, the built form does not exceed one third of the plot and the garden space exceeds 50sqm.
- 9.2 To the north of the application site is 70 West Street. To the direct east is a private road and on the opposite side of this is 58 and 58a West Street. To the south is the host dwelling, 72 West Street. To the west, adjacent to plot 3 is number 74 West Street.
- 9.3 The proposed dwelling is situated approximately 11.5 metres from the northern boundary, 7 metres to the eastern boundary and 4.9 metres to the western boundary. There are five windows at first floor level on the south east elevation, which serve bedrooms and the central section which will house the stairs. These windows will look towards the parking areas/garages of the dwelling at Plot 1. It is considered that the proposed dwelling would look towards the parking area/garage of the proposed dwelling at Plot 1 and would not result in any residential amenity impacts to Plot 1.
- 9.4 On the north west elevation, there are three first floor windows serving bedrooms. The closest of the three windows is approximately 11.5 metres from the boundary and will look towards the side elevation and private amenity space of the dwelling to the rear, 70 West Street. It is considered that the windows are of a sufficient distance not to result in a significant overlooking impact.
- 9.5 There are windows at first floor level on the north east and south west elevations, the windows in the north east elevation both serve showers; there is 7 metres between the windows and the boundary and private road between the proposed dwelling and the dwellings opposite and it is considered that this would be sufficient to not result in an overlooking impact. In respect of the windows facing west, the land directly opposite does not appear to be part of the residential curtilage of the property and it is therefore considered that the proposed dwelling would not result in an overlooking impact.
- 9.6 It is considered that there is sufficient distance between the dwellings to not result in an overbearing impact; there is approximately 11m between the proposed dwelling and the approved dwelling at Plot 1, 20 metres between the proposed dwelling and 58/58a West Street and 65 metres between the proposed dwelling and 74 West Street.
- 9.7 Given the sun's natural path rising in the east and setting in the west, it is considered that the main impact would be to number 70 West Street as it is north of Plot 2. However, there is sufficient distance (approximately 15 metres) between the dwellings as to not result in a significant impact to residential amenity by virtue of overshadowing.
- 9.8 The Trees Officer raised concern that the proposed dwelling being so close to the trees would result in conflict for the future occupiers of the dwelling as the trees will cause shading to the north east elevation of the dwelling and the garden, as well as result in leaf litter, lack of light, blocked gutters and a lack of grass which could lead to conflict with the future residents. Therefore, the Trees Officer has objected to the application due to the detrimental effect the proposal is likely to have on the neighbouring TPO trees.
- 9.9 In respect of residential amenity, the windows on the north east elevation serve three shower rooms, a utility room and a secondary kitchen window and there is a large garden area to the

north west of the proposed dwelling as well as the area to the north east and it is therefore considered that there would not be a significant impact to residential amenity.

9.10 It is therefore considered that the proposed dwellings would not result in a significant adverse impact to residential amenity and would provide high standards of amenity to future occupiers in accordance with policy ENV 2 of the East Cambridgeshire Local Plan, 2015

10.0 Highways

10.1 Policy COM 7 of the East Cambridgeshire Local Plan, 2015 states that development proposals shall provide a safe and convenient access to the highway network. The proposal seeks to utilise the existing access. The access will be 5 metres in width for the first 15 metres. The Local Highway Authority has been consulted as part of the application and have raised no objections to the application in principle. They have requested conditions in relation to the access being laid out as per the approved plan with the access 5 metres wide for 15 metres and turning and parking areas to be laid out prior to occupation.

10.2 Policy COM 8 of the East Cambridgeshire Local Plan, 2015 states that development proposals should provide adequate levels of car and cycle parking in accordance with the Council's parking standards. The parking standards set out that there should be two car parking spaces per dwelling and 1 cycle parking space. The proposed dwelling has two car parking spaces and a double garage. There are no cycle spaces shown on the plan, however, it is considered that there would be sufficient space to accommodate these.

10.3 It is therefore considered that the proposal complies with policies COM 7 and COM 8 of the East Cambridgeshire Local Plan, 2015 in respect of highway safety and car and cycle parking.

11.0 Ecology and Trees

11.1 Policy ENV7 of the East Cambridgeshire Local Plan, 2015 states that all applications for development that may affect biodiversity and geology interests must be accompanied by sufficient information to be determined by the Local Planning Authority, including an ecological report, to allow potential impacts and possible mitigation measures to be assessed fully. It also states that all development will be required to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds.

11.2 The plans show that the hedge on the eastern boundary is to be retained. The TPO trees on the western boundary would also be retained. The application form states that there are no protected or priority species or designated sites important habitats or other biodiversity features on the site. No further ecological information was sought under the previous application 19/00366/FUL due to the site being considered as unsuitable for protected species and therefore it would be unreasonable and unnecessary to request this information now. However, biodiversity enhancements could be secured by condition.

11.3 There are TPO trees adjacent to the site and the Trees Officer has raised concern regarding the proximity of the proposed dwelling to the trees as it is too close to the root protection area (RPA) for fencing alone as the fencing will need to be moved to allow access and ground protection will be required to facilitate building operations. The Trees Officer has further commented that 'Plot 2 also appears to have hard standing of some sort located within the RPA of the trees this will need to be installed via reduced dig operations with details submitted for approval'. It is considered that a Tree Protection Plan could be secured by condition.

11.4 The Trees Officer has also raised concern around the scale of the building being so close to the trees and leading to conflict with future residents in respect of shading and leaf litter; this has been addressed in the residential amenity section of this report.

11.5 The proposal is therefore considered to comply with policy ENV 7 of the East Cambridgeshire Local Plan, 2015.

12.0 Flood Risk and Drainage

12.1 Policy ENV 8 states that all developments and re-developments should contribute to an overall flood risk reduction. The policy states that development would not be permitted where:

- It would intensify the risk of flooding during the lifetime of the development taking into account climate change allowances, unless suitable flood management and mitigation measures can be agreed and implemented.
- It would increase the risk of flooding of properties elsewhere during the lifetime of the development, taking into account climate change allowances, by additional surface water run-off or by impeding the flow or storage of flood water.
- It would have a detrimental effect on existing flood defences or inhibit flood control and maintenance work.
- The risk of flooding would cause an unacceptable risk to safety; or
- Safe access is not achievable from/to the development during times of flooding, taking into account climate change allowance.

12.2 The application site is situated within flood zone 1, where development is expected to be situated and where flood risk is low and therefore would not require the submission of a flood risk assessment. The application forms states that surface water would be disposed of via soakaways, with foul water to be disposed of via mains sewer. No further details have been provided, however these could be secured by condition if the application was approved.

12.3 The proposal is therefore considered to comply with policy ENV 8 of the East Cambridgeshire Local Plan, 2015.

13.0 Other Matters

13.1 Policy ENV 9 of the East Cambridgeshire Local Plan, 2015 states that all development proposals should minimise and where possible, reduce all emissions and other forms of pollution, including light and water pollution and ensure no deterioration in air or water quality. Proposals will be refused where there are unacceptable pollution impacts, including surface and groundwater quality.

13.2 The Scientific Officer was consulted as part of approved application 19/00366/FUL at the same site and has commented that the site is at very low risk of land contamination but due to the sensitive end use of the site and requested a condition that if contamination is found that was not previously identified that work must cease and a site investigation and risk assessment carried out. It is therefore considered that a full contamination report would not be required for this site.

13.3 The proposal is therefore considered to comply with policy ENV 9 of the East Cambridgeshire Local Plan, 2015.

14.0 Planning Balance

- 14.1 The National Planning Policy Framework promotes sustainable development and states in Paragraph 11 that decisions should apply a presumption in favour of sustainable development. The Framework supports the delivery of a wide range of high quality homes. Paragraph 11 makes it clear that where the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:
- I. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - II. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 14.2 It is considered that the proposal would result in a dwelling which is of a scale, mass and height which is not in keeping with the existing built form in the area. It has the appearance of a two storey dwelling, which does not reflect the surrounding residential development and it would be visually prominent within the street scene. The proposal would be visually prominent on approach from the west and although not as visually prominent from the east when approaching on West Street, from the private road it would present an unbroken expanse of 15.3 metres at a height of 7 metres. The proposal is therefore considered to be contrary to policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015.
- 14.3 In accordance with the NPPF, it is considered that the disbenefits of the scheme significantly and demonstrably outweigh the benefit of a limited contribution to the reduction in the deficit in the Council's five year housing land supply.
- 14.4 The application is therefore recommended for refusal.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
19/00877/FUL	Rachael Forbes Room No. 011	Rachael Forbes Planning Officer 01353 665555
19/00366/FUL	The Grange Ely	rachael.forbes@eas tcambs.gov.uk

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

Planning Performance – October 2020

Planning will report a summary of performance. This will be for the month before last month, as this allows for all applications to be validated and gives a true representation.

All figures include all types of planning applications.

	Total	Major	Minor	Householder	Other	DIS /NMA	Trees
Validation	188	2	38	35	22	23	66
Determinations	180	1	34	32	26	31	56
Determined on time (%)		100% (90% within 13 weeks)	94% (80% within 8 weeks)	97% (90% within 8 weeks)	100% (90% within 8 weeks)	65% (80% within 8 weeks)	100% (100% within 8 weeks)
Approved	168	1	30	30	21	31	55
Refused	12	0	4	2	5	0	1

Open Cases by Team (as at 16/11/2020)							
Team 1 (3.8 FTE)	143	9	35	23	25	51	0
Team 2 (4 FTE)	127	17	31	15	22	42	0
Team 3 (3 FTE)	98	7	22	26	15	28	0
No Team (4 FTE)	141	11	27	2	19	9	73

No Team includes – Trees Officer, Conservation Officer and Agency Workers (x2)

The Planning department received a total of 214 applications during October which is a 5% decrease of number received during October 2019 (226) and 9% increase to the number received during September 2020 (196).

Valid Appeals received – 3

Meadlands Farm The Gault Sutton Ely – Delegated Decision
16 Parsonage Lane Burwell – Committee Decision
9 Newmarket Road Fordham Ely – Delegated Decision

Appeals decided – 3

9 Newmarket Road Fordham Ely – Delegated Decision – Dismissed
Site North Of 196 - 204 Main Street Witchford – Committee Decision – Withdrawn
Site North East Of 32 Tunbridge Lane Bottisham – Delegated Decision – Dismissed

Other Information

Appeal at Land North of 190 Wisbech Road, Littleport has had its procedure changed to a Hearing which will take place virtually on 14th and 15th January 2021.

Following a High Court challenge by the Council the two appeal decisions for Land South of Main Street & Land south of 85 to 97 Main Street Witchford have been quashed and the Planning Inspectorate are required to re-determine the appeals. Copies of the Consent Order are available on our Public Access System <https://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P1BL4RGGKTH00>

Enforcement

New Complaints registered – 23 (1 Proactive)

Cases closed – 34 (8 Proactive)

Open cases/officer (2.5FTE) – 268 cases (27 Proactive)/2.5 = 107.2 per FTE

Notices served – 0

Comparison of Enforcement complaints received during October

Code	Description	2019	2020
ADVERT	Reports of unauthorised adverts	1	0
COND	Reports of breaches of planning conditions	4	5
CONSRV	Reports of unauthorised works in a Conservation Area	0	0
DEM	Reports of unauthorised demolition in a Conservation Area	0	0
HEDGE	High Hedge complaints dealt with under the Anti-Social Behaviour Act	0	0
LISTED	Reports of unauthorised works to a Listed Building	0	2
OP	Reports of operational development, such as building or engineering works	8	6
OTHER	Reports of activities that may not constitute development, such as the siting of a mobile home	2	1
PLAN	Reports that a development is not being built in accordance with approved plans	1	3
PRO	Proactive cases opened by the Enforcement Team, most commonly for unauthorised advertisements and expired temporary permissions	0	2
UNTIDY	Reports of untidy land or buildings harming the visual amenity	1	0
USE	Reports of the change of use of land or buildings	7	4
TOTAL		24	23