

21/01255/RMA

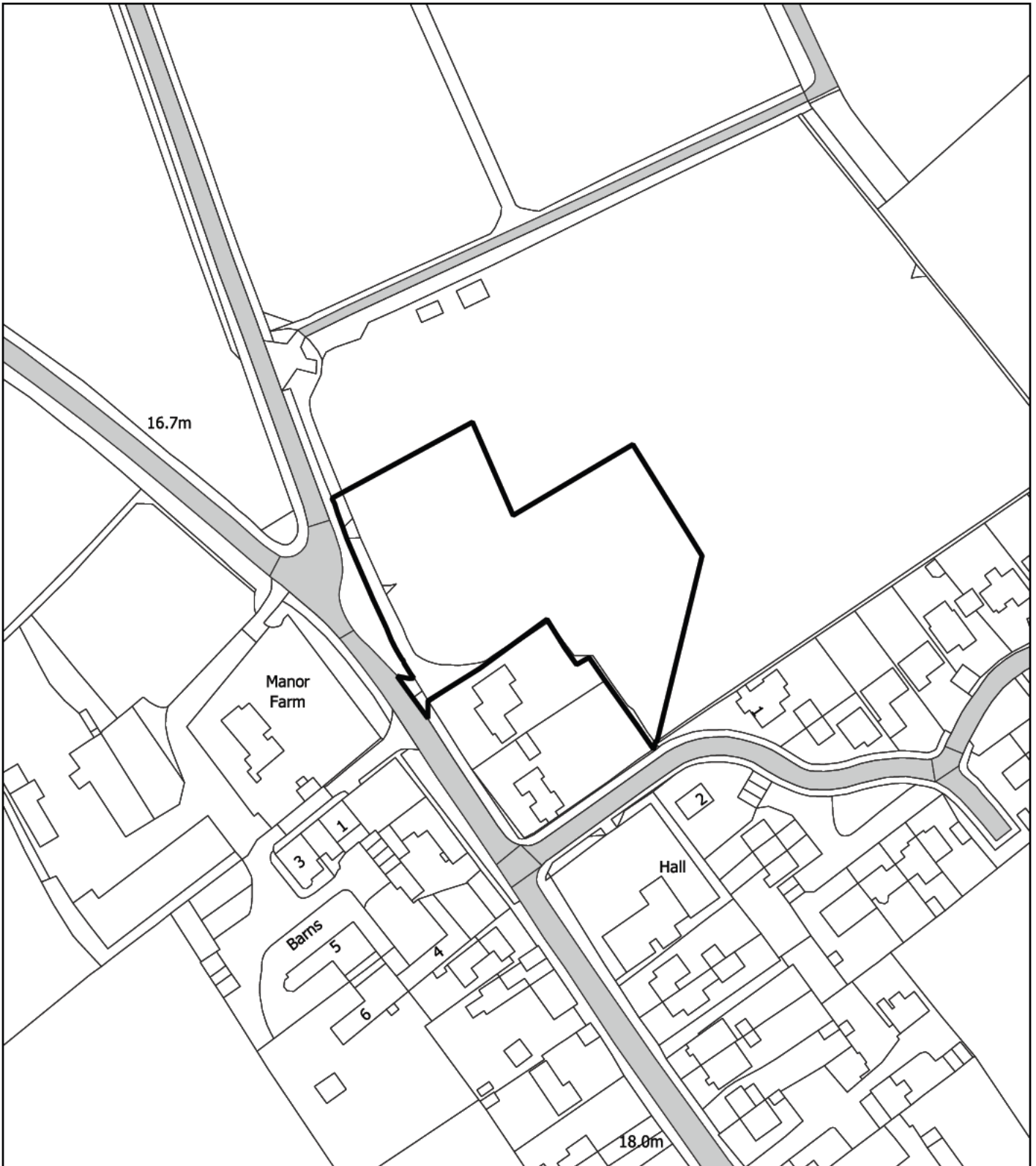
Land Northeast Of 37 And 38 High Street
Chippenham
Cambridgeshire

Reserved matters for Layout detailed design scale and landscaping of
previously approved 17/01221/OUT for the Proposed outline consent for 5 new
houses and access

To view all of the public access documents relating to this application please use the
following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QYARYXGGMLM00>





21/01255/RMA

Land Northeast Of 37 And 38
High Street
Chippenham



East Cambridgeshire
District Council

Date: 17/01/2023
Scale: 1:1,500



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21/01255/RMA Committee Report

Reference No: 21/01255/RMA

Proposal: Reserved matters for Layout detailed design scale and landscaping of previously approved 17/01221/OUT for the Proposed outline consent for 5 new houses and access

Site Address: Land Northeast Of 37 And 38 High Street Chippenham
Cambridgeshire

Applicant: Mrs Angela Reeder

Case Officer: Toni Hylton Planning Team Leader

Parish: Chippenham

Ward: Fordham And Isleham

Ward Councillor/s: Julia Huffer
Joshua Schumann

Date Received: 27 August 2021

Expiry Date: 10 February 2023

Report Number X144

1.0 **RECOMMENDATION**

1.1 Members are recommended to Approve the application subject to the recommended summary of conditions below. The conditions can be read in full in the attached appendix 1.

1. Approved Plans
2. Time Limit - OUT/OUM/RMA/RMM
3. Gate restriction
4. Parking & turning
5. Visibility splays
6. Access drainage
7. Piling foundations
8. PD removal - Garages
9. Permitted Development Removal
10. Reporting of unexpected contamination
11. Sample materials
12. Details of ASHP
13. Noise
14. Landscaping
15. Boundary Treatments
16. No lights

2.0 SUMMARY OF APPLICATION

2.1 The application is made as a Reserved Matters application for the erection of 5 dwellings. The Reserved Matters application is for access; appearance; landscaping; layout and scale. The scheme has been amended since its original submission in 2021. The table below gives the details of each dwelling. The measurements shown in () are in feet and are approximate.

Plot	Height	Floor area	Materials	Accommodation
1	8.0 (26.2)	205 (2206.6)	Brick plinth, timber boarding, clay pantiles,	Open plan ground floor living, utility, study, WC, 4 x beds with 2 ensuite and family bathroom
2 3	8.8 (28)	134.5 (1447.7)	Facing brick, plain tiles, timber doors and windows	Open plan living, utility and WC, 4 bedrooms, ensuite and bathroom
4	8.0 (26.2)	205 (2206.6)	Brick plinth, timber boarding, clay pantiles,	Open plan ground floor living, utility, study, WC, 4 x beds with 2 ensuite and family bathroom
5	6.1 (20)	129 (1388.5)	Facing brick, pantiles, timber doors and windows	Open plan living, 3 x bedrooms, utility, bathroom and ensuite.

2.2 Each plot has its own garage and the dimensions of these are shown below.

Plot	Height	Width	Length	Materials
1	5.1 (16.7)	6.5 (21.3)	6.5 (21.3)	Clay pantiles, timber garage doors, facing brickwork
2 & 5 (each)	5.1 (16.7)	6.5 (21.3)	6.5 (21.3)	
3 & 4 (4 garages, 2 per plot)	5.1 (16.7)	12.8 (41.9)	6.5 (21.3)	

2.3 The application is brought to Planning Committee at the request of Cllr Julia Huffer, as the application has raised a lot of local interest.

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.eastcambs.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

3.1

17/01221/OUT Proposed outline consent for 5 new houses and access Refused 05.10.2017

This was allowed on appeal
1st November 2018

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located outside but adjacent to the village framework and Chippenham Conservation Area. It is within an area of Mineral Safeguarding Area. The site is in an open field surrounded by mature planting.
- 4.2 There is a Public Right of Way that is located on the northern and eastern boundary of the paddock, but is separated from the application site by at least 48 metres.(157.48 feet)
- 4.3 There is a Listed Building on the opposite side of the road and approximately 30m (98.4 feet) southwest of the likely proposed site entrance. 37 High Street has a contemporary style/materials and is adjacent to the entrance of the proposal.
- 4.4 Scotland End is a 1990s development located to the southeast of the site.
- 4.5 In 2018 application 17/01221/OUT was allowed at appeal. Following the refusal by the Local Planning Authority on highway safety issues.

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.

Chippenham Parish Council - 17 January 2023

Can you tell me why the consultation date is listed on the portal as expiring on 2nd February 2023 but the planning meeting is scheduled for 1st February? Is it permitted to take a planning application to committee for a decision before the consultation period has finished?

Chippenham Parish Council - 1 August 2022

The above reserved matters application is for a new development of five houses and access is located on a busy junction where roads from Fordham, Isleham and Chippenham meet. There is also existing access near this proposed development for 37 High Street, Scotland End and Manor Farm Barns. Because of the number of vehicle movements in and around this new access, the parish council is keen to ensure that everything that can possibly be done to make the access as safe as possible is agreed during the planning process. It is also important that this development impacts as little as possible on existing neighbouring properties.

ECDC has posted an updated plan on the planning portal for this application. Chippenham Parish Council has met to review the new plan and raises the following concerns|:

1. Plan Layout

The plan has changed since the original version (version number unavailable as the revision numbers blacked out on the plans), both in terms of layout and the actual buildings themselves. In particular, plots 1,2, 4 & 5 are a new design and the parish council has nothing other than an aerial view on which to assess them.

Action Needed: Applicant to provide detailed plans to show the property style, windows etc. so that the parish council can assess whether there is any impact on existing residents in Scotland End and the High Street.

2. Waste Strategy

The plan now shows bin stores on the site but ECDC Street Scene hasn't been consulted on this new plan. Their previous statement was that bins would need to be brought out onto the Highway. This would create issues with highway visibility and also negatively impact the street scene.

Action Needed: Applicant to provide a Waste Strategy which has been approved by ECDC Street Scene.

3. Highways

The current plan does not have measurements. Also, it does not show the visibility splay mentioned in the response from Highways.

The original Highways report asked for a vehicle tracking report.

Has access to the site been agreed by CCC?

Action Needed:

- a. Applicant to provide an updated plan to show width and length of access road.
- b. Splay to be added to plan.
- c. Vehicle tracking report to be produced to show that larger vehicles can enter and turn to leave in a forward gear.
- d. Private driveways should not be included in the permitted turning space.
- e. Applicant to provide confirmation and documentation to show that access has been agreed by CCC.

4. High Street

The plan shows a grassed strip across the access for 37 High Street. The plan does not show the existing vehicular access for 37 High Street. The plan does not show nos 1a & 1b Scotland End. Furthermore, the owners of 1a & 1b Scotland End have not been consulted. As these properties are directly affected by the development they should be included in all consultations.

Action Needed:

- a. Plan to be updated to accurately reflect vehicular access for 37 High Street.
- b. Plan to be updated to add 1a & 1b Scotland End.
- c. ECDC to consult with owners of 1a & 1b Scotland End.

5. Arboriculture Report

The latest response from Kevin Drane, Trees Officers for ECDC, shows that none of the points raised by him have been addressed in terms of providing sufficient plans and information for him to assess the application.

Action Needed: Applicant to provide detailed plans as per Kevin's email dated 21st December 2021.

6. Fire Access

Fire hydrants are missing from the plans.

Action Needed: fire hydrants to be added to the plan.

7. Drainage Strategy

No drainage strategy has been provided. Chippenham has an ongoing problem with foul sewers. Anglian Water would like to see the Drainage Strategy for this development.

Action Needed:

Applicant to provide a Drainage Strategy.

Drainage Strategy to be forwarded to Sandra Olim at Anglian Water for consultation.

8. Appeal Decision - Schedule of Conditions

Point 1 - details of access, appearance and layout should be submitted and approved in writing. As per our point 1 above, there are no up to date detailed plans provided.

Point 4 - Energy and Sustainability Strategy to be submitted and approved in writing - this document should be provided as part of the reserved matters stage.

Point 5 - Arboriculture Report - as per our point 5 (above), detailed plans need to be provided to allow the Officer to make a considered assessment of the site.

Action Needed: all of the above points needed to be addressed to meet the legal requirements of the planning permission.

Chippenham Parish Council- 15 September 2021

The parish council met yesterday to consider the above application.

The council has been contacted by residents who will be impacted by this development and there is concern that the level of detail in these reserved matters is lacking in content and specifics.

Please can the planning officer respond to each of these points, so that both the council and residents can be updated?

It is appreciated that not all reserved matters detail needs to be submitted at the same time but this then does make it very difficult to get a full picture of the development.

Key areas of concern are:

1. Access - clear access including road dimensions, splays, lighting and street furniture are not included in the plan. Has Highways been consulted on the detail of this access given that it adjoins highway land?
2. Sewerage - what are the plans to link up to the main foul sewer?
3. How is surface water going to be managed given that runoff to the highway is not permitted?
4. Has the applicant met their obligations by providing all the correct Cert A and B documents by the required deadlines for this application?
5. What mitigating measures are planned for the displaced wildlife from this area?
6. The plans do not show the two new builds in Scotland End which adjoin the land and therefore overlooking etc. cannot be considered by looking at the plans.
7. The plans for surrounding buildings are not to scale and give the impression that said buildings are smaller than they actually are. Is this allowed?

Chippenham Parish Council - 7 September 2021

It has been brought to the council's attention that this reserved matters application does not include detailed access information which was a condition of the approval.

Please can you confirm that this is required for this application to proceed and if so, whether the application will be held until this information is submitted?

Chippenham Parish Council - 18 October 2021

I have just had a look at the portal and can see that no further updates have been added for the above application. I note that you have asked the Chair and Vice Chair if this should be a delegated matter. I think the parish council is going to want to see this called to the planning committee.

Please can you confirm the cut-off date for comments as it seems that we should have access to documentation not yet on the portal and the council needs time to consider all aspects of this application given the impact that it will have on the village? Please can you confirm when we will be able to see:

The Site Notice

Served Notice

Amended Reserved Matters Application including the matters relating to Highways access, bin storage, footpaths, road layout etc.

Chippenham Parish Council - 25 October 2021

1. The Highways Report was not available at the time of writing the council's original response. After reading their response the council shares their concerns around access, especially layout and parking provision so near the access to the road.
2. The council request that a robust waste strategy is a condition of acceptance of this reserved matters application. The suggestion that wheelie bins/bags should be brought out onto the Highway will create both an eyesore and impede visibility for road users, especially those approaching the junctions near the access and those leaving the development. Accommodation needs to be found within the scheme to allow for the bins to be collected safely.
3. Will the planning department insist that the road layout conforms to the Highways standards which will allow them to be adopted by Highways and provide footpaths/pavement for pedestrians?

Chippenham Parish Council- 24 August 2022

I am writing to you as Chair of Chippenham Parish Council as our Clerk, Sally Hughes, is on leave.

The Parish Council sent the attached detailed response to you on 27th July 2022. As we have not heard back from the ECDC Planning Department, this remains our response.

There are several issues identified in the letter, the most important of which are the Highways safety concerns. Please could confirm if any of the actions requested in our response have been undertaken?

Chippenham Parish Council - 14 December 2022

The council met yesterday to review the latest updates to the above planning application. Their comments are as follows:

1. The plans still have bin collection points on the scheme (as well as bin storage for each house) but ECDC Waste say they will not go onto private land. Vehicle tracking shows the dimensions of a refuse collection truck. Clarity is needed on the waste collection for this development as these conflicting elements are ambiguous and misleading.
2. Number 1a and 1b Scotland End have still not been consulted on this development. They are directly adjacent and so should be consulted for feedback.
3. Kevin Drane was consulted in relation to the arboricultural/tree assessment report and his response was that there was insufficient information provided to make an informed decision. No further information has been submitted so this consultation is still outstanding.
4. Schedule of Conditions - when outline planning was granted there was a Schedule of Conditions attached. Some of these conditions have now been met but the 5th condition has not been addressed.

5. Plot 4 has changed significantly, especially in its orientation. This is material change to the original application. The council is concerned that this new layout creates overlooking into the existing gardens and backs of houses in Scotland End.

6. Plot 3 has also changed and is material change to the original application. The property now overlooks the garden and back of 37 High Street.

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.

Ward Member – Cllr Julia Huffer – 22 October 2021

Cllr Huffer requested the application was presented to planning committee as there were concerns over the access and had generated a lot of local interest.

Conservation Officer - 20 September 2021

Comments:

The application site abuts the northernmost point of the Chippenham conservation area, where the B1104 and B1084 converge, and as the most northerly built form in the village, will act as a gateway to the village. Given this prominence, it is critical that the scheme's architecture is equal to this responsibility, and there are concerns about the current design.

Plots 1 & 2

There is logic in the L-plan massing but the span of the two storey block generates a weak roof form, whose pitch is too shallow for pantiles. The span is too wide for a traditionally proportioned building and the problem is compounded by the arcaded rear elevation: this is not a form associated with loadbearing masonry and whilst it may be buildable, the columns are too visually insubstantial to support the mass of the first floor. Further thought also needs to be given to the rhythm of the fenestration in relation to the bays, and indeed to its proportions - the 3-light casements are generally too wide for a masonry building and their openings lack articulation (lintels, sills etc).

Plots 3 & 4

These units have better proportions as their narrower span is closer to traditional models but much the same points around the windows apply: the composition of the north elevation needs more discipline and a clear hierarchy should be established for the windows. Although these are articulated, reconstituted stone dressings are a very mundane, lowest denominator detail and it might be better to establish a language which can be used across all the units, to help unify the scheme.

Plot 5

Firstly, there is a major discrepancy between the plan and elevations: the entrance link block has a much narrower span than the weatherboarded north-south return range so if all the roofs are the same pitch (as seems logical), it cannot possibly have the same ridge height. Also its roof is not in the same plane as the roof of the east-west block so the eastern verges of the latter should be distinct outlines on the north & south elevations. The red lines (below) show the correct depiction of these elements.

Notwithstanding, an accurate drawing would only emphasise further the disjointed nature of a composition with three different spans and ridge levels, so more thought should be given to rationalising the building's geometry.

The 2021 NPPF states: 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Recommendation: amendments required

Environment Agency - 15 September 2021

As we weren't consulted on the outline application we have no comments to make on the reserved matters.

Waste Strategy (ECDC) - 22 September 2021

The internal layout shown on the Block Plan is not suitable for entry, turning and exit of a refuse freighter, therefore all waste must be presented at the public highway boundary for collection 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).

- o 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.

- o Each new property requires two bins; this contribution is currently set at £52 per property.

- o Payment must be made in advance of bins being delivered; East Cambs District Council Account Number 43135897, Sort Code 52-41-19, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number.

Ramblers Association South - 2 September 2021

I thank you for consulting the Ramblers on this application. As I indicated at the outline stage, whilst the two footpaths, Chippenham fps 4 & 5, run outside and parallel to the north-eastern and north-western boundaries of the overall paddock area, which the application site forms part, they are a significant distance away in both cases. In the circumstances, there will be no loss of enjoyment to users of the footpaths and no objection is offered.

Cambridgeshire Archaeology - 3 September 2021

The archaeological interest of this site is secured against the condition (7) attached to associated Outline planning reference 17/01221/OUT, granted at appeal ref APP/V0510/W/18/3198375. We recommend that the extant archaeological condition be carried over to any application intended to supersede the existing permission.

Local Highways Authority - 5 January 2023

I have been reconsulted on the above application. The only change I can see is to the landscaping plan. I have no comments to make on this plan and my response 6th December 2022 remains valid.

Local Highways Authority - 6 December 2022

Based upon the latest submission, I have no objection to this application. Please append the following conditions and informative to any permission granted:

Conditions

HW8A: Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicular access, as shown on the drawing 'Site Plan with Dwelling Roof Plans and Drive Cross Over Details'.

HW14A: Prior to first occupation 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.

HW20A (amended): Prior to the commencement of the use hereby permitted visibility splays of 2m x 2m shall be provided to the south side of the vehicular access measured from and along the back of the footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway.

HW22A: The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.

Non-standard condition: Prior to first occupation of the site a footway on the northeast side of High Street, as shown on the drawing 'Site Plan with Dwelling Roof Plans and Drive Cross Over Details' Revision C, shall be constructed to connect the site access with the existing footway.

Informatives

Works in the Public Highway

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

Local Highways Authority - 10 November 2022

Apologies for the delay and I hope this email doesn't arrive too later. I have below extracted the relevant parts from the Parish letter and added my responses in red. In short, I do not think any further work is needed and I do not object on highway safety grounds, provided my conditions from the 22nd July are appended to any permission.

3. Highways

The current plan does not have measurements. Also, it does not show the visibility splay mentioned in the response from Highways.

The original Highways report asked for a vehicle tracking report.

Has access to the site been agreed by CCC?

Action Needed:

a. Applicant to provide an updated plan to show width and length of access road. The access on the drawing 'Site Plan with Dwelling Roof Plans and Drive Cross Over Details' revision C, shows an access of 5.5m wide carriageway which is appropriate for a development of this scale.

b. Splay to be added to plan. A suitable pedestrian visibility splay of 2m x 2m has been included. As the appeal was based on the presumption that the access was at the specified location, I do not believe there is much benefit in including it on the submission but there is also no harm. I am in any case comfortable that the necessary visibility can be achieved within the extent of public highway.

c. Vehicle tracking report to be produced to show that larger vehicles can enter and turn to leave in a forward gear. While specific vehicle tracking has not been provided, the geometry and layout are standard and I am comfortable that turning is possible for domestic cars, modest delivery vehicles and a fire tender. While turning for a refuse vehicle is probably possible, as the site is to remain private, such vehicle tracking isn't needed.

d. Private driveways should not be included in the permitted turning space. The entire space is private. However, the above statement for point c holds if you utilise the shared private street only and omit individual plot parking.

e. Applicant to provide confirmation and documentation to show that access has been agreed by CCC. As stated in my previous correspondence, I have no objection to the application.

4. High Street

The plan shows a grassed strip across the access for 37 High Street. The plan does not show the existing vehicular access for 37 High Street. The plan does not show nos 1a & 1b Scotland End. Furthermore, the owners of 1a & 1b Scotland End have not been consulted. As these properties are directly affected by the development they should be included in all consultations.

Action Needed:

a. Plan to be updated to accurately reflect vehicular access for 37 High Street. The OS base mapping is clearly out of date. However, the access to number 37 High Street lies outside the application boundary so the grass strip could not be installed without LHA permission which we would not grant. In my view there is no need to update the mapping.

b. Plan to be updated to add 1a & 1b Scotland End. As above, the addition of 1a and 1b would not change my response.

c. ECDC to consult with owners of 1a & 1b Scotland End. This is outside of my remit.

7. Drainage Strategy

No drainage strategy has been provided. Chippenham has an ongoing problem with foul sewers. Anglian Water would like to see the Drainage Strategy for this development.

Action Needed:

Applicant to provide a Drainage Strategy. As the site is to be private, this is of little concern to me, provided surface water doesn't discharge onto the public highway (addressed via condition HW22A). However, the statement is correct and other than a sentence in the DAS there is little information on drainage. This could be conditioned but it is at your discretion.

Local Highways Authority - 21 October 2021

We've been re-consulted on the above application in Chippenham but it doesn't look like any changes have been made? As such my previous comments still all stand.

Upon further review, I have also noticed that a 2m x 2m pedestrian splay should be added to the access on the south-east side, measured to the nearside of the footway.

Local Highways Authority - 28 September 2021

Subject to the following comments and recommendations:

Although the original outline application for this scheme included access, I note that the appeal decision conditioned that access details need to be submitted as a

reserved matters. I also note that the applicant's statement of case, which informed the appeal decision, included an access design for a vehicular crossover style access rather than the bellmouth shown on the application drawings for 21/01255/RMA. I recommend that the access consist of a simple vehicular crossover which is at least 5m in width for a minimum length of 10m from the carriageway edge along High Street.

The drawings 'Site Plan with Dwelling Roof Plans' has various annotations indicating that internal roads are to be constructed to CCC specifications. This is consistent with statements within the Design and Access Statement. However, the submitted layout is not to an adoptable standard. Should the applicant wish for any internal roads to be

adoptable they will need to adhere to the principles set out in CCC's General principles for development document as well as their Housing Estate Road Construction Specifications. Both documents are available from the link below. <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-andpathways/highways-development>

If the internal layout were to be considered for adoption, some the key items which need to be addressed are set out below. This is not an exhaustive list and the applicant will need to refer to the above-mentioned documents.

- o Shared surface road to be 5.5m - 6m with a 0.5m paved maintenance strip on either side.

- o Shared surface roads to be block paved.

- o 2.4m x 25m visibility splays for internal junctions to be maintained free from obstruction above 0.6m.

- o Provide vehicle tracking for a refuse vehicle.

Regardless of the applicant's desire for roads to be adoptable or not, there are elements of the layout which I recommend are amended on safety grounds.

- o The shared access road to Plots 1 and 2 is narrow and is located very close to the junction with High Street. This risks vehicles blocking back onto the public highway. The access road to Plots 1 and 2 should be at least 5m wide for 10m or alternatively moved further into the site.

- o On the presumption that a refuse vehicle will not enter the site (please seek clarification from ECDC waste team), a bin store needs to be provided at a location which will not obstruct the highway. Bin stores should be no more than 30m from any property and within 25m of the refuse vehicle, which in absence of further information is assumed to be located on High Street.

- o The applicant should demonstrate that a fire tender can serve the site and that a modest sized delivery vehicle (e.g. panel van) is able to enter the site, turn around and exit in a forward gear. While it appears that the turning head adjacent to Plot 3 is intended for this use, vehicle tracking should be provided to confirm if the design is appropriate.

No detail has been provided relating to surface water drainage. A means of preventing surface water from private impermeable areas from entering existing public highway or adoptable highway must be provided.

I would like to invite the applicant the opportunity to address my comments prior to recommending any conditions.

ECDC Trees Team - 21 December 2021

The submitted landscaping information lacks sufficient detail the below information is required in order to be able to assess a soft landscaping scheme:

- 1) A scaled plan showing existing vegetation, tree trunks & canopy details of trees retained & tree protection fences shall be identified on all plans, in accordance with BS 5837:2012, extracted from the Arboricultural Implications Assessment (AIA), to include all trees located within 10m of site boundaries.
- 2) Location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - a) permeable paving
 - b) tree pit design
 - c) Proposed hard standing and boundary treatments.
- 3) A schedule detailing sizes and numbers/densities of all proposed trees/plants;
- 4) Specifications for operations associated with plant establishment to include a programme for the timings of the landscape works and maintenance provided, to ensure successful establishment and survival of new planting and having regard to the timing of the commencement of any development.

ECDC Trees Team - 9 August 2022

The pedestrian visibility splay on the attached is acceptable to me and I have no further comments to make.

The highway boundary between the edge of High Street and no. 37 appears approximately 2.5m but if you want a definitive extract, you will need to procure this from our Searches Team. <https://www.cambridgeshire.gov.uk/business/highway-searches>

I can't comment on the existing footway width without undertaking a visit, but your path connection should match whatever the existing width is, up to a maximum of 2m.

ECDC Trees Team - 26 July 2022

No additional information relating to previous comments made 21st December 2021 which still require addressing.

Cambs Wildlife Trust - No Comments Received

Lead Local Flood Authority - No Comments Received

Cambridgeshire Fire And Rescue Service - No Comments Received

Asset Information Definitive Map Team - No Comments Received

Minerals And Waste Development Control Team - No Comments Received

Openreach New Sites - No Comments Received

Emma Forrest Civil Aviation Authority - No Comments Received

Anglian Water Services Ltd - No Comments Received

Cadent Gas Ltd - No Comments Received

Lead Local Flood Authority - No Comments Received

5.2 A site notice was displayed on a telegraph pole near the site on 30 September 2021.

5.3 Neighbours – 19 neighbouring properties were notified and 7 responses were received, these are summarised below. A full copy of the responses are available on the Council's website.

37 High Street/Old Police House (5 letters)

- Inaccuracy/dimensions of plans
- Flooding and surface water issues
- Bin collection and bins being left on the High Street
- Boundary issues
- Highway safety
- Increase in the volume of traffic
- Lack of vehicle tracking
- Appeal conditions not met
- Visibility details given are incorrect
- Concern with the language and informal nature of the discussions between Local Highway Authority and Local Planning Authority.
- The access road should not be a private drive

18 Scotland End

- Unsuitable to have bins on the path
- Pot holes
- Need for improved footway
- Pedestrian safety when the bins are on the path

3 Scotland End

- Bin collection having bins on the path
- Layout is not acceptable

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 11	Conservation Areas
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision
HOU 1	Housing mix
HOU 2	Housing density

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

Climate Change SPD

6.3 National Planning Policy Framework 2021

2 Achieving sustainable development

5 Delivering a sufficient supply of homes

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 & enhancing the historic environment

7.0 PLANNING COMMENTS

7.1 **Principle of Development**

7.1.1 The principle of development for 5 dwellings has been acceptable by the appeal decision for application 17/01221/OUT. The application had been refused on the basis of highway safety however the Planning Inspector considered that an access could be achieved to meet the needs of the Local Highway Authority and allowed with conditions. A copy of this decision is attached in Appendix 8.1. On this basis the considerations of this proposal are appearance; access; landscaping; layout and scale.

7.2 **Appearance**

7.2.1 There are 5 dwellings proposed, with 3 mixes of styles. Plot 5 is a single storey dwelling providing 3 bedrooms with open plan living space. Plots 1 and 4 are 2 storey dwellings with a single storey element to the rear, creating an 'L' shape dwelling. Plots 2 and 3 are also 2 storey dwellings, but do not have the single storey rear element. Whilst the materials are not details as to the exact brick or tile there is an indication of the materials which include the use of pantiles, plain tiles, brickwork and timber boarding, all of which are suitable materials in this location on the edge of the village. Opposite there are examples of timber boarding as well as a mix of brick and tiles. A condition for the exact materials would be required, and is recommended to be appended to any planning permission granted.

7.2.2 The overall design has been amended following comments from the Conservation Officer with regard to some detailing which was inappropriate. These details have subsequently been removed and is now considered acceptable.

7.2.3 The scheme has been developed as a holistic scheme and the dwellings whilst different, have some of the same detailing which presents a comprehensive

scheme. Chippenham as a village has a range of styles of dwellings, with recent dwellings being built on the corner of Scotland End and the High Street. These have been developed using a cream brick. Further along the High Street are traditional cottages in red brick, with other dwellings being rendered and painted brick. The style of dwellings within the village is also mixed with adjoining dwelling number 37 High Street, having undergone significant changes using modern materials. It is considered that the overall design and appearance of the dwellings is not out of keeping the character of the village and as such is considered to comply with the Design Guide SPD and policy ENV2 of the East Cambridgeshire District Council Local Plan 2015.

7.3 Access

- 7.3.1 Access for the 5 dwellings is taken from the High Street adjacent to the vehicular crossover for the adjoining neighbour number 37 High Street. Since the original submission there have been some amendments to address some concerns raised by the Local Highway Authority. The submission of plan 'Site Plan with Dwelling Roof Plans and Drive Crossover, revision 3 has been assessed by the Local Highway Authority as being acceptable subject to conditions. It is recommended in the event of planning permission being granted these are appended to the decision.
- 7.3.2 There are comments from the neighbours who have raised a number of concerns have been raised with regard to increase in traffic; a private drive not being suitable and it having an impact on refuse collection days. The principle of the development considered the increase in traffic and was accepted by the Planning Inspector as acceptable. The site is at the entrance to the village, and the proposal is for 5 dwellings, so there will be a minimal increase in traffic. However, it is not considered to be to the detriment of road users and the current road network can support these additional dwellings.
- 7.3.3 The use of a private drive is not considered to be unacceptable, and is used across the district for small scale developments. Developments of 5 dwellings can legitimately be considered to be access from a private drive. A private drive, means that the road surface does not have to be to requirements of the Local Highway Authority and would not be adopted by the Local Highway Authority. However, the access does provide suitable space for vehicles to pass each other and turning areas to enable vehicles to manoeuvre from the development onto the High Street in a forward gear. The access is considered acceptable and would not lead to adverse highway impacts within the development.
- 7.3.4 A number of concerns have been raised with regard to refuse collection day and bins being placed onto the public highway. This is not an unusual situation and again is seen across the district. On the day of refuse collection 1 bin and black sacks from each of the dwellings will be placed so that refuse collector can collect the bins from the adopted highway. It is not considered that this will lead to demonstrable harm and relies on some amount of care from the occupiers. It is not considered a reason for refusal.
- 7.3.5 The site provides a minimum 2 parking spaces per dwelling in accordance with the Design Guide SPD. Each dwelling has access to a double garage (2 vehicles) and

parking to the front of said garages. It is considered that the development would not lead to parking on the High Street to the detriment of other road users.

- 7.3.6 The scheme has been assessed by the Local Highway Authority and is considered to meet the standards set subject to suitable conditions being appended to any decision being issued. On this basis the scheme is considered to meet the objectives of the Design Guide SPD and policies COM7 and COM8 of the East Cambridgeshire District Council Local Plan 2015.

7.4 Landscaping

- 7.4.1 A revised landscaping scheme has been submitted on 22nd December 2022. The landscaping scheme shows a native hedge being planted to the boundary of the site and other hedging to the boundary with No.37 High Street and within the development site. Within the planted hedgerow will be trees of which there are 7 species proposed. Each plot has a patio and each garden will be grassed. The landscaping scheme is also supported by a method statement; plant list; planting and aftercare. In discussions with the Tree Officer the planting scheme is considered acceptable and should be conditioned accordingly.

- 7.4.2 The site is on the edge of the village and the adjoining fields have boundaries with hedge planting and trees. What is being proposed is a continuation of this rural character to this development. The landscaping is considered appropriate to its location and as such in the event of planning permission being granted should be appended to the decision notice.

- 7.4.3 This is a rural edge site and therefore conditions restricting the removal of the hedge and details of fencing between the dwellings are recommended to be attached as a condition. A condition restricting fencing to the remainder of the site should also be considered, as any fencing to the front boundaries of the site would lead to its degradation as a holistic development and therefore consider the removal of permitted development rights to be appropriate.

7.5 Layout

- 7.5.1 There have been some changes to the layout of the proposal since the submission of the application, however the fundamental layout has not changed and the indicative layout provided with application 17/01221/OUT is broadly similar. The development allows for the continuation of linear development facing the High Street, following the curvature of the road. The remaining dwellings have been placed at angles to ensure neighbouring amenity is maintained.

- 7.5.2 The main neighbour to be affected by the development are No.37 who share 2 boundaries with the development the north and east. The access runs along the northern boundary, however this is pulled away from the boundary in order to introduce some planting and to give a distance from the existing dwelling. This access then follows around to the eastern boundary where plot 5 is located. The layout enables all dwellings to be set away from this neighbour and due to the orientation of these dwellings ensures there is no overlooking; sense of being overbearing; loss of privacy and no loss of light. The nearest plot to the adjoining neighbour is Plot 2, which follows the linear development of the High Street with an

approximate distance of 17 metres (55 feet). This is considered an acceptable distance between the dwellings as it is recommended within the Design Guide SPD this should be a minimum of 10 metres. It is considered that the amenities of the neighbour are not demonstrably harmed and whilst the view will change this will not be to detriment of their living amenities. On this basis the proposal is considered to comply with the Design Guide SPD and policy ENV2 of the East Cambridgeshire District Council Local Plan 2015.

- 7.5.3 A new dwelling has been built adjacent to the site accessed from Scotland End. It is not considered that this would be harmed by the proposal as this is situated on the south western boundary of No. 37 High Street. The nearest plot would be the single storey dwelling and would share a boundary. It is not considered this dwelling would be significantly harmed by this proposal and is in accordance with the Design Guide SPD and policy ENV2 of the East Cambridgeshire District Council Local Plan 2015.
- 7.5.4 A neighbour has raised concern over the accuracy of the plans and the boundary. The Local Planning Authority has no reason to doubt the accuracy of the plans and no evidence has been produced to contradict what has been submitted. Obviously, a boundary dispute is not a planning consideration and is civil matter. However, should the boundaries be found to be incorrect at a later the date this would invalidate the application and be the responsibility of the developer to rectify

7.6 Scale

- 7.6.1 The development is for 5 dwellings in accordance with application 17/01221/OUT and the number of dwellings was considered acceptable. The dwellings proposed vary in height and does include a single storey dwelling. The heights of the dwellings are in keeping with existing character of the village. It is suggested that to ensure the amenities of adjoining neighbours and to maintain the character of the development a condition restricting extensions; alterations to roofs; additional windows is attached to any planning permission granted.
- 7.6.2 The overall built form of the development is 0.1 hectares (0.24 acres) on a plot size of 0.49 hectares (0.98 acres) which equates to the site having 20% built form with 80% for infrastructure and amenity. The Design Guide SPD suggests that a site should have 30% built form and on this basis the scale of development is within this criterion.
- 7.6.3 Each dwelling has in excess of the recommended 50 Square metres of garden space (538 square feet) and can provide adequate infrastructure such as parking; access; and landscaping. It is considered that the scale of development is not excessive and ensures that the entrance to the village is still rural in keeping with the character of the area.
- 7.6.4 The proposal is considered to be in keeping with the rural nature of the area and conditions can be applied to ensure this is maintained for the future. On this basis the proposal is considered to comply with policies HOU1, HOU2, ENV1 and ENV2 of the East Cambridgeshire District Council Local Plan 2015.

7.7 Other Material Matters

7.7.1 Through consultation other issues have been raised which include non compliance with the outline conditions; flooding issues; working with the agent.

7.7.2 The outline permission provided 10 conditions. There are 4 relevant to the Reserved Matters application. Condition 1 states that the Reserved Matters shall include Access; appearance; layout; landscaping and scale. This information was submitted. Condition 2 states the Reserved Matters application shall be submitted within 3 years of the Outline consent. Outline consent was granted on 1st November 2018 and the application was submitted in August 2021 and therefore complies. Condition 4 requires the submission of an energy statement which was in brief included with the Design and Access Statement, however at the Officer request additional information was requested in addition to what had been submitted, it still however met the criterion of the condition. The final condition was an AIA which was also submitted with the application. The remaining conditions relate to pre commencement of development or above ground level construction. On this basis it is considered that all of the Outline conditions have been met.

7.7.3 Concerns have been raised with regard to flooding. Condition 8 of the Appeal Decision requires prior to commencement of development a surface and foul water scheme shall be submitted. On this basis this can be dealt with via a discharge of condition application.

7.7.4 GROWTH 5 of the East Cambridgeshire District Council Local Plan 2015 requires that the Local Planning Authority engage with agents in order to deliver sustainable development. The scheme in principle was considered acceptable and the Reserved matters were the final consideration. The scheme was considered broadly acceptable with some changes required. This is not unusual for the Local Planning Authority to work with agents and other agencies in order to deliver a scheme and is within the spirit of the policy.

7.8 Planning Balance

7.8.1 The principle of development had already been established with the appeal being allowed and therefore it was the finer details that need to be assessed. In terms of access this has been assessed as meeting all of the Local Highway Authority requirements subject to conditions. The impact on the neighbours has been considered by way of layout and for the future ensuring development is restricted to ensure their amenities for the future. The environment has been assessed with a detailed landscaping scheme which is appropriate for its location. The design is simple yet comprehensive which sits well in the landscape and its scale in keeping with its edge of settlement boundary. On this basis subject to conditions the proposal is considered acceptable and recommended for approval.

8.0 APPENDICES

1. Conditions
2. Appeal decision 17/01221/OUT

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
21/01255/RMA	Toni Hylton Room No. 011 The Grange	Toni Hylton Planning Team Leader 01353 665555
17/01221/OUT	Ely	toni.hylton@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 1 - 21/01255/RMA Conditions

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

Plan Reference	Version No	Date Received
01.1		4th October 2021
Arboricultural Impact Assessment		23rd August 2021
Design and Access Statement		23rd August 2021
Landscaping Scheme MO Design		22nd December 2022
23.7.22	C	29th November 2022
281122 O		29th November 2022
28.11.22 O Vehicle Tracking		29th November 2022
PPlot 1 Plot 4 Floor Plans		29th November 2022
Plot 1 Garage Plans & Elevations		29th November 2022
Plots 2 & 5 Garage Plans & Elevations		29th November 2022
Plots 2 & 5 Garage Plans & Elevations		29th November 2022
Plot 4 Floor Plans		29th November 2022
Site Plan with dDwelling Roof Plans and Drive Cross Over Details		29th November 2022
Plots 3 & 4 Garages Plans and Elev		29th November 2022
Plot 4 Elevations		29th November 2022
Plot 5 Elevations		29th November 2022
Plot 5 Floor Plans		28th November 2022
Part G Water Calculations		28th November 2022
PEA calcs		28th November 2022
BCR calcs		28th November 2022

- 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 the approval of the last of the reserved matters.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved access, as shown on Site Plan with Dwelling Roof Plans and Drive Cross Over Details.
- 3 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 4 Prior to first occupation 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.

- 4 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 5 Prior to the commencement of the use hereby permitted visibility splays of 2m x 2m shall be provided to the south side of the vehicular access measured from and along the back of the footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway.
- 5 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 6 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and 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 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), the garages hereby approved shall not be adapted or used for any purpose other than the storage of private motor vehicles and ancillary domestic storage, without the grant of a further planning permission by the local planning authority.
- 8 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modifications), no development within Class(es) A to F inclusive of Part 1 of Schedule 2 of the Order shall take place on site unless expressly authorised by planning permission granted by the Local Planning Authority.
- 9 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 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.

- 10 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.
- 11 No above ground construction shall take place on site until details of the External materials 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.
- 11 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 Prior to first use of the air conditioning units and air source heat pump details of the proposed units , including but not limited to the make, model and noise data shall be submitted and approved in writing by the Local Planning Authority. The units shall be maintained in the agreed form in perpetuity.
- 12 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 The specific rated noise level emitted from the air source heat pump shall not exceed the existing background noise level. The free field sound level shall be measured and/or calculated at the boundary of the nearest noise sensitive property. The noise level shall be measured and/or calculated in accordance with BS 4142:2014+A1:2019
- 13 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 14 The Landscaping Scheme as shown on Landscaping MO shall be implemented as agreed. 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 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.
- 14 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 15 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 first occupation of the dwellings hereby approved.

- 15 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 16 No external lights shall be erected within the site (either freestanding or building-mounted) other than those expressly authorised within this application.
- 16 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.



Appeal Decision

Site visit made on 11 September 2018

by **Paul Cooper MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 November 2018

Appeal Ref: APP/V0510/W/18/3198375

Land Northeast of 37 and 38 High Street, Chippenham, Cambridgeshire CB7 5PR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs Angela Reeder against the decision of East Cambridgeshire District Council.
 - The application Ref 17/01221/OUT, dated 6 July 2017, was refused by notice dated 5 October 2017.
 - The development proposed is described as outline consent for 5 houses and access.
-

Decision

1. The appeal is allowed and planning permission is granted for outline consent for 5 houses and access at land northeast of 37 and 38 High Street, Chippenham, Cambridgeshire, CB7 5PR in accordance with the terms of the application Ref 17/01221/OUT dated 6 July 2017, subject to the conditions attached in the schedule to this Decision.

Procedural Matters

2. The application was submitted in outline form with all matters reserved for subsequent approval. Consequently, I have treated the layout shown on the block plan Ref 01.2 Rev B as indicative and dealt with the appeal on that basis.
3. The revised National Planning Policy Framework was published during this appeal. Both parties were given the opportunity to comment on the relevance of this to their cases.

Main Issue

4. The main issue is the effect of the development on highway safety.

Reasons

5. The appeal site is located to the rear and side of Nos 37 and 38 High Street, and has frontages on to both High Street and the B1104. The junction of the two roads is located approximately 40m from the proposed access point for the appeal site.
6. Amongst the evidence provided by the appellant is an access statement, including a speed survey and traffic count, which appears to demonstrate that the highway is under capacity in terms of vehicle movements. In addition to this, the average vehicle speed is shown to be above the 30mph speed limit at that point. However, the visibility splays shown for the access are in excess of that ordinarily required for vehicular access to a 30mph section of highway. I

have also noted that the Highway Authority have raised no objections to the access at application stage.

7. Although the Council takes a different view regarding the access and the effect on highway safety, it has only produced limited substantive evidence to support its case. Whilst I appreciate that the technical evidence provided by the appellant was commissioned after the planning application was refused, and prior to this there was limited evidence from the appellant to support the access onto High Street, the Council have retained their position.
8. The evidence suggests that while speed limits are exceeded on occasion and there would be a limited increase in traffic movements, the development proposes only five properties, with vehicular visibility splays exceeding the requirements for a 30mph section of highway. The evidence provided demonstrates that High Street is a moderately trafficked local distributor route. I have not been made aware of a history of injury accidents in the area and there is no evidence to suggest that cars entering and exiting the site could cause anything other than a fleeting inconvenience to other motorists.
9. Based on the above, I find the road safety concerns of the Council to be unconvincing and I conclude that the development would not cause harm to highway safety and would therefore be in accordance with Policy COM7 of the East Cambridgeshire Local Plan (2015) which states that, amongst other matters, development proposals shall provide safe and convenient access to the highway network and 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.

Other Matters

10. Local residents have expressed a wide range of concerns including, but not limited to the following; pressure on local infrastructure, impact on the adjacent Conservation Area, noise and disturbance, the presence of restrictive covenants and that the site is located outside of settlement limits. However, I note that these matters were considered where relevant by the Council at the application stage and did not form part of the reason for refusal, which I have dealt with in the assessment above. Whilst I can understand the concerns of local residents, there is no compelling evidence before me that would lead me to come to a different conclusion to the Council on these matters. Furthermore the appeal before me is in outline and all other reserved matters would remain for further formal submission and consideration.

Conditions

11. The Council has suggested a number of conditions, which I have considered accordingly and amended some of the wording of those conditions for the purposes of clarity and legibility.
12. In terms of the conditions, those suggested by the Council covering time limits and the submission and approval of the reserved matters are necessary in the interests of proper planning to ensure that proper procedures are followed from outline approval through to reserved matters submission.
13. Condition 4 relates to the provision of energy efficiency improvements and renewable energy installations, whilst Condition 5 is imposed in relation to the installation of biodiversity improvements on the site. Condition 6 is necessary

to ensure the land is suitable for residential use. Condition 7 is to protect the amenities of local residents, and Conditions 8 and 9 relate to the protection of archaeological and arboricultural features accordingly. Condition 10 is to ensure that the site and new dwellings are subject to safe and sustainable drainage.

Conclusion

14. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should succeed.



INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall be commenced within 2 years of the date of the last of the approved matters.
- 4) Prior to or as part of the first reserved matters application, an energy and sustainability strategy for the development, including details of any on-site renewable energy technology and energy efficiency measures shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in full accordance with the approved strategy.
- 5) Prior to or with the first reserved matters, a detailed Arboricultural Impact Assessment (AIA) shall be submitted to and approved in writing by the Local Planning Authority. The AIA shall provide information to show how trees/hedging worthy of retention would be sustainable and justification and mitigation measures for any tree removal proposed. The AIA shall identify areas to be excluded from any form of development, specify protective fences for these exclusion areas and for individually retained trees, life expectancy of trees, recommendation for any remedial work, identify acceptable routes for all mains services in relation to tree root zones, identify acceptable locations for roads, paths, parking and other hard surfaces in relation to tree root zones, suggest location for site compound, office, parking and site access, identify location(s) for replacement planting and show existing and proposed levels. All works shall be carried out in accordance with the agreed AIA and maintained through the lifetime of the construction phase of the development.
- 6) No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the

approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.

- 7) No development shall take place until the applicant, agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to, and approved in writing by the local planning authority. All works shall be carried out in accordance with the Written Scheme of Investigation.
- 8) No development shall take place 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 first occupation of any dwelling.
- 9) Prior to construction of the first dwelling passing foundation stage, a scheme of biodiversity improvements for the site shall be submitted to and approved in writing by the local planning authority. The biodiversity improvements shall be installed prior to first occupation of a dwelling on site, and be retained in perpetuity thereafter.
- 10) Deliveries to site, demolition or construction works shall take place only between 0800-1800 Monday to Friday, 0800-1300 Saturday, and shall not take place at any time on Sundays or on Bank or Public Holidays.

END OF SCHEDULE