



# EAST CAMBRIDGESHIRE DISTRICT COUNCIL

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

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## MEETING: **PLANNING COMMITTEE**

TIME: 2:00pm

DATE: Wednesday, 9<sup>th</sup> January 2019

VENUE: Council Chamber, The Grange, Nutholt Lane, Ely, CB7 4EE

ENQUIRIES REGARDING THIS AGENDA: Janis Murfet

DIRECT DIAL: (01353) 665555 EMAIL: [Janis.murfet@eastcamb.gov.uk](mailto:Janis.murfet@eastcamb.gov.uk)

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<b>Conservative Members</b>	<b>Liberal Democrat Members</b>	<b>Independent Members:</b>
Cllr Joshua Schumann (Chairman) Cllr Mike Rouse (Vice- Chairman) Cllr Christine Ambrose Smith Cllr David Chaplin Cllr Paul Cox Cllr Lavinia Edwards Cllr Mark Goldsack Cllr Bill Hunt Cllr Stuart Smith	Cllr Sue Austen (Spokes)	Cllr Derrick Beckett
<b>Substitute Members</b> Cllr Elaine Griffin-Singh Cllr Neil Hitchin Cllr Lisa Stubbs	<b>Substitute Members</b> Cllr Lorna Dupré Cllr Christine Whelan	<b>Substitute Members</b> -
<b>Lead Officers:</b> Jo Brooks, Director, Operations Rebecca Saunt, Planning Manager		
<b>Quorum:</b> 5 Members		

**PLANNING COMMITTEE TO MEET IN RECEPTION AT THE GRANGE AT 10.35am**  
(Please note site visit timings are approximate)

## A G E N D A

1. Apologies and Substitutions

[oral]

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 **[oral]**
  
3. **Minutes**  
To receive and confirm as a correct record the Minutes of the Planning Committee meeting held on 5<sup>th</sup> December 2018
  
4. **Chairman's Announcements** **[oral]**
  
5. **18/00579/ESF**  
Extension of existing cold storage facility, small extension to administration office & vehicle parking.  
  
Turners (Soham) Ltd, Fordham Road, Newmarket, CB8 7NR  
  
Applicant: Turners (Soham) Ltd  
  
Site Visit: 10.55am
  
6. **18/00853/OUT**  
Erection of a dwelling and associated development.  
  
Land East of 1 School Lane, Aldreth  
  
Applicant: P J Lee & Son  
  
Site Visit: 11.50am
  
7. **18/01204/OUT**  
Erection of up to four dwellings and garages, creation of new accesses, and associated works.  
  
Church Farm, The Hamlet, Chettisham  
  
Applicant: Mr & Mrs Jeremy and Katherine Love  
  
Site Visit: 12.35pm

8. **18/01464/OUT**

Erection of up to 3 new self-build plots and associated works.

3 Main Street, Wentworth, CB6 3QG

Applicant: Mr David Lee

Site Visit: 12.10pm

9. **18/01489/OUT**

(Resubmission) – Erection of 1no. dwelling.

Site North of The Old Station, Station Road, Wilburton

Applicant: Mr & Mrs Michael Donnelly

Site Visit: 11.30am

10. **Planning Performance Report – November 2018**

1.	<p>Members of the public are welcome to attend this meeting. If you are visiting The Grange during normal office hours you should report to the main reception desk, where you will be asked to fill in a visitor's pass that must be worn at all times whilst you are in the building. Please remember to return your pass before you leave.</p> <p>This will not apply if you come to an evening meeting: in this case you will enter via the rear access doors in the glass atrium at the back of the building and a Facilities Assistant will direct you to the room in which the meeting will take place.</p> <p><b>The maximum capacity for meetings in the Council Chamber has been set by the Fire Officer at 100 persons. Allowing for Member/Officer attendance and room layout constraints, this will normally give a capacity for public attendance of 60 people plus Applicants, Agents, the Press and Registered Speakers.</b></p> <p><b>Admittance to the Council Chamber is on a "first come, first served" basis and public access will be from 30 minutes before the start time of the meeting.</b></p> <p>There are a number of schemes aimed at encouraging public participation in the Council's activities and meetings. These include public question times and a process to enable petitions to be submitted. Details of these can be obtained by calling any of the telephone numbers below or by logging onto the Council's website.</p>
2.	<p>Fire instructions for meetings:</p> <ul style="list-style-type: none"> <li>▪ If the fire alarm sounds please make your way out of the building by the nearest available exit - i.e. the back staircase or the fire escape in the chamber. Do not to use the lifts.</li> <li>▪ The fire assembly point is in the front staff car park by the exit barrier.</li> <li>▪ This building has an auto-call system to the fire services, so there is no need for anyone to call the fire services.</li> </ul> <p>The Committee Officer will sweep the area to ensure that everyone is out of this area.</p>
3.	<p>Reports are attached for each agenda item unless marked "oral".</p>
4.	<p>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: <a href="mailto:translate@eastcambs.gov.uk">translate@eastcambs.gov.uk</a></p>
5.	<p>If the Committee wishes to exclude the public and press from the meeting a resolution in the following terms will need to be passed:</p> <p>"That the press and public be excluded during the consideration of the remaining items no. 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 there would be disclosure to them of exempt information of Categories X Part I Schedule 12A to the Local Government Act 1972 (as Amended)."</p>

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**MAIN CASE**

**Reference No:** 18/00579/ESF

**Proposal:** Extension of existing cold storage facility, small extension to administration office & vehicle parking

**Site Address:** Turners (Soham) Ltd Fordham Road Newmarket Suffolk CB8 7NR

**Applicant:** Turners (Soham) Ltd

**Case Officer:** Andrew Phillips, Planning Team Leader

**Parish:** Fordham

**Ward:** Fordham Villages  
Ward Councillor/s: Councillor Joshua Schumann  
Councillor Julia Huffer

**Date Received:** 22 May 2018      **Expiry Date:** 1 February 2019  
[T168]

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1.0 **RECOMMENDATION**

1.1 Members are recommended to approve the application subject to the signing of the S106 Agreement and the following draft conditions with authority delegated to the Planning Manager and Legal Services Manager to complete the S106 and to issue the planning permission. The recommended planning conditions can be read in full within Appendix 1.

Recommended conditions:

1. Approved Plans
2. Time Limit
3. Frozen goods only
4. Renewable energy
5. Contamination
6. Unexpected contamination
7. Surface water drainage
8. Soft landscape (10 year maintenance)
9. Hard landscape
10. Construction Environmental Management Plan
11. Biodiversity improvements
12. Archaeological investigation
13. Bunds
14. Chilled to frozen

- 15. Foundations
- 16. Materials
- 17. Removal of permitted development rights (hard landscaping)

The S106 will secure:

- Bus/pedestrian improvements (circa £15,000)

## 2.0 SUMMARY OF APPLICATION

- 2.1 This application is supported by an Environmental Statement (submitted 24 July 2018) in order to cover the significant issues of potential impact on the highway network and the character of the area. In regards to the character of the area the main concern is the views from the north looking towards the site. The key issue in regards to transport is whether a change to frozen goods will increase or decrease the amount of lorries entering/leaving the site. The Environmental Statement should be carefully considered by Committee Members prior to making a determination on this proposal.
- 2.2 The proposal seeks to erect a 8, 982 square metre (96,681 square feet) frozen goods warehouse, a replacement lorry park (for the storage of lorries), SuDS and a new bund along the northern boundary. The proposal will lead to 18 additional full time jobs. The proposal is 22m (72ft) tall, 80m (262 ft) wide and 1,350m (4429ft) deep.
- 2.3 The developer is offering £15,000 towards bus stop and pedestrian improvements along Newmarket Road; this would need to be secured as part of a S106.
- 2.4 The application has been referred to Planning Committee, due to the size of the proposal and in accordance with Council's Constitution.
- 2.5 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

13/00965/FUM	Extension of two existing buildings on site. One to provide additional packing facilities and personnel amenities. The second to provide additional sub-zero racked storage and marshalling.	Approved	02.04.2014
13/00965/DISA	To discharge conditions 6 (Energy Statement), 7 (Surface Water Drainage)	Conditions discharged	04.07.2018

and 8 (Contamination) of Decision dated 09/04/2014 for the extension of two existing buildings on site. One to provide additional packing facilities and personnel amenities. The second to provide additional sub-zero racked storage and marshalling.

09/00098/FUM	Extension of existing cold storage	Approved	11.05.2009
05/00575/FUM	Construction of a new cold store, associated amenities, external works, drainage and blast freezing facilities.	Approved	02.08.2005
96/00957/FUL	Extension to existing cold store complex (7443 m2)	Approved	06.03.1997
94/00729/FUL	Extension to existing cold store complex to provide distribution service to retail trade and additional low-temperature store	Approved	07.12.1994
92/00792/FUL	Blast Freezer Associated with Approved Cold Stores	Approved	20.01.1993

#### 4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is just over 1 mile south of Fordham and 3.5 miles north of Newmarket on the A142. Cambridge is approximately 15 miles to the south west and accessed south of the site at Junction 37 onto the A14.
- 4.2 To the north and west is open countryside, to the east is the LGC site (recently delegated approval to the Planning Manger by committee for a number of extensions) and to the south is DS Smith. The A142 defines the north and east boundary; with the railway line defining the west boundary.
- 4.3 The current Turners site is primarily two sets of large buildings surrounding a central courtyard where lorries manoeuvre and access the public highway to the south of the site.

4.4 The proposed extension and lorry park are in the northwest corner of the existing compound; with the lorry park being on land currently left as agricultural.

## 5.0 RESPONSES FROM CONSULTEES

5.1 The full responses are available on the Council's web site.

Planning Casework Unit – (22 August 2018) No comments to make on this proposal.

Fordham Parish Council – (6 September 2018) No concern in regards to this application.

Design Out Crime Officers (Police) – (1 June 2018) Supports the application but would recommend they seek security advice.

(15 August 2018) Requests previous comments are referred to.

HSE (Planning Advice Team) – (4 June 2018) Suggests that the Local Planning Authority refer to its Planning Advice Web page.

(8 August 2018) Suggests that the Local Planning Authority refer to its Planning Advice Web page.

(23 August 2018) In response to a question from the Case Officer states that Planning (Hazardous Substances) Regulation 2015. The controlled quantity is 50 tonnes and over of anhydrous ammonia; while the proposal only has 15 tonnes. So the proposal will not require consent unless other hazardous substances.

Separate legislation does exist under the Health and Safety at Work Act 1974.

National Grid – (20 June 2018) Places a holding objection as the development will need to cross a high pressured gas main. It provides substantial detail on this point.

Cadent – (7 June 2018) Will contact the developer to discuss the proposal in relation to its assets.

Environment Agency – (13 June 2018) States that the site could cause contamination in area of ground water protection (SPZ).

It recommends approval, subject to conditions in regards to contamination, surface water control and foundations.

(30 August 2018) States a “new preliminary risk assessment (PRA) should be prepared for the site to include an assessment of land and groundwater in the location of the proposed developments at the site.”

(23 October 2018) Please refer to previous comments on the 13 June and 30 August 2018.



(19 November 2018) Environment Agency emailed the developer stating that the surface water condition will only be discharged after a land contamination condition has been discharged. This email was forwarded to the Case Officer by the Agent.

Lead Local Flood Authority – (18 June 2018) It objects to the proposal due to insufficient information.

(18 September 2018) – Further information is needed to know what the ground water level is.

Environmental Health – (15 June 2018) States that any additional operational noise is likely to be unnoticeable. It does seek a condition in regards to construction work/deliveries timeframes.

(7 August 2018) Please refer to previous comments.

Environmental Health Scientific – (15 August 2018) States that the proposal is unlikely to have any significant impacts on human health.

Tree Officer – (28 June 2018) Insufficient information to assess the proposal and seeks that a full Landscape Impact Assessment is provided.

Trees and Landscape Consultant – (24 October 2018) States that the stormwater swale as part of the SuDS is a welcome feature but will lead to a gap in the bund. Wetland planting (eg willows) would address this and enhance the biodiversity potential.

Proposed landscaping schedule for the bund requires adjustment to improve effectiveness. The number of taller trees needs increasing; recommends birch and alder.

All existing bunding within the site should be retained for at least 10 years to allow the new bund a chance to establish.

Seeks a landscape management plan.

Suffolk County Council Highways Authority – (20 June 2018) Does not wish to object to the proposal. The increase in frozen product will lead to a reduction in HGV movements on the highway network. Potential increase in employee vehicle movements is not likely to cause a severe impact on the highway network.

(29 November 2018) Proposal should include a Transport Assessment as this will demonstrate the reduction in trips arising from the change in use or operation.

Once a Transport Assessment is submitted would like to review the proposal again to check impacts on its road, specifically junction 37 on the A14

(19 December 2018) States:

“On the basis that there would be an overall reduction in trips arising from this application, which is my reading of their letter, there would be no additional

highways impacts on the A14/A143 junction and therefore a S106 contribution would not be justified from this site.”

Transport Assessment Team - (22 June 2018) A proposal of 8, 982 square metres requires a Transport Assessment to be submitted to determine the impact on the highway network. States that the application should not be determined until this information is provided.

(10 September 2018) A full Transport Assessment is needed to determine the impact on the highway network. The proposed unit could be sold off at any point and be operated as a separate industrial unit without needing any new planning permission.

A TRICS assessment should be undertaken, committed development should be included and a capacity assessment of the A142/Landwade Road roundabout should be undertaken to fully determine the impact on the public highway. Once distribution is known, additional junctions may need to be assessed.

A decision should not be made until the required information is submitted.

(22 October 2018) New information does not overcome previous concerns.

(14 December 2018) States:

“Having assessed the transport information submitted with the planning application, it is disappointing to see that a full transport assessment, assessing the impacts of the development in accordance with CCC’s TA Guidance has not been provided.

The information provided states that due to a change from chilled storage to frozen storage the site as a whole would generate less vehicular movements. Therefore any new movements generated by the proposed development would not be an increase in vehicular movements. This has been agreed with in a letter by the Food Storage and Distribution Federation.

The case office has confirmed that a condition could be applied to any permission granted to limit the use of the proposed extension to frozen food only in perpetuity.

**Therefore the Transport Assessment Team do not wish to object to the application subject to a condition being applied to limit the use of the extension to frozen food only, in perpetuity.”**

Highways England – (31 August 2018) Recommends that approval is not granted for a specific period of time. It requires more information to assess the additional impact on the A14 trunk road.

(25 September 2018) – Offers no objection, as the proposal will involve a reduction in the number of vehicles accessing and leaving the site.

Cambridgeshire Archaeology – (6 July 2018) States that the site is in a high archaeological potential. The original development over an area of crop marked enclosures, thought to be possible ring ditches indicating the locations of ploughed

out round barrows (burial mounds), which were visible on previous aerial photographs of the site.

A previous archaeological dig to the north (within 100m) found a cremation site and two early Bronze Age barrows. In addition 21 cremation burials was also found.

It is considered that further remains could survive within the area proposed for the extension as suggested by the earlier crop marks, which now lie below the hardstanding of the compound.

Does not object but seeks a pre-commencement condition.

(7 August 2018) See previous advice.

(12 November 2018) – The developer's submitted archeological report deals with land to the north east corner of site, which demonstrates the archaeological potential within the area.

The submitted evidence does show clearly that an archaeological survey is still needed.

(7 December 2018) – The submitted additional information does not provide anything new. The applicant should be made aware that we consider any ground intrusion in the areas indicated for the extension to the cold store and for the lorry parking to the north to require an archaeological investigation.

States that the construction work will lead to substantial harm on any sub surface archaeological remains.

No archaeological survey has covered the area in question, but previous investigations have shown the highly rate archaeological potential in this area.

(20 December 2018) States:

"In response to the latest comments from Edwin Bowater of FJB Systems (dated 15<sup>th</sup> December 2018) I would like to address the points made regarding construction methodologies and their relation to depths of ground disturbance caused by agricultural activity with consequent predicted impacts on the sub-surface archaeological remains, as follows:

**a) Extension of the coldstore on the existing 'main' site.**

As detailed in the correspondence between Dan McConnell of this office and Edwin Bowater dated 24<sup>th</sup> March 2009 (a copy supplied with Mr Bowater's previous letter), there was an unequivocal recommendation that the area of land north of the build footprint of the proposals dealt with under application ref 09/00098/FUM, along with the agricultural field to the north, would require an archaeological evaluation in advance of development. I have examined the East Cambridgeshire planning portal at some length and I am afraid I cannot see the relevant application for the area of hardstanding used for lorry parking which the aerial imagery indicates now occupies this part of the site.

Having examined the aerial imagery for land usage back as far as 2009 it is indisputable that the construction of this lorry park will have caused some degree of damage to sub-surface archaeological remains, and a consequent reduction in significance in heritage terms as defined by the NPPF. Although the construction methods entailed in forming a hard surface sufficient for the requirements of HGV usage and the impaction damage caused by their presence will therefore have occasioned removal of or crushing damage to ephemeral features, including possible burials in this area, deeper features may still be expected to survive, albeit in a truncated state. On the northern part of the site where excavated features were found cut into the natural chalky marl geology, pits containing cremation burials extended to depths between 150mm and 1000mm below the ground surface. The deep perimeter ditches of the barrow burials, containing significant quantities of Bronze Age finds, extended to depths of 1500mm according to the published reports (Cambridgeshire Historic Environment Record reference ECB3854, following on from evaluation ECB3754). It is our opinion that construction impacts caused while building the lorry park will have occurred on underlying archaeological remains, however to have any certainty of this we would need to understand depths and construction methods utilised in this area to be able to comment further. If you are able to supply the relevant planning documents for review this would be much appreciated.

**b) Construction of a lorry park on the northern site.**

It would appear from further examination of the aerial imagery that the lorry park that was constructed under 11/00681/FUL is substantially larger than that for which permission was obtained. The previous archaeological investigations conducted within the area (for which permission was granted under this and 10/00607/FUM combined) revealed two early Bronze Age barrows, with associated subsidiary inhumation burials, separating a cemetery of 21 late Bronze Age cremations (ECB3754 and ECB3854, as above). This area of investigation took place within the same previously agricultural land parcel as the land now proposed for development under 18/00579/ESF, subject to the same agricultural land-management techniques, and consequently with the potential for similar levels of archaeological survival expected.

Measures for the preservation *in situ* or mitigation via an excavation strategy to preserve archaeological remains by record can only be designed following an archaeological field evaluation that will present adequate evidence of the depth of overburden and the character and significance of any archaeological remains present. This should be secured by the inclusion of a negative condition, as previously recommended, on any permission East Cambridgeshire District Council are minded to grant. In their letter of 15<sup>th</sup> December FJB Systems provide a proposal based on a notional understanding of overburden depths to the top of the 'structureless chalk' substrate. This is given to be 300mm which we know from previous archaeological fieldwork to be incorrect. Photos in the soakage test report accord with this understanding. The proposal to extend a hardcore slab into the top of the chalk substrate will surely encounter archaeological remains, should they be present. The only way that we can determine their presence is through field evaluation in line with para 189 of the NPPF:

*In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.*

Following the field evaluation, the applicant would need to re-engage with this department to determine whether preservation *in situ* would be possible or appropriate strategy for this development, to discuss appropriate construction methodologies and agree any high-risk areas that could be omitted from the scheme. Having determined that non-designated prehistoric heritage assets, including human burials, exist in the immediately adjacent land parcel to the east developed as an extended lorry park and also beneath the Fordham by-pass, and that the scale of harm on similar remains would be substantial due the impact of the development, the reference made to reducing the scale of impact by developing a ground slab is not supported by the other needs of the development such as swales, drainage and the impacts caused by vehicular movements and temporary works needed to construct the development.

We do not accept the applicant's view that the time taken to conduct such an archaeological investigation would render the proposals unsustainable. The applicant was notified in 2009 of the need to address archaeological matters within the proposed development area, as evidenced by the correspondence they have on file (a copy of which has been supplied by FJB Systems in support of the current application) and this was reiterated in our direct consultation response on 6<sup>th</sup> July 2018.

I would reiterate that this department is particularly concerned about development on this site due to the confirmed presence of human skeletal remains and funerary monuments (including barrows and flat grave cemeteries) in close proximity to the areas outlined for development under the latest proposals. We would remind the applicant that undertaking development without archaeological works to establish the presence/absence and condition of further remains in this highly archaeologically significant area risks contravention of the Burials Act (1885, and clauses since), as well as current Ministry of Justice guidance, which states that it is illegal to disturb such remains without a relevant licence.”

(21 December 2018) States:

“Therefore, we consider that the section shown in the letter of 15<sup>th</sup> Dec to be notional. In other words, to prepare the lorry park they will need to strip to the natural substrate – this is the at heart of the matter - damage will be incurred through vehicular movements to any archaeology present and for this reason we have advised you to require an archaeological programme of work, first to evaluate and then to decide on areas for mitigation (should this become necessary).

In the recent EPS letter that you have just forwarded (dated 13 Nov 2018) it is noted that the max topsoil depth is 400mm (0.4m). As before, the archaeological trench evaluations demonstrated variability as the surface of the chalk is not flat but undulates. 400mm is, though a useful average depth. If the southern lorry park had been stripped to the top of the chalk then we must assume that the damage has already been done to any archaeological deposits and features present, potentially including human burial evidence. The impact of vehicular movements and construction works on the stripped area to form the hard standing cannot be underestimated - we can supply evidence of vehicular rutting extending to kneecap depth in wet weather conditions. We cannot remediate such damage but manage future development with the utmost care. I consider it appropriate to drop the southern field from the consent you are minded to grant but ensure that any consent carries a condition that prevents against unauthorised and unmitigated temporary or permanent works...we recommend that you require that the **whole** of the north field to be subject to archaeological evaluation in order that appropriate mitigation works can be designed for this development should be needed to be proven.

As mentioned on the phone, Turners have three times now used areas for temporary works or have extended lorry parks without approval, creating hardstanding surfaces in these areas and assuming that no damage to archaeological deposits will have been done. This is unacceptable unilateral practice and contravenes the Historic Environment policies of NPPF. We have informed you of the archaeological sensitivity of this landscape area known from our Historic Environment Records and from archaeological examinations at the Fordham bypass to the north, at the Horse Forensic Lab site adjacent to the scheduled monument of a Roman villa, Turners' own site and that to the south – at the David Smith site, where an extensive Iron Age settlement was excavated in 1999-2000. We wish to work with Turners to expedite an evaluation of this area so that any detailed excavation of significant archaeological evidence can occur before their proposed spring time start date, though I have to say I consider this to be too compressed a timetable to allow such work to occur.”

Economic Development – Been kept up to date with the application.

Forrest Civil Aviation Authority - No Comments Received

CCC Growth & Development - No Comments Received

Cambridgeshire Fire and Rescue Service - No Comments Received

National Grid - Electricity - No Comments Received

Network Rail - No Comments Received

The Ely Group of Internal Drainage Board - No Comments Received

Cambridge Ramblers Association - No Comments Received

Asset Information Definitive Map Team - No Comments Received

Ward Councillors - No Comments Received

5.2 Neighbours – 19 neighbouring properties were notified, a notice put in the press on the 7 June 2018 and two site notices put up on the 24 August 2018. No comments have been received.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
FRD 7	Employment allocation, land south of Landwade Road
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 12	Listed Buildings
COM 7	Transport impact
ENV 14	Sites of archaeological interest
COM 8	Parking provision

6.2 Supplementary Planning Documents  
Design Guide  
Developer Contributions  
Cambridgeshire Flood and Water

6.3 National Planning Policy Framework 2018

Chapter 2 Achieving sustainable development  
Chapter 6 Building a strong, competitive economy  
Chapter 8 Promoting healthy and safe communities  
Chapter 9 Promoting sustainable transport  
Chapter 12 Achieving well designed places  
Chapter 14 Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 Conserving and enhancing the natural environment  
Chapter 16 Conserving and enhancing the historic environment

6.4 Submitted Local Plan 2018

LP1	A presumption in Favour of Sustainable Development
LP2	Level and Distribution of Growth
LP8	Delivering prosperity and Jobs
LP16	Infrastructure to Support Growth
LP17	Creating a Sustainable, Efficient and Resilient Transport Network
LP18	Improving Cycle Provision

LP20	Delivering Green Infrastructure, Trees and Woodland
LP22	Achieving Design Excellence
LP23	Water Efficiency
LP24	Renewable and Low Carbon Energy Development
LP25	Managing Water Resources and Flood Risk
LP26	Pollution and Land Contamination
LP27	Conserving and Enhancing Heritage Assets
LP28	Landscape, Treescape and Built Environment Character, including Cathedral Views
LP30	Conserving and Enhancing Biodiversity and Geodiversity
FRD.E1 (a) – (g)	Employment Cluster, South of Fordham

## 7.0 PLANNING COMMENTS

- 7.1 An Environmental Impact Assessment (EIA) has been undertaken by the applicant to consider the likely significant environmental effects of the proposal and an Environmental Statement (ES) has been submitted. The ES has been informed by a formal screening opinion from the Council in May 2018 and is compliant with the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 7.2 The ES addresses the likely environmental effects of the proposal each of which will be covered in this report.
- 7.3 The main issues to consider in determining this application are, the principle of development, visual impact, access, parking and impact on the transport network, impact on residential amenity, impact on heritage assets and archaeology, flood risk, impact on ecology, trees and landscaping, socio-economics, air quality, contamination, cumulative impacts and BREEAM/sustainability.
- 7.4 Principle of Development
- 7.5 The extension element is within the existing compound of Turners; the provision of a new warehouse in this location is not covered by any specific policy in the Adopted Local Plan, though is covered by policy FRD.E1 (b) in the Submitted Local Plan.
- 7.6 Policy GROWTH 1 encourages the creation of further employment opportunities within the District including making provision for a deliverable supply of at least 179ha of B1/B2/B8 employment land. Employment uses comprised under B1/B2 and B8 play an important role in the Council's growth strategy and therefore the Council will seek to protect these land uses.
- 7.7 Policy EMP2 allows for extensions to existing businesses in the countryside, subject that it does not:
- Harm the character and appearance of the area.
  - In scale with the location and would not have a significant adverse impact on the road network.
  - Is for the existing businesses.
  - Does not harm residential amenity.



- 7.8 Policy FRD.E1 (b) allows for B8 use class but seeks to ensure:
- Improvements to bus lay-bys and bus stops on Newmarket Road.
  - Pay particular regard to archaeological potential and significance on the site.
  - Must protect and enhance landscape, heritage and biodiversity.
  - Consider the potential for providing a small lorry park, with appropriate facilities for drivers.
- 7.9 The proposal for a B8 warehouse for frozen goods to be used as part of Turners operation on site is therefore in principle supported. The specific requirements under these policies is covered below in great detail.
- 7.10 The proposed lorry park is seeking to move the current lorry storage area (where the extension is going) into a new location. When the Case Officer visited this existing area it was being used for storage of primarily trailers that appeared in need of repair.
- 7.11 The area for the new lorry park is covered by policy FRD 7 of the Adopted Local Plan that allows for B8 use class development. This policy requires development to:
- Ensuring the proposal is of high quality and minimises the visual impact from the A142.
  - Include a variety of building heights and not to exceed 9 metres.
  - Provide extensive landscaping and planting area, particularly adjoining the A142.
  - Be accessed via the existing Turners site to the south.
  - Provide contributions towards the creation of two bus lay-bys, bus stops and pedestrian crossing facility on Newmarket Road.
  - Take account the location of the National Grid's Gas transmission pipeline.
  - Demonstrate capacity in the sewage treatment works and the foul sewerage network.
- 7.12 In the Submitted Local Plan it is covered by FRD.E1 (A) which again supports B8 use class but again seeks to secure:
- Improvements to bus lay-bys and bus stops on Newmarket Road.
  - Pay particular regard to archaeological potential and significance on the site.
  - Must protect and enhance landscape, heritage and biodiversity.
  - Consider the potential for providing a small lorry park, with appropriate facilities for drivers.
- 7.13 The proposal for a B8 lorry park is therefore in principle supported. The specific requirements under these policies is covered below in greater detail.
- 7.14 This area of the district is defined by employment sites and the economic benefits of promoting economic growth for all businesses in this area, weighs heavily in favour for this application. It should be noted that the support of one business must not detrimentally harm the economic potential for the surrounding businesses.
- 7.15 Highways (specific issue covered by the Environmental Statement)

- 7.16 Within the Environmental Statement (page 59 - 60) it states that Turners are seeking to transition from chilled storage/distribution to frozen storage/distribution and that the proposed lorry park is a relocation of an existing lorry park where the extension is proposed. The Environmental Statement concludes that the proposal will reduce the number of lorries in/out of the site by approximately 196 movements per week.
- 7.17 The developer provided additional information on the 8 October 2018 to justify that the additional growth will reduce lorry movements. The first piece of evidence is from The Food Storage and Distribution Federation that states chilled lorries usually leave the site 85% - 95% full; while frozen goods lorries leave 98 – 100% full; in short for every 10 chilled lorry movements there is only a need for 9 frozen lorries. This makes logical sense as chilled goods have a far more limited shelf lifespan and cannot wait until a single lorry is full.
- 7.18 The developer has stated (Transport Statement page 17) that it seeks to convert 5,000 chilled pallets to frozen that will reduce the amount of lorry movements from 412 lorry movements per week to 43. The evidence submitted also states that this significant reduction is based on the fact that frozen goods have a 9 week frozen storage period; this provides the more substantial decrease in lorry movements. The creation of 20,000 frozen pallets will generate 172 lorry movements per week. The development would lead to approximately the reduction in lorry movements by a half entering/leaving the site.
- 7.19 The proposal will, therefore, have no impact on the wider highway network as the proposal will lead to a reduction in lorries entering/leaving the public highway. However, this is based on the presumption that existing chilled space is transferred to frozen goods only in perpetuity; without the loss of chilled space the proposal would lead to 172 additional lorry movements per week that could be detrimental to the highway network. A condition to control the loss of chilled space is therefore fundamental, otherwise the application would be refused on lack of a Transport Assessment and the failure of the developer to mitigate against the harm identified in the Environmental Statement. Turners accept the need for a condition in order to make their development acceptable. The 9 week turnaround of frozen goods cannot be specifically controlled by a condition but this demonstrates that the very specific use of the proposal will place a much lower burden on the highway that is backed up by the Transport Team at County Council and Suffolk County Council.
- 7.20 Turners have offered £15,000 towards improvements to public transport/footpaths in the area. This is considered on balance a relatively reasonable contribution. The proposal will lead to 18 more employees, which will only lead to a very modest increase in traffic entering and leaving the site. However, it is required by both adopted and proposed policy.
- 7.21 The number of lorry movements is reducing substantially by virtue of the proposal and that will lead to a net benefit on the local transport network; thus saving the public purse.
- 7.22 The construction of such a significant building is likely to have unknown impacts (primarily on the highway network) and for this reason it is considered a Construction Environmental Management Plan (CEMP) would be needed to

protect the free flow of traffic. The CEMP would also likely help protect the workers on the site and keep potential dangers away from the railway line.

- 7.23 There is already significant amount of parking at the front of the site and this is considered sufficient to cover the increase of employees on the ground.
- 7.24 The proposal is considered to be in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2018.
- 7.25 Residential Amenity
- 7.26 By virtue of its location the proposed development is not considered to cause any undue overbearing, loss of light or loss of privacy to any residential property. The greatest danger the proposal will create is a potential substantial ammonia leak, where the anhydrous ammonia was to travel at ground level in a northeast direction. It is considered that due to the distance to the residents of Fordham and that no additional ammonia is being stored on site that the risk to human health/life is very low from the proposal.
- 7.27 The Environmental Statement (page 44) states that the relevant infrastructure for the ammonia will be built to the latest standards.
- 7.28 The proposed is considered to comply with policy ENV2 of the Adopted Local Plan and LP22 of the Submitted Local Plan.
- 7.29 Visual Amenity (specific issue covered by the Environmental Statement)
- 7.30 Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 stress the desire to protect important views into and out of settlements, space between settlements and their wider landscape setting, visually sensitive natural and man-made skylines, hillsides and geological features and views of key landmark buildings. This reflects the Government's objectives in terms of protection of the countryside and landscapes more generally, set out in paragraph 170 of the NPPF, which states that the planning system "*should contribute to and enhance the natural and local environment*". The need to recognise "*the intrinsic character and beauty of the countryside*" is also enshrined as a core planning principle in paragraph 170 of the NPPF.
- 7.31 There is no published guidance establishing a threshold beyond which visual impacts should be deemed unacceptable, and it is for the decision maker in each case to determine how much weight landscape and visual effects should attract in the planning balance.
- 7.32 The Environmental Statement (pages 56 – 57) states that a relatively small (in length) new bund with landscaping would hide the proposal when travelling directly south along the A142 within 10 years; only very partial obscurity in the 1<sup>st</sup> year after the new bund is created. It goes onto state that further mitigation could be achieved by extending the bund across the entire northern boundary of the site.

- 7.33 The developer submitted amended plans of the proposed bund on the 6 October 2018 showing the 3m high bund extending across a much larger proportion of the northern boundary in order to overcome concerns of the Case Officer.
- 7.34 The proposal seeks to provide a new warehouse that measures 22m (72ft) tall, 80m (262 ft) wide and 1,350m (4429ft) deep. The existing buildings are clearly visible from the A142, with the existing bund while tall (5m/16.4 ft) only offering minimal screening to the large warehouse buildings (22m/72 ft high) to the south. The trees along the northern boundary of Turners site are primarily within the public highway. The view from the A142 is both a public view and one that will be seen by every driver/passenger heading south along the A142 (Ely to Newmarket).
- 7.35 To create the new lorry park the existing bund will be cut through, substantially reducing it in length, and repositioned. However, the developer is also providing a new bund along the northern boundary that will measure 3m high (9.8 ft). If suitable tree planting is provided this bund will obscure most of the existing and proposed Turners site from the travellers of the A142, as it will create a natural 'green' barrier to the A142. Without this proposed bund the combined harm (proposed and existing buildings) to the visual amenity to the users of the A142 would be significantly detrimental.
- 7.36 There is a break in the bund where the SuDS swale is being located. However, this is fortunately set behind the existing street trees that already help to obscure the Turner's site (though these should not be relied upon as they are controlled by a third party); future landscaping can be secured to the south of the swale to provide a second planting screen.
- 7.37 A condition requiring that the existing bund (as substantially altered by the proposal) and the proposed bund to be maintained in perpetuity is therefore required in order to prevent significant and detrimental harm to the character of the area.
- 7.38 In addition a soft landscape condition will be needed to ensure an appropriate tree mix on the bund and around the swale is required in order to help obscure the proposed built form and that it needs to be maintained for at least 10 years in order to mitigate against the size of the proposal.
- 7.39 The design and scale of the proposed extension is in keeping with the existing Turners' buildings in the area and is therefore an in keeping design.
- 7.40 There is an existing lorry park to the east of the proposed lorry park that at present is visible from the A142, with the proposed bund/landscaping any views of the new lorry park will be obscured.
- 7.41 The proposal would be considered to cause significant cumulative impact on the landscape if the bund and landscaping were not proposed but the visual impact can be mitigated with the creation of a bund along the northern boundary and associated landscaping secured by condition to ensure the proposal complies with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018.
- 7.42 Historic Environment

- 7.43 To the north of the site is the Grade II Listed Building of Fordham House, beyond this is the Grade II Listed Building of Fordham Abbey and to the east is the Grade II Biggen Stud. With the existing size of the Turner's buildings the addition of this extension is considered to cause, at worst, the lowest level of less than substantial harm and would be outweighed by the economic benefits the proposal would bring by the reduction in lorry movements and the provision/securement of employment. It could also be argued that the setting of all these listed buildings does not go further south than the edge of the A142 that forms the boundary of the site.
- 7.44 The County Council archaeology experts have sought an archaeological investigation for both elements of the proposal. With the additional explanation provided on the 20 December 2018 by County Council it is considered that there is highly important potential archaeology on the site that could be lost or damaged by the proposal.
- 7.45 It is noted that on previous applications (09/00098/FUM and 13/00965/FUM) no archaeological investigations were needed. In relation to the 2009 application this was because of the impact that landscaping already had on the area. An email from a County Council Archaeologist to the developer made it clear in 2009 that the land to the north of the built footprint and the recently purchased fields would require an archaeological investigation.
- 7.46 The NPPF para 11.d.i makes it clear that assets of archaeological interest deserve substantial protection. The creation of development would likely lead to the total loss of archaeology in the areas proposed for development. With the high value of the potential archaeology in the area and that it can be suitably mitigated against by carrying out a suitable investigation; the NPPF would promote an archaeological condition.
- 7.47 The Submitted Local Plan that was published in November 2017 highlighted the importance of archaeology in the area for both the extension and replacement lorry park.
- 7.48 The developer has made the Case Officer aware that while it would accept an archaeological investigation on the northern field (location of replacement lorry park) it would not accept an archaeological condition for the proposed building extension site. The Case Officer has sought several times for clarification and guidance from County Council and it is concluded that the developer has already substantially damaged the archaeological potential under the existing lorry park by the carrying out of works. The developer was warned about the need for archaeological investigation due to the archaeological potential of the site in 2009, it therefore has to be considered that the works carried out may have caused damage to archaeological deposits, which contravenes the Historic Environment policies of the NPPF. This could have been avoided as the developer is and was fully aware of the potential of the site. Based on the above and the ongoing discussions with the County Council the recommended archaeology condition will not cover the area of the proposed building extension, where the existing lorry park is in situ, but will cover the rest of the site. In order to prevent further significant harm to archaeology a condition is recommended removing permitted development rights relating to hard landscaping.

- 7.49 The proposal is, therefore, considered to comply with policies ENV12 and ENV14 of the adopted Local Plan and LP27 of the Submitted Local Plan; as well as the provisions of the NPPF.
- 7.50 Ecology
- 7.51 The site is well separated from the SSSI's located to the southeast, east and northeast of the site (LGC and the A142 is situated in between). The only likely detrimental impact on these SSSI's is if there is ammonia leak (which is already held on site) and the wind was blowing in this direction.
- 7.52 The proposed extension is being located on existing hard landscaping the potential for biodiversity in this area is considered to be very low and even with the removal of the bund the potential impact on any protected species is considered to be negligible.
- 7.53 In regards to the Lorry Park there is a major road to the north (A142) and a major railway to the west. A previous application for a lorry park to the east (11/00681/FUL) made no reference to any harm to biodiversity. The chance of substantial ecology on this part of the proposal is again considered to be negligible.
- 7.54 Both the Adopted and Submitted Local Plan requires all proposals to enhance ecology in the local area. This can be achieved through the provision of bird and bat boxes on the proposed extension and the provision of substantial soft landscaping along the northern boundary. These biodiversity improvements can be achieved by a condition.
- 7.55 The proposal is considered to be in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and LP28, LP22 and LP30 of the Submitted Local Plan 2018.
- 7.56 Flood Risk and Drainage
- 7.57 The proposed extension, while a major development, is being built on an existing area of hard standing. The drainage difference between this existing lorry park and the proposed extension is considered to be minimal. The creation of the new lorry park will have a significant impact on drainage in the locality, as it will be constructed on greenfield.
- 7.58 The Environment Agency (EA) is seeking pre-commencement conditions in regards to potential contamination in order to protect controlled waters. This condition is considered reasonable as the EA has made it clear the site is in close proximity to strategic water supplies.
- 7.59 The Case Officer has been speaking to the Lead Local Flood Authority (LLFA) and it considered in this case a pre-commencement condition would overcome the LLFA's concerns. If the proposed swale feature would not be able to deal with all the run off from the proposed lorry park than other solutions would be possible (for instance tanking or permeable surfaces). This unknown method of water drainage adds weight to the need for an archaeological condition.

- 7.60 The proposal is considered to be in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2018
- 7.61 Other Material Matters
- 7.62 There is a gas main that runs through the site where the proposed lorry park will be located; an informative should be added to ensure that the developer works with Cadent to ensure this infrastructure is duly protected. While Cadent now control the gas main, the National Grid have objected. However, National Grid's comments relate to how the construction work will take place and this can be secured under the CEMP condition.
- 7.63 The developer should contact the Police in order to discuss safety measures and they may also want to keep the Fire Service updated due to the size and nature of the proposal.
- 7.64 With the nature of the proposal a BREEAM (promoted in ENV4 of the Adopted Local Plan) sustainability report will not offer the best method to ensure a high level of sustainability in this case. A condition is still required but it would seek renewable energy/efficiency (promoted in the Submitted Local Plan); other conditions will provide for sustainable water drainage and biodiversity improvements. The combination of all these conditions will ensure the proposal meets with the requirements of sustainable development.
- 7.65 Planning Balance
- 7.66 The matter of assessing the benefits of a proposal against the harm caused is one for the decision maker and there are no set limits or thresholds, which must be met or passed in order for a decision to be made either in favour of or against a proposal. Where a proposal comes into conflict with the Development Plan and government policy, in the form of the NPPF, this must weigh significantly against the development when reaching a planning judgement.
- 7.67 The conclusions within the Environmental Statement are agreed. Recommended conditions will secure mitigation measures and are set out within this report.
- 7.68 The economic growth of all businesses in this area is a fundamental priority to ensure the overall sustainability of both the adopted and submitted local plans in ensuring local employment growth. With the proposal only creating a very modest increase in employment numbers on the site, the main economic benefit is the future proofing of the existing business and the reduction in the number of lorry movements.
- 7.69 By controlling the specific use of the proposal, converting existing cold storage to frozen and the provision of an additional bund the proposed development complies with the conclusions/mitigation of the Environmental Statement. The proposal, subject to conditions, will not have a significant impact on either the transport network or visual character of the area. The failure to comply with those conditions that relate to the Environmental Statement will result in enforcement action by the

Local Planning Authority, as all parties consider these fundamental to the accepting of this scale of development.

7.70 The proposal is considered to largely comply with the development plan and there are no other material planning considerations which would cause demonstrable harm in planning terms which would warrant the refusal of planning permission, subject to the conditions outlined and a S106 contribution.

7.71 The proposal is, therefore, recommended for delegated approval.

## 8.0 COSTS

8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.

8.2 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.

8.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

8.4 In this case members' attention is particularly drawn to the following points:

- Site is allocated for development.
- Details contained within the Environmental Statement.

## 9.0 APPENDICES

9.1 Appendix 1 - Conditions

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<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
18/00579/ESF	Andrew Phillips Room No. 011 The Grange	Andrew Phillips Planning Team Leader
13/00965/FUM	Ely	01353 665555
13/00965/DISA		andrew.phillips@ea
09/00098/FUM		stcambs.gov.uk
05/00575/FUM		
96/00957/FUL		
94/00729/FUL		
92/00792/FUL		



National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](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 - 18/00579/ESF Conditions

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

Plan Reference	Version No	Date Received
17088 TURN 11	Sheet 1 of 4	6th October 2018
17088 TURN 11	Sheet 2 of 4	6th October 2018
17088 TURN 11	Sheet 3 of 4	6th October 2018
17088 TURN 8	2	21st May 2018
17088 TURN 8 SHEET 1 OF 2	2	21st May 2018
7088 TURN 8 SHEET 1 OF 2	2	21st May 2018
17088 TURN 10	2	22nd June 2018
17088 TURN 4		21st May 2018
17088 TURN 1		21st May 2018
17088 TURN 2		21st May 2018
17088 TURN 3		21st May 2018
17088 TURN 6		21st May 2018

- 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 proposed extension shall be used for only frozen goods storage (room temperature shall not exceed 0C) in perpetuity.
- 3 Reason: In the interests of highway safety and capacity, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2018. This condition is informed by the mitigation measures within the Environmental Statement.
- 4 Prior to the commencement of development, 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 be carried out in accordance with the approved strategy.
- 4 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 and LP23 and LP24 of the Submitted Local Plan 2018. This condition is pre-commencement as some of the measures may be below ground level.
- 5 No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority: 1. A Preliminary Risk Assessment (PRA)

including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site. 2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM. 3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary. 4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

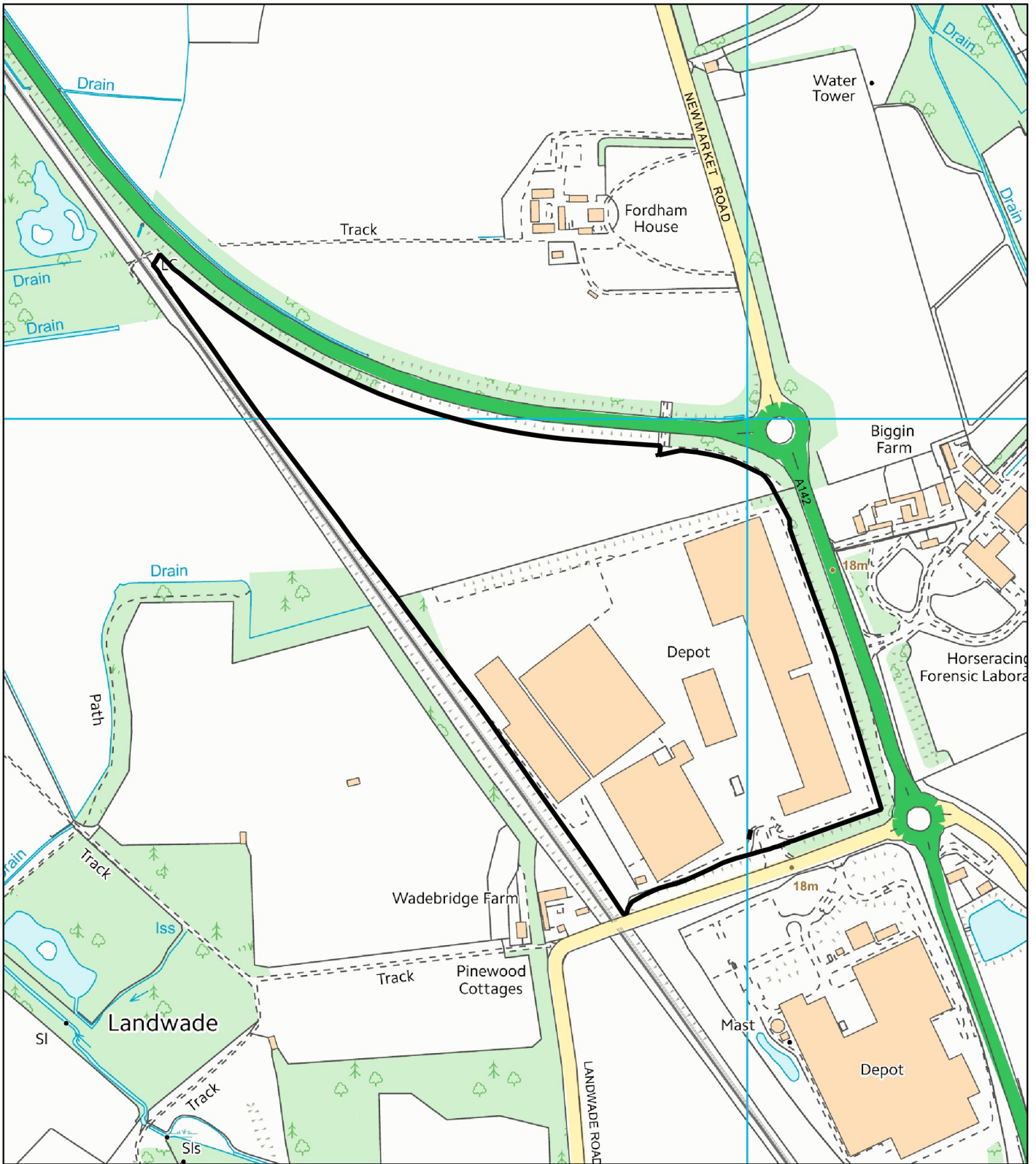
- 5 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 and LP26 of the Submitted Local Plan 2018. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 6 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.
- 6 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 and LP26 of the Submitted Local Plan 2018.
- 7 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 first use of the hereby approved development.
- 7 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 and LP22 and LP25 of the Submitted Local Plan 2018. 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.
- 8 Prior to first occupation or commencement of use 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 ten 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.

- 8 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018.
- 9 No above ground construction on the lorry park shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. 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.
- 9 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 10 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.
- 10 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2018. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 11 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.
- 11 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and LP28, LP22 and LP30 of the Submitted Local Plan 2018.
- 12 No development shall take place within the area indicated until the applicant, or their agents 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 by the applicant and approved in writing by the local planning authority (this will not include the land for the extension to the existing building).

- 12 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 and LP27 of the Submitted Local Plan 2018. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 13 The existing earth bund as modified by this permission and the proposed earth bund (as shown on drawings 17088 TURN 11 Rev 1 sheets 1-3) shall be completed prior to any works above ground and thereafter maintained in perpetuity.
- 13 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018. This is required in the Environmental Statement in order to prevent the combined significant harm to the visual character of the area when travelling south along the A142.
- 14 No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority that will convert existing chilled storage area on site to frozen goods only. The area to be converted shall be completed prior to first use of the approved extension and thereafter maintained in perpetuity.
- 14 Reason: In the interests of highway safety and capacity, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2018. This is required in the Environmental Statement in order to prevent the combined significant harm to the highway network. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 15 Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details
- 15 Reason: To protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2018.
- 16 The materials to be used in the construction of the external surfaces, shall be as specified on the submitted application forms and approved plans. All works shall be carried out in accordance with the approved details.
- 16 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018.
- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order), no hard landscaping shall be created within the site, without the prior written consent of the Local Planning Authority.

- 17 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 and LP27 of the Submitted Local Plan 2018.



18/00579/ESF

Turners (Soham) Limited  
 Fordham Road  
 Newmarket



East Cambridgeshire  
 District Council

Date: 20/12/2018  
 Scale: 1:6,000



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**MAIN CASE**

**Reference No:** 18/00853/OUT

**Proposal:** Erection of a dwelling and associated development

**Site Address:** Land East Of 1 School Lane Aldreth Cambridgeshire

**Applicant:** P J Lee & Son

**Case Officer:** Catherine Looper, Planning Officer

**Parish:** Haddenham

**Ward:** Haddenham  
Ward Councillor/s: Councillor Steve Cheetham  
Councillor Mark Hugo  
Councillor Stuart Smith

**Date Received:** 20 June 2018      **Expiry Date:** 31/01/2019

[T169]

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1.0 **RECOMMENDATION**

1.1 Members are recommended to APPROVE the application subject to the signing of the legal agreement and the following draft conditions with authority delegated to the Planning Manager and Legal Services Manager to complete the legal agreement and to issue the planning permission. The recommended conditions can be read in full on the attached appendix 1.

1.2 The legal agreement will secure the following:

- Prior to occupation of the dwelling (School Lane: ref: 18/00853/OUT) use of the cooling and ventilation plant at De Freville Farm potato store will cease;
- The date of occupation of the dwelling and cessation of the plant to be advised to the Council;
- Potato store to be identified on a plan; and
- No further cooling or ventilation plant to be introduced to De Freville Farm.

1.3 Conditions:

- 1 Approved Plans
- 2 Time Limit - OUT/OUM
- 3 Time Limit - OUT/OUM/RMA/RMM
- 4 Site Characterisation



- 5 Reporting of unexpected contamination
- 6 Foul and Surface water drainage
- 7 Biodiversity Improvements
- 8 Construction Times
- 9 Closure of Access

## 2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks outline consent for one dwelling with all matters reserved except for scale.
- 2.2 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.**
- 2.3 The application has been called into Planning Committee by Councillor Cheetham following discussions with the Parish Council and residents.

## 3.0 PLANNING HISTORY

- 3.1 No relevant planning history.

## 4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located to the west of Aldreth and comprises an open field with an access to the side of the plot. To the rear of the site there are agricultural buildings. There are other dwellings in the vicinity which are screened within the landscape by tall boundary hedges and trees.

## 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.

**Ward Councillors (Councillor Mark Hugo)-** "I have some reservations with this application which mainly concern it being suggested this is "infill" which, as you know, is the only type of development permitted in Aldreth under the Local Plan 2015 and the emerging plan 2017/8. The definition of infill is laid out in the emerging local plan and is clearly meant to apply to new developments between existing houses already in the development area of a village. In this case one end of the infill is defined by 2 houses in the countryside (i.e. outside the development area) which were built on the footprint of former 19<sup>th</sup> century workers' cottages and thus permitted because of this history. If this application is permitted I would like it clearly indicated in the officer ruling that this is indeed infill and thus no further "backfill" can occur in or near this new dwelling using this application as a precedent.

The applicant is currently being investigated by the Environment Agency for a major pollution event caused by their agricultural activities in the summer of 2017 which caused great

distress to many Aldreth residents and major damage to the local waterways and their wildlife. Despite village and Parish Council requests no compensation, admission of responsibility or indeed apology for this agricultural mistake has ever been forthcoming to the village. Because of this attitude I would like to ensure that, if permitted, strict enforceable conditions should be applied during the build process to protect village amenities and residents. I would like to suggest some below:

School Lane is regularly used by many local children as a safe route to the Aldreth Recreation Field and should not be used as access or parking for supply vehicles, diggers and tradesman vans when there is ample access across De Freville Farm.

No building work should be allowed in the evenings or at weekends to ensure residents enjoyment of living in a quiet village.

A few years back School Lane was greatly improved by a village work party (helped by farmers) - cleared of scrub, new grass laid and hedges/trees cut back to ensure it was a credit to the village when used for village events (fete, picnic). If any damage is done during construction it must be restored to the current good state by the developer. This is essentially the centre of the village and is our access to what is in reality the village green!

At various well published times of the year School Lane and the Aldreth Recreation field is used for major village events (fete, village picnic etc.) A huge amount of work goes into these events designed to raise money for the Aldreth Village Centre. A condition should be placed on the developer during construction that they liaise with Aldreth Community Association to ensure all village events are known to them in advance and no construction vehicles are allowed along School Lane during the actual event and the preparation days - setup/grass cutting etc.

In the emerging local plan it is stated that CIL for all new builds in Aldreth should go towards upkeep of the Aldreth Village Centre and I would like these funds to be ring fenced if the application is permitted.

The area contains numerous trees and hedges with abundant wildlife which whilst not officially protected should be preserved where possible and clearly marked as such in any detailed plan.

Lastly there are major drainage issues on and around the site accordingly to the neighbours which were exacerbated by the pollution event of 2017. These should be sorted before construction begins and the developer should liaise with all close neighbours to ensure the issue is well understood and dealt with to their satisfaction."

**Ward Councillors (Councillor Steve Cheetham)-** "Aldreth is noted within the Local Plan 2015 as being unsustainable and with no development allocation with infill only. This is clearly not infill but is back building. The other two properties that are sited on School Lane are replacement dwellings for homes that existed there for over 100 years. An infill plot is normally determined as the 'the infilling of a small gap within an otherwise built-up frontage or group of s and this is clearly not. Aldreth has only one bus per week, it also has no paths or cycle ways to Haddenham and is 1 1/2 miles from Haddenham and reference to Haddenham in the context as noted in the application is not appropriate.

## Village Character

The site does not present itself as a natural extension to the built form of the village and is outside the settlement boundary. The proposed dwelling by virtue of this location would be at odds with the built form, would result in an urban intrusion such that it would cause significant demonstrable harm to the character and appearance of the setting of Aldreth. As such it is contrary to Policies ENV 1 and ENV2 of the East Cambridgeshire Local Plan 2015 and the National Planning Policy Framework.

As well as the above, Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan 2015, seeks to protect landscape and settlement character and in particular, respect views into and out of settlements. These aims are reiterated in paragraph 17 of the NPPF which seeks to protect the intrinsic character and beauty of the countryside. Policy ENV 1 also requires new development to demonstrate that the location, amongst other things, will create positive, complementary relationships with existing development, and conserve, preserve and where possible enhance the distinctive and traditional landscape.

School Lane is not a dead end. It is a public footpath which continues through a very attractive path down to a bridge over the waterway at the bottom of Aldreth, which is used extensively by dog walkers and ramblers. It also leads to the village recreation field, which is used regularly throughout the year by village children.

## Sustainability

### Economic Role

The proposed development does not make any form of advanced economic contribution.

### Social Role

The proposed development would add six new dwellings but the local plan 2015 provides support for 100% affordable housing on the outside but on the edge of defined settlements. As an open market residential development, this scheme would not comply with these policy exemptions.

### Environmental Role

This issue covers a lot of inter-related matters, including design, appearance, scale, traffic impact, etc and I consider that in this case sustainable development would not be realised.

Finally in my view this application should be refused with reference to the valid policies and proposals in the Local Development Plan 2015 and all relevant material considerations, including the NPPF as this proposal is considered to be unsustainable and the applicable local plan policies referred to in the refusal in October 2017 still apply as does the unsustainability.”

**Parish (23/07/2018)-** The Parish Council met on Wednesday 18<sup>th</sup> July to discuss the above application and wish to recommend outright refusal along with returning the comments below, It was also noted that although rather unclear in the application title, “associated development” appeared, in this case, to mean a garage building.

The Parish Council has many serious concerns surrounding the proposed development. The proposed development sits in unspoilt countryside where new dwellings should only be permitted to accommodate essential workers or to meet a local need for affordable housing, neither of these criteria are met within this application.

This proposal is in contravention of ENV2 of the 2015 adopted Local Plan which requires developments to have “no significant detrimental effect on the residential amenity of nearby occupiers.

Aldreth is noted within the Local Plan 2015 as being unsustainable and with no development allocation with infill only. This is clearly not infill but is back building! The other two properties that sit on School Lane are replacement dwellings for homes that existed there for over 100 years. An infill plot is normally determined as the ‘the infilling of a small gap within an otherwise built-up frontage or group of houses’, this is clearly not.

This proposal does not constitute sustainable development as defined in Local Plan (2015) Policies Growth2, ENV1, ENV2 and HOU2 and Local Plan Policies LP3, LP22, LP28 AND LP31 of the emerging Local Plan. There are no social, economic or environmental benefits to the scheme which would out-weigh the harm to the plan-led system and the site specific harm.

The proposed development does not satisfy the three strands of sustainable development as defined in paragraph 7 of the National Planning Policy Framework

Policy LP22 of the emerging Local Plan and ENV1 of the 2015 adopted Local Plan seeks to protect landscape and settlement character. This development would have a detrimental effect on the linear character of the village. Demonstrable harm will be done to this small pocket of Aldreth if this application is given approval.

School Lane is an unadopted roadway, maintained by residents. It should not be altered to make way for this development.

School Lane is a throughway, not a dead end as stated in the application. It gives access directly from the centre of the village to the open countryside behind the village.

Local residents have concerns over the drainage of the site, there have been many issues in recent years with the ditch fronting the site.

Contrary to what is contained in the application, the area is abundant with trees and wildlife, including Roe Deer and Badgers, these must be protected.

This plot is clearly not infill and it should be noted that the planning permission given to replace 2 and 3 School Lane is what it is permission to replace properties that are over 100 years old and not on land in open country side. 1 School Lane is also a property which although built over 40 years ago also replaced a property in excess of 100 years old. A

Aldreth is defined as a small village in the Local Plan 2015 and is not accessible by public transport as it has only one bus per week, it also has no paths or cycle ways to Haddenham and is 1 1/2 miles from Haddenham and reference to Haddenham in this context is not appropriate

If the site were to be granted permission, the Parish Council would request the following conditions are attached;

- This development should not alter/ruin School Lane; that has been maintained privately at the residents' own costs for many years. A regular contribution towards maintenance would be required from the developer/new residents.
- Any CIL money should go directly to Aldreth Community Association to ensure it solely benefits Aldreth.
- The annual village fete uses School Lane and provision would need to be made for this especially during construction.
- The village Recreation Ground is situated on School Lane and therefore the area is frequently used by children. Heavy works machinery during construction will need to be strictly monitored.
- The Council would expect that no permission would be given until the outstanding pollution issues generated by the applicant and inflicted upon the whole settlement last summer are resolved.
- The existing farm access must be closed.
- The site should potentially be subject to agricultural restriction.

**Parish (25/07/2018)-** The Parish Council has some additional comments to add to the response sent in on Monday, these all relate to conditions it wishes to see applied;

- *A few years back this lane was greatly improved by a village work party (helped by farmers) – it was cleared of scrub, new grass laid and hedges/trees cut back to ensure it was a credit to the village when used for village events (the Fete, Picnic etc) and to make it safer for young children who regularly use the Village Rec at the end of it. If any damage is done during construction, it must be restored to the current good state by the developer. This lane is essentially the centre of the village.*
- *The annual village fete uses School Lane and provision would need to be made for this especially during construction. The developer would need to liaise with the Chairman of the ACA so all village events are known to them in advance and no construction vehicles are allowed along School Lane during those times, including setup/grass cutting etc. before the events take place*
- *Land drainage to include current ditch along School Lane must be planned /conditioned accordingly*

**Asset Information Definitive Map Team - No Comments Received**

**Local Highways Authority -** This is an all matter reserved application however I have the following comments. The development is accessed from an unmade and un-metalled track that is a registered public footpath and as such I would recommend that the CCC RoW team are consulted. There is an existing junction with the highway that the track and development access join. No inter-vehicle visibility splay information has been submitted. Rights over this track / land have not been submitted.

**CCC Growth & Development - No Comments Received**

**Waste Strategy (ECDC) – No objections raised. Standard Informatives recommended.**

**Cambridge Ramblers Association** - I am responding to statutory consultation with the Ramblers Association regarding the outline planning application for a dwelling on land east of 1 School Lane Aldreth. Our interest relates to the footpath using School Lane and then Stocking Lane. We are concerned that this public right of way is included in the site plan. It is imperative that the right of way remains open not only during all construction works, should the application be approved, but also remains a safe route for pedestrians in future, with minimal impact from any increase in traffic.

5.2 Neighbours – Four neighbouring properties were notified and 16 responses were received, as summarised below. A full copy of the responses are available on the Council’s website.

- The application site is outside the development envelope.
- The size of the dwelling is substantial and would be a dominant feature.
- Concern about access to the farm still being open for further development.
- School lane leads to a public footpath.
- Loss of visual amenity on School Lane.
- Mature Trees are on School Lane.
- Rich in biodiversity, including barns owls.
- Will not improve the character and appearance of the lane.
- Drainage may be an issue, as ditches flood.
- Aldreth is a small village with no amenities.
- Set a dangerous precedent for future development.
- Plans impact directly on surrounding properties.
- Plans indicate cutting across path leading to Community Park.
- Contrary to policy.
- Development will increase traffic issues and highway safety.
- Plan is vague and unclear, with little detail.
- No plans for associated development, could lead to larger development to happen.
- Any construction will lead to dust and noise pollution.
- It will impact layout and traditional footprint of village.
- Crop contamination occurred from the surrounding farm and impacted the ditches.
- Place more demand on electricity, which already results in power cuts.
- The development is not in-fill.

## 6.0 The Planning Policy Context

### 6.1 *East Cambridgeshire Local Plan 2015*

ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
GROWTH 3	Infrastructure requirements
GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development

- 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

## 6.3 *National Planning Policy Framework 2018*

- 5 Delivering a sufficient supply of homes
- 12 Achieving well-designed places

## 6.4 *Submitted Local Plan 2017*

LP28 Landscape, Treescape and Built Environment Character, including Cathedral Views  
LP30 Conserving and Enhancing Biodiversity and Geodiversity  
LP1A presumption in Favour of Sustainable Development  
LP3 The Settlement Hierarchy and the Countryside  
LP17 Creating a Sustainable, Efficient and Resilient Transport Network  
LP22 Achieving Design Excellence  
LP25 Managing Water Resources and Flood Risk  
LP26 Pollution and Land Contamination

## 7.0 PLANNING COMMENTS

- 7.1 The main considerations in the determination of this application are the principle of development, residential and visual amenity, highway safety, and the landscape and trees.
- 7.2 Principle of Development
- 7.3 The site is located outside of the designated development envelope of Aldreth. Development outside of the development envelope is considered contrary to policy GROWTH2 of the East Cambridgeshire Local Plan 2015 which seeks to focus new development within the defined settlement boundaries. The National Planning Policy Framework Paragraph 11 states that if policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or where specific policies in the NPPF indicate development should be restricted.
- 7.4 An appeal decision (APP/V0510/17/3186785: Land off Mildenhall Road, Fordham') has concluded that the Council does not currently have an adequate five year supply of land for housing, and as such, the housing policies within the 2015 Local Plan (GROWTH 2) and the 2017 Submitted Local Plan (LP3) cannot be considered

up-to-date in so far as it relates to the supply of housing land. In this situation, the presumption in favour of development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted. As the site is located close to the settlement boundary and in close proximity to the services and facilities on offer in Aldreth, the site is not considered to be isolated or unsustainable. The principle of development is considered acceptable subject to compliance with other local and material planning policies and all other material planning considerations that form part of the planning balance for this application.

7.5 Residential Amenity

7.6 Policy ENV2 of the East Cambridgeshire District Council's Local Plan 2015 and Policy LP22 of the Submitted Local Plan 2017 require proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. The statement submitted alongside indicates that the scale of the proposed development would occupy a footprint of approximately 80sqm with a maximum height of 7m, indicating a two-storey dwelling. The impacts on the residential amenity of neighbouring occupiers would be assessed as part of the reserved matters stage, however it is considered that with the retention of the significant boundary vegetation, that residential amenity could be protected. Residents of the proposed dwelling would have an acceptable plot size and rear amenity space, in line with the Design Guide SPD.

7.7 Environmental Health have been consulted as part of the application and raised concerns surrounding noise generated from the adjacent farming activities, particularly those of the fixed plant linked to the cooling of potatoes at the site. The Agent has confirmed that the farming operation is extensive and there are other sites where the potatoes can be stored, which would remove the need to run the fixed plant and store potatoes at this site. They have advised that the use of the cooling and ventilation plant at the potato store can be ceased and secured by way of a legal agreement. Environmental Health are satisfied that this would satisfy concerns.

7.8 Visual Amenity

7.9 In terms of visual amenity, Policy ENV2 of the Local Plan 2015 and Policy LP22 of the Submitted Local Plan 2017 require 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 have not been included within the application and would need to be assessed at reserved matters stage. The dwelling is positioned on a plot which has significant boundary vegetation, and therefore it is considered that a dwelling could be adequately accommodated to reduce the visual impact of the proposal. There are other residential dwellings along this track and therefore the introduction of one dwelling would not be significantly harmful to the rural character and appearance of the area.

7.10 Highways



- 7.11 Policy COM7 of the Local Plan 2015 seeks to ensure that new development does not give rise to highway safety hazards and Policy COM8 requires new development to be well served by off-street car parking and turning space to ensure that local highway safety is not prejudiced by additional vehicles parking on public roads and streets. The Council's adopted car parking standards expect new residential development to provide two parking spaces per dwelling. The emerging Policy LP17 expects new development proposals to ensure that all users have safe, convenient access to the existing highway network and reduce the need to travel by ensuring that development is accessible, being well located in relation to existing or proposed services and facilities.
- 7.12 The layout shows that there is sufficient room on site for the manoeuvring and parking of two vehicles for the proposed dwelling, and this is considered to comply with Policy COM8 of the Local Plan 2015. An existing vehicular access is being utilised which also serves as a secondary access to the agricultural site to the rear, however the agent has confirmed that the agricultural use of this access will cease and can be secured by condition. Given the details provided, there is no reason to believe that a suitable access could not be achieved at reserved matters stage.
- 7.13 Ecology
- 7.14 The site is maintained grass and therefore the proposal is not considered to impact biodiversity in the area. It is considered appropriate to seek biodiversity improvements as part of the application, and this can be secured by condition. The hard and soft landscaping details for the site can be dealt with at reserved matters stage.
- 7.15 Flood Risk and Drainage
- 7.16 The site is located in Flood Zone 1, where the principle of development is considered acceptable in terms of Flood Risk. Concerns have been raised in relation to the drainage of the site, however these details have not been submitted at this stage and would be dealt with at reserved matters stage.
- 7.17 Other Material Matters
- 7.18 There is a significant tree and hedge belt along the east and west boundaries of the site. Although landscaping is not assessed as part of this application, it is considered that an appropriate landscaping scheme can be achieved on this site to prevent significant impacts to the character and appearance of the area.
- 7.19 Concerns have been raised that the site does not constitute an 'infill' plot and that a precedent for further development on this site would be set by the introduction of a dwelling. It should be noted that the proposal for a dwelling does not set a precedent for further development, and that each application is assessed on its own merits.
- 7.20 Planning Balance

7.21 On balance the proposal is considered to comply with planning policy. The proposal would be beneficial through the provision of an additional dwelling, in a location which is not considered to be harmful to the edge of settlement location or the residential amenity of neighbouring or future occupiers. The proposal would not be highly visible from the public highway and can be designed sensitively at reserved matters stage. The application is therefore recommended for approval.

8.0 APPENDICES

Appendix 1 – Recommended Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/00853/OUT	Catherine Looper Room No. 011 The Grange Ely	Catherine Looper Planning Officer 01353 665555 catherine.looper@eastcambs.gov.uk

National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](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

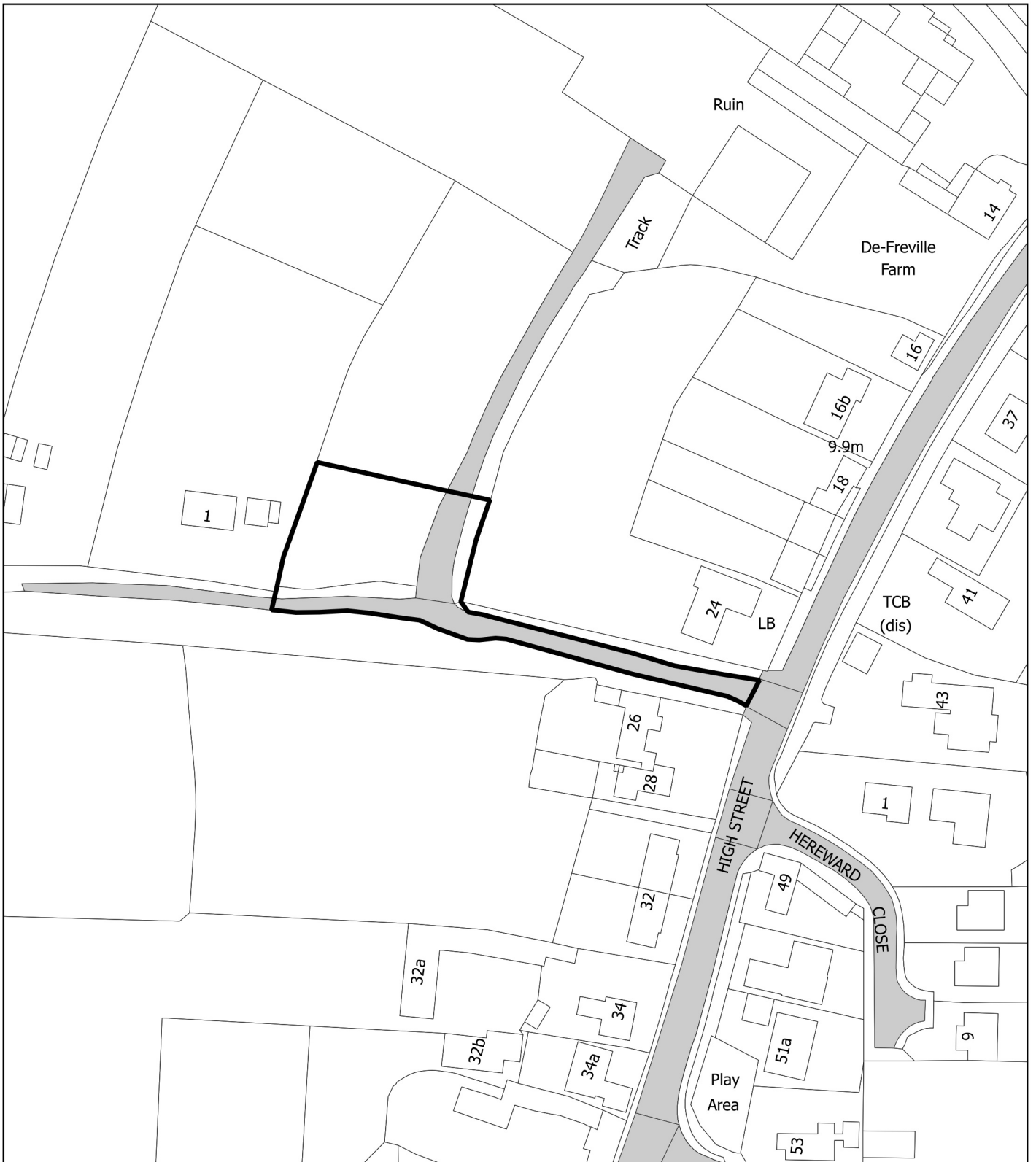
1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
Illustrative Block Plan		10th November 2018
LOCATION PLAN		20th June 2018

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the access, appearance, landscaping and layout (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this permission.
- 2 Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 4 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
- (i) A survey of the extent, scale and nature of contamination;
  - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
  - (iii) An appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed 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 and LP26 of the Submitted Local Plan 2018. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 5 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.

- 5 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 and LP26 of the Submitted Local Plan 2018.
- 6 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 occupation.
- 6 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 and LP22 and LP25 of the Submitted Local Plan 2018. 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.
- 7 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.
- 7 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and LP28, LP22 and LP30 of the Submitted Local Plan 2018.
- 8 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, Public Holidays or Bank Holidays.
- 8 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018.
- 9 Prior to first occupation of the dwelling the complete use of the existing farm access on the site shall cease and be permanently closed with a fence to be agreed as part of the reserved matters approval.
- 9 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018.



18/00853/OUT

Land East of  
1 School Lane  
Aldreth



East Cambridgeshire  
District Council

Date: 20/12/2018  
Scale: 1:1,200



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**MAIN CASE**

**Reference No:** 18/01204/OUT

**Proposal:** Erection of up to three dwellings and garages, creation of new accesses, and associated works

**Site Address:** Church Farm The Hamlet Chettisham Ely Cambridgeshire CB6 1SB

**Applicant:** Mr & Mrs Jeremy and Katharine Love

**Case Officer:** Toni Hylton, Planning Officer

**Parish:** Ely

**Ward:** Ely North  
Ward Councillor/s: Councillor Mike Rouse  
Councillor Elaine Griffin-Singh  
Councillor Andy Pearson

**Date Received:** 31 August 2018      **Expiry Date:** 16<sup>th</sup> January

[T170]

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1.0 **RECOMMENDATION**

1.1 Members are recommended to APPROVE the application with the conditions suggested below:

1. Plans
2. Time Limit- Reserved Matters
3. Time Limit
4. Site Characterisation
5. Reporting of Unknown Contamination
6. Details of Drainage
7. Boundary Treatments
8. Soft Landscaping
9. Hard Landscaping
10. Construction Times
11. Biodiversity measures
12. Access Width

2.0 **SUMMARY OF APPLICATION**

2.1 The application is made in outline for the erection of up to 3 dwellings, with all matters reserved apart from access. The application has been amended since the

original submission, which stated up to 4 dwellings. However it has now been amended to up to 3 dwellings. This has been done by the removal of plot 1, nearest to St Michaels Church.

- 2.2 The application includes the provision of 2 plots adjacent to Church Farm on the access drive with a third plot located on the existing barn complex. No details have been provided of the external appearance, layout or landscaping of any of the plots.
- 2.3 The application is presented to the Planning Committee at the request of Councillor Rouse on the basis that a previous application on the same site was also presented to the Planning Committee.
- 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/>. **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 | 17/01630/OUT | Erection of a single dwelling,<br>to include layout, access and scale. | Refused<br>13 <sup>th</sup> December 2017 |
|-----|--------------|--|---|

### 4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is a field at the end of The Hamlet. To the front of the site is some planting, some of which is within the ownership of the Highways Authority. To the rear the land slips away and views across the open countryside can be seen. To the south of the site is the St Michaels Church, a Grade II Listed Building which is located on the settlement edge and surrounded by a masonry wall.
- 4.2 The Hamlet of Chettisham has an established pattern of development, whereby the dwellings sit close to the road. Many of the dwellings are of a cottage style and have outbuildings. Development is predominantly on the northern side of The Hamlet, with open fields on the southern side.

### 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.

Asset Information Definitive Map Team - No Comments Received

Local Highways Authority – No objection in principle to the proposal, however the issue relating to the Public Right of Way needs to be discussed further. A condition

recommending the width of the access is 5 metres for a distance of 10 metres. A further response was received which requires that the provision of the footpath must be constructed within the highway, otherwise a Grampian condition would be required.

CCC Growth & Development (Archaeology) – No objection to the proposal however will require a condition for Written Scheme of Investigation.

Senior Trees Officer (Consultant) – concerns have been raised with the proposal and its impact on the landscape and character of the area. However it has been recognised that the reduction in the number of dwellings with some good design and mitigation will go some way to address this.

Conservation Officer – Following a meeting with the applicant and agent it was considered that the removal of plot 1 would remove their objection to the proposal to the scheme.

Environmental Health – No objection to the proposal subject to a condition for working hours. A concern with regard to the barn to rear was raised and what it was used for and in response the agent confirmed this was a seed store. Following this the EHO considered that the barn would not cause harm to the amenities of the future occupiers of the dwelling in this location.

Scientific Officer – No objection subject to conditions relating to contamination.

Waste Strategy (E CDC) – No objection subject to the payment towards the provision of bins.

Consultee For Other Wards In Parish - No Comments Received

The Ely Group Of Internal Drainage Board – No objection as the site is outside of the district for Littleport and Downham.

Ely City Council – No concerns with the application proposed.

Ward Councillors - The application is presented to the Planning Committee at the request of Councillor Rouse on the basis that a previous application on the same site was also presented to the Planning Committee.

5.2 Neighbours –1 neighbouring property was notified and 9 responses were received and are summarised below. A full copy of the responses are available on the Council's website. A site notice was displayed on 17<sup>th</sup> September 2018 and it was advertised in the Cambridge Evening News on 20<sup>th</sup> September 2018 as a potential departure from the development plan.

- The proposal is outside of the development envelope
- Not a sustainable location
- Increase in traffic on the highway
- The site has ecological value
- Light pollution
- Precedent for further development



- Pollution
- Not appropriate form of development
- Can the services cope with the additional dwellings
- A petition has also been received, signed by 19 residents of The Hamlet, objecting to the proposal.

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 6	Renewable energy development
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 12	Listed Buildings
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

### 6.3 National Planning Policy Framework 2018

- 5 Delivering a sufficient supply of homes
- 12 Achieving well-designed places
- 2 Achieving sustainable development
- 15 Conserving and enhancing the natural environment
- 16 Conserving & enhancing the historic environment

### 6.4 Submitted Local Plan 2018

LP1A presumption in Favour of Sustainable Development  
 LP2 Level and Distribution of Growth  
 LP3 The Settlement Hierarchy and the Countryside  
 LP17 Creating a Sustainable, Efficient and Resilient Transport Network  
 LP22 Achieving Design Excellence  
 LP25 Managing Water Resources and Flood Risk  
 LP26 Pollution and Land Contamination

- LP27 Conserving and Enhancing Heritage Assets
- LP28 Landscape, Treescape and Built Environment Character, including Cathedral Views
- LP30 Conserving and Enhancing Biodiversity and Geodiversity
- LP31 Development in the Countryside

## 7.0 PLANNING COMMENTS

### 7.1 Principle of Development

- 7.1.1 The Local Planning Authority is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore any policies controlling 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.
- 7.1.2 This application is for 3 additional dwellings that would be added to the District's Housing Stock and make a contribution towards the shortfall in housing land supply. The provision of any additional dwellings attracts significant weight in the planning balance. The benefits of this development are therefore the contribution it would make in terms of housing supply within the District as a whole as well as the economic benefits of construction and additional population to support local businesses.
- 7.1.3 The site is located outside the established development framework of Chettisham, The site is not considered to be well connected to the settlement, as it is approximately 23 metres from the development envelope, with no pedestrian footpath that meets the site.
- 7.1.4 The fact that the Council cannot currently demonstrate that it has an adequate five year supply of housing does not remove development envelopes. It does however restrict the application of policy GROWTH 2 within the Local Plan, which states that outside defined development envelopes, development will be strictly controlled and restricted to the main categories set out within the policy.
- 7.1.5 The site is also in close proximity to a Grade II Listed Building whereby Paragraph 11, Note 6 states that if the Local Planning Authority does not have an up to date plan, but the proposal would cause less than substantial harm to a heritage asset then the lack of 5 year housing land supply need not apply.
- 7.1.6 It should be noted that all other local plan policies and relevant material considerations remain relevant and form part of the planning balance for this application.
- 7.2 Residential Amenity

7.2.1 The site is approximately 50 metres from the development envelope for Chettisham and 55 metres from the nearest dwelling. It is considered that the distances between the dwellings would not give rise for the amenities of either dwelling to be adversely affected. The applicant has submitted an Envirocheck Report dated 3<sup>rd</sup> August 2017 which has been read by the Council's Scientific Officer. They have advised that further investigation is recommended, and that conditions are applied to any grant of approval to ensure risks from land contamination to the future users of the land and neighbouring land are minimised. The plot sizes comply with the specifications within the Design Guide SPD and it is considered that each dwelling would benefit from adequate amenity space. On this basis the proposal is considered to comply with criteria within policies ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018.

### 7.3 Visual Amenity

7.3.1 The proposal has been amended to remove Plot 1 and this enables views from the lane that runs along the Church through to the A10 and up towards the Lynn Road to Littleport. It is considered that the proposal whilst it can be seen from some viewpoints it will not be to the detriment of the character of the area. The development continues the linear development of The Hamlet. On this basis the proposal is considered to meet the criteria within policies ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018.

### 7.4 Historic Environment

7.4.1 The site is not within the Conservation Area, however is opposite a Grade II Listed Building, St Michaels Church. St Michaels Church is considered to be of 12<sup>th</sup> century origin with later additions and repairs.

7.4.2 In consultation with the Conservation Officer the proposal was originally considered unacceptable, due to the provision of Plot 1, which was almost opposite the church and would have caused harm to the setting of the Listed Building. However since the application has been amended to remove plot 1, the proposal is considered to cause less than substantial harm to the setting of the Listed Building and is outweighed by the public benefit of the provision of three additional dwellings. On this basis the proposal is considered to comply with policies ENV12 of the East Cambridgeshire Local Plan 2015 and LP27 of the Submitted Local Plan 2018.

### 7.5 Highways

7.5.1 In consultation the highways officer did not object to the application, however did raise a concern with regard to the positioning of some gates at the entrance to the main farm complex to the west and whether these were in breach of highway land and suggested the applicant discuss further with Cambridgeshire County Council Definitive Mapping Team. Any application would require an informative preventing works in the highway without consent from the Highways Authority.

- 7.5.2 The site can provide adequate parking and turning areas within the site to ensure highway safety is not compromised. On this basis the proposal is considered to comply with policies COM7 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2018.
- 7.6 Ecology
- 7.6.1 A Phase I Habitat Survey was submitted with the application, along with a Bat, Owl and Breeding bird Survey. In the conclusion of the report it states that the no significant impacts are anticipated are on nearby protected sites due to the lack connectivity and the distances. The report also concluded that the habitats have a relatively low nature conservation value with a negligible ecological consequence. Recommendations were made within the report stating the retention and protection of the hedge and that in the final design of the dwellings there should minimal external lighting, any landscaping should use native species and biodiversity features should also be included.
- 7.6.2 The conclusions of the Bat, Owl and Breeding Bird Survey state that there is evidence of bats and birds and as such any development must make provision for breeding birds and roosting bats as well as for a Pied Wagtail. It also recommends the provision of 6 bat boxes to be installed on the trees around the grazing paddock.
- 7.6.3 It is considered that the report addresses all of the issues relating to protected species. Any proposed development could be built with mitigation measures to ensure no harm came to any of the protected species. On this basis the proposal is considered to comply with policies ENV7 of the East Cambridgeshire Local Plan 2015 and LP30 of the Submitted Local Plan 2018.
- 7.7 Flood Risk and Drainage
- 7.7.1 The site is within Flood Zone 1 which is considered to be the risk of flooding is low. Any planning permission could have a condition attached requiring drainage details. It is considered that the proposal complies with policies ENV8 East Cambridgeshire Local Plan 2015 and LP25 Submitted Local Plan 2018.
- 7.8 Other Material Matters
- 7.8.1 The issue in relation to the encroachment of the highway can be dealt with by way of an informative and or the removal of the gate. The agent has been made aware of the need to seek clarification on this issue from the Cambridgeshire County Council Definitive Mapping Team.
- 7.9 Planning Balance
- 7.9.1 The site is not within the development envelope for Chettisham, however in light of the Council's lack of 5 year housing supply then this in some circumstances may not apply. The site can provide 3 additional dwellings and is considered since the removal of plot 1 will no longer cause harm to the setting of the Listed Building. On

this basis the proposal is considered to be acceptable and meet the requirements of the Local Plan, subject to conditions.

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<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
18/01204/OUT	Toni Hylton Room No. 011 The Grange Ely	Toni Hylton Planning Officer 01353 665555 toni.hylton@eastca mbs.gov.uk

National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](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

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

Plan Reference	Version No	Date Received
Location Plan		31st August 2018
22609/001		31st August 2018
22609/002		31st August 2018
22609/003		31st August 2018
22609/004		31st August 2018
OAS 18-148-TS01		31st August 2018
BAT OWL AND BREEDING BIRD SURVEY		31st August 2018
Contamination report		31st August 2018
Preliminary Ecological Appraisal		31st August 2018
Arboricultural Implications Assessment		31st August 2018
316/P/03		23rd November 2018
316/P/01		23rd November 2018
316/P/02		23rd November 2018

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this permission.
- 2 Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 4 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
  - (i) A survey of the extent, scale and nature of contamination;
  - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
  - (iii) An appraisal of remedial options, and proposal of the preferred option(s).This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed 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 and LP26 of the Submitted Local Plan 2018. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 5 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.
- 5 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 and LP26 of the Submitted Local Plan 2018.
- 6 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 the dwelling.
- 6 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 and LP22 and LP25 of the Submitted Local Plan 2018. 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.
- 7 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.
- 7 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018.
- 8 Prior to first occupation or commencement of use 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 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.
- 8 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018.

- 9 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. 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.
- 9 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018.
- 10 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, Public Holidays or Bank Holidays.
- 10 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018.
- 11 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.
- 11 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and LP28, LP22 and LP30 of the Submitted Local Plan 2018.
- 12 The access shall be a minimum width of 5m, for a minimum distance of 10m measured from the near edge of the highway carriageway and thereafter retained in perpetuity.
- 12 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2018.





18/01204/OUT

Church Farm  
The Hamlet  
Chettisham



East Cambridgeshire  
District Council

Date: 20/12/2018  
Scale: 1:1,200



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**MAIN CASE**

**Reference No:** 18/01464/OUT

**Proposal:** Erection of up to 3 new self-build plots and associated works

**Site Address:** 3 Main Street Wentworth Ely Cambridgeshire CB6 3QG

**Applicant:** Mr David Lee

**Case Officer:** Toni Hylton, Planning Officer

**Parish:** Wentworth

**Ward:** Haddenham  
Ward Councillor/s: Councillor Steve Cheetham  
Councillor Mark Hugo  
Councillor Stuart Smith

**Date Received:** 25 October 2018      **Expiry Date:** 11<sup>th</sup> January 2019

[T171]

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1.0 **RECOMMENDATION**

- 1.1 Members are recommended to REFUSE the applications for the reasons shown below:
1. Located within the open countryside the proposal is considered to be visually intrusive and cause demonstrable harm to the character of the rural area and its setting within the open countryside. The proposal is therefore considered to be contrary to the requirements of policies ENV2 of the East Cambridgeshire District Local Plan 2015 and LP3 and LP31 of the Submitted Local Plan 2018.
  2. The proposed development is considered to be contrary to policies ENV2 of the East Cambridgeshire District Local Plan 2015 and LP22 of the Submitted Local Plan 2018. The proposal is tantamount to a form of back land development which is not only a contrived form of development but will generate a significant material detriment to its residential amenities of the dwellings that sit to the front of the proposed development site by reason of proximity and long driveway to access the proposal.

## 2.0 SUMMARY OF APPLICATION

- 2.1 The application is made in outline with all matters reserved apart from access. The proposal is for up to 3 dwellings with access from Main Street along the boundary with number 3 Main Street. Appearance, landscaping, layout and scale have not been provided and do not form part of the application.
- 2.2 The application states that the proposal will be for self-build plots as opposed to a developer or market housing.
- 2.3 The application has been presented to Planning Committee at the request of Councillor Steve Cheetham. He had been approached by the Parish Council who have had a number of residents raise issues with regard to the application and the applicant is the Chairman of the Parish Council.
- 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/>. **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
- |              |                            |         |            |
|--------------|----------------------------|---------|------------|
| 87/00773/OUT | RESIDENTIAL<br>DEVELOPMENT | Refused | 10.08.1987 |
|--------------|----------------------------|---------|------------|

## 4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is to the rear of 2 pairs of semi-detached 2 storey dwellings on Main Street in Wentworth. The site is currently used as a horse paddock and is immediately to the rear of number 3. The site itself sits slightly higher than the road and is open on the remaining sides to the rural area, with no built form. Adjacent to the site is an open field which has a Tree Preservation Order upon it. The site is not within the development Envelope or a 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.

Cambridgeshire Archaeology – No objection subject to a condition requiring a Written Scheme of Investigation.

Local Highways Authority – No objections raised. Conditions recommended to be attached to any grant of approval.

CCC Growth & Development - No Comments Received

Senior Trees Officer (Consultant) – the comments from the Tree Officer are copied below for information;

*“This development impacts adversely on the character the village and its setting. New housing sites should relate to the character of the existing place and show an understanding of the existing settlement pattern. The site is in a location where, at present, the housing development is reducing in its effect and giving way to open countryside. Despite the varied pattern of development in the village, it is generally characterised by mostly spacious linear housing on single plots depths with significant landscaping. As backland development which would be readily perceptible from surrounding public viewpoints, it would appear alien and out of keeping with the pattern of development in the locality, Therefore, it is undesirable for this pattern of development to be extended further into countryside and would set a precedent for future development.”*

Environmental Health – No objection subject to conditions relating to contamination and hours of working being attached to any planning permission issued.

Waste Strategy (ECDC) - No Comments Received

Parish – Have got concerns with the proposal and at the Parish Council Meeting a number of residents attended the meeting and shared their concerns

Ward Councillors - The application has been presented to Planning Committee at the request of Councillor Steve Cheetham. He had been approached by the Parish Council who have had a number of residents raise issues with regard to the application and the applicant is the Chairman of the Parish Council.

Infrastructure & Strategy Manager - ECDC - No Comments Received

National Grid – No objection, however the applicants attention is drawn to the fact there is apparatus in the area.

5.2 Neighbours – 7 neighbouring properties were notified and 1 response was received and is summarised below. A full copy of the responses are available on the Council’s website. A site notice was also displayed at the site on 19<sup>th</sup> November and was advertised in the Cambridge Evening News as a potential departure from the Local Plan.

- The proposal is outside of the development envelope
- Loss of linear development
- The road is unsuitable for more traffic
- Increase in traffic
- The village has a lack of amenities

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
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 7	Transport impact
COM 8	Parking provision
HOU 5	Dwellings for rural workers
ENV 14	Sites of archaeological interest

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

6.3 National Planning Policy Framework 2018

- 2 Achieving sustainable development
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change

6.4 Submitted Local Plan 2018

LP27	Conserving and Enhancing Heritage Assets
LP1A	presumption in Favour of Sustainable Development
LP2	Level and Distribution of Growth
LP17	Creating a Sustainable, Efficient and Resilient Transport Network
LP22	Achieving Design Excellence
LP25	Managing Water Resources and Flood Risk
LP26	Pollution and Land Contamination
LP28	Landscape, Treescape and Built Environment Character, including Cathedral Views
LP30	Conserving and Enhancing Biodiversity and Geodiversity
LP31	Development in the Countryside

## 7.0 PLANNING COMMENTS

### 7.1 Principle of Development

- 7.1.1 The local planning authority 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.
- 7.1.2 The benefits of this application are considered to be: the provision of up to three additional residential dwellings built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work.
- 7.1.3 The site is located outside the established development framework of Wentworth, however, the site sits adjacent to the settlement boundary and is therefore considered to be well connected to the settlement, alongside a number of residential dwellings and within close proximity to the facilities and services on offer in the village.
- 7.1.4 The fact that the Council cannot currently demonstrate that it has an adequate five year supply of housing does not remove development envelopes. It does however restrict the application of policy GROWTH 2 within the Local Plan, which states that outside defined development envelopes, development will be strictly controlled and restricted to the main categories set out within the policy.
- 7.1.5 For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the proximity of the site to the settlement boundary is considered to be sufficient to consider the site as being in a sustainable location.
- 7.1.6 It should be noted that all other local plan policies and relevant material considerations remain relevant and form part of the planning balance for this application.

### 7.2 Residential Amenity

- 7.2.1 The proposed site is to the rear of 2 sets of semi-detached 2 storey dwellings each having a garden length of approximately 10 to 15 metres. Access will run along the boundary of number 3 Main Street which is approximately 8 metres from the dwelling.
- 7.2.2 It is considered that the site can be designed to ensure the neighbours' amenities can be maintained using the distances between the existing and proposed dwellings in accordance with the Design Guide SPD. This can be achieved through the final design of the dwellings and landscaping. As such the proposal complies with policies ENV2 of the Local Plan 2015 and LP22 of the Submitted Local Plan 2018.

### 7.3 Visual Amenity

- 7.3.1 The site sits to the rear of semi- detached dwellings and visually will have limited impact from the view from the front of the existing dwellings. However it will be prominent when viewed from the playground and Main Street where there is a gap in the residential development. As such it is considered that the provision of 3 dwellings in this rural location, where the land sits higher will be detrimental to the visual character and amenity of the area. As such the proposal is considered to be contrary of the provisions of policies ENV2 of the Local Plan 2015 and LP22 of the Submitted Local Plan 2018.
- 7.3.2 In consultation with the Tree Officer (who is a Consultant with a background in landscape design) concerns with the proposal and its impact on the landscape have been raised and these comments are copied below and are also shown above in Section 5. These comments encapsulate the opinion of the planning officer.

*“This development impacts adversely on the character the village and its setting. New housing sites should relate to the character of the existing place and show an understanding of the existing settlement pattern. The site is in a location where, at present, the housing development is reducing in its effect and giving way to open countryside. Despite the varied pattern of development in the village, it is generally characterised by mostly spacious linear housing on single plots depths with significant landscaping. As backland development which would be readily perceptible from surrounding public viewpoints, it would appear alien and out of keeping with the pattern of development in the locality, Therefore, it is undesirable for this pattern of development to be extended further into countryside and would set a precedent for future development.”*

- 7.3.3 The street is characterised with linear development and this would push behind this linear pattern of development which would be out of keeping with the character of the area. A dwelling has been approved on land to the rear of the Old School House on Main Street in Wentworth. However this was originally recommended for refusal by the case officer and later approved by the Planning Committee. Whilst, the site is to the rear of an existing dwelling, it backs onto a cul de sac of Church Farm Close, which is group of 2 storey dwellings. It could be argued that this site has already strayed from this pattern of linear development, however this is set closer to a cluster of dwellings and was for a single dwelling. This proposal would be for an in depth development of 3 dwellings on land which has not been previously developed and would protrude into the open countryside, creating substantial detrimental harm to the rural character and appearance of the settlement. Despite the Council being unable to demonstrate a five year housing supply, the significant visual harm of the proposal is considered to outweigh the provision of up to three dwellings and is contrary to the provisions of policies ENV2 of the Local Plan 2015 and LP22 of the Submitted Local Plan 2018.

### 7.4 Historic Environment

- 7.4.1 The site is not within a Conservation Area nor is it in close proximity to a Listed Building, however is in close proximity to an area of archaeology. In consultation with the County Archaeologist no objection has been raised however conditions requiring a Written Scheme of Investigation is required. On this basis the proposal complies with policies ENV15 of the Local Plan and LP27 of the Submitted Local Plan.
- 7.5 Highways
- 7.5.1 In consultation with the Highways Officer no objection to the proposal subject to conditions relating to no gates to be erected across the access within 6 metres of the highway; width of the access to be 5 metres for a distance of 10 metres and that parking and turning can be provided within the site. Main Street can in places accommodate 2 cars passing each other, and in places there are passing places where the road narrows. The proposal would increase traffic but it is not considered to the detriment of highway safety and as such complies with policies COM7, COM8 of the Local Plan 2015 and LP17 of the Submitted Local Plan 2018.
- 7.6 Ecology
- 7.6.1 The site is unlikely to be of a sensitive nature for protected species, the site is not overgrown and has a horse grazing on the site. Whilst there are ponds within the area these are in excess of 100 metres away and do not link to the site. On this basis the proposal is unlikely to cause harm to protected species. Any planning permission that is issued for approval would require a condition for biodiversity measures in the final build of the proposal. As such the proposal complies with policies ENV7 of the Local Plan 2015 and LP31 of the Submitted Local Plan 2018.
- 7.7 Flood Risk and Drainage
- 7.7.1 The site is within Flood Zone 1 where you would expect vulnerable development such as dwellings to be located. On this basis the proposal complies with policies ENV8 of the Local Plan 2015 and LP25 of the Submitted Local Plan 2018. A scheme for foul and surface water drainage could be secured by condition.
- 7.8 Planning Balance
- 7.8.1 The site is outside of the development envelope for Wentworth, however as the Local Planning Authority cannot demonstrate a 5 year housing land supply in some circumstances can consider some development outside of these boundaries acceptable. However there are other considerations which need to be assessed and the impact on the visual landscape, back land development are considered to cause demonstrable harm and as such not considered to be an acceptable form of development.



18/01464/OUT

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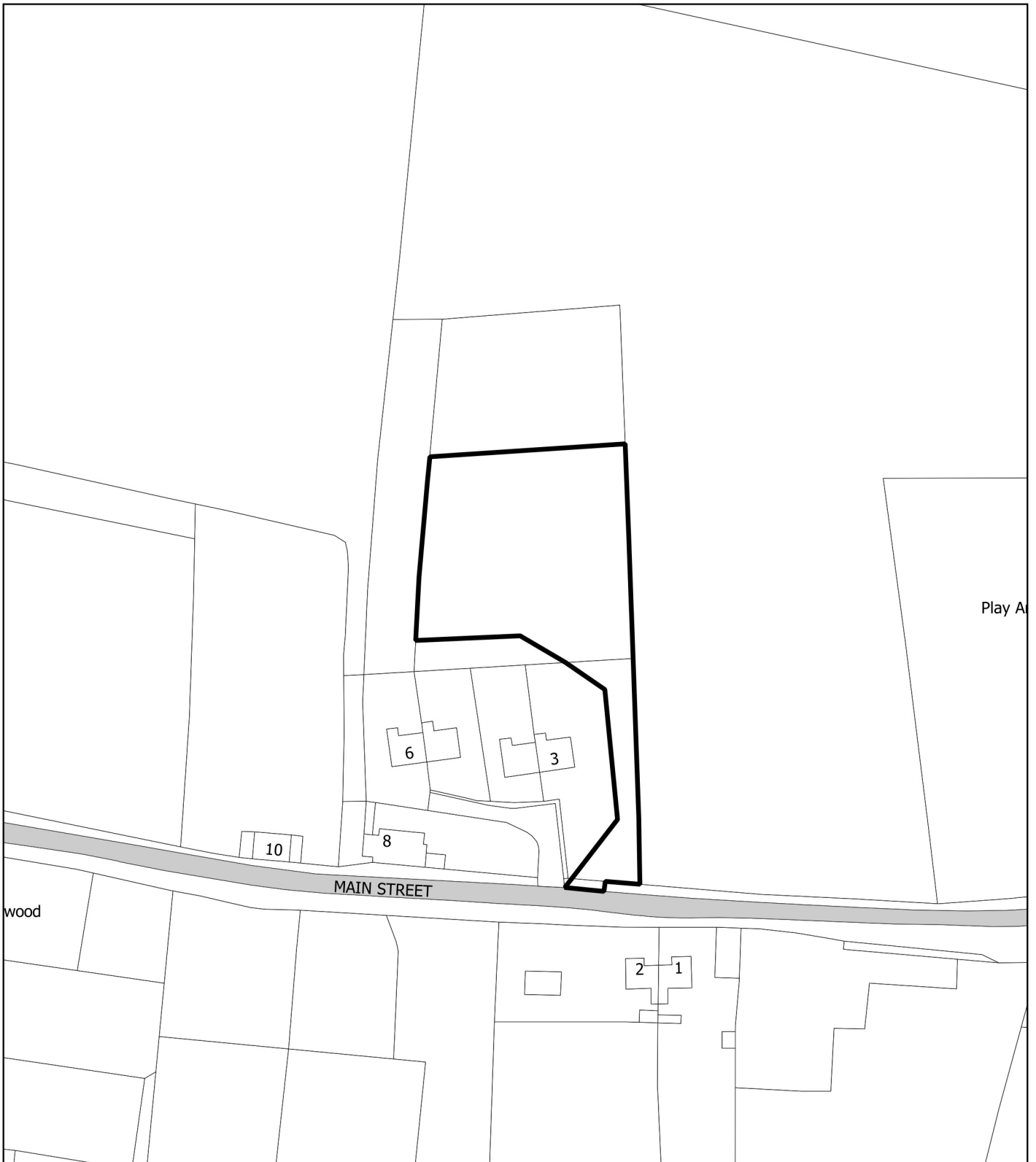
87/00773/OUT

National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](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>



18/01464/OUT

3 Main Street  
Wentworth



East Cambridgeshire  
District Council

Date: 20/12/2018  
Scale: 1:1,250



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**MAIN CASE**

**Reference No:** 18/01489/OUT

**Proposal:** (Resubmission) - Erection of 1no. dwelling

**Site Address:** Site North Of The Old Station Station Road Wilburton  
Cambridgeshire

**Applicant:** Mr & Mrs Michael Donnelly

**Case Officer:** Catherine Looper, Planning Officer

**Parish:** Wilburton

**Ward:** Stretham  
Ward Councillor/s: Councillor Bill Hunt  
Councillor Charles Roberts

**Date Received:** 23 October 2018      **Expiry Date:** 11/01/2019

[T172]

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1.0 **RECOMMENDATION**

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

1. The proposed dwelling is located within the countryside and, by virtue of its distance from the main settlement of Wilburton, is considered to be in an unsustainable location. The proposal does not promote sustainable forms of transport and the future residents of this additional dwelling will be reliant on motor vehicles in order to access any local services or facilities. The proposal does not meet any of the special circumstances as identified in Paragraph 79 of the National Planning Policy Framework. The proposal fails to comply with the policies GROWTH 5 and COM7 of the East Cambridgeshire Local Plan 2015, policies LP1 and LP17 of the Submitted Local Plan 2018, and Paragraphs 11 and 79 of the National Planning Policy Framework, as it fails to promote sustainable development.

2.0 **SUMMARY OF APPLICATION**

2.1 The application seeks outline consent for a single dwelling. All matters are reserved and would be dealt with as part of a reserved matters application.

2.2 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.**

2.3 The application has been called to Planning committee by Councillor Hunt.

3.0 **PLANNING HISTORY**

3.1 No relevant planning history.

4.0 **THE SITE AND ITS ENVIRONMENT**

4.1 The site is located approximately a mile outside the defined settlement boundary. The site comprises garden land of The Old Station. There are some cottages to the north of the site and a site adjacent with approval from 2016 for two dwellings.

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.

**Parish** - No Comments Received

**Ward Councillors** - Having considered all the issues connected with this application, I believe that the matter would best be resolved at Planning Committee. The Committee hearing would allow a wider debate and consideration by 7/10 persons which I feel in this case is the best and fairest way forward. I therefore "call in" the application.

**Local Highways Authority** – This is an all matters reserved application and no access details have been submitted. As such I am unable to comment on or determine if safe access with the highway can be achieved.

**CCC Growth & Development** - No Comments Received

**Waste Strategy (E CDC)** – No objections raised. Standard informatives recommended.

**The Ely Group Of Internal Drainage Board** – No objections raised providing soakaways form an effective means of surface water disposal. Any culverting of a watercourse in relation to this proposed development will require the prior consent of the Board.

5.2 **Neighbours** – A site notice was posted and two neighbouring properties were notified and no responses have been received. And advert was also places in the Cambridge Evening News.

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

## 6.3 *National Planning Policy Framework 2018*

2 Achieving sustainable development  
 5 Delivering a sufficient supply of homes  
 12 Achieving well-designed places  
 15 Conserving and enhancing the natural environment

## 6.4 *Submitted Local Plan 2018*

LP1 A presumption in Favour of Sustainable Development  
 LP3 The Settlement Hierarchy and the Countryside  
 LP17 Creating a Sustainable, Efficient and Resilient Transport Network  
 LP22 Achieving Design Excellence  
 LP25 Managing Water Resources and Flood Risk  
 LP26 Pollution and Land Contamination  
 LP28 Landscape, Treescape and Built Environment Character, including Cathedral Views  
 LP30 Conserving and Enhancing Biodiversity and Geodiversity

## 7.0 PLANNING COMMENTS

7.1 The main issues to consider when determining this application relate to the principle of development, the impact upon character and appearance of the area, residential amenity, highways safety and other matters.

## 7.2 **Principle of Development**

7.3 An appeal decision (APP/V0510/17/3186785: Land off Mildenhall Road, Fordham') has concluded that the Council does not currently have an adequate five year supply of land for housing, and as such, the housing policies within the 2015 Local Plan (GROWTH 2) and the 2018 Submitted Local Plan (LP3) cannot be considered up-to-date in so far as it relates to the supply of housing land.

- 7.4 In this situation, the presumption in favour of development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate that development should be restricted. Paragraph 78 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 79 states that Local Planning Authorities should avoid isolated new homes in the countryside unless there are special circumstances.
- 7.5 The proposed dwelling would make a small but positive contribution to the local housing supply in the form of one dwelling and would be beneficial to the economy in the short term due to the construction stage, although this holds limited weight in the determination of the application.
- 7.6 The application site is located approximately 1 mile to the north of Wilburton. Public transport links are poor and this would mean that future occupiers of the proposed dwelling would rely on the use of a car to access basic services which is contrary to policy COM7 of the Local Plan 2015 and policy LP17 of the Submitted Local Plan 2018. The public highway between the site and Wilburton does not benefit from pedestrian footpaths or street lighting, and therefore any person choosing to walk between the site and the nearby town would have little choice but to walk on the public highway.
- 7.7 It is acknowledged that permission has been granted by Planning Committee for two dwellings to the north of this site which forms a material consideration, however this does not outweigh the harm which would result from providing one additional dwelling in an unsustainable location. The Local Planning Authority considers this site to be unsustainable, as there are a number of sites locally within Wilburton as well as other nearby settlements within the district that are considered to be much more sustainable in terms of their suitability for residential development.
- 7.8 Residential Amenity**
- 7.9 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. No details of scale or appearance are included within the application and these would be assessed at a reserved matters stage once all details are submitted.
- 7.10 Visual Amenity**
- 7.11 In terms of visual amenity, Policy ENV2 of the Local Plan 2015 and Policy LP22 of the Submitted Local Plan 2018 require 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 and landscaping have not been included within the application and would need to be assessed at reserved matters stage but it is considered that an acceptable design could be achieved.

**7.12 Highways**

7.13 The Local Highways Authority has been consulted but is not able to offer comments as the access is not included as a matter to be assessed. The full details of the access arrangements would be considered at a reserved matters stage.

**7.14 Ecology**

7.15 The site is maintained grass and therefore the proposal is not considered to impact biodiversity in the area. It is considered appropriate to seek biodiversity improvements as part of the application, and this can be secured by condition. The request for biodiversity improvements is guided by the local plan policies which seek to deliver a net gain in biodiversity, proportionate to the scale of development proposed, by creating, restoring and enhancing habitats and enhancing them for the benefit of species. As this development is proposed on previously undeveloped land, there is potential for disturbance, which could be overcome by the introduction of biodiversity improvements. The hard and soft landscaping details for the site can be secured by condition.

**7.16 Flood Risk and Drainage**

7.17 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 and LP22 and LP25 of the Submitted Local Plan 2018.

**7.18 Planning Balance**

7.19 The proposal would provide the following benefits- the provision of an additional residential dwelling to the district's housing stock and the positive contribution to the local and wider economy in the short term through construction work.

7.20 However, it is considered that these benefits would be outweighed by the siting of an additional dwelling in an unsustainable location and increasing reliance on the car to gain access to services and facilities. For these reasons the application is recommended for refusal.

8.0 APPENDICES  
None

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<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/01489/OUT	Catherine Looper Room No. 011	Catherine Looper Planning Officer

The Grange  
Ely

01353 665555  
catherine.looper@eastcambs.gov.uk

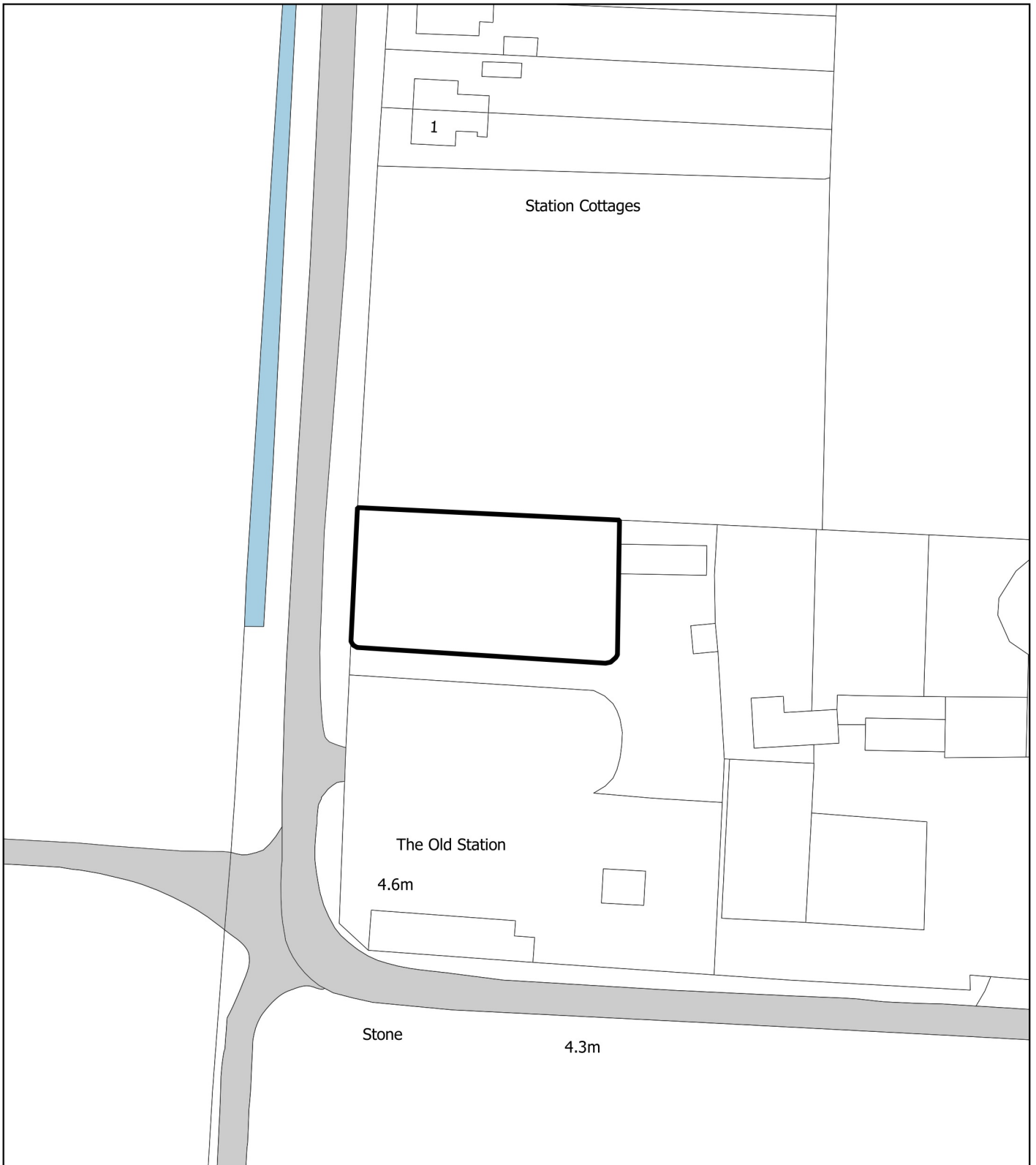
National Planning Policy Framework -

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18/01489/OUT

Site North of  
The Old Station  
Station Road  
Wilburton



East Cambridgeshire  
District Council

Date: 20/12/2018  
Scale: 1:750



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## **Planning Performance – November 2018**

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.

	<b>Total</b>	<b>Major</b>	<b>Minor</b>	<b>Householder</b>	<b>Other</b>	<b>DIS /NMA</b>	<b>Trees</b>
<b>Validation</b>	<b>162</b>	<b>3</b>	<b>44</b>	<b>32</b>	<b>18</b>	<b>30</b>	<b>35</b>
<b>Determinations</b>	<b>151</b>	<b>5</b>	<b>42</b>	<b>29</b>	<b>13</b>	<b>21</b>	<b>41</b>
<b>Determined on time (%)</b>		<b>100%</b> (90% within 13 weeks)	<b>90%</b> (80% within 8 weeks)	<b>93%</b> (90% within 8 weeks)	<b>77%</b> (90% within 8 weeks)	<b>29%</b> (80% within 8 weeks)	<b>100%</b> (100% within 8 weeks)
<b>Approved</b>	<b>132</b>	<b>4</b>	<b>31</b>	<b>26</b>	<b>10</b>	<b>21</b>	<b>40</b>
<b>Refused</b>	<b>19</b>	<b>1</b>	<b>11</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>1</b>

<b>Open Cases by Team</b>							
<b>Team 1 (3.5 FTE)</b>	<b>194</b>	<b>16</b>	<b>69</b>	<b>14</b>	<b>13</b>	<b>82</b>	<b>0</b>
<b>Team 2 (3 FTE)</b>	<b>111</b>	<b>9</b>	<b>42</b>	<b>19</b>	<b>15</b>	<b>26</b>	<b>0</b>
<b>Team 3 (2 FTE)</b>	<b>65</b>	<b>0</b>	<b>5</b>	<b>16</b>	<b>12</b>	<b>32</b>	<b>0</b>
<b>No Team (6 FTE)</b>	<b>85</b>	<b>16</b>	<b>23</b>	<b>0</b>	<b>4</b>	<b>13</b>	<b>29</b>

### **No Team includes – Planning Manager, Trees Officer and Agency Workers (x2)**

The Planning department received a total of 194 applications during November which is a 2% decrease on November 2017 (197) and 17% decrease from October 2018 (233).

### **Valid Appeals received – 3**

30 Cambridge Road, Ely – Committee Decision

Land North East Of Number 1 High Street Aldreth – Delegated Decision

Fairview Farm Twentypence Road Wilburton – Delegated Decision

### **Appeals decided – 11**

Land NE Of 37 And 38 High Street Chippenham – Committee Decision – Allowed –  
01/11/2018

Land North East Of Soham Road Fordham – Committee Decision – Allowed –  
05/11/2018

Barns At Oak Tree Farm Oak Lane Littleport – Delegated Decision – Allowed –  
08/11/2018

Site Southwest Of 48A Great Lane Reach – Delegated Decision – Allowed –  
09/11/2018

Site To Rear Of 32 - 33 Manor Close Witchford – Delegated Decision – Allowed –  
09/11/2018

7 St Ovins Green Ely – Delegated Decision – Dismissed – 12/11/2018

Land At Bury Lane Haddenham – Delegated Decision – Dismissed – 12/11/2018

22A New River Bank Littleport – Committee Decision – Withdrawn – 16/11/2018

College Farm Main Street Wentworth – Delegated Decision – Withdrawn – 16/11/2018

Land Rear Of Charing Cross Woodditton Road Kirtling – Committee Decision –  
Dismissed –  
26/11/2018

32 Main Street Littleport – Committee Decision – Dismissed – 26/11/2018

### **Enforcement**

New Complaints registered – 36 (15 Proactive)

Cases closed – 18 (2 Proactive)

Open cases/officer (2FTE) –  $219 / 2 = 109.5$  per FTE (51 Proactive)

**Notices served** – 0

### **Other Information**

17/01371/OUM & 17/01732/OUM – Land North of 17-45 Toyse Lane & Land North of Ness Road, Burwell. Appeal Inquiry date has been set for 29/01/2019. It will be held at Mandeville House, Burwell and will run for 4 days.