



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE

MEETING: **PLANNING COMMITTEE**

TIME: 1:00pm

DATE: **Wednesday 2nd March 2022**

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

ENQUIRIES REGARDING THIS AGENDA: Caroline Evans

TELEPHONE: (01353) 665555 EMAIL: caroline.evans@eastcambs.gov.uk

MEMBERSHIP:

Conservative Members

Cllr Bill Hunt (Chairman)
Cllr Christine Ambrose Smith
Cllr David Brown
Cllr Lavinia Edwards
Cllr Lis Every
Cllr Lisa Stubbs (Vice Chairman)

Substitutes:

Cllr David Ambrose Smith
Cllr Julia Huffer
Cllr Josh Schumann

Liberal Democrat Members

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

Substitutes:

Cllr Charlotte Cane
Cllr Simon Harries
Cllr Christine Whelan

Independent Member

Cllr Sue Austen (Lead Member)

Substitute:

Cllr Paola Trimarco

Lead Officer

Rebecca Saunt, Planning Manager

Quorum: 5 Members

AGENDA

- 1. Apologies and Substitutions** [oral]
- 2. Declarations of Interest** [oral]
To receive declarations of interest from Members for any Items on the Agenda in accordance with the Members Code of Conduct.
- 3. Minutes**
To receive and confirm as a correct record the Minutes of the Planning Committee meeting held on 5th January 2022.

4. Chairman's Announcements

[oral]

5. 21/01628/FUL

Proposal: Construction of 1 No private detached bungalow, new dropped kerb, access road, and associated works

Location: 14 The Avenue, Burwell, Cambridge, CB25 0DE

Applicant: Mr & Mrs Antony Smith

Public Access Link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R2B9VBGGHTM00>

6. 21/01778/FUL

Proposal: Demolition of existing attached garage and construction of two storey side extension

Location: 29 Isaacson Road, Burwell, Cambridge, CB25 0AF

Applicant: Mr Charles Pilgrim

Public Access Link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R3WSDGGGIWW00>

7. Planning Performance Reports

a) December 2021

b) January 2022

NOTES:

1. Members of the public are welcome to attend this meeting and are asked, where possible, to notify the Democratic Services Officer (caroline.evans@eastcambs.gov.uk) in advance in order that we can endeavour to accommodate everyone in a socially-distanced manner. Face coverings should be worn.
2. The Council has adopted a 'Purge on Plastics' strategy and is working towards the removal of all consumer single-use plastics in our workplace. Therefore, we do not provide disposable cups in our building or at our meetings and would ask members of the public to bring their own drink to the meeting if required.
3. Fire instructions for meetings:
 - 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 attempt to use the lifts.
 - The fire assembly point is in the front staff car park by the exit barrier.
 - The building has an auto-call system to the fire services so there is no need for anyone to call the fire services.The Committee Officer will sweep the area to ensure that everyone is out.
4. The Council has a scheme to allow public speaking at Planning Committee. If you wish to speak on an application being considered at the Planning Committee please contact Caroline Evans, Democratic Services Officer for the Planning Committee caroline.evans@eastcambs.gov.uk, to register by 10am on Tuesday 1st March. Alternatively, you may wish to send a statement to be read at the Planning Committee meeting if you are not able to attend in person. Please note that public speaking, including a statement being read on your behalf, is limited to 5 minutes in total for each of the following groups:
 - Objectors
 - Applicant/agent or supporters
 - Local Parish/Town Council
 - National/Statutory Bodies

A leaflet with further information about the public speaking scheme is available at <https://www.eastcambs.gov.uk/committees/public-speaking-planning-committee>

5. Reports are attached for each agenda item unless marked “oral”.
6. If required, all items on the agenda can be provided in different formats (e.g. large type, Braille or audio tape, or translated into other languages), on request, by calling Main Reception on (01353) 665555 or e-mail: translate@eastcambs.gov.uk
7. If the Committee wishes to exclude the public and press from the meeting, a resolution in the following terms will need to be passed:

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



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

AGENDA ITEM NO 3

Minutes of a meeting of the Planning Committee held at 1:00pm on Wednesday 5th January 2022 in the Council Chamber at The Grange, Nutholt Lane, Ely, CB7 4EE.

PRESENT

Cllr Christine Ambrose Smith
Cllr David Brown
Cllr Matthew Downey
Cllr Lavinia Edwards
Cllr Lis Every
Cllr Bill Hunt (Chairman)
Cllr Alec Jones
Cllr Lisa Stubbs (Vice-Chairman)
Cllr John Trapp
Cllr Gareth Wilson

OFFICERS

Maggie Camp – Legal Services Manager
Holly Chapman – Planning Officer
Caroline Evans – Democratic Services Officer
Toni Hylton – Senior Planning Officer
Jade Ling – Communications Officer
Sarah Parisi – Senior Support Officer
Andrew Phillips – Planning Team Leader
Isabella Taylor – Planning Officer
Russell Wignall – Legal Assistant

IN ATTENDANCE

Andrew Fleet (Applicant's Agent, Agenda Items 5 & 6 / Minutes
69 & 70)
Parish Cllr Liz Houghton (Agenda Items 5 & 6 / Minutes 69 & 70)
Parish Cllr Jilly Rogers (Agenda Items 5 & 6 / Minutes 69 & 70)

1 member of the public

64. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Cllr Austen.

65. DECLARATIONS OF INTEREST

Cllr Downey declared an interest in agenda item 7 (21/01487/ADI, multiple sites across Ely) due to being a member of City of Ely Council which had been involved with the application.

Cllr Every was also a member of City of Ely Council and declared herself to be predetermined on agenda item 7 (21/01487/ADI, multiple sites across Ely). She would therefore leave the meeting after speaking as the Ward Member, and before the debate and vote.

66. MINUTES

The Committee received the Minutes of the meeting held on 1st December 2021. There were no comments from Members.

As a procedural reminder, the Chairman read aloud part of Procedure Rule 14 from the Council's Constitution: "No discussion will take place upon the Minutes of Council, its Committees and other Member bodies, except upon their accuracy, and any questions of their accuracy shall be raised by motion."

It was resolved:

That the Minutes of the Planning Committee meeting held on 1st December 2021 be confirmed as a correct record and be signed by the Chairman.

67. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- Agenda item 7 (21/01487/ADI) would be considered first, out of order, to allow additional time for an objector to agenda item 5 (21/01092/FUL) to arrive. This was an exceptional circumstance since Council IT issues had meant that receipt of the speaker's request, and subsequent confirmation of their successful registration, had only occurred that morning despite having been sent before the speaker registration deadline.
- It had been agreed at the last meeting that the minibus for formal site visits would re-commence as soon as practical. Given the increase in COVID-19 cases there would be no minibus for the February or March meetings and there would be further review in March for the April meeting.
- Agenda items 5 and 6 would be considered separately.

68. 21/01487/ADI – MULTIPLE SITES ACROSS ELY, CAMBRIDGESHIRE

Holly Chapman, Planning Officer, presented a report (W129, previously circulated) recommending approval of an application seeking permission for the installation of three digital advertisements, with interactive touch screens, in multiple locations throughout Ely. These advertisements represented the second phase of the project, with 12 advertisements having been previously approved by the Committee in December 2021. The application had been brought to the Committee for decision, in line with the Council's Constitution, because ECDC was the applicant.

Members were shown aerial images, site photographs, and maps indicating the three application sites (a fourth site in Barton Square had been removed from the application, as detailed in the report) together with diagrams of the two sign styles (a 2.35m tall single-sided totem and a wall-mounted screen). The advertisements were intended for tourism and wayfinding, and illustrative screen images were shown as examples of what could be included on the digital screens. In Forehill Car Park the advertisement would replace the existing tourism information point. In St Mary's Street the advertisement would be positioned in the bus stop and the existing tourism information point on St Mary's Green would be removed. The third advertisement would be wall-mounted on the side of 72 Market Street, opposite the entrance to Ely Museum.

Since the application concerned advertising, there were only limited considerations:

- **Principle of development** – the display of advertisements is subject to a separate consent process within the planning system and are controlled with reference to their effects on amenity and public safety only. The subterranean works required for the proposed totems were considered to be part of the advertisement and therefore assessed in the same manner.
- **Amenity (visual and aural)** – all three sites had been assessed for their heritage and townscape sensitivity. Where less than substantial harm was found to the Conservation Area, its setting and significance, and the setting of nearby heritage assets, that harm was weighed against the social and economic public benefit to the city by providing a cohesive tourist and wayfinding information network. In all three locations it was considered that there would be no detrimental residential amenity impacts.
- **Public safety** – the proposals would not obstruct any CCTV cameras or cause glare upon them. The Local Highways Authority had not raised any objections. The Access Group had raised an objection related to the use of the advertisements by wheelchair users. A similar objection had not been raised in relation to the previously-approved Phase 1 of the project and the applicant would be advised of the comments should the application be approved.
- **Other matters** – a luminance condition would be imposed to restrict the luminance of the advertisements to no more than 600cd/m² during night-time hours (16:00-08:00 1st October – 31st March, 18:30-07:00 1st April – 30th September) to accord with Local Highway Authority and Environmental Health guidance, and in the interests of visual amenity. The same condition had been applied to Phase 1.

In summary, three illuminated advertisements were proposed. The harm had been weighed against the public benefits in accordance with paragraph 202 of the NPPF and it was considered that the proposal complied with the Design Guide, the Ely Conservation Area Appraisal, the NPPF, and policies ENV1, ENV2, ENV3, ENV11 and ENV12 of the Local Plan 2015. The application was therefore recommended for approval subject to the conditions set out in Appendix 1 of the report.

The Chairman invited Cllr Lis Every, Ward Member for Ely East, to address the Committee and she read aloud a pre-prepared statement.

“Thank you Chair for allowing me to speak to support this application.

Members will be aware that at the last Planning Committee meeting on 1st December an application 21/01280/ADI for the first part of the programme of digital signage across the City was agreed. This application is for the second half of this programme for 3 further sites. A 4th site was removed which I was very pleased about. I would like to reiterate my previous support for these signs in support of this application.

Tourism and local visitors to Ely are vital to maintaining and increasing economic growth within our City. We have been more fortunate than some other cities and towns as we have continued to attract visitors post pandemic. Signage, or the lack of it, has been a discussion which has been ongoing for many years. Signage particularly from the station into the town and along Waterside has been poor. In addition, the City has been unable to use local

media communications to offset that, e.g. apps, without the necessary wi-fi which we now have to maximise publication of our heritage sites, events and local shopping areas. The successful bid to the Ely Market Town fund at the Cambridgeshire and Peterborough Combined Authority has enabled the City to work on providing appropriate and informative signage to be achieved. Much collaborative work with stakeholders, including the Access Group, has been done to identify the best sites in keeping with our conservation area. I would again like to thank the Officers in Economic Development and Planning (particularly the Conservation Officer) for helping bring about a plan including this latest application which will enhance information for visitors and encourage them to stay longer and visit all our heritage sites and open spaces, and shop in our markets, hostelrys and local independent shops. We are very keen to get these installed and populated as we enter the Platinum Jubilee Year which will help maximise enjoyment of our City and increase footfall and spend.”

Cllr Ambrose Smith questioned the purpose of dimming the advertisements from 4pm for half of the year since their purpose was to assist those who were unfamiliar with the City. Cllr Every mentioned the importance of the Conservation Area and the Planning Officer explained that the condition specified 600cd/m² as the maximum permitted illumination during night-time hours but the advertisements would not be unreadable; the purpose was to control the glare and prevent excessive illumination. She confirmed to Cllr Hunt that, if the application was approved and the applicant subsequently considered a condition to be unsuitable, then the applicant could apply to alter the condition(s) and such an application would be considered in the usual manner. Cllr Trapp suggested that the signs could automatically dim depending upon the light levels and the Planning Officer reiterated that the condition was designed to ensure that there was a control to determine the maximum brightness.

Cllr Trapp asked Cllr Every whether the District Council or the City of Ely Council had applied for the signage, and asked whether the ECDC car park was the reason for the proposed advertisement opposite the museum. Cllr Every explained that City of Ely Council had been involved with the project but the applicant was the District Council. The proposed siting of an advertisement opposite the museum entrance was due to the thoroughfare being a particularly busy one, and to encourage heritage visitors to explore further.

Cllr Every left the Chamber.

There were no further comments from the Officer so the Chairman invited questions from Members. Cllr Wilson referred to the earlier application, approved in December 2021, and asked whether there would be any more. The Planning Officer stated that she understood this to be the final one but, if further applications were to be forthcoming, then the cumulative effect would be considered.

In response to a question from Cllr Trapp, the Planning Team Leader explained that applications for advertisements could be fully approved, approved in part, or refused, and that if Members wished to amend the Officer's recommended conditions for approval then a proposal would need to be made and debated by Members.

Cllr Brown raised a concern regarding the location of a waste bin immediately adjacent to the proposed advertisement in Market Street and suggested that it might discourage use of the information point, particularly if the contents of the bin had attracted wasps. The Planning Team Leader explained that the proposed location of the advertisement could not be varied by Members, but suggested that an informative could be added to any approval decision requesting that the applicant consider moving the bin away from the sign.

The Chairman opened the debate. Cllr Ambrose Smith stated that she could see no argument against the application and she therefore proposed that it be approved in line with the Officer's recommendation. Cllr Wilson agreed and seconded the proposal. Cllr Trapp also agreed but referred back to the earlier comment regarding the bin at 72 Market Street which he remained concerned about. Cllr Hunt suggested that the Committee could add to the proposal the Planning Team Leader's suggestion that the applicant be asked to consider moving the bin. The proposer and seconder agreed.

It was resolved unanimously:

That planning application ref 21/01487/ADI be APPROVED subject to the recommended conditions detailed in Appendix 1 of the Officer's report.

It was further resolved unanimously:

That the Planning Officer be instructed to request that the applicant consider moving the waste bin at 72 Market Street in order that the bin and digital sign be suitably distanced.

1:26pm Cllr Every returned to the Chamber.

69. 21/01092/FUL – LAND ADJACENT TO 14 CHURCH ROAD, WICKEN, CAMBRIDGESHIRE (PLOTS 1-3)

Toni Hylton, Senior Planning Officer, presented a report (W127, previously circulated) recommending refusal of an application seeking permission for the erection of three detached dwellings. The subsequent agenda item would consider an application for a further three dwellings on the adjacent site. As a matter of housekeeping, the Planning Officer showed a block plan provided by the applicant's agent which included the dwelling that had recently been constructed to the rear of no. 14 Church Road (the site's western neighbour) and was not yet shown on the OS plan.

Members were shown a location plan, aerial views and site plans illustrating the location of the application as part of a larger agricultural field on the eastern edge of Wicken. Photographs of the site and its immediate environment were also shown. Existing residential dwellings were located to the west of the site and on the opposite side of Church Road to the north. Part of the site was within the development envelope for the village but the rear portion allocated to plot 3 lay outside the development envelope. A site layout plan demonstrated that the proposed development would comprise two detached two-storey dwellings to the front and a detached single-storey dwelling to the rear, with access between the

two front plots. Elevations, dimensions and floor plans were shown for all three plots.

The main considerations for the application were deemed to be:

- **In-depth development** – the proposed single-storey dwelling on plot 3 would be located behind plots 1 and 2. The dwelling to the rear of no. 14 was an anomaly and policy WIC2 stated that the site should be developed in a linear form. The proposed development was therefore considered to be contrary to policy WIC2.
- **Development envelope** – the dwelling proposed for plot 3 would be located outside the development envelope for Wicken. Policy GROWTH2 required new dwellings to be located within the development envelope. The proposed development was therefore considered to be contrary to policy GROWTH2.
- **Design** – the design of the dwellings was considered to be out of keeping with the nearby character of the village due to the nature of the modest semi-detached properties set well back on the northern side of the road, and bungalows as immediate neighbours along the southern side.
- **Other matters** – extant permission was in place for six dwellings on the land covered by this application and the following agenda item (21/01226/FUL). Members were shown images of the street scene and block plan for the extant permission (20/01393/RMA) and informed that it comprised two two-bed, two three-bed and two four-bed properties.

In summary, the application was recommended for refusal due to in-depth development contrary to policy WIC2, one dwelling being located outside the development envelope contrary to policy GROWTH2, and the design of the dwellings being out of keeping with the character of the area.

1:33-1:35pm adjournment for Senior Support Officer to check in reception whether the registered objectors had arrived to speak.

Having confirmed that the objectors were not present, the Chairman invited Andrew Fleet, the applicant's agent, to address the committee.

The agent stated that he believed that too great a weight had been given to policy WIC2. The policy stated that the site had been allocated for up to five dwellings, frontage development only, and including affordable housing. The extant permission for the site allowed six dwellings, with the red edge extended outside the development envelope, and with no affordable housing. There was therefore an existing permission for the site that did not comply with the policy and as such the current application's lack of compliance should be afforded much less weight. He considered that policy WIC1, which was very similar and covered land at the other end of the village, had been largely ignored when approving large detached dwellings in early 2021 and the Parish Council had not commented on the numbers or sizes of the dwellings in that application. The proposed development did not lie outside the red edge for the approved six dwellings and the back-land development at no. 14, which was clearly visible upon entering the village from the east, had already altered the character at that location. The other dwellings proposed in this application and the neighbouring one would also block the view of plot 3 when travelling along the road. The heights of the proposed dwellings had been substantially reduced and the scheme had been carefully designed to ensure no

overlooking or loss of privacy. The palette for the new properties would be taken from the existing 1940s properties along Church Road but the buildings would be much improved in design and by the inclusion of photovoltaic panels due to their southerly aspect. He reiterated his key point that there were historic approvals that were contrary to policies WIC1 and WIC2 and that there was therefore insufficient reason to refuse this application.

Cllr Brown asked for clarification regarding the red edge, the development envelope, and plot 3. The agent confirmed that plot 3 lay outside the development envelope but within the red edge, and the existing permission for the land within that red edge did not exclude any development. Cllr Jones commented that permission to build on the land had been granted when the Council could not demonstrate a 5-year land supply and therefore had little ability to control where development took place. The agent agreed that to be the case but added that, now that the property to the rear of no. 14 had been built, the in-depth development formed part of the character of the area. He also stated that the approval at the other end of the village, that he had previously mentioned as being contrary to policy WIC1, was given in 2021 when the 5-year land supply had been declared, and policies WIC1 and WIC2 were identical apart from the requirement within WIC2 for frontage development. Cllr Jones responded that the character of the village was very different from one end to the other and there was an open and rural aspect between the church and the site location.

Responding to questions from Cllr Trapp and Cllr Stubbs regarding the previously-approved scheme for six dwellings on the land covered by this application and that of the following agenda item, the agent explained that his client had not been the applicant for the extant permission. They did not consider it to be a commercial scheme and consequently did not wish to build it. The dwellings proposed in the new applications were larger than in the previous scheme and they had already received interest in three of them.

The Chairman then invited Parish Cllrs Liz Houghton and Jilly Rogers, Chair and Vice-Chair of Wicken Parish Council, to address the Committee. Parish Cllr Houghton expressed her strong support for the Officer's recommendations. She reiterated that the approved 2019 application for the wider site had the support of the Parish Council and would provide two two-bed dwellings, two three-bed dwellings and two four-bed dwellings, all of which would be frontage developments. The current application failed to meet the requirements of policy WIC2 due to the siting of plot 3 behind plot 1, which would also place that dwelling outside the development envelope. The bungalow to the rear of no. 14 had been allowed when the Council did not have a 5-year land supply, and it should not be considered a precedent for permitting back-land developments. The Parish Council had previously asked for, and evidenced the need for, two-bed properties in the village. The immediate street scene comprised bungalows and semi-detached houses without garages. Regarding the agent's reference to policy WIC1 at the other end of the village, the situations were not comparable and the original application for ten properties had been reduced to five. The current application deviated from the 2015 Local Plan and if it were to be permitted then a precedent would be set. Parish Cllr Rogers added that there was support from the Parish Council and the community for the principle of development at the Church Road site but it needed to be in keeping with the street scene and maintain the integrity of the Local Plan. The extant permission fitted those criteria whereas the new applications did not.

Cllr Hunt indicated the previously-shown street scene image for 20/01393/RMA and both Parish Councillors confirmed it to be the scheme that the Parish Council were in favour of. In answer to a question from Cllr Trapp, they also confirmed that the bungalow in the image was the existing property at no. 14, and that the frontages were similar to those of the existing properties opposite the site.

The Chairman invited further comments from the Senior Planning Officer, who advised that although the red line on the extant permission did extend outside the development envelope, the buildings were all within the envelope. She also reiterated that the permission had been granted when the Council could not demonstrate a 5-year land supply.

Cllr Jones asked for more information about the development at the other end of Wicken which the agent had stated was contrary to policy WIC1. The Senior Planning Officer responded that she had not dealt with that application and therefore could not comment in detail, but policy WIC2 included the requirement for frontage development only whereas policy WIC1 did not. The Planning Team Leader added that the two ends of Wicken were very different and therefore a dwelling or scheme could be in keeping with the street scene in one location but not in the other. Cllr Downey questioned the requirement stated in both policies that 30% affordable housing should be provided in line with policy HOU3. The Planning Team Leader confirmed Cllr Downey's belief that policy HOU3 was only relevant to major developments of more than ten dwellings, 1,000sqm or over a hectare, and therefore would not apply to this application. Consequently, the Local Planning Authority could not require affordable housing to be delivered on the site.

The Chairman opened the debate. Cllr Ambrose Smith stated that she could not see any issues with the proposal. She considered the layouts to be reasonable and the provision of a bungalow to be beneficial. Based on the plans she did not anticipate overshadowing of no. 14 and she did not object to the positioning of plot 3 since she did not consider the back-land development of 14a to be offensive. The agent had explained that design changes had been made from the extant permission for commercial reasons and had indicated that there was interest in the revised scheme. In summary, she could see no harm in approving the scheme.

Cllr Stubbs expressed her disagreement. Although the applicant did not consider the existing scheme to be commercially viable there was no evidence to suggest that another provider would have the same opinion. The Parish Council were supportive of the existing scheme which contained affordable homes and she was concerned about the Committee's duty of care to protect the Local Plan and not set a precedent for building in conflict to the requirements within it. She proposed that the application should be refused. Cllr Hunt seconded the proposal.

Cllr Downey received confirmation from Cllr Stubbs that her reference to affordable homes in the existing scheme concerned smaller properties rather than affordable housing in the form of shared ownership or rental schemes for eligible households. He stated that he had initially been in favour of refusal due to the requirement in WIC2 for affordable housing, however, having heard from Officers that this was not the case, he could not see the harm in the scheme. He had not been convinced that it would not complement the street scene, or that it would be detrimental to visual amenity, or that there would be harm caused by the appearance of a cul-de-sac. Regarding adherence to the Local Plan, he considered that a precedent for

deviation was already in place due to the lack of affordable housing in the extant permission.

Cllr Wilson commented that many villages in the District were vulnerable to the breaking of development envelopes and now that the Council were in a position to enforce them they should be careful to do so. New properties should also be designed in keeping with the surrounding area. He supported the Officer's recommendation for refusal due to the location of plot 3 outside the village's development envelope. Cllrs Brown, Every, Trapp, Jones and Hunt agreed, with Cllr Brown adding that there was nothing exceptional in the design to warrant permitting development outside the envelope, and Cllr Every commented that it had been a central Government edict to reduce the social housing requirement for developments below ten properties and therefore that apparent policy deviation was irrelevant. Cllrs Trapp and Jones both expressed concern about the proposed back-land development and the better mix of dwelling sizes in the extant permission. Cllr Hunt stressed the importance of listening to the views of the Parish Council who had welcomed the principle of development on the site but objected to this particular design, and the Committee's responsibility to protect the Local Plan and not allow dwellings outside the development envelope.

It was resolved with 8 votes in favour, 2 votes against, and 0 abstentions:

That planning application ref 21/01092/FUL be REFUSED for the reasons detailed in paragraph 1.1 of the Officer's report.

70. 21/01226/FUL – LAND ADJACENT TO 14 CHURCH ROAD, WICKEN, CAMBRIDGESHIRE (PLOTS 4-6)

Toni Hylton, Senior Planning Officer, presented a report (W128, previously circulated) recommending refusal of an application seeking permission for the erection of three detached four-bedroom dwellings on a site immediately adjacent to that of the previous application. As a matter of housekeeping, the Planning Officer drew Member's attention to the Trees Officer's comments that had been circulated to all Members after publication of the agenda papers: in summary, an Arboricultural Impact Assessment (AIA) was required and there was a lack of detail regarding landscaping in the application.

Members were shown a location plan, an aerial photograph, and site plans illustrating the location of the application as part of a larger agricultural field on the eastern edge of Wicken. A site layout plan demonstrated that the proposed development would comprise three detached dwellings each with a detached garage to the rear and, due to electricity pylons, there was a wide strip of land between plots 4 and 5 that could not be built on. Elevations, dimensions and floor plans were shown for all three plots; the proposed dwellings for plots 4 and 5 were identical but handed whereas the building design for plot 6 was slightly different. Photographs of the site and its immediate environment were also shown. Existing residential dwellings were located to the west of the site and on the opposite side of Church Road to the north.

The main considerations for the application were deemed to be:

- **Design** – the design of the dwellings was considered to be out of keeping with the nearby character of the village due to the nature of the modest semi-

detached properties set well back on the northern side of the road and bungalows as immediate neighbours along the southern side.

- **Other matters** – extant permission was in place for six dwellings on the land covered by this application and the neighbouring application (21/01902/FUL). Members were shown images of the street scene and block plan for the extant permission (20/01393/RMA) and informed that it comprised two two-bed, two three-bed and two four-bed properties. The dimensions of the buildings in the extant permission and the current application were displayed and compared. Although the proposed buildings would be slightly lower than those in the approved scheme, the floor areas would be considerably larger.

In summary, the application was recommended for refusal due to the design being out of keeping with the character of the immediate surroundings.

The Chairman invited Andrew Fleet, the applicant's agent, to address the committee. The agent stated that many of his comments on the previous application also applied to this one regarding the reduced weight that should be given to the housing policy. He informed Members that the dimensions provided by the Officer had included the garages, and reminded them that policy WIC1, which was very similar to WIC2, applied at the other end of the village where three large detached four-bedroom properties had been permitted. The three proposed dwellings had lower ridge heights than those allowed under the extant permission for the site and would therefore result in a lower building height on the entrance to the village. He did not consider the designs to be elaborate when compared to the dwellings opposite, and the materials palette had been taken from those properties although the proposed dwellings would have better thermal values with air-source heat pumps and photovoltaic panels. Officer concerns regarding cohesion had been addressed and the proposal was a frontage style as required. In addition, there had been a recent approval for a substantial dwelling adjacent to the old butcher's shop.

Cllr Brown asked for clarity regarding the plots' locations with respect to the development envelope. The agent explained that the Officer's diagrams had indicated that a small portion of the site may be outside the development envelope but he emphasised that the location of the built form was no different from that in the extant permission. In response to a question from Cllr Trapp he confirmed that plot 6 was furthest to the east and would be ~1.3m lower than the equivalent building in the extant permission.

Cllr Ambrose Smith commented that much had been made of the immediate street scene of plain and simple pre- and post-war dwellings, and questioned whether similar designs would be saleable as new properties. The agent replied that perceptions changed over time and those designs would not be considered to have kerb appeal if built nowadays.

In response to a question from Cllr Every regarding the implications of the refusal of permission for the neighbouring application, he stated that he would need to seek the applicant's views but his personal opinion was that there would not be a gap between the current site and the bungalow at no. 14 since a new application would be submitted on that site for three dwellings in a frontage development. Due

to the size of the site they would be smaller than those in the application that had been refused.

The Chairman then invited Parish Cllrs Liz Houghton and Jilly Rogers, Chair and Vice-Chair of Wicken Parish Council, to address the Committee. Parish Cllr Houghton stated that the Parish Council strongly opposed the proposal and therefore supported the Officer's recommendation for refusal. An acceptable and approved scheme that complied with policy WIC2 was already in existence. The proposal under consideration was for three dominant four-bedroom dwellings with a 15m gap between two of the plots in order to accommodate the overhead cables. They would be out of character since most of the properties in the immediate area were widely spaced semi-detached properties without garages. The development would have an impact on the vista to Wicken Fen along the approach to the village, and would not enhance the area. WIC2 required a mix of properties and the Parish Council wanted market-led two-bedroom dwellings. Approval of the application would deviate from the Local Plan. Parish Cllr Rogers added that although reference had been made to other parts of the village it was important to recognise that, although small, the character of the village was quite varied. The Parish Council was careful to consider the context of the specific area and, in this case, that was the entrance to the village, the vista to Wicken Fen, and the immediate street scene.

In response to a question from Cllr Jones regarding the butcher's site referenced by the agent, Parish Cllr Houghton commented that the setting was different for that property and that Wicken had suffered from speculative development when there was no 5-year land supply. She thought that the approval for that development may have been given during that period.

Cllr Trapp asked about the need for affordable housing in Wicken and Parish Cllr Houghton explained that there were two affordable housing schemes for a total of 24 homes. The Parish Council was keen to see market-led two-bedroom dwellings because there was very little opportunity for people to purchase modest homes in the village.

The Officer had no additional comments to make. Cllr Jones asked for clarification regarding which part(s) of the built form would be outside the development envelope; the Senior Planning Officer stated that it would be the garages and driveways of all three plots. The dwellings would all be within the development envelope. She confirmed to Cllr Brown that the comments from the Trees Officer could be addressed by condition if the application was approved. In response to questions from Cllr Trapp, she confirmed that plot 6 would be narrower but deeper than in the extant permission, that although the ridge height was lower the plans still indicated full ceiling height in the first-floor bedrooms, and that aerial images suggested the housing density of the larger properties in this proposal would be slightly lower than the surrounding area.

Cllr Stubbs asked what impact there would be on the Local Plan if the Committee approved the application. The Planning Team Leader explained that the Officer's reason for recommending refusal was not related to the 5-year land supply; the principle for development on this site had already been established but the policies required a high-quality design and the design of the development was not considered to be acceptable.

The Chairman then opened the debate. Cllr Jones commented that, following the refusal of planning permission for the adjacent site, a new plan for the overall site would be preferable to the construction of the three proposed dwellings with either a large gap to the property at no. 14 or three dwellings squeezed into a site that had been planned for two.

Cllr Wilson stated that permission had already been granted for dwellings on the site and therefore he could see no reason to refuse the application. Unlike the previous application, the only concern was the relationship with the existing street scene and whilst he agreed that the larger properties did not link well to the smaller dwellings opposite he did not consider them to be unsuitable for the plot. The gap mentioned by Cllr Jones would not be a long-term issue because the developer would re-apply with smaller dwellings, thus resulting in a mix of properties. He therefore proposed that the application be approved and Cllr Ambrose Smith seconded his motion. Cllr Brown agreed with Cllr Wilson's assessment.

Cllr Trapp commented that all houses were marketable if priced appropriately. Although not opposed to the construction of large houses, it was important for villages to have a balance and mix of properties in order to remain more widely affordable.

Cllr Stubbs stated that she agreed with points made by both Cllr Wilson and Cllr Trapp but on balance placed the greatest importance on ensuring that villages remained affordable. She therefore proposed that the application be refused, as recommended in the Officer's report. Cllr Trapp seconded the proposal. Cllr Hunt added his agreement that a wide range of property sizes was beneficial to a village and that there was a need for smaller properties to be available for private purchase. This reminded the Committee of their responsibility to safeguard the character of the area.

Cllr Wilson's motion to approve the application, on the grounds that it did not diverge too much from the general housing in Wicken and the design was acceptable, was put to the vote and was lost with 4 votes in favour, 6 votes against and 0 abstentions.

Cllr Stubbs' motion to refuse the application, in line with the Officer's recommendation, was then put to the vote.

It was resolved with 7 votes in favour, 3 votes against, and 0 abstentions:

That planning application ref 21/01226/FUL be REFUSED for the reasons detailed in paragraph 1.1 of the Officer's report.

2:51pm-2:55pm meeting adjourned for a brief comfort break.

71. PLANNING PERFORMANCE REPORT – NOVEMBER 2021

Andrew Phillips, Planning Team Leader, presented a report (W130, previously circulated) summarising the performance of the Planning Department in November 2021. He informed Members that Joanne Braybrook, Planning Assistant, had left the Council since the last meeting and a new Planning Officer, Isabella Taylor, had joined the department to fill a different vacancy. Although there had been a dip in

the number of applications received in October, it had risen again and Officers continued to have very high case-loads. He highlighted that despite the high case-loads the majority of applications were validated within 5 days and determined on time. He also drew Members' attention to the figures indicating that the Council continued to be a pro-growth authority by approving most applications. Two public inquiries would be held in January and the details were in the report.

In response to a question from Cllr Brown, the Planning Team Leader explained that the validated and determined applications in the first Table were not the same proposals, e.g. two major applications had been validated and a separate major application had been determined.

Referencing the appeals that had been decided in November, Cllr Every commented that 5/7 had been allowed and asked for more information since that seemed a high proportion. The Planning Team Leader emphasised that appeals were also being dismissed and he was not aware of any costs having been awarded against the Council, therefore the lost appeals represented a difference of professional opinion rather than the Inspector having identified a fundamental error. Officers would continue to ensure compliance with policies when determining applications. Cllr Trapp added that he believed this to be the first monthly report showing more appeals allowed than dismissed.

It was resolved:

That the Planning Performance Report for November 2021 be noted.

The meeting concluded at 3:05pm.

21/01628/FUL

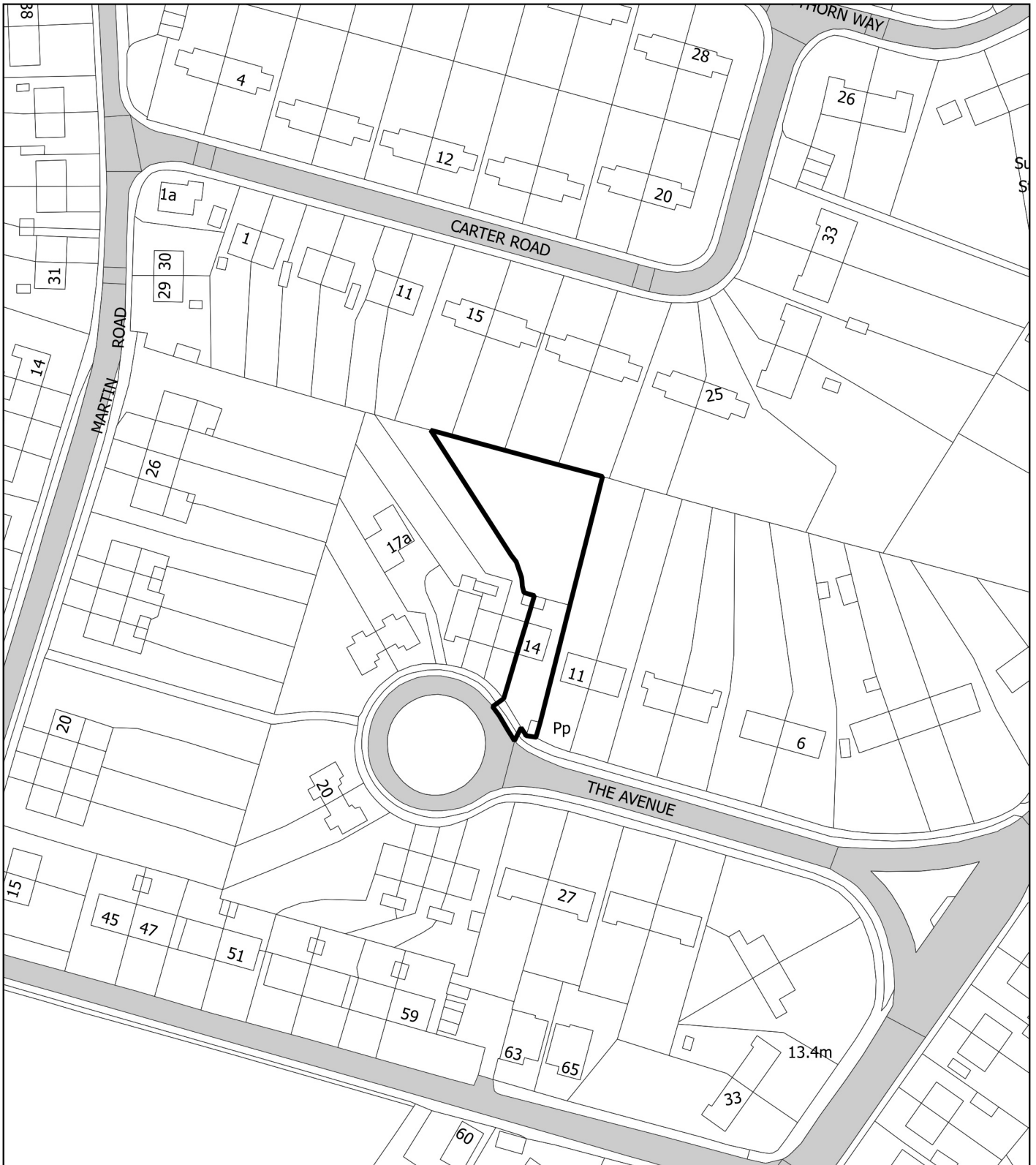
14 The Avenue
Burwell
Cambridge
CB25 0DE

Construction of 1 No private detached bungalow, new dropped kerb, access road, and associated works

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

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R2B9VBBGHTM00>





21/01628/FUL

14 The Avenue
Burwell



East Cambridgeshire
District Council

Date: 11/02/2022
Scale: 1:1,250



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MAIN CASE

Reference No: 21/01628/FUL

Proposal: Construction of 1No private detached bungalow, new dropped kerb, access road, and associated works

Site Address: 14 The Avenue Burwell Cambridge CB25 0DE

Applicant: Mr & Mrs Antony Smith

Case Officer: Holly Chapman Planning Officer

Parish: Burwell

Ward: Burwell
Ward Councillor/s: David Brown
Lavinia Edwards

Date Received: 17 November 2021 **Expiry Date:** 11th March 2022
Report Number W146

1.0 **RECOMMENDATION**

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

1. Approved Plans
2. Time Limit – 3 years
3. Reporting of unexpected contamination
4. Foul water drainage details
5. Implementation of SUDs
6. Gates – restriction
7. New access – width
8. Parking, serving, turning areas
9. Visibility splays - plans
10. Access drainage
11. Provision of proposed secure bike stores
12. Hard landscaping scheme
13. Soft landscaping scheme
14. Boundary treatments – details
15. Specified materials
16. Construction Environmental Management Plan
17. Construction times – standard times
18. Piling foundations
19. Tree protection measures

- 20. Permitted Development removal – extensions
- 21. Biodiversity improvements
- 22. Sprinkler installation

The conditions can be read in full on the attached Appendix 1

2.0 SUMMARY OF APPLICATION

- 2.1 The application submitted seeks planning permission for the construction of 1no. two-bedroom detached bungalow. The measurements of the proposed bungalow are set out in the following table (Table 1):

| | Proposed Bungalow | |
|-------|-------------------|--------|
| | Metres | Feet |
| Ridge | c.4.2 | c.13.8 |
| Eaves | c.2.25 | c.7.4 |
| Width | c.9.0 | c.29.5 |
| Depth | c.11.6 | c.38 |

Table 1 – Measurements of the Proposals

- 2.2 The dwelling is proposed to be constructed from Marley Modern Duo roof tiles in Anthracite, Wienerberger facing brick in Oakwood, and uPVC and composite windows and doors.
- 2.3 The rear portion of the application site where the proposed dwelling is to be located measures c.482 square metres (c.5188sqft / c.0.12 acres) in size. This measurement excludes the access road and access channel from The Avenue and No.14 The Avenue and its rear garden area.
- 2.4 The proposed dwelling has a footprint of c.78 square metres (c.840 square foot), in addition to a small bike store area. In percentage terms, this equates to a c.16% site coverage.
- 2.5 The proposed dwelling benefits from a total rear garden area of 242 square metres (2604sqft) (excluding strips of land to the side of the dwelling). Excluding trees, this garden space would measure significantly in excess of the 50 square metre (c.539sqft) minimum.
- 2.6 The proposed dwelling would lie between 6m to 10 metres (20 – 33 feet) (from the northern boundary of the application site. The proposed dwelling would lie c.1.8 metres (c.5.9 feet) from the shared boundaries with No.11 The Avenue (to the east) and c.3.5 metres (c.11.5 feet) at its narrowest from the retained rear garden to No.14 The Avenue to the west.
- 2.7 A long rear garden of c.323sqm (c.3477sqft) for No.14 The Avenue is retained by the proposals, characteristic of other rear gardens for properties within this section of The Avenue.
- 2.8 A new dropped kerb and access is proposed from The Avenue, providing a 5 metre by 11 metre (16 feet by 36 feet) passing point and a 3.05 metre (10 feet) width

access road, widening to a shared turning area to the south of the proposed dwelling. The proposed dwelling would be served by two independently accessible parking spaces. A shared bin store is located behind the existing water pump towards The Avenue, outside of the main access road.

2.9 The existing private right of way for No.15 The Avenue is illustrated on the plans as passing through the rear garden to No.14 The Avenue. No.14 The Avenue does not currently benefit from any on-plot parking, and the current parking arrangements for the dwelling would remain, this being the use of the roundabout within the centre of The Avenue. A degree of on-plot parking would also be provided for the host dwelling of No.14 The Avenue, as shown on the submitted plan.

2.10 The revised application follows the refusal of the proposed development of two dwellings under LPA Ref. 21/00794/FUL by Members of the Planning Committee on the 6th October 2021 for the following reason:

“The proposed development, by virtue of its restricted access arrangement and positioning of the proposed dwellings, results in a contrived form of development that is out of keeping with the character of the area and an overdevelopment of the site. The proposals are therefore contrary to Policies ENV 1, ENV 2 and COM 7 of the East Cambridgeshire District Council Local Plan 2015, the Design Guide SPD and the NPPF.”

2.11 The application has been called to Planning Committee by Councillor Brown on the following basis: *“I confirm that I believe Committee should consider this application, following their refusal of the earlier application at 14 The Avenue. Therefore I would like to call in the application.”* This was set out in an email from Cllr. Brown on the 15th December 2021.

2.12 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council’s Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

No.14 The Avenue

| | | | |
|--------------|--|---------|------------|
| 21/00794/FUL | Proposed erection of two private detached dwellings, new dropped kerb/access road and associated works | Refused | 11.10.2021 |
|--------------|--|---------|------------|

No.17a The Avenue previously land between No.17 and No.18 The Avenue

| | | | |
|--------------|---|----------|------------|
| 15/00867/FUL | Proposed erection of a private detached dwelling and associated works | Approved | 16.09.2015 |
|--------------|---|----------|------------|

| | | | |
|--------------|---|----------|------------|
| 16/00338/FUL | Amendment to approved chalet bungalow planning application 15/00867/FUL | Approved | 06.06.2016 |
|--------------|---|----------|------------|

25 Carter Road

| | | | |
|--------------|---|----------|------------|
| 18/00352/OUT | Proposed private detached bungalow with existing access retained. | Approved | 22.05.2018 |
|--------------|---|----------|------------|

| | | | |
|--------------|--|----------|------------|
| 19/00235/OUT | Proposed private detached bungalow with existing access retained | Approved | 10.04.2019 |
|--------------|--|----------|------------|

| | | | |
|--------------|--|----------|------------|
| 21/00793/RMA | Reserved matters for Appearance, Landscaping and Scale for previously approved 19/00235/OUT for Proposed private detached bungalow with existing access retained | Approved | 03.09.2021 |
|--------------|--|----------|------------|

27 Carter Road

| | | | |
|--------------|-------------------------|-----------|------------|
| 21/00431/FUL | Proposed 2No. dwellings | Withdrawn | 06.12.2021 |
|--------------|-------------------------|-----------|------------|

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site comprises in total a 0.1-hectare (1,000 square metres / 0.25 acres) parcel of garden land associated with No.14 The Avenue, Burwell. No.14 The Avenue comprises a two-storey end-of-terrace dwelling, in a row of four other similar properties, along the northern side of The Avenue. The application site lies wholly within the policy-defined development envelope for Burwell.
- 4.2 The gardens to No.15 and No.16 The Avenue are long and set diagonally to the dwellings to which they relate. No. 17 The Avenue benefitted from a much wider garden until it was sub-divided to facilitate the erection of No.17a The Avenue. No.17 therefore benefits from a smaller garden to the side and rear of the dwelling.
- 4.3 As the application site comprises former garden land, the site is largely laid to grass, with areas of paving slabs and hard standing. A row of trees lies along the northern boundary to the application site and extends along the rear of properties along The Avenue. A recently designated TPO tree (E/02/21 – Honey Locust) lies outside of the application site within the curtilage of No.15 The Avenue to the west.
- 4.4 Within The Avenue the scale of development is characterised by two-storey terraced or semi-detached dwellings and a number of semi-detached bungalows with prominent front gables. The chalet-bungalow of 17a also sits to the rear of No.17 and 18 The Avenue. Pebbledash, render and darker coloured bricks are characteristic of the materials palette found within the Avenue.

- 4.5 To the front (south) of No. 14 The Avenue lies a water pump, set within a concrete slab. This pump is not a listed structure nor is it designated as a feature of special interest.
- 4.6 The application site is not located within a Conservation Area, and does not lie nearby any Listed Building, Structures or Monuments. The application site lies wholly within Flood Zone 1 (lowest risk) and lies within a Green Risk Zone for Great Crested Newts (lowest risk).

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.

Environmental Health - 19 November 2021

States: "I would advise that construction times and deliveries during the construction phase are restricted to the following:

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

If it is necessary to undertake ground piling I would request that a method statement be produced and agreed in writing with the Local Planning Authority (LPA) before work takes place. This document should include the commitment to notifying nearby properties prior to the work commencing to advise how long the works will last. This notification should also provide a contact number so that if there are any concerns while the piling is taking place they can contact the contractor. If the method of piling involves impact driving I would request a commitment to the following restricted hours specifically for piling - 09:00 - 17:00 each day Monday - Friday and None on Saturdays, Sundays or Bank Holidays.

If there is no intention to utilise ground piling then I would request this be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA.

No other comments to make at this time but please send out the environmental notes."

Environmental Health - 30 November 2021

States: "Thank you for consulting me on the above proposal. I have read the Envirosearch report dated 24 November 2020 and accept the findings. I recommend that a condition requiring site investigation, etc. is not required. I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission due to the proposed sensitive end use (residential)."

Parish - 1 December 2021

States: "Burwell Parish Council objects to this application.

Burwell Parish Council supports neighbours, concerns regarding access, that there is a right of way to a neighbouring property across the proposed access road. Council considers that all objections raised with regards to the previous application for two properties still stand for this application. “

Local Highways Authority - 6 December 2021

States: “Subject to the following comments and recommendations:

I do not object to this application on the basis that the access is suitable in highway terms for a shared use access which will serve multiple dwellings and appropriate parking and turning has been provided for the new dwelling.

However, as the space available to access the proposed properties is only 3.05m, which is below the requirements as set out in Part B5 of the Building Regulations 2010, I recommend that you consult with the Fire & Rescue service in relation to fire safety and access.”

In their full response, the LHA recommend conditions be imposed concerning the location of gates, fences and walls; the access width; provision of parking/turning areas; visibility splays; and access drainage.

Building Control - East Cambridgeshire District Council – 8 December 2021

States: “The revised site layout provides no additional issues with regard to access for Fire Appliances and therefore this Authority has no adverse comments to make.”

ECDC Trees Team - 21 January 2022

States: “This design is sufficiently different to the previous application in that it is further away from the TPO tree so as not to impact on its long term retention and mature boundary hedge at the rear of the site can be managed and retained without detriment to its long term retention and its orientation means that shading will not be an issue for any future occupiers. Therefore there are no tree related objections to this application but if approved please condition a soft landscaping scheme that should include the planting of at least one small scale tree suitable for the space available.”

Ward Councillors - No Comments Received

Cambridgeshire Fire And Rescue Service - No Comments Received

Waste Strategy (ECDC) - No Comments Received

5.2 A site notice was displayed near the site on 23 November 2021.

5.3 Neighbours – Eleven neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council’s website.

Residential Amenity

- Loss of privacy;
- Over-looking;
- Overshadowing;
- Disturbance from additional vehicles;

- Construction impacts upon noise, disturbance and health;
- Proposed working hours are unacceptable and piling would be disruptive;
- Dwellings could be enlarged under PD rights
- Proximity to No.11 The Avenue, its front door and shared boundary;
- Front door to No.11 The Avenue close to boundary fence;
- Removal of trees will reduce privacy for properties along The Avenue;

Character and Appearance

- Over development;
- Low-density of The Avenue would be affected (on average 14.5% plot coverage);
- Effect on the character and appearance of the area;
- Dwellings could be enlarged under PD rights;

Highways, Access and Parking

- Highway safety
- Adequate parking provision not provided for No.14 The Avenue;
- Access not wide enough for emergency vehicles;
- Pedestrian safety concerns over vehicles travelling from the rear of the site onto The Avenue and the residents of No.15 who benefit from a right of way down the proposed access road;
- Lack of clarity over delineation of access road;
- Access road would not be lit;
- Pedestrian, cyclist and vulnerable user safety;
- Access road would need to navigate around the historic water pump;
- Children playing on the roundabout and concerns over safety of increased vehicles;
- Affects a Right of Access;
- Increased traffic impacts from two new cars and two new bikes;

Tree and Biodiversity Impacts

- Biodiversity impacts;
- Loss of/impact on trees;

Drainage and Flooding

- Drainage/sewer impacts;

Other Matters

- No.17a The Avenue is not a good comparator for the proposed scheme;
- There is enough development happening in Burwell along Newmarket Road, near by the application site;
- Precedent that the proposals will set;

Comments in Support of the Proposals

- Proposals are modest;
- Safe access;
- Good use of land;
- No unacceptable residential amenity impacts;
- Would meet the demand for smaller dwellings.

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 4 | Energy efficiency and renewable energy in construction |
| ENV 7 | Biodiversity and geology |
| ENV 8 | Flood risk |
| ENV 9 | Pollution |
| HOU 2 | Housing density |
| COM 7 | Transport impact |
| COM 8 | Parking provision |

Supplementary Planning Documents

Developer Contributions and Planning Obligations

Design Guide

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

Flood and Water

Natural Environments

Climate Change

National Planning Policy Framework 2021

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

Technical Guidance to the National Planning Policy Framework

Technical housing standards – nationally described space standard

7.0 PLANNING COMMENTS

- 7.1 The main issues to consider in the determination of this application are; the principle of development; the impact it may have on the residential amenity of nearby occupiers; the impact it may have on the character and appearance of the area; and the impact it may have on parking and highway safety; as well biodiversity, trees and ecology; flood risk and drainage; climate change; and contamination.

7.2 Principle of Development

7.3 The application site lies wholly within the development envelope for Burwell, where Policy GROWTH 2 of the ECDC Local Plan 2015 seeks to permit development within the policy-defined development envelope, provided there is no significant adverse effect on the character and appearance of the area and that all other material planning considerations and relevant Local Plan policies are satisfied. Section 5 and 11 of the National Planning Policy Framework (NPPF) seeks to promote the delivery of a sufficient supply of homes and secure the efficient use of land within settlements.

7.4 As set out within the Design Guide SPD, back-land development as proposed will only be considered to be acceptable if the following criterion are met:

- Back land development (one dwelling built behind another) will only be acceptable if supported by a contextual analysis of the locality (particularly with reference to the point below about large houses);
- There must be sufficient space to allow for an access road to the rear, the width of which may be determined by the status of any adjoining highway;
- Adequate protection against noise and disturbance must be provided for the host dwelling;
- Consideration should be given to the inclusion of adjacent land, to avoid piecemeal development. Applications may be refused if it cannot be demonstrated that the possibility of a more comprehensive development has not been explored;
- The fact that there may be space within the curtilage to construct a dwelling, will not, in itself, be sufficient justification for doing so;
- There can be no presumption that large houses in extensive curtilages should be able to subdivide the garden ground into smaller plots.

7.5 With the submission, the Applicant has provided a contextual analysis of The Avenue and surrounding area. The most notable back-land dwelling within The Avenue is that of No. 17a The Avenue (permitted under LPA Ref. 15/00867/FUL). The planning history section also sets out a number of other permitted applications for traditionally back-land proposals within close proximity to the application site. In light of the above, it would be unreasonable for the LPA to object to the principle of the proposed development on the basis that it comprises back-land development in this instance.

7.6 The compliance of the proposals with the other criterion as stipulated within the Design Guide SPD will be discussed elsewhere within this report.

7.7 The proposed dwelling would be liable to the Community Infrastructure Levy (CIL), and this payment would be in line with Policy GROWTH 3 and the Developer Contributions SPD.

- 7.8 Policy GROWTH 5 of the ECDC Local Plan 2015 also states that the District Council will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- 7.9 On the above basis, the principle of the proposed development is considered to be acceptable in accordance with Policies GROWTH 2, GROWTH 3 and GROWTH 5 of the ECDC Local Plan 2015, the Design Guide SPD, the Developer Contributions SPD and the guidance contained within the National Planning Policy Framework.
- 7.10 Residential Amenity
- 7.11 Policy ENV 2 of the East Cambridgeshire Local Plan 2015 requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. Paragraph 130 of the NPPF requires proposals to ensure that they create safe, inclusive and accessible development which promotes health and wellbeing and provides a high standard of amenity for existing and future users.
- 7.12 The Design Guide SPD requires that, in most cases, rear private amenity space should be a minimum of 50 square metres (538sqft). Where rear inter-visible windows would be likely, the SPD also requires that dwellings be sited 10 metres (33 feet) from the rear boundary, to achieve a sufficient separation distance between properties.
- 7.13 The proposed single-storey dwelling would be modest in its scale and footprint, and would be set off of the shared boundaries with No.14 and No.11 The Avenue. As a result of its scale and location, the proposals are not considered to result in overshadowing, overbearing or loss of light to No.14 or No.11 The Avenue.
- 7.14 As a result of its scale, the proposed dwelling would not contain any habitable room windows at first floor level which would result in the overlooking or loss of privacy of neighbouring dwellings within The Avenue or Carter Road to the north. Whilst the proposed dwelling is sited within 10 metres (33 feet) of the rear site boundary, given its scale it would not result in inter-visible windows with properties along Carter Road, and would not therefore be contrary to the Design Guide SPD. A condition is also recommended to be imposed to prevent the enlargement of the proposed dwellings under Permitted Development rights without the prior written consent of the LPA to prevent insensitive development which may give rise to overlooking or overbearing impacts upon neighbouring properties.
- 7.15 It is implied in neighbour comments that the removal of Permitted Development Rights by way of a condition suggests that the proposals are in themselves unacceptable. Permitted Development Rights are nationally established rights available to most householders, unless these rights have been removed by way of a planning condition or Article 4 direction. These rights are not set by Local Planning Authorities, and the removal of these rights by way of a condition does not suggest that the scheme is itself unacceptable. However, it should also be noted that the use of conditions is at the discretion of the LPA and should be used to enhance development proposals, as well as to mitigate adverse impacts of development, within reason. The removal of Permitted Development Rights by way

of a condition is a very standard approach, and is by no means specific to the current application.

- 7.16 Paragraph 001 Reference ID: 21a-001-20140306 of the National Planning Policy Guidance (NPPG) serves to qualify the above and states: *“When used properly, conditions can enhance the quality of development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable. It is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls.”*
- 7.17 The proposed dwelling would be located a sufficient distance (20 metres / 66 feet) from No.14 The Avenue to prevent inter-visible windows between the rear elevation of No.14 The Avenue and the proposed dwelling, as stipulated within the Design Guide SPD.
- 7.18 Photos submitted by neighbouring properties show that views are possible from the upper floor windows of the dwellings along The Avenue onto the application site. A degree of overlooking is accepted in established residential areas, although it is relevant that these views onto the application site would be focused towards the front garden and parking area of the proposed dwelling, and satisfy the separation distances as established within the Design Guide SPD. The proposed dwelling itself would also provide additional screening to the proposed rear private garden from views onto the site.
- 7.19 With regard to the size of gardens provided for the prospective dwelling this would significantly exceed the minimum expected standard of 50 square metres (538sqft) as stipulated within the Design Guide SPD, both with and without tree cover included. The proposed garden retained for No.14 The Avenue also significantly exceeds the 50 square metre (538sqft) minimum, and is comparable to existing gardens within the Avenue.
- 7.20 Neighbour comments have also raised concern with regard to the noise and disturbance associated with vehicle movements in between No.14 and No.11 The Avenue, and to the rear of the properties.
- 7.21 The proposed residential use is considered to be compatible with the residential uses within the area. Whilst the proposals would result in additional inhabitants and noise associated with these uses, the introduction of the residential use is not considered to be harmful in itself.
- 7.22 No.11 The Avenue contains its front door facing onto the side elevation of No.14 The Avenue. The shared boundary between No.14 and No.11 has historically been characterised by dense hedge planting and close-boarded fence. The proposals seek to erect a 1.8 metre (6 foot) close board fence on the boundary of the application site, although specific boundary details will be secured via planning condition. It is considered that the introduction of this fencing, which would be considered permitted development in this location set back from the highway channel, would not result in any greater residential amenity impacts than the

existing fencing and hedge arrangement to the side of No.11 The Avenue. The proposed fence is shown to be 2 metres (6.6 feet) from the side elevation of No.11, which would allow sufficient access to the front door of the property.

- 7.23 No.14 The Avenue contains a ground floor window within its side elevation which serves a non-habitable room (cupboard). The dwelling has its principal ground and first floor outlooks to the rear. In light of the above, as well as the separation distance of the access from No.11 The Avenue and the fencing between the proposed access way and No.11 The Avenue, it is considered that the proposed additional vehicle movements would not result in unacceptable noise or disturbance upon the two dwellings.
- 7.24 The use of gravel to the rear of the application site, whilst not shown on the plans, could give rise to detrimental noise and disturbance and for this reason a condition could be imposed to prevent the use of unbound surfacing within the site for the parking and turning of vehicles, in the interests of residential amenity. The Applicant has shown bound material to be used.
- 7.25 Concern has also been raised by residents over the construction of the proposed dwellings. The Environmental Health Officer has recommended the LPA's standard conditions for construction hours and a condition concerning the piling of foundations. Given the width of the access, it is considered that the delivery of construction vehicles and materials to the site may be more prone to parking within the adopted highway. For this reason, it is considered reasonable to require the applicant to submit a Construction Environmental Management Plan prior to commencement of development to manage the construction process and the impacts upon surrounding residents. This would also give the LPA more control in ensuring construction activities take place in accordance with a number of agreed parameters.
- 7.26 For the reasons provided, it is therefore considered that the proposals accord with Policy ENV2 of the Local Plan 2015, the Design Guide SPD and the guidance contained within the NPPF in respect of residential amenity on the basis of their location, scale and design.
- 7.27 Character and Appearance
- 7.28 Policy ENV2 of the East Cambridgeshire Local Plan 2015 requires that all development proposals are designed to a high quality, enhancing and complementing local distinctiveness and public amenity by relating well to existing features and introducing appropriate new designs. Additionally, Policy ENV2 of the East Cambridgeshire Local Plan 2015 makes it clear that all new development proposals will be expected to respect the density and character of the surrounding area, whilst ensuring that the location, layout, scale, form, massing, materials and colour of buildings relate sympathetically to the surrounding area and each other, as well as creating quality new schemes in their own right.
- 7.29 Policy HOU 2 of the ECDC Local Plan 2015 requires that proposals take into account the existing character of the locality and densities of existing development, as well as the need to make efficient use of land; the biodiversity of the site and its surroundings; the need to accommodate other uses such as open space and

parking, the levels of accessibility; and the safeguarding and provision of high levels of residential amenity.

- 7.30 The East Cambridgeshire Design Guide Supplementary Planning Document 2012 states that, in most cases, building plots should be approximately 300 square metres (3229sqft), the footprint of any proposed development should be no more than approximately one third of the plot size and rear private amenity space should be 50sqm (538sqft).
- 7.31 The recent updates to the National Planning Policy Framework (July 2021) have also resulted in a higher bar being set for design, whereby all development should seek to achieve beautiful, high-quality, well-designed and sustainable buildings.
- 7.32 With regard to plot density and the impact this would have on the character and appearance of the area, a comparison of other plot sizes in the area is provided in the table (Table 2) (approximate measurements):

| | Plot Size | Footprint of Dwelling (not including outbuildings for comparison purposes) | Plot Coverage |
|--|-----------------------------------|--|---------------|
| No.17a The Avenue (not including access road for comparison purposes) | c.343 square metres (3692sqft) | c.79 square metres (850sqft) | 23% |
| No.17 The Avenue | c.171 square metres (1841sqft) | c.55 square metres (59sqft) | 32% |
| No.15 and No.16 The Avenue | c.450 square metres (4844sqft) | c.60 square metres (646sqft) | 13% |
| No.18 The Avenue | c.350 square metres (3767sqft) | c.50 square metres (538sqft) | 14% |
| Proposed Plot | c.482 square metres (5188sqft) | c.78 square metres (840sqft) | 16% |

Table 2 – Plot Size and Coverage Comparison

- 7.33 From Table 2, whilst not exhaustive, it is demonstrated that the proposed bungalow would sit amongst a number of properties with a variety of plots sizes and plot coverage. The proposed plots would be most comparable in their size and plot coverage to No.17a, permitted by the LPA in 2015. In neighbour comments, a further indicative density assessment has also been provided including more properties within The Avenue, in which it concluded that the average density of properties within The Avenue is c.14.5%. The proposed 16% plot coverage is not therefore considered to be significantly different to this, and would be comparable to existing development within The Avenue.
- 7.34 For this reason, it is considered that the proposals would not be out of keeping with the character and appearance of the area in terms of their plot density and coverage, and would satisfy the guidance as stipulated within the Design Guide SPD and are of a suitable density.

- 7.35 With regard to visibility of the proposals, given their siting to the rear of No.14 The Avenue, the proposals would not be prominent within the street-scene of The Avenue. Whilst the proposed would be visible within the street-scene, the scale and design of the dwelling is considered to be sympathetic and complementary to the existing development of The Avenue. The gable frontage to the bungalow and its scale is considered to be comparable to the existing properties within the street-scene, and the materials palette is considered to reflect materials found elsewhere within the street-scene. The proposed materials palette would work well to create a cohesive and high quality scheme.
- 7.36 Details of the enclosed cycle store have been provided and are considered to be acceptable.
- 7.37 For the above reasons, the introduction of the proposed dwelling is not considered to result in visual harm to the character or appearance of the area, and would provide a complementary development within The Avenue. The proposals are therefore considered to comply with Policies ENV 1, ENV 2 and HOU 2 of the ECDC Local Plan 2015, the Design Guide SPD and the NPPF.
- 7.38 Highways, Parking and Access
- 7.39 Policy COM 8 of the ECDC Local Plan 2015 seeks to ensure that proposals provide adequate levels of parking (two spaces for a dwelling in this location), and Policy COM 7 of the ECDC Local Plan 2015 requires proposals to provide safe and convenient access to the highway network. Section 9 of the NPPF seeks to secure sustainable transport.
- 7.40 The application proposals provide sufficient parking and turning space for the proposed dwelling within the rear portion of the application site. The Local Highways Authority have raised no objection to the parking arrangements for the proposed dwelling.
- 7.41 It is also relevant that No.14 The Avenue does not currently benefit from off-street parking, or a dropped kerb to provide vehicular access to the application site. Parking for the property is provided on the roundabout within the middle of The Avenue. Whilst this is accepted to be an unusual parking arrangement, aerial and street-level imaging demonstrate that it has been utilised as parking for the properties of The Avenue for over a decade for this purpose. It would therefore be unreasonable for the LPA to object to the continued use of the roundabout as parking for No.14 on this basis, but it is also relevant that the proposals would provide opportunity for the host dwelling to benefit from a degree of off-street parking (one space as shown on the submitted plans).
- 7.42 The proposed dwelling would be served via a 3.05 metre wide (10 feet) access road from The Avenue. A wider 5m x 11m (16 feet x 36 feet) passing bay is provided to the south of No.14 The Avenue at the junction of the proposed access with The Avenue, and to the north beyond No.14 The Avenue the access road widens to 3.7 metres (12 foot) in width.
- 7.43 Concern has been raised by local residents with regard to the suitability of the proposed access road and the highway safety implications of this access.

- 7.44 It should be noted that the LHA raise no objection to the proposed access, its width or its alignment. The LHA's comments regarding accordance with Part B5 of Building Regulations (pertaining to access and services for fire services), is in relation to suitable access widths for fire service vehicles. Whilst the proposed access falls below this width, comments from Building Control have confirmed that no objection would be raised on the basis of the access width and fire safety. Cambridgeshire Fire and Rescue have been consulted on the proposal, but have not provided comment.
- 7.45 The applicant has expressed willingness to provide a sprinkler system within the dwelling to abate any fire related safety concerns, and as a safeguarding measure, it is considered necessary to impose this condition.
- 7.46 With regard to the existing right of way of No.15 The Avenue over the rear garden to No.14 and along the proposed access road, concerns have been raised that this would increase pedestrian and vehicle conflict. Occupiers of No.15 The Avenue and the prospective dwellings would be required to walk down the proposed access road in order to access The Avenue and place their bins at the kerbside on collection day. In discussion with the LHA on the previous application on the site for two dwellings, this is not an uncommon arrangement found within residential development, and given the width of the access way proposed, vehicles are likely to be discouraged from travelling at higher speeds.
- 7.47 The LHA have not raised any pedestrian or cyclist safety concerns as a result of the proposals in their formal comments.
- 7.48 Concerns have also been raised regarding the increased vehicular traffic onto The Avenue, and the risks this may pose to children who use the roundabout for recreation. It should be noted that all properties within The Avenue, including the proposed dwelling, benefit from ample rear and private amenity space. The roundabout within The Avenue is not a designated area of open space, and forms part of the public highway. The use of this space for recreation is not therefore considered to be material to the planning proposals.
- 7.49 With regard to pedestrians using The Avenue, the proposals provide sufficient visibility splays as required by the LHA to ensure pedestrian and cyclist safety.
- 7.50 With regard to providing level access to No.15 The Avenue, the right of access is in this instance a civil and legal matter rather than one that can be controlled by the planning system. Notwithstanding, the proposals would make an improvement on the existing right of way over the application site, providing a level and bound surface and dropped kerb onto The Avenue for use by disabled persons.
- 7.51 Concern has also been raised regarding the delineation of the proposed access road proposed. It is relevant that the surfacing materials of these areas are likely to be different, although specific hard surfacing materials will be secured via a condition. These materials will differentiate between access road and pedestrian areas. The LHA have raised no objection to the proposals on this basis.
- 7.52 For the above reasons, the proposals are not considered to result in any adverse highway safety concerns, and the proposals are therefore considered to be

compliant with Policies COM 7 and COM 8 of the ECDC Local Plan 2015 and the NPPF.

7.53 Ecology, Trees and Biodiversity

- 7.54 Policy ENV 7 of the East Cambridgeshire Local Plan, 2015 states that all applications for development that may affect biodiversity and geology interests will be required to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds. Policy ENV 1 states that development proposals should protect, conserve and where possible enhance the pattern of distinctive historic and traditional landscape features such as watercourses, characteristic vegetation, individual and woodland trees, field patterns, hedgerows and walls and their function as ecological corridors for wildlife dispersal. Policy ENV 2 states that all development proposals will be expected to make efficient use of land while respecting the density, urban and village character, public spaces, landscape and biodiversity of the surrounding area.
- 7.55 The Natural Environment SPD also requires that all new development demonstrates a biodiversity net gain (Policy NE.6).
- 7.56 The application site comprises garden land associated with No.14 The Avenue, and is laid to grass with areas of paving slabs and hard standing. The application site lies within the established urban area of Burwell and is surrounded by residential development on all sides, with a line of established trees along its northern boundary.
- 7.57 The application proposals would not result in the loss of any of these trees specifically to facilitate the development proposals, although it is acknowledged that, due to the overall health of some of these trees as set out within the submitted arboricultural report, the removal of some of the Category C and below trees may be necessary in the future. On the above basis, the LPA would not therefore be seeking any specific replacement trees to be provided within the site. This approach is in accordance with Policy ENV 7 of the ECDC Local Plan 2015 and the Natural Environment SPD.
- 7.58 No concerns have been raised by the Tree Officer regarding the impact of the proposals upon nearby trees, and in particular no concerns have been raised concerning the TPO tree within the rear garden to No.15 The Avenue. Notwithstanding, a condition is to be imposed to ensure that compliance with the submitted tree reports is secured during construction of the proposed dwelling, to protect existing trees within the site.
- 7.59 The proposals have been accompanied by a scheme of biodiversity enhancements and a statement setting out further measures. These measure include the provision of bird boxes; bat boxes and hedgehog holes. A soft landscaping scheme is also provided within the application to provide additional planting within the application site. It is considered that the proposals would therefore be able to demonstrate a biodiversity net gain in accordance with Policy ENV 7 of the ECDC Local Plan 2015 and the Natural Environment SPD.

- 7.60 Concerns have been raised by local residents over the impact of the proposals upon local biodiversity within the site. As the application site comprises garden land associated with No.14 The Avenue, the proposals are not considered to result in the loss of important ecological habitat. All existing trees are to be retained by the proposals, and the biodiversity measures proposed would contribute to supporting and enhancing existing wildlife within the area.
- 7.61 Specific concern has been raised with regard to the impact of the proposals upon bats. The trees to the north of the application site form part of a tree line which extends along the shared boundaries of the properties along The Avenue and Carter Road. These existing properties will already result in a degree of disturbance and light spill upon these trees. Consequently, it is considered that the addition of a single dwelling in this location would not result in a significantly increased level of disturbance or noise spill beyond the existing level so as to detrimentally impact the use of these trees by local bat populations.
- 7.62 Flood Risk and Drainage
- 7.63 Policy ENV8 of the Local Plan 2015 makes it clear that all applications for new development must demonstrate that appropriate surface water drainage arrangements for dealing with surface water run-off can be accommodated within the site. Policy ENV 8 states that all developments and re-developments should contribute to an overall flood risk reduction.
- 7.64 The application site lies within Flood Zone 1 and is therefore at the lowest risk of flooding and where residential development should be focused.
- 7.65 The application proposals would be served by soakaways within the rear gardens to the proposed dwelling as shown on the submitted landscaping plan. Building Control have raised no adverse comments to the application. Soakaways have also been used as an accepted form of surface water drainage within The Avenue for No.17a The Avenue.
- 7.66 Foul drainage is proposed to be diverted to the main sewer. As details of this connection have not been submitted with the application, a condition will be imposed to secure these details.
- 7.67 For these reasons, the proposals are considered to be acceptable in accordance with Policy ENV 8 of the ECDC Local Plan and the Flood and Water SPD.
- 7.68 Other Material Matters
- 7.69 The Scientific Officer has recommended that the imposition of a site investigation for contamination would not be necessary, given the low risk of the application site as residential amenity land. Notwithstanding, it is recommended that a safeguarding condition for unexpected contamination is imposed upon the proposals. The proposals are therefore considered to be acceptable in accordance with Policy ENV 9 of the ECDC Local Plan 2015.
- 7.70 The Council's Climate Change SPD supports Policy ENV 4 of the ECDC Local Plan 2015 in improving efficiency during construction and in development proposals.

The proposals are located in a sustainable location and would be constructed using hard-wearing and high quality materials. The proposals also include the provision of a biodiversity net gain and sustainable drainage measures. On this basis, the proposals are considered to satisfy the above policies given the scale of the development proposed.

7.71 The provision of development along Newmarket Road within Burwell, and concern over precedent, have been raised by members of the public in their objection to the proposals. There is no maximum delivery of housing to be provided throughout the district, and the scheme is considered to contribute to additional choice within the district beyond traditional two-storey and larger dwellings. For the reasons above, the proposal has also been found to contribute positively to this area of Burwell, and would provide the appropriate facilities to support itself.

7.72 Planning Balance

7.73 The application site is located within the development envelope for Burwell, and proposes the erection of a single-storey bungalow in a sustainable location. The proposals would provide a high level of residential amenity for existing and prospective occupiers within and surrounding the application site, and would provide a safe and acceptable means of vehicular and pedestrian access whilst protecting an existing right of access. The proposals further incorporate measures to deliver a biodiversity net gain and protect and enhance existing biodiversity within and surrounding the application site. The proposals are also considered to be acceptable in terms of flood risk, drainage, climate change and contamination. For these reasons, the application is therefore recommended for approval, on the basis that it complies with the policies contained within the ECDC Local Plan 2015, the adopted Supplementary Planning Documents and the NPPF.

8.0 APPENDICES

8.1 Appendix 1 – Recommended conditions

| <u>Background Documents</u> | <u>Location</u> | <u>Contact Officer(s)</u> |
|-----------------------------|--|--|
| 21/01628/FUL | Holly Chapman Room No. 011 The Grange Ely | Holly Chapman Planning Officer 01353 665555 holly.chapman@eastcamb.gov.uk |

National Planning Policy Framework - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 - <http://www.eastcamb.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

East Cambridgeshire Supplementary Planning Documents
[Supplementary Planning Documents | East Cambridgeshire District Council \(eastcamb.gov.uk\)](http://www.eastcamb.gov.uk/sites/default/files/Supplementary%20Planning%20Documents%20-%20East%20Cambridgeshire%20District%20Council%20-%20Supplementary%20Planning%20Documents.pdf)

APPENDIX 1 - 21/01628/FUL Conditions

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

| Plan Reference | Version No | Date Received |
|-------------------------------|------------|--------------------|
| Tree Report | | 9th November 2021 |
| Tree Survey, AIA, TRP and AMS | | 9th November 2021 |
| Biodiversity Improvements | | 9th November 2021 |
| Contaminated Land Study | | 9th November 2021 |
| Planning Statement | | 9th November 2021 |
| P-6447-01 | | 17th November 2021 |
| P-6447-02 | | 17th November 2021 |
| P-6447-03 | | 17th November 2021 |
| P-6447-04 | | 9th November 2021 |

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 4 No development shall take place until a scheme to dispose of foul has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to occupation.
- 4 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.

- 5 The sustainable drainage scheme as shown on Drawing Ref. P-6447-04 shall be implemented prior to occupation of the development hereby approved and maintained thereafter.
- 5 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 6 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicular access within 10 metres of the edge of the public highway, as shown on Drawing Ref. P-6447-02.
- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 The access shall be a minimum width of 5m, for a minimum distance of 8m measured from the near edge of the highway carriageway and thereafter retained in perpetuity.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 8 Prior to first occupation or commencement of use the proposed on-site parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan P-6447-02 and thereafter retained for that specific use.
- 8 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 9 Prior to the commencement of the use hereby permitted visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the back of the footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway
- 9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 10 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 10 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015.
- 11 Prior to occupation of the hereby approved dwelling, the covered cycle store shall be provided in accordance with the details as shown on Drawing Ref. P-6447-02 and P-6447-03 and thereafter retained for that specific use.

- 11 Reason: Because these details have not been submitted with the application, and to ensure compliance with Policies COM 7 and COM 8 of the East Cambridgeshire Local Plan 2015.
- 12 No above ground construction shall commence until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include car parking layouts, hard surfacing materials, lighting, wearing course for the access road and on-plot hard landscaping. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme submitted to and approved in writing by the Local Planning Authority prior to first occupation, and thereafter maintained in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- 12 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015, as well as in the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and in the interests of residential amenity in accordance with policy ENV 2 of the East Cambridgeshire Local Plan 2015.
- 13 All soft landscaping works shall be carried out in accordance with the approved details as shown on Drawing Ref. P-6447-04. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 13 Reason: To ensure the longevity of the landscaping scheme, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 14 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the occupation of the development hereby approved.
- 14 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015, and in the interests of residential amenity of the prospective occupiers of the dwellings hereby permitted in accordance with Policy ENV 2 of the East Cambridgeshire Local Plan 2015.
- 15 The materials to be used in the construction of the external surfaces of the development shall be either:
 - a. As detailed on the Application Form and Drawing Ref. P-6447-03; or,
 - b. Submitted to and approved in writing by the Local Planning Authority prior to their use in the construction of the development.

All works shall be carried out in accordance with the approved details.

- 15 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 16 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.
- 16 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015, and to ensure the proposals comply with Policy COM 7 of the East Cambridgeshire Local Plan 2015 with regard to highway safety.
- 17 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 0730 to 1800 each day Monday - Friday, 0730 to 1300 Saturdays and none on Sundays, Bank Holidays and Public Holidays.
- 17 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 18 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.
- 18 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 19 The tree protection measures as shown within the Tree Survey, AIA, TRP and AMS Report prepared by EWP Consultancy LTD (received by the LPA on the 9th November 2021) shall be implemented prior to the commencement of development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered
- 19 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modifications), no development within Class(es) A and B of Part 1 of Schedule 2 of the Order shall take place on site unless expressly authorised by planning permission granted by the Local Planning Authority.

- 20 Reason: To safeguard the residential amenity of neighbouring occupiers and the residential amenity of prospective occupiers of the dwellings hereby approved, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 21 The biodiversity improvements as shown on Drawing Ref. P-6447-04 and as set out in the Biodiversity Improvements report prepared by ASJ Architecture Ltd shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 21 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD, 2020.
- 22 No above ground construction works shall commence until a scheme for domestic automatic sprinkler system (installed in accordance with BS 9251: 2014 or equivalent acceptable standard) is submitted to and agreed in writing with the Local Planning Authority. The hereby approved dwelling shall be occupied until the agreed sprinkler system has been installed and made operational. The sprinkler system shall remain and be maintained in perpetuity.
- 22 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 97 of the NPPF.

21/01778/FUL

29 Isaacson Road

Burwell

Cambridge

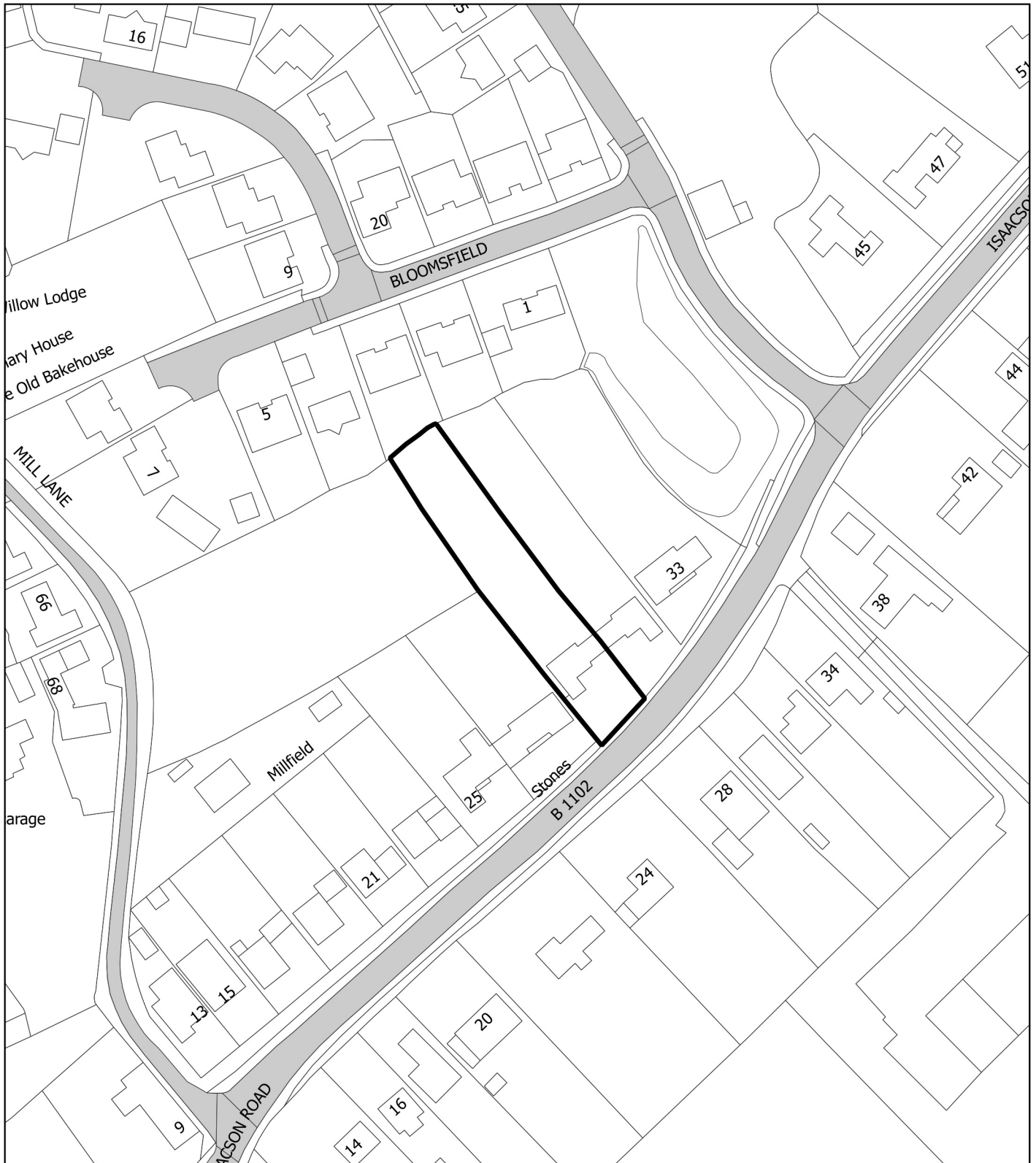
CB25 0AF

Demolition of existing attached garage and construction of two storey side extension

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

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R3WSDGGGIWW00>





21/01778/FUL

29 Isaacson Road
Burwell



East Cambridgeshire
District Council

Date: 11/02/2022
Scale: 1:1,250



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MAIN CASE

Reference No: 21/01778/FUL

Proposal: Demolition of existing attached garage and construction of two storey side extension

Site Address: 29 Isaacson Road Burwell Cambridge CB25 0AF

Applicant: Mr Charles Pilgrim

Case Officer: Molly Hood Planning Officer

Parish: Burwell

Ward: Burwell
Ward Councillor/s: David Brown
Lavinia Edwards

Date Received: 10 December 2021 **Expiry Date:** 9 March 2022
Report Number W147

1.0 RECOMMENDATION**1.1** Members are recommended to REFUSE the application for the following reason:

- 1 The proposal by virtue of its design, scale and siting is considered to result in a dominant and visually harmful development that fails to enhance or enrich the appearance of the existing dwelling or the streetscene. The design and scale of the front projections are detrimental to the character of the dwelling and its wider grouping of the four properties. The proposal fails to have regard for the supplementary planning documents and is not considered to be high quality design in accordance with Chapter 12 of the NPPF. By virtue of its scale, design and location the proposal is considered to result in a form of development which would be substantially harmful to the existing dwelling and the immediate streetscene. As such the proposal is contrary to policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015, the Design Guide SPD and Chapter 12 of the NPPF.

2.0 SUMMARY OF APPLICATION

2.1 The application seeks permission for the demolition of the single storey side projection forming a single garage, utility and study which joins onto the adjacent properties garage. Following its demolition permission is sought for the construction of a two storey side extension to form an integral garage, utility, play room and a new master bedroom with walk-in wardrobe and en-suite. The two storey extension

will measure approximately 4.4m (14.4ft) in width, 10.7m (35.1ft) in depth and have a ridge height of 8.5m (27.8ft) and provide an additional front projection.

- 2.2 Permission is also sought for the conversion of the loft space, including raising the ridge height of the existing front projection, the inclusion of eight roof lights to the front roof slopes and one large dormer to the rear. The loft conversion will also utilise the loft space of the proposed two storey extension. Permission is also sought for the addition of four further roof lights to the existing single storey rear extension and raised patio.
- 2.3 The previous application (Reference 21/01146/FUL) on the site was taken to Decembers Planning Committee and refused. The current application has been called into Planning Committee by Councillor Brown to see whether the applicant has satisfied the concerns raised by the 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/>.

3.0 PLANNING HISTORY

3.1

| | | | |
|--------------|--|----------|------------|
| 16/01481/FUL | Single storey rear extension including demolition of conservatory and loft conversion | Approved | 29.12.2016 |
| 18/01054/VAR | Variation of condition 1 (Approved Plans) and removal of condition 5 (Visual Screen) of previously approved 16/01481/FUL for single storey rear extension including demolition of conservatory and loft conversion | Approved | 24.09.2018 |
| 21/01146/FUL | Demolition of existing attached garage and proposed two storey side extension | Refused | 02.12.2021 |

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site is a link detached property situated within the defined development envelope for Burwell. The dwelling has a well-sized front curtilage offering off street parking and a large rear curtilage with part adjacent to the boundary

for the High Town Conservation Area. The dwelling is joined to No.31 via the garages and shares similarities in its form and design. To the west of the site is a further pair of link detached properties, which are again similar in form and design. There are some differences between the properties, as No.27's first floor extends further and No.29 is rendered. The remainder of the wider streetscene is mixed with detached properties that range from single to two storey 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 website.

Local Highways Authority - 13 January 2022

I do not object to this application on the grounds that it is unlikely to have any material impact upon the public highway, above the existing dwelling.

The submitted plans show space for six parked cars (1 in a garage and 5 on the driveway) however this parking arrangement would result in some cars blocking in others which is impractical and removes any ability to turn. With space for turning maintained, there would still be sufficient space for three cars (1 in the garage and 2 on the driveway) which meets policy requirements.

Conservation Officer - 22 December 2021

No conservation implications

Parish - 12 January 2022

Burwell Parish Council have no objections to this planning application.

Ward Councillor Brown – 26 January 2022

I believe that Committee should consider this application to see whether the applicant has satisfied the concerns raised by the Committee.

5.2 A site notice was displayed near the site on 23 December 2021 and a press advert was published in the Cambridge Evening News on 6 January 2022.

5.3 Neighbours – Four neighbouring properties were notified and one response has been received expressing concern about the height of the raised patio with regard to overlooking to No.31. The comments also sought clarification on what finishes are proposed to No.31's garage wall and roof. The comments also questioned whether there is sufficient drainage for rainwater coming off the gutter on the garage of No.31. A full copy of the responses are available on the Council's website.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

| | |
|-------|--|
| ENV 1 | Landscape and settlement character |
| ENV 2 | Design |
| ENV 4 | Energy and water efficiency and renewable energy in construction |
| COM 8 | Parking provision |

6.2 Supplementary Planning Documents

Design Guide
Climate Change SPD

6.3 National Planning Policy Framework 2021

12 Achieving well-designed places
14 Meeting the challenge of climate change, flooding and coastal change
16 Conserving & enhancing the historic environment

6.4 Planning Practice Guidance

7.0 PLANNING COMMENTS

7.1 The main issues to consider in the determination of this application are impact on residential amenity of nearby occupiers and the impact to the visual appearance and character of the wider area. It should be noted that the dwelling received permission under application 16/01481/FUL to convert the loft space of the original property, which included one roof light to the front and two dormers on the rear. Permission 16/01481/FUL has been implemented as the single storey rear extension has been constructed, however the loft conversion has not been carried out. The site was recently refused planning permission (reference 21/01146/FUL) for a similar proposal on the grounds of harm to residential amenity and visual harm to the area.

7.2 Residential Amenity

7.2.1 Policy ENV2 of the East Cambridgeshire Local Plan 2015 requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. Additionally, paragraph 130(f) of the NPPF requires proposals to ensure that they create safe, inclusive and accessible development which promotes health and wellbeing and provides a high standard of amenity for existing and future users. Concerns have been received from No.31 over the overlooking impact from the raised patio to the rear of the property.

7.2.2 The proposal involves the demolition of the existing single storey side projection which joins to the neighbour's garage. To minimise harm to the neighbouring properties amenity, a demolition method statement and construction times can be conditioned. Neighbour concerns were expressed over the wall of their garage; however, this is not a material planning consideration and will be subject to the Party Wall Act. The agent has advised that a party wall agreement will be entered into and it is their intention to brick the neighbours garage wall.

7.2.3 The application seeks permission to construct a two storey side extension to the east of the property. The extension will project 4.4m (14.4ft) from the existing two storey built form and span a depth of 10.7m (35.1ft), allowing a separation distance of 1m (3.2ft) from the eastern boundary. The neighbouring properties garage will be immediately adjacent to the extension and the built form will span either side of it. Whilst the proposal will introduce a significant level of built form to the side of the

property, its location and proximity is not considered to result in detrimental overbearing, overshadowing or oppressive impacts to No.31. Furthermore, the location and scale of the two storey extension is not considered to result in significantly detrimental impacts to the other surrounding properties.

- 7.2.4 The fenestration has changed since the last application (21/01146/FUL) as the two loft conversion side elevation windows have been removed from the scheme. This improves the relationship with No.27 and No.31 Isaacson Road. The only fenestration changes to the western elevation include the addition of a further roof light on the existing single storey rear extension, however no significant harm is considered to occur from this addition. Two further roof lights are proposed on the internal roof slopes of the existing rear projection and one on the eastern slope. The addition of these roof lights are not considered to result in detrimental overlooking or harm to the neighbouring properties.
- 7.2.5 The proposal introduces new elevational windows to the eastern side and rear of the property. It is accepted the new first floor bedroom window on the rear elevation will add a new window which has the potential for views to the neighbours curtilages, however its presence is not significantly different to the existing rear windows relationship to the neighbouring properties. No detrimental harm is considered to arise from the front projection roof light or the front en-suite window. The existing first floor bathroom window on the east will be altered to an obscure glazed and non-opening window for the walk in wardrobe, a condition can secure it in perpetuity. At ground floor a new single door will serve the utility. Amendments have been received to remove the two ground floor side habitable room windows, as the one nearest to the rear of the property was considered to have resulted in significantly harmful overlooking towards No.31. As such the scheme is considered to overcome all concerns previously raised about the harm of overlooking or loss of privacy from windows.
- 7.2.6 The topography of the site is sloped down to the north and the property currently has a raised patio beyond the existing rear extension. The two storey extension will follow the same floor levels of the existing dwelling and as such, it will be raised from the ground levels of the garden. Concerns have been raised from No.31 over the impact of overlooking from the raised patio at the back of the two storey extension. Currently there is a small raised patio at the rear of the existing single storey side projection and the current application will seek to add to that.
- 7.2.7 The proposal will enlarge the patio, meaning it extends up to the boundary and the existing shed will be removed. The raised patio will incorporate a step from the rear doors and connect to the pedestrian side access along the house. Whilst the patio area will be larger it's scale would not cause significant harm to the adjacent property as the dwelling has an existing external seating area and the location means it is most likely to form a walkway. However, to protect the amenity of the adjacent property from the raised level an amendment was received to increase the height of the fence line on part of the eastern boundary. The fence line will be raised to approximately 1.8m from the raised ground level to help further protect amenity of No.31.
- 7.2.8 The proposal has addressed all previous concerns surrounding residential amenity and as such the extension would not result in detrimental overlooking, overbearing

or loss of privacy to the neighbouring properties, compliant to policy ENV2 and paragraph 130(f).

7.3 Visual Amenity

- 7.3.1 Policy ENV2 requires all development proposal to be designed to a high quality, enhancing and complementing the local distinctiveness and public amenity by relating well to existing features and introducing appropriate new designs. Development proposals which fail to have regard for local context or take advantage of opportunities to preserve, enhance or enrich the character, appearance and quality of an area will not be acceptable. Chapter 12 of the NPPF seeks to ensure high quality, beautiful and sustainable buildings. Paragraph 134 advises that where development is not well designed it should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 7.3.2 The proposal will be highly visible in the streetscene of Isaacson Road and the development will make substantial changes to the volume of built form and appearance. The application includes demolition, a new two storey extension and increases in ridge heights of existing form as well as a loft conversion. The principle of demolishing the existing single storey side projection and replacing with a two storey side extension is considered acceptable, however the scale of the development proposed is considered to be significantly harmful.
- 7.3.3 The proposed two storey extension will match the ridge height of the existing property (8.5m/27.8ft) and includes a front projection with a 8.2m (26.9ft) ridge height. Part of this application also includes increasing the ridge height of the existing front projection by 1.2m (3.9ft) to provide additional floor space in the loft conversion. The loft space in both front projections will be used as walk-in-wardrobes and will not form the main habitable areas for the bedroom. The 8m (26.2ft) and 8.2m (26.9ft) ridge heights of the front projections will add a significant proportion of massing to the front of the dwelling and is considered to result in a level of built form which is dominant. In addition, the increased ridge heights will be out of character with the directly adjacent properties.
- 7.3.4 Whilst there are a variety of properties within the wider streetscene of Isaacson Road, the key characteristics of this property are that it forms a pair with No. 31 and is similar in form to No.25 and No.27 (in particular the front projections). The two storey side extension and separation will alter the original character of the dwelling; however, the ridge heights of the front projections are a feature where the symmetry can be retained and ensures the dwelling is still sympathetic to No.31, No. 27 and No.25. With the volume of additional floor space being created the dwelling starts to become top heavy and results in an unbalanced appearance. The reduction of the ridge height on the front projections and subsequently the removal of this space as additional accommodation would not compromise the applicant's ability to still be able to achieve a well sized loft conversion.
- 7.3.5 With the proposed additions to the property, the existing dwelling would be overpowered, the character removed and the original property would not be clearly legible. The Design Guide SPD seeks for extensions to not be dictated by a desire for a particular amount of additional floor space, with the form and proportions of the

original dwelling determining the extent to which it can be extended. It is considered the current proposal has been driven by the desire of additional floor space and fails to have regard for the existing development on the site or its surroundings. As such as the proposal is considered to be out of keeping with existing characteristics, resulting in a significant mass of built form which would not result in a positive or complementary relationship.

7.3.6 The proposal fails to have regard for the supplementary planning documents and is not considered to be high quality design in accordance with Chapter 12 of the NPPF. The scale of the loft conversion would not have a sympathetic relationship with the existing dwelling and fails to enhance or enrich the character and appearance of the area. The proposal is contrary to policies ENV1 and ENV2 of the Local Plan 2015, the Design Guide SPD and the NPPF.

7.4 Parking Provision

7.4.1 Policy COM8 of the East Cambridgeshire Local Plan 2015, requires proposals to supply appropriate car parking. The driveway to the side will be retained and will still be utilised for off street parking. The Local Highway Authority have no objection and advise it is unlikely to have any material impact upon the public highway. The Officer advised the submitted plans demonstrate there is space for six parked cars (1 in a garage and 5 on the driveway) however this parking arrangement would result in some cars blocking in others which is impractical and removes any ability to turn. With space for turning maintained, there would still be sufficient space for three cars (1 in the garage and 2 on the driveway) which meets policy requirements. Policy COM8 requests two parking spaces per residential dwelling and the bedroom numbers of a dwelling doesn't influence the parking provision. The dwelling can accommodate at least two off street parking spaces and the proposal therefore complies with policy COM8.

7.5. Energy and Water Efficiency and Renewables

7.5.1 The recently adopted Climate Change Supplementary Planning Document predominantly focusses on providing additional guidance to the implementation of Local Plan Policy ENV 4 – Energy and water efficiency and renewable energy in construction. Policy ENV 4 states all proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable. The agent advised that one of the main reasons the applicant / homeowner is proposing the works is to improve the overall insulation to dwelling and thermal resistance of the elements e.g. improved insulation, new windows all round and, potentially, an air source heat pump. Therefore, once works are completed the thermal performance of the dwelling will be significantly improved. The proposal is considered to address policy ENV4 and the Climate Change SPD.

7.6 Other Matters

7.6.1 Neighbour comments questioned whether there is sufficient drainage for rainwater coming off the gutter on the garage of No.31. From the site visit it is evident there is an existing down pipe on the boundary which is fed by the guttering of No.31 and

No.29. Due to the demolition of the garage for No.29 its guttering will no longer feed into this downpipe. The capacity of this existing drainage system for the neighbour's property is not a matter for consideration. The proposed extensions guttering will not connect to No.31 and the application form also indicates the dwelling will introduce black UPVC guttering for the extension.

7.7 Planning Balance

7.7.1 Whilst the proposal has overcome the significant concerns to residential amenity, the development will still result in significant harm to the character of the property and the streetscene through the scale and design. As such the proposal is recommended for refusal.

| <u>Background Documents</u> | <u>Location</u> | <u>Contact Officer(s)</u> |
|------------------------------------|--|--|
| 21/01778/FUL | Molly Hood Room No. 011 The Grange | Molly Hood Planning Officer 01353 665555 |
| 21/01146/FUL | Ely | molly.hood@eastcambs.gov.uk |

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

Planning Performance – December 2021

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

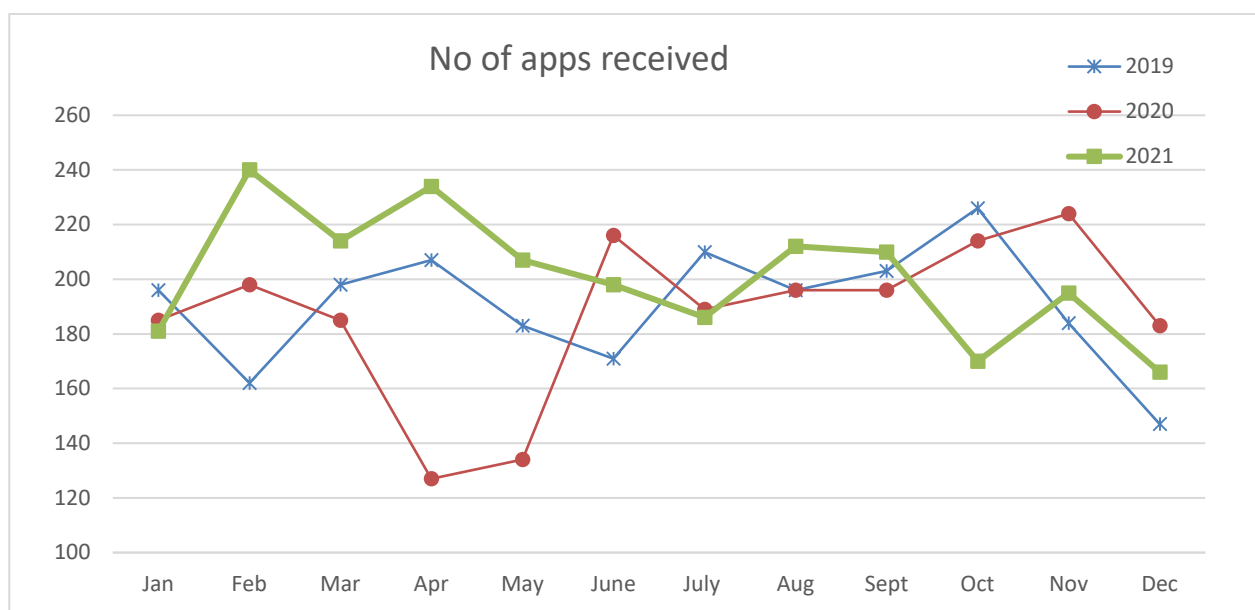
All figures include all types of planning applications.

| | Total | Major | Minor | Householder | Other | DIS /NMA | Trees |
|------------------------------------|------------|--------------------------------------|------------------------------------|------------------------------------|-------------------------------------|------------------------------------|--------------------------------------|
| Validation | 158 | 5 | 32 | 47 | 14 | 30 | 29 |
| Validated within 5 days (%) | 80% | (ECDC target of 75%) | | | | | |
| Determinations | 143 | 5 | 31 | 42 | 7 | 30 | 28 |
| Determined on time (%) | | 100% (90% within 13 weeks) | 94% (80% within 8 weeks) | 98% (90% within 8 weeks) | 100% (90% within 8 weeks) | 77% (80% within 8 weeks) | 100% (100% within 8 weeks) |
| Approved | 133 | 5 | 28 | 37 | 6 | 30 | 27 |
| Refused | 10 | 0 | 3 | 5 | 1 | 0 | 1 |

| Open Cases by Team (as at 17/01/2022) | | | | | | | |
|--|------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Team 1 (2.8 FTE) | 175 | 13 | 48 | 32 | 20 | 62 | 0 |
| Team 2 (4 FTE) | 194 | 13 | 34 | 55 | 37 | 55 | 0 |
| Team 3 (4 FTE) | 124 | 17 | 45 | 13 | 15 | 34 | 0 |
| No Team (3 FTE) | 61 | 8 | 4 | 0 | 3 | 13 | 33 |

No Team includes – Trees Officer, Conservation Officer and Agency Worker

The Planning department received a total of 166 applications during December which is a 9% decrease of number received during December 2020 (183) and 15% decrease to the number received during November 2021 (195).



Valid Appeals received – 4

| Planning reference | Site Address | Decision Level |
|--------------------|--|----------------|
| 21/00250/FUL | The Crown Inn 14 Church Street Fordham | Delegated |
| 21/00377/FUL | The Old Post Office 54 Main Street Prickwillow | Delegated |
| 21/01016/FUL | 90 Dunstan Street Ely | Delegated |
| 21/01132/FUL | Larretts 152 The Street Kirtling Newmarket | Delegated |

Appeals decided – 4

| Planning reference | Site address | Decision Level | Appeal Outcome |
|--------------------|---|----------------|----------------|
| 20/01169/RMM | Land to the Rear of Garden Close Sutton | Delegated | Dismissed |
| 20/01244/FUL | Broomstick Cottage 28 The Cotes Soham | Delegated | Dismissed |
| 21/00208/FUL | Broomstick Cottage 28 The Cotes Soham | Committee | Dismissed |
| 21/00209/LBC | Broomstick Cottage 28 The Cotes Soham | Committee | Dismissed |

Upcoming Hearing dates – 1

| Planning reference | Site address | Decision Level | Hearing date |
|--------------------|---|----------------|--------------|
| 18/00955/FUL | Site South Of 10 Narrabeen Park Whitecross Road Wilburton | Delegated | 04/05/2022 |

Enforcement

New Complaints registered – 10 (3 Proactive)

Cases closed – 7 (0 Proactive)

Open cases/officer (2.6FTE) – 189 cases (17 Proactive)/2.6 = 73 per FTE

Notices served – 1

| Notice Type | Site address | Date Served |
|--------------------|--|-------------|
| Enforcement Notice | Mount Pleasant Farm 66 - 68 Main Street Pymoor | 03/12/2021 |

Comparison of Enforcement complaints received during December

| Code | Description | 2020 | 2021 |
|---------------|---|-----------|-----------|
| ADVERT | Reports of unauthorised adverts | 0 | 0 |
| COND | Reports of breaches of planning conditions | 1 | 3 |
| CONSRV | Reports of unauthorised works in a Conservation Area | 2 | 0 |
| DEM | Reports of unauthorised demolition in a Conservation Area | 1 | 0 |
| HEDGE | High Hedge complaints dealt with under the Anti-Social Behaviour Act | 0 | 0 |
| LISTED | Reports of unauthorised works to a Listed Building | 0 | 1 |
| OP | Reports of operational development, such as building or engineering works | 5 | 1 |
| OTHER | Reports of activities that may not constitute development, such as the siting of a mobile home | 0 | 0 |
| PLAN | Reports that a development is not being built in accordance with approved plans | 1 | 0 |
| PRO | Proactive cases opened by the Enforcement Team, most commonly for unauthorised advertisements and expired temporary permissions | 2 | 3 |
| UNTIDY | Reports of untidy land or buildings harming the visual amenity | 0 | 0 |
| USE | Reports of the change of use of land or buildings | 3 | 2 |
| TOTAL | | 15 | 10 |

Planning Performance – January 2022

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

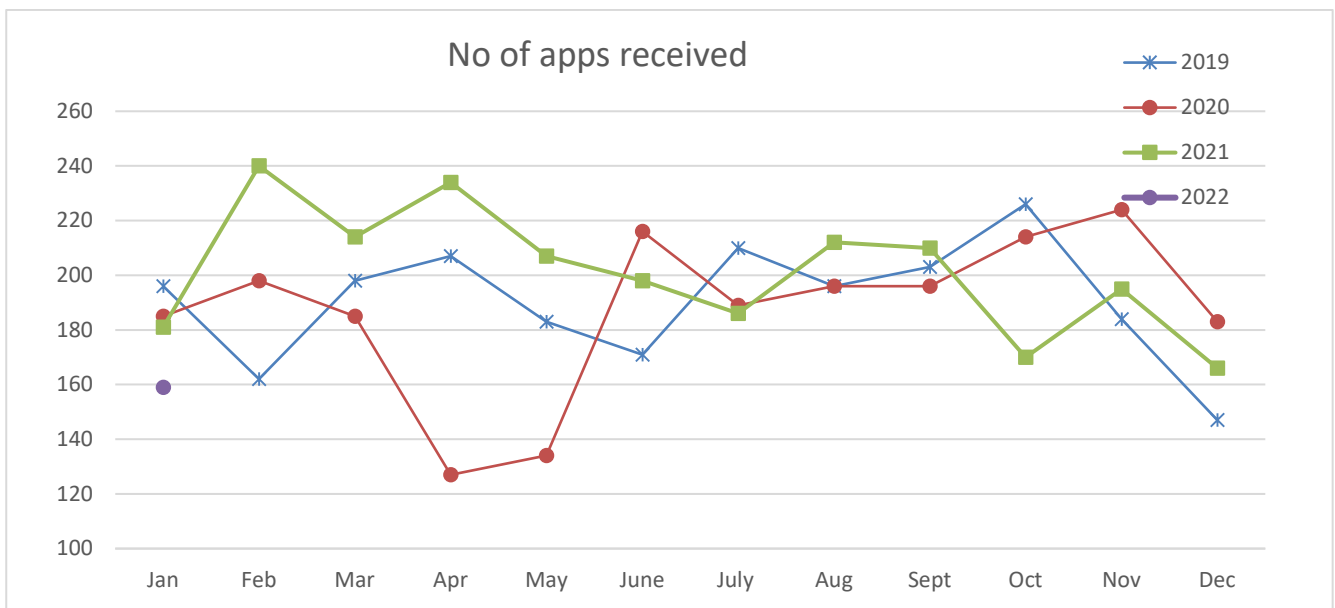
All figures include all types of planning applications.

| | Total | Major | Minor | Householder | Other | DIS /NMA | Trees |
|------------------------------------|------------|--------------------------------------|------------------------------------|------------------------------------|-------------------------------------|------------------------------------|--------------------------------------|
| Validation | 141 | 7 | 29 | 32 | 13 | 30 | 29 |
| Validated within 5 days (%) | 82% | (ECDC target of 75%) | | | | | |
| Determinations | 139 | 3 | 22 | 36 | 10 | 34 | 34 |
| Determined on time (%) | | 100% (90% within 13 weeks) | 91% (80% within 8 weeks) | 94% (90% within 8 weeks) | 100% (90% within 8 weeks) | 62% (80% within 8 weeks) | 100% (100% within 8 weeks) |
| Approved | 129 | 3 | 17 | 34 | 9 | 32 | 34 |
| Refused | 10 | 0 | 5 | 2 | 1 | 2 | 0 |

| Open Cases by Team (as at 15/02/2022) | | | | | | | |
|--|------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Team 1 (3.8 FTE) | 193 | 13 | 51 | 41 | 23 | 65 | 0 |
| Team 2 (3 FTE) | 125 | 18 | 43 | 10 | 20 | 34 | 0 |
| Team 3 (4 FTE) | 170 | 14 | 36 | 38 | 32 | 50 | 0 |
| No Team (3 FTE) | 56 | 9 | 4 | 1 | 13 | 3 | 26 |

No Team includes – Trees Officer, Conservation Officer and Agency Worker

The Planning department received a total of 159 applications during January which is a 12% decrease of number received during January 2021 (181) and 4% decrease to the number received during December 2021 (166).



Valid Appeals received – 3

| Planning reference | Site Address | Decision Level |
|--------------------|---|----------------|
| 21/00879/FUL | 16 Parsonage Lane Burwell | Delegated |
| 21/01444/CLP | 16 Hempfield Road Littleport | Delegated |
| ENFORCEMENT | 1 Mount Pleasant Cottages 68 Main Street Pymoor | NA |

Appeals decided – 0

Upcoming Hearing dates – 1

| Planning reference | Site address | Decision Level | Hearing date |
|--------------------|---|----------------|--------------|
| 18/00955/FUL | Site South Of 10 Narrabeen Park Whitecross Road Wilburton | Delegated | 04/05/2022 |

Enforcement

New Complaints registered – 13 (6 Proactive)

Cases closed – 25 (2 Proactive)

Open cases/officer (2.6FTE) – 178 cases (23 Proactive)/2.6 = 69 per FTE

Notices served – 2

| Notice Type | Site address | Date Served |
|--------------------|--------------------------|-------------|
| Enforcement Notice | Rear of 58 Swaffham Road | 25/01/2022 |

Comparison of Enforcement complaints received during January

| Code | Description | 2021 | 2022 |
|---------------|---|-----------|-----------|
| ADVERT | Reports of unauthorised adverts | 1 | 0 |
| COND | Reports of breaches of planning conditions | 1 | 4 |
| CONSRV | Reports of unauthorised works in a Conservation Area | 0 | 0 |
| DEM | Reports of unauthorised demolition in a Conservation Area | 0 | 0 |
| HEDGE | High Hedge complaints dealt with under the Anti-Social Behaviour Act | 0 | 0 |
| LISTED | Reports of unauthorised works to a Listed Building | 1 | 0 |
| OP | Reports of operational development, such as building or engineering works | 6 | 2 |
| OTHER | Reports of activities that may not constitute development, such as the siting of a mobile home | 0 | 0 |
| PLAN | Reports that a development is not being built in accordance with approved plans | 5 | 0 |
| PRO | Proactive cases opened by the Enforcement Team, most commonly for unauthorised advertisements and expired temporary permissions | 1 | 5 |
| UNTIDY | Reports of untidy land or buildings harming the visual amenity | 0 | 0 |
| USE | Reports of the change of use of land or buildings | 1 | 1 |
| TOTAL | | 16 | 12 |