



# EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,  
ELY, CAMBRIDGESHIRE CB7 4EE  
Telephone 01353 66555

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## MEETING: **PLANNING COMMITTEE**

TIME: 1:00pm

DATE: **Wednesday 5<sup>th</sup> May 2021**

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

ENQUIRIES REGARDING THIS AGENDA: Caroline Evans

TELEPHONE: (01353) 66555 EMAIL: [caroline.evans@eastcambs.gov.uk](mailto:caroline.evans@eastcambs.gov.uk)

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## MEMBERSHIP:

### Conservative Members

Cllr Christine Ambrose Smith  
Cllr David Brown  
Cllr Lavinia Edwards  
Cllr Lis Every  
Cllr Bill Hunt  
Cllr Lisa Stubbs

### Liberal Democrat Members

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

### Independent Member

Cllr Sue Austen (Lead Member)

### Substitutes:

Cllr David Ambrose Smith  
Cllr Julia Huffer  
Cllr Josh Schumann

### Substitutes:

Cllr Charlotte Cane  
Cllr Simon Harries  
Cllr Christine Whelan

### Substitute:

Cllr Paola Trimarco

### Lead Officer

Rebecca Saunt, Planning Manager

Quorum: 5 Members

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# 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 7<sup>th</sup> April 2021.

### 4. Chairman's Announcements

[oral]

### 5. 20/00996/OUM

Proposed outline application for residential development for up to 70 dwellings and the demolition of 18 Wilburton Road (all matters reserved except for access)

Location: Land South Of 18 Wilburton Road Haddenham Cambridgeshire

Applicant: Land Allocation Ltd

Public Access Link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QEC9BYGGG2I00>

### 6. Planning Performance Report – March 2021

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#### NOTES:

1. Since the introduction of restrictions on gatherings of people by the Government in March 2020, it has not been possible to hold standard face to face public meetings at the Council Offices. This led to a temporary suspension of meetings. The Coronavirus Act 2020 has now been implemented, however, and in Regulations made under Section 78 it gives local authorities the power to hold meetings without it being necessary for any of the participants or audience to be present together in the same room.
  - 2.
  3. The Council has a scheme to allow public speaking at Planning Committee using the Zoom video conferencing system. If you wish to speak at the Planning Committee, please contact Caroline Evans, Democratic Services Officer for the Planning Committee [caroline.evans@eastcambs.gov.uk](mailto:caroline.evans@eastcambs.gov.uk) to register your wish to speak by 10am on Tuesday 4<sup>th</sup> May. Alternatively, you may wish to send a statement to be read at the Planning Committee meeting if you are not able to access remotely, or do not wish to speak via a remote link. Please note that public speaking is limited to 5 minutes in total for each of the following groups:
    - Objectors
    - Applicant/agent or supporters
    - Local Parish/Town Council
    - National/Statutory Bodies
  4. A livestream of the meeting will be available for public viewing on YouTube via <https://www.eastcambs.gov.uk/meetings/planning-committee-05052021>
  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](mailto: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:
  8. "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)."
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EAST  
CAMBRIDGESHIRE  
DISTRICT COUNCIL

Minutes of a remote meeting of the Planning Committee held at 1:00pm on Wednesday 7<sup>th</sup> April 2021, facilitated by the Zoom video conferencing system.

**PRESENT**

Cllr Bill Hunt (Chairman)  
Cllr Christine Ambrose Smith  
Cllr Sue Austen  
Cllr David Brown  
Cllr Matt Downey  
Cllr Lavinia Edwards  
Cllr Alec Jones  
Cllr Josh Schumann  
Cllr Lisa Stubbs (Vice Chairman)  
Cllr John Trapp  
Cllr Gareth Wilson

**OFFICERS**

Andrew Phillips – Planning Team Leader  
Maggie Camp – Legal Services Manager  
Emma Barral – Planning Officer  
Angela Briggs – Planning Team Leader  
Tracy Couper – Democratic Services Manager  
Kevin Drane – Trees Officer  
Caroline Evans – Democratic Services Officer  
Barbara Greengrass – Planning Team Leader  
Molly Hood – Planning Officer  
Christopher Partrick – Conservation Officer  
Angela Tyrrell – Senior Legal Assistant  
Russell Wignall – Legal Assistant

**IN ATTENDANCE**

Andrew Bigg – Agenda Item 5  
Cllr Lorna Dupré – Agenda Item 5  
Karl Hogg – Agenda Item 7  
Alison Hutchinson – Agenda Item 6  
Lorraine King – Agenda Items 8 & 9  
Joanne Palmer – Agenda Item 6  
Peter Palmer – Agenda Item 6  
Elizabeth Rhodes – Agenda Item 5  
Parish Cllr Anne Pallett – Agenda Item 6

**83. APOLOGIES AND SUBSTITUTIONS**

No apologies or substitutions were made.

**84. DECLARATIONS OF INTEREST**

Cllr Jones declared an interest in Agenda Item 6 – Land between 37/37A and 38 Great Fen Road, Soham – stating that he did not feel totally impartial having met several times with parties related to the item. He reserved the right to speak as Ward Councillor but would not participate in the debate or vote.

## 85. MINUTES

The Committee received the Minutes of the meeting held on 3<sup>rd</sup> March 2021. Cllr Brown had identified an error in Minute 78 – on page 10, the last sentence of the second full paragraph needed removal of a prefix “un” as follows:

“If a new scheme came forward it was highly ~~un~~likely that refusal would be recommended, due to the site’s location outside the development envelope.”

It was resolved:

That, subject to the above correction, the Minutes of the Planning Committee meeting held on 3<sup>rd</sup> March 2021 be confirmed as a correct record and be signed by the Chairman.

## 86. CHAIRMAN’S ANNOUNCEMENTS

The Chairman made the following announcements:

- Members were reminded to exercise care regarding the call in of applications to Committee. This important power served a good purpose, but should be exercised for good planning reasons and only in exceptional circumstances should a Member call in an application that was not in their ward.
- Members were encouraged to drive to application sites a day or two before the meeting if they were not familiar with the location, but must exercise caution in doing so. The decision should be a personal one and conversations with anyone relating to the site should be avoided. Members were reminded that the associated mileage costs were an ‘approved duty’ for Members’ Allowances claims and Officers were asked to supply postcodes for each application site in order to assist Members in locating them.

The Legal Manager reminded Members of the Planning Committee Site Visit Protocol and urged them to have read it thoroughly before undertaking any such visits. Andrew Phillips, Planning Team Leader, explained that postcodes could not be included for some applications since undeveloped plots of land did not have postcodes. Cllr Jones suggested that Officers could use the “what3words” app to identify those locations.

## 87. TPO/E/04/20 – LAND REAR OF 30 TO 40 GARDEN CLOSE, SUTTON

Kevin Drane, Trees Officer, presented a report (V165, previously circulated) which sought to confirm a Tree Preservation Order (TPO) for two individual trees and three groups of trees containing a total of 57 trees on land rear of 30-40 Garden Close, Sutton.

He showed various maps and photographs of the site location and the trees under consideration, and stated that the trees had a high visual impact and contribution to the local landscape. He reminded Members that Amenity Value was the only consideration needed in assessing a Tree Preservation Order. He explained that the TPO had been served in order to allow time for debate on the future of the trees since attempts to reach an agreement with the developer of the land had not been successful. Some trees would inevitably be removed during development of the land but the TPO would ensure that the retained trees would have sufficient space to thrive and that appropriate replacement planting would take place for removed

trees. Any later successful Planning Application would override the TPO and therefore confirming the TPO would not prohibit future development of the site, it would instead ensure that permission would be needed to remove any trees.

He informed Members that the TPO had received support from 28 members of the public but had been opposed by the owners.

*1:28pm The Chairman sought confirmation that Cllr Schumann was still present since his video was no longer showing. Cllr Schumann confirmed his presence and explained that, due to bandwidth issues, he had turned off his video in order to improve reception of the Officer's presentation.*

On the invitation of the Chairman, Andrew Bigg spoke as an objector to the TPO application. He informed Members that ACD Environmental had been instructed by Abbey Homes as the arboricultural consultant for all elements relating to the application site and had previously provided a letter of objection for the TPO. In summary, he presented the following points:

- The site was the subject of a planning application by Abbey Homes and, within the supporting documentation of the outline application that was refused at Committee but approved on appeal, there were specific trees identified for removal. The current reserved matters planning application proposed a very similar arboricultural assessment in terms of the trees to be removed.
- The proposed TPO did not fundamentally restrict development of the site but did prejudice the extant planning consent as some of the trees identified in the consent were included in the TPO.
- The site was private land with no rights of way across it. The central copse was the largest group featured within the TPO, to the east of the current residential built form and only visible from nine adjacent properties and the apex of Garden Close cul de sac from which the entrance to the development site would be positioned. He disputed the visual amenity justification for the TPO, since most properties on the boundary of the site had vegetation or other boundary screening which restricted views into the site.
- The reserved matters application had been drafted with the precedent set in the approved appeal in mind regarding the tree removal and it was therefore inappropriate for those trees to be included in the TPO. TPOs should only be used for trees that were intrinsically worth preserving and not to frustrate development.
- Abbey Homes' approach to the development of the site showed they had not to date removed trees and instead were showing trees in all submitted documentation, they therefore objected to trees being included in the TPO that had been already been marked for removal in the appeal process.
- The Council's duty to protect trees from threat, including from development, was acknowledged and the TPO on the other trees was welcomed.

There were no questions for the objector. The Chairman then invited Elizabeth Rhodes to speak as a supporter of the TPO application. She read aloud the following statement:

*"1) Inspector granted appeal for outline for \*up to\* 53 homes with access and all other matters (scale & form, etc) to be determined at reserved matters.  
2) Neighbourhood plan then got approved with the single storey low density bit (NP5) and also the clauses in NP2 and NP5 specifically about the trees.*

- 3) *Sutton's Neighbourhood plan is therefore a material consideration for planning.*
- 4) *Reserved Matters applications have been rejected twice so far on grounds, among other things, of compliance with Neighbourhood plan.*
- 5) *Applicants have so far not demonstrated that it is impossible to create a site layout that complies with storey/density clauses of neighbourhood plan AND which does not require the removal of the trees. Applicants have in fact not shown any proposal which complies with neighbourhood plan, regardless of trees.*
- 6) *The neighbourhood plan should therefore be supported. Its clauses about trees are as much a material consideration as its clauses about stories and densities.*
- 7) *To lift the TPO at this stage would therefore be an error in law and could potentially be referred for Judicial Review.*
- 8) *It seems clear that the trees are now under threat, and it is entirely foreseeable that if the order were lifted today, the applicants would have a crew on site felling them tomorrow to prevent them being an issue again. The committee should understand that the very act of creating the TPO has probably now critically endangered them.*
- 9) *The time to talk about the trees is after the applicants have submitted a design which complies with the scale, form and density requirements of the neighbourhood plan. Then it can be discussed as to whether the design actually requires the removal of the trees or whether it can be adapted around them.*
- 10) *The trees and hedgerows are well established and make an important contribution to biodiversity and act as wildlife corridors on this edge of village location. They are an amenity for the village and provide landscape value. The willow and other nature trees soak up water on a site that is frequently waterlogged. If felled and replaced with saplings this important benefit would be lost and surrounding land including the rec to the South would be more likely to flood.”*

There were no questions for the supporter. The Chairman then invited Cllr Lorna Dupré to speak in her role as Ward Councillor for Sutton, she read aloud the following statement:

*“Good afternoon, Chair, Members. I am speaking to you this afternoon to encourage you in the strongest possible terms to support the recommendations of your officers, support the policies of the Sutton Neighbourhood Plan, and support the making of this Tree Preservation Order.*

*These mature trees and the landscape in which they sit make a vital contribution to the setting of the village in the context of the historic church, and the recreation fields and open spaces in the south east corner of the village. The local importance of this landscape has been recognised throughout the making of the Sutton Neighbourhood Plan, but the threat to it has become increasingly imminent.*

*The Tree Preservation Order before you today has the backing of Sutton Parish Council and also of a large number of residents.*

*A brief history.*

- *In November 2018, the Planning Committee approved an outline planning application for up to 53 dwellings on land behind Garden Close in Sutton.*

- *In January 2019, planning inspectors allowed an appeal against this authority's refusal of a twin application for the same development.*
- *Both applications were for outline consent only, for up to 53 dwellings, with all detailed matters other than access reserved.*

*In May 2019 residents overwhelmingly voted for the Sutton Neighbourhood Plan, with over 90 per cent of electors voting in favour. The Plan's policies now have force and are a material consideration for this committee.*

- *Policy NP2 of the Plan expects all development proposals to retain existing features of landscape and biodiversity value (including trees, woodland, hedgerows, the open nature of meadowland and verges) except where loss or damage is inevitable in which case appropriate replacement is required.*
- *Policy NP5 of the Plan is specifically about this site, and requires that development be predominantly low density single-storey dwellings, retain existing mature trees and hedgerows, and preserve and enhance views from the south towards the Church, from Lawn Lane eastwards and Station Road westwards across the cricket fields and open spaces.*

*Reserved matters applications have twice been refused by this Council. To date, Abbey Homes has failed to submit a reserved matters application which meets the requirements of the Sutton Neighbourhood Plan in respect of density, height of built form, or landscaping. They have also failed to demonstrate that loss of this significant landscape is inevitable, as the Neighbourhood Plan requires.*

*To support this Tree Preservation Order application is to uphold the Sutton Neighbourhood Plan and its policies relating to the Garden Close site and the outstanding reserved matters associated with the outline applications.*

*Without this Tree Preservation Order, the landscape at Garden Close is in clear and present danger.*

*Lifting the Order would give the green light to Abbey Homes to immediately destroy the landscape which the Sutton Neighbourhood Plan, and the residents of Sutton, have been at such pains to protect, in order to neutralise a key issue in their submission of a reserved matters application.*

*Finally, the intention of this Tree Preservation Order is not to frustrate any and all development on this site. Both this Council and the Planning Inspectorate have approved outline consent, and all involved fully recognise that. Indeed, Sutton Parish Council had endorsed the principle of sympathetic development of around 25 bungalows on this site before the larger application was submitted. The purpose of this Order is simply to ensure that this important part of the Sutton landscape is protected, and that development on the site complies with the policies of the Sutton Neighbourhood Plan, which has the backing of the community and which are a material consideration for this Committee.*

*I urge members in the strongest possible terms to approve this Order."*

There were no questions for Cllr Dupré.

Cllr Trapp sought and received confirmation from the Trees Officer that, if granted, the presence of the TPO would not prevent trees from being removed for planning purposes at a later date. Cllr Jones questioned Officers about the 2017 planning appeal decision and whether the Planning Inspectorate could consider confirmation of the TPO to be frustrating the process. Andrew Phillips, Planning Team Leader,

referenced the conditions in the appeal decision on 17/01445/OUM, particularly regarding landscaping, layout, appearance and scale being for reserved matters, and therefore stated that he did not believe that the TPO would conflict with the Inspector's decision and should not prejudice development coming forward.

The Chairman then opened the debate on the confirmation of the TPO.

Cllrs Jones and Stubbs spoke in favour of confirming the TPO given that the Trees Officer and the Planning Team Leader had explained that the TPO would not indefinitely preserve the trees or hinder development of the site. Cllr Jones proposed approving the Officer's recommendation and Cllr Trapp seconded his motion.

Cllr Brown expressed concern that the TPO included trees which had already been identified as needing to be removed for the site development and could therefore leave the Council open to a compensation claim. On the invitation of the Chairman, the Planning Team Leader clarified that although some trees had been suggested for removal in a reserved matters application, the application had been refused and there were currently no approved applications in place. In addition, an approved planning application would override a TPO and could permit removal of any trees, the TPO would simply require the trees to be a consideration in the planning process.

With the permission of the Chairman, Cllr Schumann sought and gained clarification from the Planning Team Leader that the application which had been approved at appeal contained indicative drawings identifying trees for removal. Whilst understanding that all matters except for access had been reserved he felt that the indicative drawings established a precedent. He therefore suggested amending the TPO to not include the trees in the indicative drawing. The Trees Officer clarified that those trees were part of the group identified as G3 in the TPO and confirmed that it was within the remit of the Committee to modify the TPO. The Democratic Services Manager confirmed that Cllr Schumann's suggestion would be a valid amendment to the motion. Cllr Brown seconded Cllr Schumann's amendment.

*1:59pm The Chairman lost his internet connection to the meeting. Vice Chairman Cllr Stubbs therefore assumed the Chair in his absence and the debate continued.*

Cllr Wilson strongly opposed the amendment stating that it implied that the Planning Committee had approved the proposal in the indicative drawings. Cllr Trapp agreed and reiterated that the TPO would not prevent removal of the trees, the developers just needed to submit a viable plan for approval. The Planning Team Leader again confirmed that an acceptable reserved matters application could include removal of one, some, or many trees, the TPO would simply make consideration of the trees part of the approval process and prevent their removal prior to planning permission being granted.

*2:06pm Cllr Hunt re-joined the meeting but having missed part of the debate asked Cllr Stubbs to continue in the role of Chairman for the remainder of the agenda item.*

Cllr Trapp commented that if Cllr Schumann's amendment was approved then the excluded trees could be removed imminently with further trees potentially being removed after the granting of a future planning application.

Cllr Ambrose Smith suggested that Sutton residents did not want the development and the TPO was being used as a way to delay development or reduce the site in such a way as to become unviable. Cllr Trapp responded that the lack of a viable planning application was the cause of any delay, not the potential TPO, and Cllr Downey reiterated that the TPO would not stop future planning permissions so he did not see the value of the amendment.

Cllr Hunt confirmed that he would not be voting on the agenda item since he had missed a section of the debate.

Cllr Schumann's amendment, seconded by Cllr Brown, to approve the Officer recommendation to confirm the TPO but with revision to not include the trees identified in the indicative drawings of the previously-approved appeal, was put to the vote and was lost with 3 votes in favour and 7 votes against.

Cllr Schumann then encouraged Members to support the original motion and explained that he wholly supported the TPO having clearly received, via the vote on the amendment, the Committee's view that inclusion of all the trees would not put the Council at risk.

Cllr Jones' motion, seconded by Cllr Trapp, to support the Officer's recommendation was then put to the vote.

It was resolved unanimously:

That Tree Preservation Order ref TPO/E/04/20 be CONFIRMED for the reasons detailed in paragraph 2.1 of the Officer's report.

*2:16pm Cllr Hunt thanked Cllr Stubbs for chairing the item and he returned to the role of Chairman.*

**88. 20/01486/VAR – LAND BETWEEN 37 & 38 GREAT FEN ROAD, SOHAM**

Emma Barral, Planning Officer, presented a report (V166, previously circulated) recommending the approval of the application to vary Condition 1 (Approved Plans) of previously approved 19/01229/FUL for a proposed two storey dwelling, garage, parking, access and associated works, subject to the recommended conditions detailed in Appendix 1 of the report.

She checked that Members had received objection letters that had been circulated to them since publication of the agenda, clarified that one neighbour to the site should be referenced as 37/37A (two semi-detached dwellings) rather than 37, and explained that Soham Town Council had registered concerns on 3<sup>rd</sup> February regarding the site being outside the development envelope and on 31<sup>st</sup> March had sent more detailed objections regarding overdevelopment and loss of amenity and light, as well as visual impact and drainage/flooding concerns.

She showed various photographs and maps of the site and its location as well as images from earlier applications related to the site, including the extant consent. The site lay well outside the development envelope of Soham and within Flood Zone 3. The original outline planning permission for the site had been approved at Committee, against Officer recommendations, in 2017 and the current plans approved in 2020. She stated that the proposed dwellinghouse in the application under consideration had been repositioned within the plot and the garage had been omitted. The ground floor plan was larger than in the previous application but no higher and only the master suite would be on the first floor level in the new design.

The additional height above the road had been included in the previous consent. The developer had started raising the land, despite not having discharged Condition 3, but works had now ceased until this was done.

There were five main considerations for the application:

- **Principle of Development** – considered to be acceptable since a dwelling could be constructed under previously approved planning permission 19/01229/FUL.
- **Visual Amenity** – the overall height of the proposed dwelling house was no greater than that previously approved (including the finished raised land levels) although the location within the plot and the building design had been altered. The design, materials and siting were considered acceptable. In terms of its impact on visual amenity the application was therefore considered to be acceptable under policy ENV2 of the Local Plan 2015.
- **Residential Amenity** – the proposed dwelling was considered to be of a scale and distance from neighbouring dwellings which meant that they would not result in any significant loss of light, overshadowing or visual intrusion. Third party concerns were noted but a substantial amount of built form had already been approved at the application site and the Agent had suggested that the amendments had been intended to improve the relationship with the Old School House. The application was therefore considered to be acceptable under policy ENV2 of the Local Plan 2015.
- **Highway safety and parking** – off-road parking was provided for two vehicles and would be accessed off Great Fen Road via a vehicle access that had previously been consented in 19/01229/FUL. It was therefore considered to comply with policies COM7 and COM8 of the Local Plan 2015.
- **Drainage and flooding** – given the site's location within Flood Zone 3 a Flood Risk Assessment had been submitted. The proposed dwelling was not considered to have any greater susceptibility to, or increased risk of, flooding than the previously-approved dwelling on the site and the Environment Agency had not been concerned about the ground floor bedrooms provided there was safe refuge available at first floor level. The proposed development was therefore considered to comply with policy ENV8 of the Local Plan 2015.

In summary, the Officer stated that the development could be undertaken without detriment to the residential amenities of neighbouring occupiers and without having an adverse impact on either the character of the village or surrounding area and street scene. Adequate surface water drainage measures could be made subject to condition and adequate parking and access to the highways network were both acceptable. The proposal was therefore recommended for approval.

The Chairman invited Alison Hutchinson and Joanne Palmer to speak as objectors to the application. Alison Hutchinson read aloud the following statement:

*"I represent Mr and Mrs Palmer who live next door to the application site. Mrs Palmer will also speak and explain her concerns about the proposal.*

*I will speak about three matters that are of concern with this application:*

*Firstly is the fact that it is being dealt with as a variation. Case law has confirmed that local planning authorities cannot alter the description of the development when dealing with such applications. Here the description includes a garage but there is no garage proposed and yet you are being asked to give full planning permission. The officer's report says it is no longer required. You have*

*no plans that show where it could go or even what it will look like. So effectively you are being asked to grant a different planning permission to the original description, contrary to case law. It cannot therefore be a variation. This is not addressed in any way in the officer's report.*

*The second issue is over development. The ground floor of the dwelling has increased by over 70% compared to the approved dwelling and it occupies the majority of the site with no rear garden and no room for a garage. The committee report refers to private amenity space being at the side of the dwellinghouse. That area is shown as grass on the plans and is adjacent to Mr & Mrs Palmer's house. A site visit will show that area has been raised and hard cored and is being used as a new access to the applicant's land outside the application site where unauthorised offsite engineering works are taking place. These are immediately adjacent to the rear boundary of Mr & Mrs Palmer's garden and not visible from the road.*

*The third issue is impact on Mr & Mrs Palmer's amenity due to the location of the dwelling and the level of the site and additional land which has been raised by a considerable degree through unauthorised works as you've heard. The ground floor of the approved dwelling (and this one) is required to be constructed 500mm above the level of Great Fen Road not the whole site and not the grass verge as shown on the inaccurate section plans just shown to you. The ground floor of the dwelling will therefore be raised some 2.5m above the original level of the land. The approved dwelling is located at the front of the plot and will be screened from my clients' house and private garden by their outbuildings and evergreen trees. In contrast, the new dwelling presents a considerably worse impact being located so far back in the site where there is no such screening and with new ground levels considerably higher than Mr & Mrs Palmer's private garden. This proposal will have a far greater adverse and unacceptable impact on the amenity of my clients.*

*The dwelling in the 2019 planning permission had, in the words of your officers, 'increased in size to what is considered to be the most the plot can support.' Your officers now say exactly the same for the current proposals despite it representing a ground floor increase of over 70%.*

*The application represents clear overdevelopment of this site and will result in unacceptable impacts to neighbours. Unauthorised works have taken place with no plans submitted to show the extent and impact of those works. The development is clearly contrary to Policies Growth 2, Hou 2, ENV 2 and the Design Guide SPD and should be refused planning permission."*

Joanne Palmer then spoke, on behalf of herself and her husband, to make the following points:

- She reminded Members of the letter that had been forwarded to them and showed the changes between the original outline plan of 2017 and the current application.
- They had not objected to the original 2017 application but the latest application bore no resemblance to it. The house had grown bigger at each stage such that the proposed house and driveway now occupied the entire site and therefore represented a massive overdevelopment of the site which had a huge impact on their home and their lives.
- In addition to their concerns about the size of the building, the new location at the back of the site meant that there would now be a build up of over 2.5m due to the natural lie of the land and the building would therefore not only

be positioned away from the natural screening and directly opposite their kitchen, living room and bedroom windows but would sit on a platform more than 2m above the seating area of their garden. They could not see how they could retain any privacy since the 2m fence of their garden would not even reach the ground floor of the new building.

- They struggled to believe that the small piece of land towards the side of the property would really form the only garden for the house. In addition, that land was currently used as an access road to land at the rear of the site, which the applicants had informed them he intended to use for a workshop and storage area for his building business, leading them to fear commercial vehicles and plant machinery regularly travelling adjacent to their garden boundary and that a future application would follow for further development at the rear.

Cllr Trapp asked Joanne Palmer if he had correctly understood that the existing Old School House sat 2.5m below the proposed new building level, and she confirmed that it did. He also asked her about the location of the proposed workshop that she had mentioned. She explained that it was outside the current application, but that they were concerned that the strip of land adjacent to their hedge and marked as garden for the new development was in fact being used as vehicular access to the land at the rear of the site.

The Chairman then invited Cllr Anne Pallett to speak on behalf of Soham Town Council. She explained to Members that in addition to the comments mentioned in the Officer's presentation, Soham Town Council had also submitted an amendment about their concerns on 8<sup>th</sup> February. She then read aloud a pre-prepared statement as follows:

*"Whilst we, Soham Town Council appreciates members take into account objections to previous applications in relation to rural infill, and conflicting Policies mentioned beforehand, the current application based on a revision to those two planning applications previously received approvals, gives us grave concerns.*

*Historically, an application received in 1999 for this plot for a single storey dwelling was refused. There are no records available on line.*

*In 2017 a two storey dwelling and garage Outline application was recommended for refusal by the case officer and was overthrown and permitted by the planning committee. This application became extant and the 1st FUL Application for a dwelling and garage in 2019 was permitted. The increase of approximately 48% from the Outline application was within the curtilage, reported as the limit the plot could support. The result was a pre application condition imposed from the senior planning officer and accepted by the agent acting for the applicant in 2019 removing permitted development rights for extensions and outbuildings to ensure no harm to the amenity of the area by uncontrolled additions in the future.*

*The Current Variation application in 2020 for a dwelling ONLY is approximately 20% larger without a double garage, than the previously permitted FUL Application with a garage. A variation can carry up to 15% change but as the FUL application design had reached its capacity we would suggest that this current application increase does not constitute a Variation and it is approaching a third of the entire plot without much green space or room for any future garage. From Outline to Variation there has been approximately a 76% change. The increased design has also moved further back to the field end*

*border of its curtilage adjacent to the agricultural land. The frontage design would allow a 2 car standing and turning space ungenerous for such a large property. I repeat there is no room on this plot for any future garage. The access to the agricultural land has been blocked which is currently not an issue but could become one in the future. The neighbours did make a request to move the proposed dwelling a little towards the rear, there are horses in the adjacent stables, but they had not expected such a large displacement as well as a very much larger dwelling. Soham Town Council considers this to be overdevelopment.*

#### *Street Scene*

*The computer generated street scene is not representative of the actual street scene. The neighbouring properties are over a meter below the road. The site being within Flood Zone 3 demanded from the Flood Risk Assessment that the Dwelling is artificially raised 500mm higher than the road level. This increase of ground height of proposed dwelling adjacent to Number 37 and 37A and new repositioning from the FUL application will in reality be over 2M higher than No 37A rear ground level as the rear of the property is very much lower than the road. That is for example over the height of a doorway in a house.*

*The extra height being raised artificially to 500mm will likely detrimentally affect the height of the proposed chimney and exceed that of the existing Schoolhouse chimney and Bell tower which is a historic feature of the landscape.*

*No 37A is situated at the rear, facing North West. The repositioning of the proposed dwelling will cause significant amenity loss, overshadowing and loss of light and sky. I observed they are not at present enjoying full light to their property due to many of their windows facing North towards the site, one facing North West towards the fields. The garden is edged by slow growing deciduous hedges North and North West. This repositioning of the proposed dwelling detrimentally affects No 37A's own privacy and enjoyment of their garden the natural ground level being significantly lower than the road. There is also concern to the height of the proposed new fence.*

*There are concerns about drainage and flooding given the difference in height between the proposed dwelling and No 37A.*

#### *Conclusion*

*We query the actual correctness of this application being dealt with under a Variation. We trust you would agree that the dwelling is significantly larger than the permitted previous application without sufficient space for a garage.*

*We hope you would agree there is some Overshadowing and loss of privacy to No 37A.*

*We hope you would also agree there are concerns regarding Drainage and Flooding issues to the plot, the neighbour's property and garden being approximately 2m below the proposed ground floor of the proposed dwelling.*

*Finally we are sure you must also agree with Overdevelopment of the plot having no room for a decent green space or future garage single or double.*

*Given all the above legitimate comments in objection Soham Town Council comment to object to this Variation Application. Thank you."*

Cllr Schumann asked Cllr Pallett why Soham Town Council had not commented in December and had then stated "no concerns" in February, but now had substantial concerns. She explained that there had been significant upheavals, including

cancellation of a Planning meeting, due to suspected COVID-19 in the office and that the application had therefore unfortunately gone unnoticed at first, but once attention had been drawn to it they had been keen to correct that oversight. Cllr Schumann thanked her for the entirely understandable context and asked for Soham Town Council's view on the street scene of Great Fen Road. Cllr Pallett stated that they had concerns about the street scene on the application because the computer-generated images did not show the actual scene where houses were below the road level rather than above it and therefore the proposed building would give an imbalance and look out of place. Cllr Schumann responded that he believed there were other higher buildings along the road and Cllr Pallett agreed that the newer buildings were higher, whereas older buildings were below the level of the road.

The Chairman then invited Cllr Jones to speak as the Ward Councillor for Soham North. Cllr Jones thanked Cllr Pallett for covering many of the issues he wished to raise and also indicated that the comments from Mr and Mrs Palmer were crucial in identifying how the location of the proposed building would affect them, so he hoped that Members had looked at the letter and photos sent by them the previous week. He then made the following points:

- Although he recognised that the new building would be some distance away from the Palmers' property, it would be much higher and a new boundary fence on the raised land would effectively mean a 12 foot boundary fence for the Palmers.
- He reminded Members that there were two semi-detached properties at 37/37A and, referring to the photos provided by Mr and Mrs Palmer, stated that the proposed property would have a significant visual intrusion on the rear dwelling.
- The artificially-raised land would allow water to fall down towards the Palmers' property and therefore drainage needed to be considered.
- The proposal had grown on each successive application and the siting of the building was now disconcerting and suggested that this would not be the last application. It now represented overdevelopment. The Palmers were not worried about the house design or ridge height so much as the building's location within the plot.

The Chairman invited the Planning Officer to make any further comments. Regarding the mention of potential future outbuildings, she highlighted that a condition removing permitted development rights had been suggested, and any further proposed dwellings in the vicinity would be contrary to the Local Plan since the location was outside the development envelope for Soham. (The principle of development for this application had been established due to its planning history.) She also reminded Members that there was an extant permission on the site meaning that the developer could build subject to discharging the relevant conditions and that any dwelling on the site would need to be 0.5m above the road level due to the mitigation measure needed from the Flood Risk Assessment.

Cllr Schumann asked the Officer if permitted development rights had been removed on previous applications and asked if overshadowing had been assessed, since it was not normally considered at 25m. Emma Barral replied that the outline consent in 2017 had no rights removed but Condition 13 of the 19/01229/FUL application removed permitted development rights and specified that the dwelling should not be extended in any way, nor could any structures be erected in the curtilage of the dwelling. Regarding the overshadowing, she confirmed that it had been considered in relation to residential amenity.

Cllr Stubbs referred to Alison Hutchinson's challenge regarding the legality of the proposal no longer containing a garage and asked for Officers' views. Andrew Phillips, Planning Team Leader, stated that a Variation could not substantially change a proposal and it was therefore a judgement call regarding what constituted "substantially". He believed that the lack of a garage was not a substantial change. Cllrs Wilson and Trapp asked further questions regarding vehicle parking on site and Emma Barral reiterated that there was space for two vehicles on the front drive which complied with Policy COM8 of the Local Plan.

The Chairman then opened the debate. Cllr Schumann thanked the Officer for her work on the application and commented that he did not see significant reasons to refuse it, especially considering the NPPF's requirement to look at presumptions in favour. He believed the proposal to be a reasonable size and understood that any dwelling on the site would need to be raised due to the flood risk. He therefore proposed accepting the Officer's recommendation to approve the application. This was seconded by Cllr Ambrose Smith.

Cllr Trapp commented that, although the proposed variation made the imprint from the side more comfortable, the increase in size and the displacement materially affected the neighbouring property. The proposed dwelling was considerably larger and looked to be a complete redesign rather than a variation. Cllr Wilson agreed regarding the additional size and suggested that a 4 bedroom house should have the possibility of parking for more than 2 cars.

Cllr Brown felt the change in the proposal was significant and he therefore questioned the Planning Team Leader's comment that the change was not substantial enough to require a new application, but said he was struggling to see a planning reason for refusal. Cllr Downey agreed both that the application stretched the definition of a variation and that a planning reason for refusal was needed.

On being put to the vote, the motion to agree the Officer recommendation was carried with 8 votes in favour, 1 against and 1 abstention.

It was resolved:

That planning application ref 20/01486/VAR be APPROVED subject to the recommended conditions detailed in paragraph 1.1 and Appendix 1 of the Officer's report.

*A comfort break was taken from 3:16pm to 3:26pm.*

**89. 20/01544/FUL – 14 WEST LODGE LANE, SUTTON**

Angela Briggs, Planning Team Leader, presented a report (V167, previously circulated) on behalf of the Case Officer recommending refusal of an application to construct a first floor extension and ground floor battery store at 14 West Lodge Lane, Sutton, Ely, CB6 2NX.

She showed Members various site photographs and maps, informed them that the site was within the development envelope for Sutton, and explained that Cllr Dupré had called-in the item to Committee in order for Members to determine the appropriateness of the application and the Officer's recommendation, as well as consider a neighbour's concern regarding overlooking. She explained that the proposed first floor extension would sit on top of the existing extension and be constructed using the same 'HardiePlank' cladding to match it. Solar panels would

be installed on the new roof as well as on the adjacent existing roof slope. The proposed ground floor battery store would be to accommodate the batteries for the proposed solar panels.

The main considerations for the application were deemed to be:

- **Residential Amenity** – The introduction of windows at first floor level, and the associated concerns of Cllr Dupré and the neighbour at 85a The Row, were noted as was the reduced separation distance to 96 The Row. However, the distances were considered sufficient that overlooking would be minimal. There were no concerns regarding the single storey battery store due to its size and location. The application was therefore considered to comply with policy ENV2 of the Local Plan 2015.
- **Visual Amenity** – The street scene was mostly detached brick-built dwellings with limited cladding. The corner position of the site meant that the rear was exposed to The Row and the current single storey was visible, so it was considered that a first floor addition would be highly visible due to the increase in massing and height. The span of the dwelling would also increase and the overall mass would result in an overbearing and prominent building that would not relate sympathetically to the existing street scene. The proposed blue-grey ‘HardiePlank’ cladding, while acceptable for single storey, was not considered to be complementary to the host dwelling or the surrounding area. Officers had suggested to the agent and applicant that the use of different materials and a reduction in the size of the first floor element should be considered, but no amended plans had been submitted. The proposed first floor extension was therefore considered to be contrary to policies ENV1 and ENV2 of the Local Plan 2015 and contrary to the Design Guide SPD. The solar panels and the ground floor battery store were considered acceptable from a visual amenity point of view.

In summary, the application was not considered to have a significant impact on the residential amenity of neighbouring properties, but was felt to have a detrimental impact on the form and character of the area as well as having a poor relationship with the host dwelling due to mass and bulk. On balance, it was considered that the proposal caused significant and demonstrable harm to the visual amenity of the host building and the surrounding area. It was therefore considered to be contrary to policies ENV1 and ENV2 of the Local Plan 2015, and the Design Guide SPD, and was consequently recommended for refusal.

The Chairman thanked the Officer and invited the applicant, Karl Hogg, to address the Committee. He read aloud the following statement:

*“I would like to thank Councillor Dupre for facilitating our participation at today’s planning meeting, and the chair and members for agreeing to hear our case. Before I go into the details of our appeal I would like to give you a brief history of the site. I built the main house as a self-build project back in 1992. In 2017 I completed a single story extension again as a self-build project. This house has been my home for nearly 30 years and will continue to be so for the foreseeable future. So I am heavily invested not just financially but physically and emotionally as well, I would not be proposing to undertake any work that I would consider to be detrimental to the main house or the surrounding area, which has been my home for such a long time.*

*You will be aware of the reasons for the case officer’s recommendation to refuse.*

*Firstly I'm not sure how this can be demonstrated, as this must be subjective, one person's monstrous carbuncle on the face of a much loved old friend is another person's piece of modern architecture.*

*Surely the owner of a house who has lived in it for more than 30 years has a better idea if the proposed extension is detrimental to the host dwelling, rather than a case officer who visited the site for 20 mins and took a few photographs.*

*In our correspondence with the council officers, it is evident that they were not clear if the proposal should be approved or not This is an extract from an email received from Angela Briggs (planning team leader) "This scheme was quite a sensitive one and was discussed on more than one occasion, it was my suggestion to ask for a wider view from other members of the team, which we do if we need help in coming to a recommendation, and for consistency purposes"*

*Clearly whether an application complies with the various planning policies including ENV1 and 2, is very subjective, and something the planners in this case struggled to come to a decision over especially given the presumption to approve rather than decline applications.*

*The Row and West Lodge Lane is a mixture of dwellings, in size, colour and building materials. Currently our house is the only one with a flat roof, and cement fibre board cladding. The proposal includes a pitched roof, this will have the effect to drawing the extension into the main house, unlike the current flat roof which is definitely out of keeping with the surrounding houses. The proposed cladding is a relatively modern construction material, and its use is increasing in popularity within the construction industry. Our immediate neighbours at 92 The Row, have used it recently to infill 3 glazed panels on the front of their house. As part of our application for the ground floor extension we carefully considered the colour of the cladding, and we believe the colour we settled on was the best match to blend in with the existing brickwork, blue / grey roof tiles, and anthracite grey window frames. The colour is not bright, it's a pastel grey / blue, we can see no reason to have to replace this for an alternative colour, given the environmental impact this would have in having to landfill the existing cladding, and its use being already approved in the previous application.*

*Regarding the mass of the extension, our proposal will give a frontage to The Row of 13.7m. For your information, 89 The Row, some 40 metres away, has a frontage of 14.48 metres.*

*The proposal would increase the height of the current ground floor extension by just an additional 2.2m to eaves level, along The Row, the main focus of the case officer's street scene concerns. The gable end would increase the height by 4.2m but this faces our rear garden, and the ridge will be lower than of the main house.*

*The current main house and extension only develops 21% of the plot, and the extension only represents an increase of 18% of the main house footprint. We fail to see how this represents demonstrable harm and loss of amenity of the host building.*

*As part of the consultation process, the case officer consulted with our neighbours, and then following discussions with Councillor Dupre, I informed 2*

*additional neighbours as these would be most impacted visually by the proposal. This raised no objections.*

*A notice was affixed to an electricity pole directly outside our property, to notify passing residents, this generated no objections.*

*The parish council were also notified and again no objections were raised.*

*I have forwarded 2 photographs to show the building in context with the street scene (one from each direction) although I see in today's presentation they were not included I believe these show that the proposal would not be so large as to detrimentally effect the surrounding area.*

*The proposed pitch roof will afford us the ability to install a significant number of solar panels on a south facing aspect. Our house is all electric and the additional roof space would allow us to become almost self-sufficient for our energy needs, the current roof pace is limited by the hip roof and therefore is not sufficient in area to meet this aim.*

*In summary we implore you to approve this application on the following points*

- *Compliance with the planning guidelines is subjective and there is presumption to approve rather than refuse applications*
- *The planners were uncertain if to approve or refuse this application*
- *There have been no objections*
- *We do not believe the proposal is detrimental to the host building or surrounding area.*
- *The inclusion of the solar panels in the proposal has a significant energy saving benefit*

*Thank you for your time."*

Cllr Stubbs asked the applicant for further details about the batteries for which the proposed ground floor store was needed, and questioned why he had not wanted to engage in discussion with Officers regarding certain aspects of the application. Karl Hogg explained that their proposal required three batteries, each approximately the size of a domestic oven and wanted to ensure they did not prove a fire risk. Regarding engagement with the Planning Department, he said that the Officers were keen to reduce the size of the first floor extension but there was no structural strength to do that therefore he had not discussed it further; the first floor needed to match the existing footprint.

Cllr Jones questioned whether the colour of the cladding could be changed simply by painting it, suggesting a sandy colour, rather than removing and replacing it. The applicant agreed that could be possible, although he did not know about the longevity of that option, but the Case Officer had been more concerned with the mass than the colour. He stated that he may have been willing to consider using a different colour, if that would have resulted in approval.

Expressing support for the plan to install solar panels, Cllr Trapp asked what the area of panels would be. Karl Hogg explained that the intention was to match the panelling to the house's electrical load, but no estimates had yet been determined.

The Chairman then invited the Officer to make any further comments before he invited questions for her from Members. Angela Briggs, Planning Team Leader,

agreed with the applicant that, although one concern was the colour, the main issue was the bulk. An alternative colour had not been specified due to the distinctive ground floor colour already in situ, didn't want to promote a multicolour building and it had instead been left to the agent and applicant to propose an alternative.

Cllr Ambrose Smith commented that she understood the concerns regarding the bulk but she wondered if precedents in the immediate area had been considered since she recalled substantial extensions to modest homes in Ely near the College several years earlier. The Officer replied that Gemma Driver, Planning Officer, had looked at materials in use in both The Row and West Fen Lodge since the site was a corner plot. She had concluded that although there was some use of cladding in the area, it was not at all prevalent.

Cllr Wilson asked for clarification that it was only Officers who were objecting to the application, since he thought neighbours and the Parish Council were satisfied with it. Angela Briggs confirmed that to be correct although one neighbour at 85a The Row had registered a concern regarding overlooking due to a side window.

Cllr Trapp questioned whether the Council had any policies regarding solar panels or battery storage. The Officer replied that policy ENV4 covered renewable energy and sustainability and was supported by the Council's Climate Change SPD but that did not outweigh the detrimental impact of the bulk.

The Chairman asked whether there had been any conversations with Cllr Dupré before the call in, or whether there was anything further to add on the call in, since Cllr Dupré was not present. The Officer confirmed that Gemma Driver had some conversations with Cllr Dupré but there was no additional material information arising from these. The Chairman also clarified the date of images used in the presentation with the Case Officer. The Chairman then opened the debate.

Cllr Stubbs commended the desire for solar panels but agreed with the Case Officer that the extension would harm the host dwelling. She commented that since Cllr Dupré had not chosen to speak on the item, it could not be assumed that she supported the application, just that she felt that it should be considered at Committee level. Cllr Stubbs supported the Officer recommendation and therefore proposed that the application be refused. Cllr Hunt seconded the motion.

The Chairman commented that he had no objection to the call in, but Cllr Dupré's attending and providing comments at the meeting would have assisted Members with the benefit of her local knowledge.

Cllr Wilson questioned the recommendation to refuse permission since neither the Parish Council nor local residents had stated that they believed the proposed work would harm the nature of the location. He understood the applicant's assertion that a smaller first floor extension was unfeasible without steels to support it and he commented favourably about the plan for solar panels. Cllr Jones agreed that the first floor size needed to match the ground floor footprint and commented that the colour was a matter of personal taste, so in view of no local opposition he would be in favour of approving the application. Cllr Downey agreed that the reasons for refusal were subjective, and in his opinion were outweighed by the environmental benefit of the proposed solar panels. Cllrs Ambrose Smith and Trapp also supported the applicant's efforts to improve his home with the addition of solar panels.

Andrew Phillips, Planning Team Leader, reminded Members that the Officer's recommendation for refusal was not related to the proposed solar panels or battery store and that the whole application needed to be considered, not just those aspects.

On being put to the vote, the motion to agree the Officer recommendation was carried with 6 votes in favour, 5 against and no abstentions.

It was resolved:

That planning application ref 20/01544/FUL be REFUSED for the reasons detailed in paragraph 1.2 of the Officer's report.

90. **21/00208/FUL – BROOMSTICK COTTAGE, 28 THE COTES, SOHAM and 21/00209/LBC – BROOMSTICK COTTAGE, 28 THE COTES, SOHAM**

Molly Hood, Planning Officer, presented two reports (V168 and V169, both previously circulated) for simultaneous consideration since both were recommending refusal of an application to construct a single storey side extension protruding off the south-west elevation of Grade II listed Broomstick Cottage, 28 The Cotes, Soham.

She asked Members to disregard an email sent to them by the Agent that morning since it was sent after the Committee's update deadline and all Members may not have had equal chance to consider it. She also clarified that the Ward Councillor comments on page 4 of each report were in fact Cllr Bovingdon's comments; he had called in the application but was not the Ward Councillor. She informed Members that Christopher Partrick, Conservation Officer, was also in attendance should they have any questions regarding the heritage aspects of the application.

Molly Hood showed various site photographs and maps as well as providing some site history. The property was a Grade II listed building situated outside the development envelope of Soham. The application sought permission for the construction of a single storey side extension forming a kitchen with a glazed link between the existing south-west gable and the main bulk of the extension. A modern extension on the north-east elevation had been previously built following planning approval in 2006.

The main considerations for the application were deemed to be:

- **Residential Amenity** – the site was not closely related to any neighbouring properties and the location of the proposed extension was not considered to create any harmful impacts on residential amenity.
- **Visual Impact** – the proposed extension would dominate views of the existing dwelling from the site entrance and, together with the existing extension on the north-east elevation, would overpower the original dwelling such that it would no longer remain clearly legible. The proposed extension was not considered to be sympathetic to the form and proportions of the original dwelling. Visual harm was considered to occur from the cumulative impact of adding a further extension to the original dwelling.
- **Heritage Asset** – the principle of development on the south-west elevation was considered to lead to harm through the dominance and sandwiching impacts of the structure. The addition of a glazed link between the gable end of the dwelling and the main bulk of the extension was not considered to overcome this issue. No historic fabric would be lost but there would be

an architectural impact from the proposal. The two storey extension permitted in 2006 was considered to have provided the additional accommodation necessary to ensure the viability of the building as a residential dwelling without the need for the further proposed extension. The proposal was therefore considered to cause substantial harm to the listed building, failing to preserve or enhance the significance of the building or be compatible with the character, architectural integrity, and setting of the listed building.

- **Trees** – one tree would need to be removed from the site but no trees would need to be removed from the boundary vegetation. The Trees Officer had advised that a condition for tree protection measures should be considered for the boundary trees if the application was approved.

In summary, applications 21/00208/FUL and 21/00209/LBC were both recommended for refusal due to the visual harm that would occur to the character and appearance of the building since the extension would result in the original dwelling being overpowered and sandwiched between modern additions. The impact on the setting of the listed building would fail to preserve, enhance or make a positive contribution to the heritage asset.

On the invitation of the Chairman, Lorraine King (Conservation Consultant) spoke on behalf of the applicants and made the following points:

- She had been the Council's Conservation Officer from 2009 until three years ago and had been involved with the property for a number of years.
- The current owners had purchased the property in 2006 when it was uninhabited and semi-derelict and had since undertaken extensive work to repair and restore it.
- There were very few architectural features left within the building, so its significance as a listed building lay in its historical interest. It was not felt to be a unique example of its type in the area and there were better examples locally.
- She referred to an appeal decision she had been involved with as an East Cambs Officer in which the Appeals Inspector and the PPG were clear that substantial harm to a heritage asset was a very high test and rarely happened. She said that, contrary to the Officer's assessment, the cumulative impact was not the correct way to assess this. The additional harm caused by the proposed new extension was considered to be minimal.
- The glazed link provided a clear separation and was an established idea for separating the historic and new elements. The dimensions of the extension would also mean it was clearly subservient to the listed building.
- The gable end was not a principal elevation and was set well back from the highway and screened by vegetation.
- Other options for accommodating the owners' needs had been examined but were not viable and their health and mobility issues were inhibiting their use of the existing building, particularly the first floor, so the proposed extension would provide a functional and accessible kitchen for their long term use.
- The proposed extension would sustain and preserve the historic character and special interest of the listed building.

Cllr Brown asked Lorraine King if the owners had considered getting the building de-listed. She replied that they had always tried to do the right things for the building and had not explored the idea of de-listing it.

Before inviting Members to ask questions of the Officers, the Chairman invited Christopher Partrick, Conservation Officer, to provide some comments. He summarised that the building was a late addition to the listed buildings register, having been added in 2005, as a historic building of some significance. Part of its character was that it was a small traditional thatched fenland cottage. The extension that was granted in 2006 was agreed as it was considered necessary to facilitate the long term use of the property. Due to the building's character, he disagreed with the applicants regarding the assessment of cumulative impact since, with a small original building, it was easy to tip the balance with multiple small additions. Although the tactic of using a glazed link did work in some cases, he didn't consider it appropriate for a humble or functional building such as Broomstick Cottage and the principle of the location and scale of the proposed extension was the main issue, rather than its design.

Cllr Trapp asked the Planning Officer about the reference in her report to the earlier extension being used as a games room. Molly Hood replied that this was its original use, but that it was currently being periodically used as a bedroom.

Cllr Ambrose Smith suggested to the Conservation Officer that the kitchen needs of the occupants should override the concerns of a glass corridor. Christopher Partrick replied that the listing of buildings existed in order to exert a degree of public control over some private properties, and that not all buildings were infinitely adaptable. Cllr Jones questioned whether it could be argued that the sandwiching of the original building between two modern additions actually framed and enhanced it, and asked about the extent of the renovations in terms of it being considered an original building. The Conservation Officer reiterated that the cumulative impact of the two extensions would risk the additions being larger than the original building, and explained that although the gable end was of modern construction it was in the position of the original 17<sup>th</sup> Century gable.

The Chairman then opened the debate.

Cllr Schumann commented that he believed the extension to have been sensitively considered and designed in such a way as to enable the occupants to continue to live there, as well as ensuring its functionality for future occupants. Given that the current and former Conservation Officers for the Council were disagreeing professionally, it was clear that the issues were subjective and he therefore proposed approving the application, against the Officer's recommendation. Cllr Ambrose Smith seconded the motion. Cllr Downey also agreed that it was subjective whether the extension would do harm, especially in view of the fact that the building already had an extension and was therefore not perfectly preserved, and stated that in his view making a listed building more accessible to more people would be a positive step.

Cllr Brown considered the key issue to be that the building was listed. In his view, if it was worthy of being listed then the second extension was a development too far and he would therefore agree with the Officer's recommendation to refuse the application. Cllr Wilson agreed with that assessment and offered to second his proposal.

Cllr Jones expressed indecision since he did not agree that the proposal damaged the building and it was important to have homes suitable for modern society rather than museum pieces. Cllr Stubbs agreed that museum pieces were not the ultimate aim, but there were few listed buildings in the area and it was therefore important not to make changes of a scale that caused harm. Cllr Trapp also agreed

with the importance of buildings being fit for purpose, but supported the Officer's recommendation due to the listed status of the property. He reminded Members of the importance of considering the building not the occupants, and referenced the previous agenda item proposing to extend a fairly modern building which had been refused due to being visually intrusive; these applications referred to a much older building which was listed and worthy of more protection.

Andrew Phillips, Planning Team Leader, reminded Members that even if they did not agree on the assessment of "substantial" harm, the NPPF was quite clear that refusal should still be recommended unless the benefits to the public (as opposed to the occupants) outweighed the harm to the building.

Cllr Hunt commented that some people were born and bred in an old building and lived there for a long time over generations, sometimes 30-50 years or even 100 years in the same family, but the buildings lasted for hundreds of years. The purpose of listing buildings was to preserve them for the future. There were very few listed buildings within the District so care was needed; listed buildings had both benefits and restrictions.

Following consultation with Officers, the Chairman confirmed that applications 21/00208/FUL and 21/00209/LBC would be decided simultaneously rather than in separate votes.

Members then voted on Cllr Schumann's motion, seconded by Cllr Ambrose Smith, to approve the applications on the basis that the extension would not have a significant impact on the listed building and therefore the public benefit would be that the building would be more accessible and usable for future occupants, so the building would be preserved by the addition. The motion was lost with 4 votes in favour, 7 against, and no abstentions.

Cllr Brown's motion, seconded by Cllr Wilson, to support the Officer's recommendation was then put to the vote and carried with 7 votes in favour, 3 against and 1 abstention.

It was resolved:

- 1) That planning application ref 21/00208/FUL be REFUSED for the reasons detailed in paragraph 1.1 of the Officer's report.
- 2) That planning application ref 21/00209/LBC be REFUSED for the reasons detailed in paragraph 1.1 of the Officer's report.

## **91. PLANNING PERFORMANCE REPORT – FEBRUARY 2021**

Andrew Phillips, Planning Team Leader, presented report V170, previously circulated, summarising the Planning Department's performance in February 2021.

He highlighted that the department continued to meet or exceed their performance targets in almost all areas despite the ongoing high workloads. He informed Members that costs had been awarded against the Council in the appeal hearing against non-determination on application 16/01121/FUM (land north of 190 Wisbech Road, Littleport). Counsel's opinion had been sought regarding challenging the costs and the conclusion was that, although the decision could be considered harsh, it was legally sound and therefore the awarding of costs against

the Council was reasonable. He also drew Members' attention to two appeal dates noted in the Additional Information.

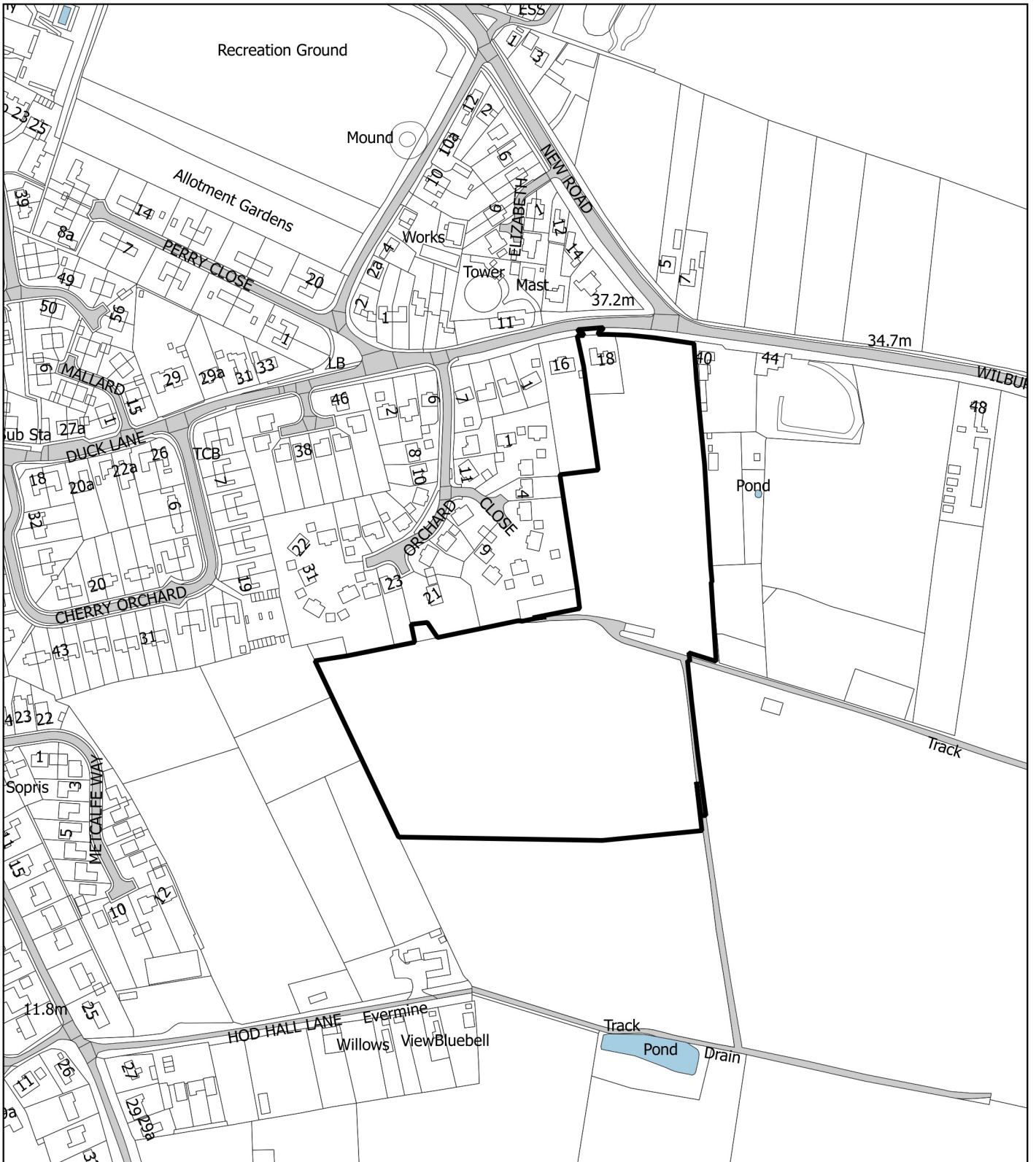
The Chairman and Cllr Schumann both urged Officers to consider how rare lost cases were for this Council and to therefore not be disheartened. Cllr Trapp asked if the appeal hearings in May would be conducted remotely or in-person and the Officer responded that they were currently expecting them to remain virtual.

Cllr Schumann suggested that a line graph of the data from the first table would be useful to include in the report, if possible, since it would identify longer term trends of peaks and troughs of activity as well as facilitating comparison with previous years.

It was resolved:

That the Planning Performance Report for February 2021 be noted.

*The meeting concluded at 5:25pm.*



20/00996/OUM

Land South Of 18  
Wilburton Road  
Haddenham



East Cambridgeshire  
District Council

Date: 19/04/2021  
Scale: 1:3,500



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**MAIN CASE**

**Reference No:** 20/00996/OUM

**Proposal:** Proposed outline application for residential development for up to 70 dwellings and the demolition of 18 Wilburton Road (all matters reserved except for access)

**Site Address:** Land South Of 18 Wilburton Road Haddenham  
Cambridgeshire

**Applicant:** Land Allocation Ltd

**Case Officer:** Angela Briggs Planning Team Leader

**Parish:** Haddenham

**Ward:** Haddenham  
Ward Councillor/s: Gareth Wilson

**Date Received:** 31 July 2020      **Expiry Date:** EOT Requested

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**Report Number W7****1.0 RECOMMENDATION****1.1** Members are recommended to REFUSE for the following reasons:

1. The proposed development is located within the countryside outside the defined settlement boundary of Haddenham, where new development is strictly controlled. The construction of up to 70 dwellings in the countryside does not meet any of the defined exceptions within Policy GROWTH2 and would therefore give rise to an inappropriate development with no justification to override the normal presumption against development in the countryside. As such it is contrary to adopted East Cambridgeshire Local Plan 2015 Policy GROWTH2 and the National Planning Policy Framework, which seek to protect the countryside and the setting of towns and villages.
2. Haddenham is one of the highest points in the Fens and the application site sits at a key vantage point in the District. From this part of Haddenham, there are attractive and locally valued views from the ridge down across the Fens to Cambridge, and the site takes in part of this existing vista. This is a highly distinctive landscape in the local area and is an important part of the setting, not only of Haddenham, but also of the Isle of Ely. The open and attractive vista also forms an important gap between Haddenham and Wilburton, with the highway between the two running along the top of the ridge.

Due to the existing landscape features, the topography of the area and the position of the public highways, the proposed scheme will result in a development which would not positively contribute to the character of Haddenham and would give rise to adverse landscape effects. The proposed development would create another cul-de-sac development on the edge of the village which is poorly connected and, given its indicative form and layout, would not create a distinctive addition to the village nor retain open rural views. This is not a hard edge, but a transitional zone, which provides an attractive setting for the village and is part of a locally valued landscape. The proposed development would therefore be contrary to Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan, 2015. It would also be contrary to guidance contained within paragraph 170 of the NPPF which states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, and conflict with the principles of Chapter 15 of the NPPF 'Conserving and enhancing the natural environment'.

## 2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks outline planning permission for up to 70 dwellings and the demolition of no.18 Wilburton Road. Approval is sought for means of access only, with all other matters such as appearance, landscaping layout and scale, reserved.
- 2.2 The site is roughly an 'L-shaped' and covers an area of 4.14 hectares (10.23 acres) and is situated outside of the development envelope. An indicative site layout plan accompanies the application which indicates some landscaping and SuDs features and open space areas within the site. The plan also shows an indicative housing layout of how the site could be developed. The proposed access would be formed following the demolition of no.18 Wilburton Road.
- 2.3 The planning history of the site consists of two main applications for this site which are outlined below in section 3. Ref: 14/00130/OUM was an outline proposal for up to 100 dwellings (all matters reserved except for access). The application was refused by Planning Committee for 4 reasons in relation to: Unsustainability of the site, landscape visual impact, impact on archaeology and lack of foul water drainage details. Please refer to **Appendix 1** for a copy of the decision notice. A further application was submitted in 2019, Ref: 19/00214/OUM which was an outline application for up to 110 dwellings, with all matters reserved, except for access. This application was also refused by the Planning Committee for 5 reasons in relation to: Landscape visual impact, highway safety, impact on biodiversity, impact on existing Primary Health Care, and failure to provide 5% self-build properties. Please refer to **Appendix 2** for a copy of the decision notice and full details of the reasons for refusal.
- 2.4 The application is accompanied by the following documents:
- Design and Access Statement
  - Planning Supporting Statement
  - Landscape and Visual Impact Assessment
  - Arboricultural/Tree Impact Assessment
  - Flood Risk Assessment (plus Addendum)

- Contaminated Land study/Groundsure data
- Utilities Statement
- Transport Assessment
- Biodiversity Net Gain/Ecological Assessments
- Statement of Community Involvement
- Open Space Assessment
- Odour Assessment
- Draft Heads of Terms (S106)
- Foul Sewerage Assessment
- Affordable Housing Statement
- Archaeological Evaluation Report
- Tree/Hedgerow Survey Report
- Protected Species reports

2.5 A Social, Economic and Environmental Benefits Statement was submitted in February 2021, following consultee comments which seeks to set out an analysis and benefits of the proposed housing development, in accordance with the NPPF Paragraph 11 (d) part ii in the context of the *'tilted balance'* as to whether *"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole"*. This document was sent out for re-consultation and will be covered in more detail within this report.

2.6 The application is being brought to Planning Committee as the scheme is proposing up to 70 dwellings, in accordance with the Council's Constitution.

2.7 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

14/00130/OUM	Outline application for up to 100 residential units with all matters reserved except for means of access	Refused – 7 <sup>th</sup> August 2014
19/00214/OUM	Residential development for up to 110 dwellings	Refused – 8 <sup>th</sup> November 2019

### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located on the south eastern edge of Haddenham on land outside the development envelope. The site lies to the south of Wilburton Road (A1123), from which a single vehicular access is proposed.

4.2 The 'L-shaped' site covers an area of 4.12 hectares (10.23 acres), and is predominantly arable farm land, classed as Grade 2 in the National Agricultural Land Classification, comprising two field parcels separated by a farm access track. There is an agricultural barn on the site between the two parcels of land. The site

also includes no.18 Wilburton Road, a detached two storey dwelling, which is proposed to be demolished as part of the proposal in order to facilitate the new access. Part of the site (southern part) is situated within the Water Treatment Works Safeguarding Area.

- 4.3 The site does not have any local or national ecological designations and there are no registered public rights of way crossing the site or running along the boundaries. The site is situated within Flood Zone 1 and it is in an area of groundwater vulnerability.
- 4.4 The site sits on a ridge and the land falls away to the south. There are existing trees and hedges along parts of the eastern and western boundaries as well as the northern boundary with Wilburton Road. However, within the site itself, there is little in the way of hedges or trees.
- 4.5 The majority of the surrounding land to the north east and south is undeveloped agricultural land, with some scattered residential dwellings and other buildings. Immediately to the west is no.16 Wilburton Road, a single storey dwelling, with Orchard Way and the adjoining Pear Tree Close, also to the west of the site.

## 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.

### 5.2 **Design Out Crime Officers - 19 August 2020**

I have viewed the documents in relation to crime, disorder and the fear of crime and have searched the Constabulary crime and incident systems covering Haddenham for the last 2 years and would consider this to be an area of low risk to the vulnerability to crime at present. Relevant crimes recorded for this village during the above period are listed below: -

2 x dwelling burglary  
11 x vehicle crime (10 theft from and 1 theft of)  
28 x criminal damage offences  
3 x drug offences  
64 x anti-social behaviour incidents

There is mention in the Design and Access statement of NPPF para 127 sub-para f which states that policies and decisions should ensure that developments: - Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

There is also a section headed Design out Crime on page 52 of the Design and Access statement.

While this is at an early stage of development it is important that security and crime prevention are considered and discussed at the earliest opportunity to ensure that the security of buildings, homes, amenity space and the environment provide a safe place for residents and visitors. With this in mind our office would be happy to discuss

Secured by Design and measures to reduce the risk to vulnerability to crime when there is more context to the design and layout, prior to a reserved matters application.

5.3 **The Ely Group of Internal Drainage Board - No Comments Received**

5.4 **Strategic Planning - No Comments Received**

5.5 **ECDC Trees Team - 3 September 2020**

There are no trees of significance within the main body of the site as it is under agricultural management, therefore any trees are within the boundary hedges or small 'copses'.

The arboricultural report identifies that there are no 'A' category trees, mainly 'B' and 'C' grade with nothing of note being removed. There is scope within the proposed layout for a robust landscaping scheme to be implemented through applying a landscaping condition.

There are no arboricultural reasons to object to this application.

5.6 **Cambs Wildlife Trust - 2 October 2020**

I have reviewed the spreadsheet for Biodiversity Net Gain (BNG) and would concur with the calculations made within. I am satisfied that the net gain figure is an accurate reflection of what is likely to be realised at the site (but see comments below in relation to habitats for great crested newts).

The bat surveys completed at the site are adequate and I particularly welcome the completion of the surveys by adequately experienced and qualified bat surveyors.

However, I query the absence of any great crested newt (GCN) surveys and the lack of provision of suitable compensatory habitat, especially as the Preliminary Ecological Appraisal report states:

As GCN have been recorded within the local area, and the Site is functionally connected to a waterbody 130 m away which was assessed to provide good habitat for breeding, further survey works will be necessary to establish the presence or likely absence of GCN at the Site.

If ponds were not accessible for eDNA sampling or bottle trapping/torch surveys then onsite terrestrial surveys could have been carried out to attempt an assessment of presence/absence within the terrestrial habitats that will be lost. As the suitable terrestrial habitat will be lost to development I am unclear how impacts on this species can be addressed in the absence of survey data and would say that this is definitely not in accordance with best practice.

However, given the situation we find ourselves in, my comments would be as follows:

- The Protected Species Mitigation report states 'the proposed development will result in reduced foraging and sheltering opportunities, increasing predator exposure and the likelihood of unsuccessful hibernation' And so clearly this needs to be adequately addressed, perhaps by the temporary retention of some of the existing ruderal habitat and provision of suitable hibernacula with

scrub cover. Whilst I would agree that, over time, the new grassland may provide some suitable foraging habitat, firstly, this will take time to become suitable and also, it does not deliver compensatory hibernation habitat which will be lost when spoil piles, dense scrub and possibly also Building 1 is removed. The problem with devising mitigation plans in the absence of survey data is that a precautionary approach is required. We would suggest that an updated landscape plan incorporating GCN precautionary mitigation measures should be produced (with associated documents such as the Protected Species Mitigation report also updated). An updated BNG assessment may be necessary should the revised landscaping plans significantly change the balance of habitats. I would be happy to take a look at revised plans for GCN habitat, if you feel that would be helpful.

- If any great crested newts are found on the site at any stage, then the works must halt and Natural England be contacted. The Protected Species Mitigation Strategy report is, in my opinion, too weak on its stance in this regard; given the lack of surveys and therefore a lack of understanding of the numbers of newts that could be present on the site, I would say that contacting Natural England should be the first response.
- The Protected Species Mitigation Strategy report and accompanying plans should be amended and then, when these are satisfactory, I would recommend that the measures within the report be subject to condition, should you be minded to grant planning permission. These should be pulled into a new report (such as a Construction Environmental Management Plan, or similar) that provides an instruction manual for how to proceed, for example 'trenches will not be left uncovered overnight' rather than the current wording ' it is recommended that no excavations or trenches are left uncovered overnight during development works'.

It is surprising that reptiles were ruled out from the site assessment as the ruderal, scrub and hedgerow habitat appeared potentially suitable. Measures for ensuring no reptiles are killed or injured would be similar to those for newts and so they two can be covered at the same time in the precautionary approach to site clearance, but I would suggest that reptiles be included in the site toolbox talk and accompanying plan/report. The protected species mitigation strategy will also need to be updated accordingly.

The implementation of the Biodiversity and Ecological Management Plan (BEMP) should also be included as a condition, should you be minded to grant planning permission. The report says that 'monitoring (of created grassland habitat) will be undertaken as part of general Site maintenance. If germination of grassland species is poor, this will be reviewed and re-seeded as appropriate in the next available planting season. It is unclear how general site maintenance would determine whether the grassland is succeeding in its aims or not, and I would suggest some guidance sheet should be produced and then supplied to maintenance staff, such that they can determine if there is an issue or not, and what to do to remediate. I would suggest that more detailed guidance is supplied within the BEMP to set out how habitats will be monitored and maintained in the long-term.

**Cambs Wildlife Trust (following further information) - 3 November 2020**

I have reviewed the updated PSMS and BEMP. I am happy with the approach to newts in the PSMS now that it includes for hibernacula and brush piles.

With regards to the BEMP, my final outstanding comment is to ask that for the grassland creation section, a commitment to producing a detailed guidance sheet will be produced, which sets out details for the management and monitoring of the grassland, and including what remedial action can be undertaken if it is not developing as expected. This is really important, otherwise we end up with areas of grassland that promise so much but after a few years may not deliver. I feel a commitment to this aftercare needs to be set within the BEMP so that it is taken forward to the detailed stage of the development, and not forgotten.

Please do also feed back to the ecologists that overall I thought the BEMP was good and I hope it can deliver some really good habitats for the residents (another time, it would be good to consider information leaflets for new residents, telling them about the habitats that have been created on their doorstep, why there are holes in their fences etc).

**5.7 Lead Local Flood Authority - 21 September 2020**

At present we **object** to the grant of planning permission for the following reasons:

**1. Inappropriate discharge rates**

Option B proposes to discharge surface water into the Anglian Water surface water sewer inside the western boundary of the site at a rate of 5 l/s during all events up to and including a 1 in 100-year storm event plus a 40% allowance for climate change. However, the QBAR greenfield runoff rate has been calculated as 3.8 l/s.

As outlined in paragraph 6.3.6 of the SPD, all new developments on greenfield land are required to discharge the runoff from impermeable areas at the same greenfield runoff rate, or less than, if locally agreed with an appropriate authority or as detailed within the local planning policies of District and City councils.

The applicant has not demonstrated that the peak discharge rate for all events up to and including the 1% Annual Exceedance Probability (AEP) critical storm event, including an appropriate allowance for climate change, will not exceed that of the existing site. This may increase the flood risk on site and in surrounding areas. Anglian Water are increasingly open to accepting discharge rates lower than 5 l/s in line with the latest Design and Construction Guidance (DCG), particularly when the development incorporates SuDS to provide surface water treatment and the self-cleaning velocity requirement is no longer applicable.

**2. Evidence of Anglian Water agreement required**

According to Section 6.2 of the Flood Risk Assessment, Anglian Water have accepted discharge into their surface water sewer in principle. However, evidence of this in principle agreement has not been provided.

**Lead Local Flood Authority (following further information) - 14 October 2020**

Thank you for your re-consultation which we received on the 2nd October 2020. We have reviewed the following documents:

- Flood Risk Assessment - Addendum For Lead Local Flood Authority, Flood Risk UK. Dated: September 2020.
- Flood Risk Assessment, Flood Risk UK. Dated: June 2020.

Based on these, as Lead Local Flood Authority (LLFA) **we can now remove our objection to the proposed development.**

The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving and a series of swales and attenuation basins. Surface water will then either infiltrate into the ground (subject to BRE DG 365 infiltration testing) or discharge into the Anglian Water surface water sewer at 3 l/s during a 1 in 1-year storm event, and 5 l/s during the 1 in 30 year and a 1 in 100 year (plus a 40% allowance for climate change) storm events.

The LLFA is supportive of the use of permeable paving, swales and attenuation basins as in addition to controlling the rate of surface water leaving the site they also provide water quality treatment.

The site is located entirely within flood zone 1 and is at very low risk to surface water flooding.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

We request conditions are imposed in relation to a surface water drainage scheme and long term maintenance arrangements.

5.8 **Cadent Gas Ltd** - No Comments Received

5.9 **Anglian Water Services Ltd** - 15 September 2020

No objection.

#### Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

#### Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Haddenham Water Recycling Centre that will have available capacity for these flows

### Section 3 - Used Water Network

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

### Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

## 5.10 **CPRE** - 29 October 2020

CPRE Cambridgeshire & Peterborough **objects strongly** to this application for the following reasons (summarised):

- Contrary to the Local Plan – the proposed site is not listed as a potential development site in East Cambs Local Plan, 2015.
- Sustainability - the site is unsustainable and will add further pressure on the locality and existing infrastructure.
- Health Services – Impact on the existing Primary Health Care service
- Traffic and Pollution – Impact on traffic congestion and highway safety and consequently air quality
- Landscape – Impact on the wider landscape setting of the village and the Haddenham ridge.
- Best and Most Versatile Land – impact on Grades 2 and 3a quality agricultural land
- Sustainability and Sea Level Rise – Impact on global warming and the risk of turning the Isle of Ely into an Island again
- Speculative Development – This is the third time an application has been made at this site, the previous applications in 2014 and 2019 having been soundly rejected by the Planning Committee.

## 5.11 **Cambridgeshire Fire and Rescue Service** - No Comments Received

## 5.12 **Parish Council** - 3 September 2020

The Parish Council met yesterday evening to consider the above application. It was resolved to recommended outright refusal and submit the following comments in addition;

- Paragraph 170 of the NPPF states that developments should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Haddenham is one of the highest points in the Fens and the view across the ridge at the top of the development is highly distinctive. The view across the Fen to Cambridge is highly valued by local residents and also forms an important gap between the settlements of Haddenham and Wilburton.
- The site sits in open countryside and, contrary to Policy Growth 2 of the East Cambridgeshire Local Plan 2015, there is no justification to override the usual presumption of refusal of such applications.
- The proposal would be visually intrusive and would cause demonstrable harm to the character of the rural landscape. It's setting within the countryside would be contrary to the requirements set out by Policies ENV1 and ENV2 of the Local Plan.
- The proposed development would result in significant adverse effects on the setting of the village, contrary to ENV1 of the Local Plan 2015. The site sits within a transitional zone between the two villages and to develop a "hard edge" here would be completely uncharacteristic to this part of the village.
- The site sits outside of the development envelope, Haddenham can demonstrate adequate housing supply elsewhere and this site is simply not appropriate; it is damaging and not required.
- A Neighbourhood Plan is currently in progress and the first stage of consultation with residents is complete. Approving this application seriously undermines the work done to identify suitable housing land supply within the Parish.
- A development of this scale would result in an unsustainable amount of residential development for the area; especially when the sites already given permission to within the Parish are taken into account too.
- This proposal is sited on the village extremity with no connection to the rest of the village and as such would be difficult to regard as integrated.
- The limited employment opportunities within the village, coupled with very limited public transport serving the village, would force more commuters onto the already congested local roads.
- In relation to the above point, there is already a significant pollution problem along the A1123 through Wilburton, as many commuters make their way into Cambridge each day.
- The proposal will result in a loss of residential amenity to neighbouring properties.
- There are serious concerns that the visibility at the top of the hill would not be sufficient especially when combined with the existing junction. This would result in a dangerous junction to negotiate and would contravene COM7 of the Local Plan which requires all development to provide safe and convenient access to the highway network.

- There is already pressure upon both the local Doctors Surgery and Primary School. This development fails to mitigate against the impact on these services and therefore does not comply with Policy Growth 3 of the Local Plan.
- There has been no consultation with local people at all.
- There are concerns that the bottom of the development would be prone to flooding; the land here lies very wet.
- The National Planning Policy Framework seeks to retain high quality agricultural land. The land here is of very good quality and should be protected for future generations.
- The foul water system that serves this part of the village is already overworked and during the winter months regularly overflows.
- It should be noted that a very similar application at this site was refused in 2014 and 2019 and that the 2014 appeal was withdrawn by the applicant. At that time, the District Council were without a 5-year land supply.
- The Council consider that these adverse effects would significantly and demonstrably outweigh any positives the development would bring to addressing the housing shortfall.

**Parish Council (following additional information) - 8 April 2021**

The Council met to consider the Amendment to the above application yesterday and it was agreed that that outright refusal continue to be recommended, and the following comments be returned to the Planning Officer;

In relation to the new Benefits Statement:

- The entire document is based upon the "tilted balance", and with the present 7-year land supply ECDC can demonstrate, "tilted balance" does not apply. Although the move to a 7-year supply is recent (Addendum to Five Year Land Supply Report - Published 1st March 2021), it should be noted that the Benefits document is dated February 2021 when ECDC had confirmed a 6-year land supply. (Five Year Land Supply Report - Published 18th December 2020).
- The benefits statement contains a number of inaccuracies and errors throughout.

The Council concur with the comments below made on 21st October 2020 by Alison Farmer, Landscape Consultant.

"The proposed scheme will result in a development which would not positively contribute to the character of Haddenham and would give rise to adverse landscape effects. The proposed development would create another cul-de-sac development on the edge of the village, which is poorly connected and, given its indicative form and layout, would not create a distinctive addition to the village nor retain open rural views."

The Council also wished to reaffirm the comments made previously (As stated above)

The Council consider that these adverse effects would significantly and demonstrably outweigh any positives the development would bring to addressing the housing shortfall which does not in fact exist.

5.13 **Local Highways Authority - 07 September 2020**

The highways authority **objects** and would recommend refusal for the following reasons:

1. The application is not supported by sufficient highway information to demonstrate that proposed junction arrangement is laid out and designed to the correct guidance and highways authority standards

The proposed development access is in the close proximity of a junction with a busy A Classified Road. There has been no road safety audit provided with this Outline application, which is for access only. This is required by both the planning and highways authority to demonstrate safe means of access can be achieved. This road safety audit must either be completed by CCC or reviewed by a CCC prior to the determination of this application.

2. The application is not supported by sufficient highways Transport Assessment information to demonstrate that the proposed development would not be prejudicial to the satisfactory functioning of the highway or highway safety

I am unable to determine the queue lengths that would be caused with the junction with the information submitted. Therefore, I cannot accurately assess the impact on highways safety or if it would be detrimental to the free-flowing nature of the highway, where the principal function is that of carrying traffic freely and safely between centres of population

3. Inadequate pedestrian infrastructure has been proposed to serve the development proposed.

There has been no adequate footways or pedestrian crossing points to desired destinations of the residents of the development. If permitted in its current form this would be detrimental to highways safety

4. The application is not supported by sufficient highway and transport information, including dimensions, gradients/ levels, or vehicle tracking to demonstrate that the proposed development would not be prejudicial to conditions of highway safety.

**Additional Information**

The site lies immediately adjacent to the A1123 Principal Distributor Road, the primary function of which is carrying traffic freely and safely between centres of population. Should the proposed junction arrangement be permitted without the proper and necessary audits, it is likely that it will have a negative and adverse impact on the primary route and to the detriment to highway safety.

**Local Highways Authority (following further information) - 26 October 2020**

After a review of the submitted information I can confirm that my concerns and the issues previously raised have not been overcome. As such my objection and recommendation for refusal remains.

**Local Highways Authority (following further information) - 11 March 2021**

This is acceptable and now resolves all of the issues in the Road Safety Audit raised. Subject to the relevant and appropriate conditions **my objections have been overcome.**

**5.14 County Highways Transport Team - 10 September 2020**

The document reviewed is the Transport Assessment dated July 2020 produced by Newell Edwards Ltd. The proposals comprise the erection of up to 70 dwellings on the land south of 18 Wilburton Road, Haddenham.

Transport Assessment Review

**Accessibility**

The site is situated within acceptable walking and cycling distance to key facilities and amenities.

The existing pedestrian network in the site vicinity is not considered satisfactory to accommodate the development. It comprises a narrow 1.1m to 1.3m wide footway on the northern side of Wilburton Road which currently terminates at the junction with the A1123 whilst no footway infrastructure is present on the southern side of Wilburton Road between the Wilburton Road/A1123 junction and the Wilburton Road/Orchard Way junction. A narrow footway of 1.0m to 1.2m in width is present on the northern side of New Road in the vicinity of the A1123/New Road/Wilburton Road junction. It is noted that there is no footway infrastructure available on the southern side of New Road between the A1123/New Road/Wilburton Road junction and the New Road/Elizabeth Way junction or pedestrian crossing points in this vicinity to enable pedestrian access to New Road from the site. It is noted the development proposals comprise improvements to the surrounding pedestrian network in the form of a 2m wide footway from the junction with the A1123 to the junction with Elizabeth Way. The applicant should clarify whether such footway improvements are proposed on the southern side of New Road or Wilburton Road as this is not made clear as no plans have been submitted showing the proposed works. Furthermore, the applicant should undertake a highway boundary search to demonstrate such improvements can be delivered. Safe and satisfactory pedestrian infrastructure is crucial given the location of the site within acceptable walking distance to key sites such as Haddenham Pre-School and Robert Arkenstall Primary School.

It is noted there are no specific cycle facilities within the vicinity of the site. Cyclists are currently anticipated to use on-road routes.

The closest bus stops to the site are situated c60m northwest of the site access junction on either side of New Road. It is noted the eastbound bus stop comprises a flag and pole and timetable information, whilst no infrastructure is present at the westbound stop. Two further bus stops which facilitate an additional service are located on Wilburton Road c150m west of the site access junction. The stops comprise a flag and pole at the westbound stop, whilst no infrastructure is present at the eastbound stop. Bus stop infrastructure improvements are required. As previously noted, there are deficiencies to the existing pedestrian infrastructure providing access to the existing bus stops on New Road and Wilburton Road.

The bus stops on New Road serve the Citi 8 and Citi X8 services. The Citi 8 and Citi X8 services both comprise 1 service per day in each direction between March and Cambridge via Histon and Cottenham. The bus stops on Wilburton Road serve the Ely Zipper service which comprises an hourly service between midday and the peak periods between Witcham and Ely.

### **Existing Road Network**

The description of the surrounding highway network is agreed.

Traffic surveys undertaken on Wednesday 26th June 2019 between 07:00 and 10:00, and 15:00 and 19:00 for the following junctions have been used within this assessment:

- The Green/Station Road/Hop Row/High Street staggered crossroads
- Orchard Way/Wilburton Road priority junction
- New Road/Wilburton Road/A1123 junction

Full survey outputs should be submitted for the Highway Authority to review in order to accept the survey data used within the assessment.

The speed surveys undertaken on New Road on the 30mph stretch circa 50m northwest of the New Road/Wilburton Road/A1123 junction on Monday 22nd July 2019 between 16:30 and 17:00 are acceptable for use. It is noted the general speeds on the A1123 past the site are slightly above 30mph.

### **Accident Data**

Accident data obtained from the CrashMap has been used within this assessment. This is not acceptable for use within this assessment. As per our Transport Assessment Requirements (2019), the latest 60 months accident data should be obtained from the County Council via: [business.intelligence@cambridgeshire.go.uk](mailto:business.intelligence@cambridgeshire.go.uk). CrashMap does not provide the latest available data. Full CCC outputs should be provided.

### **Development Proposals**

The development proposals comprise the erection of up to 70 dwellings with a new access proposed off Wilburton Road in the form of a priority junction with 2m wide footways situated on either side.

Both car and cycle parking provision are anticipated to accord to the parking standards outlined within the East Cambridgeshire Local Plan (2015).

Site access, servicing, and internal layout details should be agreed with Highways Development Management who will provide separate comments.

### **Trip Generation**

The development is anticipated to generate 41 two-way vehicular movements in the AM peak and 47 two-way vehicular movements in the PM peak. This is not agreed. TRICS software has been used to determine vehicle trip generation for the site. Whilst it is noted Irish and Greater London sites have been excluded from the TRICS analysis, it should also be noted that the Highway Authority do not accept Greater Manchester sites within the analysis as such sites are not considered to be

representative. To provide a robust trip generation assessment and to determine the multi-modal trip generation for the development, the applicant should calculate the TRICS 'total-person' trip rates in conjunction with 2011 Census mode share data for the East Cambridgeshire 005 MSOA as per the methodology set out within our Transport Assessment Requirements (2019).

### **Trip Distribution**

The assignment of development traffic onto the surrounding highway network is not agreed. Whilst use of 2011 Census data to help inform the development trip distribution is agreed by providing the likely origins and destinations of development trips, it is not made clear within the assessment how development trips have been assigned onto the local network. The Highway Authority consider more development traffic heading to/from westbound is anticipated to use the staggered crossroads in Haddenham. Therefore, further information is required. Subject to the outcome of the revised trip assignment, the traffic flow diagrams should be further extended to consider the Stretham Road/Twenty Pence Road junction. Furthermore, whilst the trip distribution may have been agreed as part of the previous application for the site, it should be noted the Highway Authority reviews applications on a site by site basis using the evidence provided to us and does not make agreements based what was previously accepted. Additional information is required.

### **Traffic Impact Analysis**

The committed development included within the assessment is agreed. The assessment year scenarios examined within the assessment are acceptable for use.

The TEMPRO Growth Factors used within the assessment are agreed.

The impact of development traffic on the surrounding highway network cannot be determined until such a time as the baseline surveys, trip generation, and trip distribution are agreed.

The applicant is advised to include the Hop Row/High Street/The Green/High staggered crossroads within the junction capacity analysis.

Junction modelling should be undertaken using a DIRECT profile type as per our Transport Assessment Requirements (2019) as this will give the most accurate results and does not rely on assumptions to be made.

### **Mitigation Strategy**

At this stage it is not possible to determine what mitigation is needed to make the development acceptable. Once the full impact of the development is known, mitigation measures can be assessed.

### **Welcome Travel Packs**

Welcome Travel Packs should be submitted alongside the application as per our Transport Assessment Requirements (2019). These should include details of existing surrounding sustainable travel options as listed within our Transport Assessment Requirements document. The Travel Packs should also comprise incentives such as bus taster tickets and/or cycle vouchers to promote sustainable travel by residents

to/from the site. The Welcome Travel Packs will be subject to a condition should approval be given.

### **Conclusion**

The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development. Were the above issues addressed, the Highway Authority would reconsider the application.

The Highway Authority therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.

**County Highways Transport Team (following further information) - 3 November 2020**

These comments concern the additional information submitted by the applicant in response to the County Council's comments date 10<sup>th</sup> September 2020.

### **Accessibility**

The existing pedestrian network in the site vicinity is not considered satisfactory to accommodate the development. Existing infrastructure comprises a narrow 1.1m to 1.3m wide footway on the northern side of Wilburton Road which currently terminates at the junction with the A1123 whilst no footway infrastructure is present on the southern side of Wilburton Road between the Wilburton Road/A1123 junction and the Wilburton Road/Orchard Way junction. A narrow footway of 1.0m to 1.2m in width is present on the northern side of New Road in the vicinity of the A1123/New Road/Wilburton Road junction. It is noted that there is no footway infrastructure available on the southern side of New Road between the A1123/New Road/Wilburton Road junction and the New Road/Elizabeth Way junction or pedestrian crossing points in this vicinity to enable pedestrian access to New Road from the site. A 2m wide footway is proposed to be delivered on the western side of New Road between the A1123/New Road/Wilburton Road junction and the New Road/Elizabeth Way junction as part of the proposals.

The proposed level of improvement works alone is inadequate to serve the development as it does not facilitate safe and adequate access for all users to key destinations in the village. The improvement works should also comprise suitable pedestrian crossings across Wilburton Road to allow pedestrians to safely access key destinations within the village, widening of the footway on northern side of Wilburton Road within the vicinity of the site to 2m where possible to provide safe access to the new footway proposed by the applicant on the southern side of New Road, and a suitable pedestrian crossing across New Road to link the proposed footway on New Road to the existing footway on the northern side of New Road and the A1123 Haddenham Road. These works are required to both improve access to key locations within the village from the site via sustainable modes and to safely accommodate the development. The applicant should undertake a highway boundary search to demonstrate such improvements can be delivered. Safe and satisfactory pedestrian infrastructure is crucial given the location of the site within acceptable walking distance to key sites such as Haddenham Pre-School and Robert Arkenstall Primary School.

The closest bus stops to the site are situated c60m northwest of the site access junction on either side of New Road. It is noted the eastbound bus stop comprises a flag and pole and timetable information, whilst no infrastructure is present at the westbound stop. Two further bus stops which facilitate an additional service are located on Wilburton Road c150m west of the site access junction. The stops comprise a flag and pole at the westbound stop, whilst no infrastructure is present at the eastbound stop. Bus stop infrastructure improvements are required. Such improvements should comprise a flag and pole with timetable information at the west bound stop on New Road, timetable information at the westbound stop on Wilburton Road and a flag and pole with timetable information at the eastbound stop on Wilburton Road.

### **Existing Road Network**

The traffic surveys undertaken on Wednesday 26th June 2019 between 07:00 and 10:00, and 15:00 and 19:00 are acceptable for use within this assessment.

The traffic flow diagrams are not agreed. The traffic flows in the 'Base 2019 Traffic (PCU)' diagrams do not match the traffic count data obtained from the traffic surveys. The Highway Authority have checked the PCU traffic flow diagrams against the survey data as both PCUs and vehicle counts and neither match the survey data. The 'Base 2019 Traffic (PCU)' traffic flow diagram should be revised in addition to the 'Base 2020 Traffic (PCU) with/without development' and 'Base 2025 Traffic (PCU) with/without development' traffic flow diagrams accordingly.

### **Accident Data**

The latest 60 months accident data obtained from the County Council has been used within this assessment alongside CrashMap data. No accident cluster sites have been identified. This is acceptable for use.

### **Development Proposals**

Site access, servicing, and internal layout details should be agreed with Highways Development Management who will provide separate comments.

### **Trip Generation**

The development is anticipated to generate 41 two-way vehicular movements in the AM peak and 47 two-way vehicular movements in the PM peak. This is not agreed.

The applicant should demonstrate the trip generation used within this assessment is robust. This should be demonstrated by calculating the TRICS 'total-person' trip rates (excluding Irish, Greater London and Greater Manchester sites) in conjunction with 2011 Census mode share data for the East Cambridgeshire 005 MSOA as previously requested by the Highway Authority and comparing the results alongside the trip generation currently included within this assessment. The most-robust trip generation should be used within this assessment.

### **Trip Distribution**

It is noted development traffic has been distributed and assigned onto the surrounding network using 2011 Census origin-destination data. This method is agreed. The distribution and assignment of development traffic onto the surrounding highway network is therefore acceptable for use within this assessment.

### **Traffic Impact Analysis**

The impact of development traffic on the surrounding highway network cannot be determined until such a time as the traffic flow diagrams and trip generation are agreed. It is noted 8.8% of development traffic (4 vehicles) is anticipated to use the Hop Row/High Street/The Green/High staggered crossroads in the peak periods. The Highway Authority are satisfied that this junction does require a capacity assessment.

### **Mitigation**

As part of the development, the applicant has proposed to deliver the following:

A 2m wide footway to be delivered on the western side of New Road between the A1123 Haddenham Road/New Road/Wilburton Road junction and Elizabeth Way. As previously mentioned, the proposed level of improvement works alone is inadequate to serve the development. Therefore, in addition to the above works proposed by the applicant, the Highway Authority request the following off-site highway works are included within the mitigation package for this development:

- Suitable pedestrian crossing points across Wilburton Road to be identified by the applicant
- Widening the footway on northern side of Wilburton Road within the vicinity of the site to 2m where possible to the new footway proposed on the southern side of New Road
- Suitable pedestrian crossing across New Road to link the proposed footway on New Road to the existing footway on the northern side of New Road and the A1123 Haddenham Road
- Installation of a flag and pole with timetable information at the westbound stop on New Road
- Installation of timetable information at the westbound stop on Wilburton Road
- Installation of a flag and pole with timetable information at the eastbound stop on Wilburton Road

The proposals will result in an increase in residents walking to and from the site to Haddenham village centre, the schools within this vicinity, and the nearest bus stops to the site. The above off-site highway works will improve access, amenity and safety for new residents utilising the pedestrian route to these locations via New Road and Wilburton Road which in turn will encourage travel to/from the site to these locations by sustainable modes. Therefore, having reviewed the proposed impacts of the development on the surrounding area, the above off-site highway works are considered essential. Should consent be given, the above works will be conditioned to be delivered by the applicant through a S278 agreement. The above improvements comply with both para's 108 and 110 of the NPPF (2019).

At this stage it is not possible to determine whether further mitigation is needed to make the development acceptable. Once the full impact of the development is known, mitigation measures can be assessed.

### **Welcome Travel Packs**

Welcome Travel Packs should be submitted alongside the application as per our Transport Assessment Requirements (2019). These should include details of existing

surrounding sustainable travel options as listed within our Transport Assessment Requirements document. The Travel Packs should also comprise incentives such as bus taster tickets and/or cycle vouchers to promote sustainable travel by residents to/from the site. The Welcome Travel Packs will be subject to a condition should approval be given.

### **Conclusion**

The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development. Were the above issues addressed, the Highway Authority would reconsider the application. The Highway Authority therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.

### **County Highways Transport Team (following further information) - 13 January 2021**

These comments concern the Technical Note dated November 2020 submitted by the applicant in response to the County Council's comments dated 3rd November 2020.

### Transport Assessment Review

#### **Traffic Flow Diagrams**

The traffic surveys undertaken on Wednesday 26th June 2019 between 07:00 and 10:00, and 15:00 and 19:00 are acceptable for use within this assessment. The Base 2019 traffic flow diagrams have been checked alongside the survey data and are acceptable for use.

#### **Development Proposals**

Site access, servicing, and internal layout details should be agreed with Highways Development Management who will provide separate comments.

#### **Trip Generation**

Multi-modal trip generation for the development has been calculated using TRICS 'total-person' trip rates in conjunction with 2011 Census mode share data for the East Cambridgeshire 005 MSOA. Whilst 1 Irish site has still been included within the TRICS analysis, the Highway Authority will accept the trip rates used within this assessment on this occasion given that they look to be robust. The development is anticipated to generate 54 two-way vehicular movements in the AM peak and 46 two-way vehicular movements in the PM peak. This is agreed.

#### **Traffic Impact Analysis**

It is noted 8.8% of development traffic (5 vehicles) is anticipated to use the Hop Row/High Street/The Green/High staggered crossroads in the peak periods. The Highway Authority are satisfied that this junction does not require a capacity assessment.

The site access junction is anticipated to operate within capacity in the future year scenarios. The development is not anticipated to cause detriment to the capacity of the Wilburton Road/A1123 junction.

#### **Mitigation**

The following mitigation package proposed to be delivered by the applicant is agreed:

- A 2m wide footway on the south side of Wilburton Road which will extend along the site frontage
- Tactile paving crossing points on Wilburton Road either side of the site access and a tactile paving crossing point on New Road to the north of the A1123/Wilburton Road junction
- Widening of the existing footway on the north side of Wilburton Road to 2m to tie into the existing footway to the west and the proposed footway to be delivered on the western side of New Road
- A 2m wide footway to be delivered on the western side of New Road between the A1123 Haddenham Road/New Road/Wilburton Road junction and Elizabeth Way
- Installation of a flag and pole with timetable information at the westbound stop on New Road
- Installation of timetable information at the westbound stop on Wilburton Road
- Installation of a flag and pole with timetable information at the eastbound stop on Wilburton Road

The proposals will result in an increase in residents walking to and from the site to Haddenham village centre, the schools within this vicinity, and the nearest bus stops to the site. The above off-site highway works will improve access, amenity and safety for new residents utilising the pedestrian route to these locations via New Road and Wilburton Road which in turn will encourage travel to/from the site to these locations by sustainable modes. Should consent be given, the above works will be secured through planning conditions. The above improvements comply with both para's 108 and 110 of the NPPF (2019). Furthermore, it has been demonstrated that such improvements can be delivered within the highway boundary.

### **Welcome Travel Packs**

Welcome Travel Packs will be secured through a planning condition should approval be given. The Travel Packs should include details of existing surrounding sustainable travel options as listed within our Transport Assessment Requirements document. They should also comprise incentives such as bus taster tickets and/or cycle vouchers to promote sustainable travel by residents to/from the site.

### **Conclusion**

The Highway Authority **does not wish to object to the application** subject to the conditions relating to provision of offsite footway improvement and crossing works, off site bus stop improvement works and provision and implementation of Welcome Travel Packs.

#### **5.15 Housing Section - 17 August 2020**

The Strategic Housing Team supports the above application in principle, as it will meet Policy HOU 3 of East Cambridgeshire Local Plan 2015 (as amended) to deliver 30% affordable housing on site. (Up to 70 dwellings will secure up to 21 affordable dwellings)

Developers will be encouraged to bring forward proposals which will secure the affordable housing tenure as recommended by the most up to date SHMA at 77% rented and 23% intermediate housing.

Detailed discussions are recommended with the developer prior to submission of the reserved matters application in order to secure an affordable housing mix that meets the housing needs of the area. Early indications suggest that we will be requiring an affordable housing mix of one to four-bedroom homes on site.

It is recommended that the space standards for the affordable dwellings should meet the minimum gross internal floor area as defined within the DCLG

Should consent be granted, I would request the s106 Agreement contains the following Affordable Housing provisions:

1. That 30% Affordable Housing is secure with the tenure requirement of 77% rented and 23% intermediate housing.
2. That the dwellings will be Affordable Housing in accordance with the definition contained in NPPF.
3. That the dwellings will transfer to a provider of social housing approved by the Council, either a Private Registered Provider or an alternative affordable housing provider (including but not limited to a housing trust or company, a community land trust or an almshouses society).
4. That the tenure of each dwelling will be Affordable Rent, Social Rent or Shared Ownership, and no subsequent alteration will be permitted without the Council's prior approval.
5. That the rent charged for the Affordable Rented properties will not exceed Local Housing Allowance rate for the equivalent property size.
6. That the Affordable Dwellings are constructed to DCLG, National Described Space Standards or as a minimum all new dwellings should meet Building Regulation Part M (Volume 1), Category 2, unless there are exceptional design reasons why this is not possible.
7. The affordable dwellings are not clustered in parcel greater than 15 dwellings. This will ensure we create a balanced and sustainable community.
8. That the Provider will not dispose of any dwelling by outright sale (except any sale to a tenant under statutory provisions)
9. That occupation will be in accordance with a nomination agreement.
10. That these affordable housing conditions shall be binding on successors in title, with exceptions for mortgagees in possession and protected tenants.

5.16 **Ward Councillors** - No Comments Received

5.17 **Environmental Health (Scientific Officer)** - 17 August 2020

Thank you for consulting me on the above application. I have read the Phase 1 Contamination Study dated January 2019 prepared by Flood Risk UK and accept the findings. The report recommends further investigation to delineate the extent of any contamination. I recommend that standard contaminated land conditions 1 and 4 are attached to any grant of permission.

5.18 **Environmental Health (Domestic)** - 12 August 2020

We have commented on this site previously and I include our previous comments below for reference.

I have read the Design and Access Statement which advises this is a resubmission of 19/00214/OUM and seeks to address the reasons for refusal in 2019.

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

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

I would also advise that prior to any work commencing on site a Construction Environmental Management Plan (CEMP) shall be submitted and agreed in writing with the Local Planning Authority (LPA) regarding mitigation measures for the control of pollution (including, but not limited to noise, dust and lighting etc) during the construction phase. The CEMP shall be adhered to at all times during the construction phase, unless otherwise agreed in writing with the Local Planning Authority (LPA).

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

The Odour Impact Assessment is the same as previously submitted so I have no additional comments to make concerning this.

5.19 **Cambridgeshire Archaeology** - 17 August 2020

We have found this latest planning application on the Weekly Lists and advise you that archaeological remains relating to prehistoric to Roman settlement are present in this fen edge location that are of moderate regional importance. This was established via a trench-based field evaluation in 2014 (CHER ref ECB4264).

As the remains are not of national importance or so sensitive that they warrant management through a designed preservation in situ strategy, we recommend that the mitigation of construction impacts on these archaeological remains can be achieved through the implementation of an appropriately designed archaeological investigation programme secured by a suitable planning condition placed on any planning consent that your authority may be minded to grant. This will allow excavation to occur prior to construction according to an agreed timetable.

We recommend the inclusion of a planning condition to secure a programme of archaeological works.

5.20 **CCC Growth & Development** - 26 August 2020

The following education contributions are required to mitigate the proposed development:

	Contribution	Project	Trigger
<b>Early Years</b>	£243,964*	Expansion of Robert Arkenstall Primary School to provide additional Early Years places	50% prior to first occupation AND 50% prior to 50% occupation of development
<b>Primary</b>	£766,744*	Expansion if Robert Arkenstall Primary School from 280 to 420 places	As above
<b>Secondary</b>	£668,500*	1 form of entry expansion of Witchford Village College	As above
<b>Libraries</b>	£10,207	Haddenham Community Library	100% prior to occupation of 50% of the development
<b>Strategic Waste</b>	n/a		
*indicative cost			
<b>TOTAL</b>	<b>£1,689,415</b>		

5.21 **Minerals and Waste Development Control Team - 18 August 2020**

Thank you for consulting Cambridgeshire County Council, as the Minerals and Waste Planning Authority (MWPA), on the above planning application. I have reviewed the available documentation and wish to make the following comments:

The detail in the design and access statement given to construction waste management and commitment to prepare a site waste management plan is welcomed. However, if the Local Planning Authority is minded to grant planning permission, it is requested a condition securing a detailed waste management and minimisation plan is imposed, in order to ensure compliance with Policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

5.22 **Waste Strategy (ECDC) - 2 September 2020**

No objection.

5.23 **NHS England - No Comments Received**

5.24 **Natural England - 17 August 2020**

Natural England has no comments to make on this application.

5.25 **Council's Landscape Consultant – 21 October 2020**

I have reviewed the response by Guarda dated September 2020 and also note the new Natural Environment Supplementary Planning Guidance.

The Guarda Report helpfully provides clarification on a number of points and in particular confirms that:

- The trees at the entrance to the site will be retained and the no dig construction will be employed to avoid damage to tree roots.
- The orchard trees in the grounds of property No 18 Haddenham Road will be removed – this was not previously mentioned in the LVIA.
- The maximum buildings heights proposed are 7.5m and 5.2m to ridge height for 2 and 1.5 storey dwellings respectively.
- The proposed access is the only physical connection of the site to the village.
- The tree heights used in the visualisation are 10m for large scale trees and 7m for small scale tree based on conservative growth rates by year 15.

Having considered the points made in the Guarda report I am still of the view that the proposed scheme will result in a development which would not positively contribute to the character of Haddenham and would give rise to adverse landscape effects. The proposed development would create another cul-de-sac development on the edge of the village which is poorly connected and, given its indicative form and layout, would not create a distinctive addition to the village nor retain open rural views.

If the Local Authority is minded to approve this scheme, it is recommended the following aspects are conditioned:

- The maximum height of buildings on the site
- The minimum width of boundary landscaping/planting
- The retention of open rural views from Haddenham Road
- Provision of sections to demonstrate effective reduction of visual effects and appropriate place making
- The preparation of a detailed landscaping scheme and importantly a secured mechanism for future management and net biodiversity gain in accordance with the SPG.
- The use of building materials and built form which reflects the local vernacular and edge of village/rural location of the site, especially on the mid slopes.

5.26 A site notice was displayed near the site on 2 September 2020 and a press advert was published in the Cambridge Evening News on 20 August 2020.

5.27 **Neighbours** – 160 neighbouring properties were notified and the responses received are summarised below. 49 responses were received in objection. No letters of support were received. A full copy of the responses is available on the Council's website.

#### **Visual Impacts**

- Affects public views
- Landscape Impact
- Development too large and out of character with the village
- Haddenham has well established develop envelope which provides necessary degree of separation from Wilburton. This development would encroach further towards Wilburton.
- Gap between Haddenham and Wilburton is an important contribution to the setting of the village.

- Haddenham highest village in area and the ridge on which the development is proposed is important to the isle setting of Haddenham in terms of views and landscape.
- Development would reduce green belt land detracting from village and separate identity.
- Form and character
- Affects streetscene
- Development would be highly visible for miles around.
- Development is of higher density than surrounding developments being out of character

### **Residential Impacts**

- Loss of privacy
- Noise sensitive – noise from people and cars
- Overbearing
- Overlooking properties and gardens
- Pollution issues
- Existing properties losing public views
- Housing backing onto my property with views directly into my property resulting in overlooking, loss of privacy and noise and disturbance.

### **Policy**

- Contrary to policy
- Land has previously had planning rejected twice before – these reasons still stand.
- Outside development envelope
- Nothing has changed from previous rejected applications infrastructure wise
- ECDC currently has 5-year land supply quota.
- No proven need for development of this scale
- Preparation for Neighbourhood plan shows majority of residents favour smaller developments within the existing village boundary. This proposal would go against local preference.
- Adverse effects of previous applications still would significantly and demonstrably outweigh any benefits the development would bring.
- Haddenham has identified infill sites as part of local plan. Development is not needed.
- Currently 162 houses have either begun or been completed in last few years. No need for 70 additional houses.
- All core reasons for previous rejections still exist.

### **Transport/Highways**

- Highway Safety
- Junction difficult to get out of. Increased pollution from traffic and congestion.
- Increase in traffic, resulting in extra 140 cars causing severe congestion and high levels of traffic in village and at the junction with Twenty Pence Road in Wilburton.
- Increasing traffic on A10 which is already heavily congested due to commuters who do not work on bus route or train line route.
- No further developments should be allowed under upgrade to A10.

- No parking on High Street. Not safe for pedestrians due to volume of traffic.
- Improvements needed to bus service to connect Haddenham with surrounding and wider area.
- Same problems with road junction as last development proposal.
- Difficult egress viewing onto road
- Additional traffic joining Duck Lane from this site would exacerbate risk of accidents.
- Moving access from the previous application's proposal does not address previous concerns.
- Does not agree that development of 70 houses is forecast to only result in 31 additional peak time vehicle movements.
- Secondary education is outside of village necessitating additional car journeys.
- No cycle lanes for commuters to Cambridge, either via A10 or Twenty Pence Road. Unsafe cycling conditions on all roads around Haddenham due to high levels of traffic and lack of cycle paths.
- The proposed access was previously rejected in 2014.

### **Services/Water/Drainage/Sewage**

- Land is within a water treatment safeguard area
- No access to mains gas in this part of village
- Sewage would need additional capacity

### **Environmental Impacts/Wildlife**

- Need to consider Haddenham is a countryside village and that the countryside and wildlife needs to be preserved, need to minimise loss of habitat and species and improve and maintain environment for general well-being of everyone.
- Impacts to wildlife which is diverse including deer, bats, hares, pheasants and others
- Pollution from congested traffic at Wilburton which may well be above legal limits.
- Effect on local wildlife specifically presence of great crested newts.
- Impact on trees and wildlife

### **Village Facilities**

- Doctors and school already oversubscribed – no room to expand on current site
- Existing developments around Haddenham already having increased impact on existing facilities.
- Development would place strain on village infrastructure, schools and doctors.
- Medical services are under severe pressure
- Application gives not concrete proposals on the level of funding to be provided for expansion of schools or other infrastructure.

### **Other**

- Development will devalue our property
- Plan does not state types of housing 1,2 or 3 storey?
- Road access to the site involves demolition of perfectly good house.
- Land currently farmed.
- Landowner not affected by disruption and upset of development as does not live in village.

- No provision for jobs on site making development unsustainable and is designed to accommodate commuters increasing road congestion and pollution.
- Haddenham already has additional housing agreed.
- Asking once again for this to be rejected in such a way resident are not subjected to the distress and anxiety of this ever-frequent cycle.
- Application is only for demolition of 18 Wilburton road and construction of entrance road with all matters reserved giving no commitment to following a proposed layout. Does not agree the principle of development should be allowed without full details when no development is envisaged within current planning envelopes.
- Unwanted, unsustainable development in an unsuitable location and should be rejected.
- Nature of development would change the village into a dormitory town, destroying its roots in the local farming community
- In favour of ongoing development that maintains the character and quality of life residents enjoy but Infrastructure should be build PRIOR to development.
- Proposal is on Grade 2 farm land currently used to supply food.
- Benefits Statement still does not address the fundamental concerns of the proposed development and the impacts on social/economic/environmental
- Benefits statement refers to lack of housing supply, ECDEC has sufficient housing supply

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

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

### 6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations

Design Guide

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

Flood and Water

Natural Environment SPD

Climate Change SPD

### 6.3 National Planning Policy Framework 2019

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

### 6.4 Planning Practice Guidance

### 7.0 PLANNING COMMENTS

#### 7.1 **Principle of Development**

7.2 This application follows two previous schemes submitted in 2014, Ref: 14/00130/OUM, an outline application for up to 100 dwellings with access included, and in 2019, Ref: 19/00214/OUM, an outline application for up to 110 dwellings with access included. Both of these applications were recommended for refusal by Officers and refused by the Planning Committee for the reasons stated on the decision notices, appended to this report. This current application proposes residential development of up to 70 dwellings which would include the demolition of no.18 Wilburton Road, to facilitate the proposed access. The physical site remains largely the same as it was in 2014 and 2019. The two major differences between this and the previous application are the demolition of a dwelling and the reduction in the number of dwellings from up to 110 to up to 70 (reduction of 40 dwellings).

7.3 The application is assessed in accordance with the development plan which comprises East Cambridgeshire Local Plan 2015. Also relevant are the associated Supplementary Planning Documents, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance. On 26<sup>th</sup> March 2021 East Cambridgeshire District Council issued a Single-Issue Review of the East Cambridgeshire Local Plan 2015. One area has been identified as being in need of update, namely Policy GROWTH1 which uses an out of date housing requirement figure. The need to review the Local Plan was triggered by a number of factors including the need to re-examine the appropriate level of housing growth, to ensure there is sufficient housing land supply and to ensure the Local Plan remains up to date. The review focusses on one aspect of the Local Plan only. For the avoidance of doubt, the vast majority of the Local Plan 2015 will not be amended. While the Emerging Plan is at an early stage and carries no weight in the determination of this application, it is worth noting the current policy position.

7.4 Policy GROWTH 2 of the Local Plan 2015 sets out the overall strategy for the distribution of growth across the district focussing on the Market Towns of Ely, Soham and Littleport. The policy is up-to date and aims to ensure that growth takes place in appropriate locations across the district. Within the defined development envelopes housing, employment and other development to meet local needs will

normally be permitted, provided there is no significant adverse effect on the character and appearance of the area and that all other material planning considerations are satisfied. It then states that outside of development envelopes, development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages.

- 7.5 The NPPF promotes sustainable development and the delivery of high quality homes, it specifically states at paragraph 12 that *“the presumption in favour of sustainable development does not change the statutory starting point for decision making”*.
- 7.6 Since April 2020 the Council has been able to demonstrate an adequate 5 Year Housing Land Supply, as demonstrated first in its ‘Five Year Land Supply Report - 1 April 2019 to 31 March 2024’ (published April 2020) and later in its updated ‘Five Year Land Supply Report - 1 April 2020 to 31 March 2025’ (published December 2020). The latter report confirmed that from 1 January 2021 the Council had a 6.14-year supply of deliverable housing land. That calculation included a 20% buffer as required by paragraph 73 of the NPPF based on a 2019 Housing Delivery Test (HDT) result of 66%. The 2020 HDT result, published in January 2021, indicates that housing delivery in the district has improved to 87%. As a result of the HDT exceeding 85%, the appropriate paragraph 73 buffer falls to 5% which has the effect of increasing the Council’s housing land supply to 7.01 years.
- 7.7 This adequate housing land supply means that the Council considers its policies relating to housing delivery up-to-date and gives them full weight in the determination of this application.
- 7.8 The site is situated outside of the development envelope and does not constitute an exception as defined within Policy Growth 2 of the Local Plan. The proposed development is therefore contrary to Policy Growth 2 of the East Cambridgeshire Local Plan, 2015, and is not acceptable.
- 7.9 **Visual Amenity and impact on the character of the countryside**
- 7.10 In relation to visual amenity, the plans submitted are indicative only and details of scale, appearance, layout, and landscaping are not being considered as part of this outline application.
- 7.11 The application site is located on the eastern edge of Haddenham on predominantly undeveloped land, which falls towards the south, as part of a ridge running east-west between Haddenham and Wilburton. Whilst the site is not covered by any landscape quality designations (there are no such designations in East Cambridgeshire), the site makes a significant positive contribution to the setting of the village and this transitional character between the villages.
- 7.12 Haddenham is one of the highest points in the Fens and the application site sits at a key vantage point in the district. From this part of Haddenham there are attractive and locally valued views from the ridge down across the Fens to Cambridge, and the site takes in part of this existing vista. This is a highly distinctive landscape in the local area and is an important part of the setting not only of Haddenham but also of the Isle of Ely. This open and attractive vista also forms an important gap

between Haddenham and Wilburton, with the highway between the two running along the top of the ridge (A1123).

- 7.13 Policy ENV1 of the Local Plan, 2015 recognises the importance of the edge of settlement locations and requires developments to demonstrate that their location, scale, form, design, materials, colour, edge treatments and structural landscaping will protect, conserve and where possible enhance the settlement edge, space between settlements, and their wider landscape setting. This is also echoed in Chapter 15 of the NPPF – Conserving and enhancing the natural environment.
- 7.14 A Landscape Visual Impact Assessment (LVIA) was submitted with the application (by Guarda Landscape). The Council requested the input of an external Landscape Consultant (Alison Farmer Associates) to review the document and to allow a more comprehensive analysis to be undertaken of the LVIA. Alison Farmer Associates also reviewed the LVIA submitted as part of the previous application and is therefore familiar with the site and its context. The consultant's comments are summarised in paragraph 5.25 of this report. However, it is clear from her comments that she considers that the *“proposed scheme will still result in a development which would not positively contribute to the character of Haddenham and would give rise to adverse landscape effects. The proposed development would create another cul-de-sac development on the edge of the village which is poorly connected, and given its indicative form and layout, would not create a distinctive addition to the village nor retain open rural views”*.
- 7.15 It is considered that based on the conclusion from the Landscape Consultant, the proposal would have a long-term negative impact on the character of the existing historic landscape. Furthermore, the applicant has failed to demonstrate (and in the absence of further information) that the visual landscape impact can be mitigated through this proposal. The LVIA in its conclusion recognises that, *“initially the effect of new planting will be limited. In the long term the scale of effect of the proposed development on the landscape receptors identified will reduce to Moderate or Minor Adverse with a Minor Beneficial effect on the level of vegetation within the site which will improve both the ecological and recreational value of the site”*. From this statement, it is considered that the proposed development would have a high adverse impact because any quantity or quality of landscaping would not be able to successfully integrate with the surrounding area, nor mitigate against the significant visual harm on the open countryside character of the area.
- 7.16 The proposed development, in the case of visual amenity and the character of the countryside, is considered to have an adverse impact on the character of the area and the setting of Haddenham. It is therefore considered to be contrary to the aims and objectives of Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan, 2015, and the principles of Paragraph 170 of the NPPF which seeks all new developments to enhance the natural and local environment through protecting and enhancing valued landscapes.
- 7.17 **Residential Amenity**
- 7.18 The application is outline only (includes access). Matters such as appearance and scale are both reserved for the future as part of a reserved matters application, if outline permission is granted.

- 7.19 There are a number of residential dwellings in close proximity to the site, namely no.40 Haddenham Road, to the east, and 16 Wilburton Road to the west. The site then wraps around the boundaries of the properties of Pear Tree Close and Orchard Way. No. 40 Haddenham Road sits on a relatively large plot and has been extended to the rear quite extensively. The change from an undeveloped piece of agricultural land to residential development would clearly have an impact on the outlook and setting of these properties and those towards the front of the development will be likely to experience an increase in activity from the occupants of that development using the main access point. The proposal includes an indicative housing layout showing how the site could be developed, which illustrates that there would be sufficient space to adequately mitigate for any adverse impact with the use of soft landscaping and sufficient set back distances, in accordance with the Council's Design Guide SPD.
- 7.20 Neighbours have raised concerns about noise and disturbance from the additional traffic movements to and from the site. It is considered that there would be an increase in traffic noise as a result of people entering and leaving the new development. However, the proposed access would be sufficiently distant from those properties in Orchard Way and Pear Tree Close, and from 16 Wilburton Road to ensure that there would not be a significant adverse effect on residential amenity.
- 7.21 The Council's Environmental Health Officer has reviewed the application and is satisfied with the submitted odour assessment and has recommended conditions relating to construction hours and submission of a Construction Environmental Management Plan as part of any permission. The Council's Scientific Officer has also reviewed the Contaminated Land report and is satisfied with the conclusions and has recommended conditions relating to the submission of a full land contamination report and a condition requiring the developer to make us aware of any future sources of contamination during construction. The proposal therefore complies with Policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 7.22 The size of the gardens on the adjacent existing housing estates (Orchard Way and Pear Tree Close), along with the scope for a sensitive layout within the site itself also indicates that it would be possible to achieve a design and layout that would enable sufficient separation distances to prevent any adverse effects on residential amenity in terms of overlooking, or buildings being overbearing, and to comply with the guidelines contained within the Design Guide SPD. It is therefore considered that the Local Planning Authority could not object to the proposal on the grounds of residential amenity as it would be possible to design a scheme that would comply with Policy ENV2 of the East Cambridgeshire Local Plan, 2015.
- 7.23 **Archaeology**
- 7.24 Policy ENV14 of the Local Plan is relevant and seeks all new development to have regard to their impacts upon the historic environment and protect, enhance and where appropriate, conserve nationally designated and undesignated archaeological remains, heritage assets and their settings. The policy also requires submission of an archaeological evaluation of significance to be submitted. These principles are also echoed in paragraph 189 of the NPPF.

- 7.25 The application is accompanied by a Archaeological Evaluation Report which identifies potential archaeology relating to prehistoric Roman settlement. The County Archaeology Team have assessed this document and raise no objection and state: *“This was established via a trench-based field evaluation in 2014. As the remains are not of national importance or so sensitive that they warrant management through a designed archaeological investigation programme, we recommend that the mitigation of construction impacts on the archaeological remains can be achieved through the implementation of an appropriate designed archaeological investigation programme secured by a suitable planning condition”*.
- 7.26 It is therefore considered that in terms of archaeology, the proposal is acceptable and complies with the aims and objectives of Policy ENV14 of the East Cambridgeshire Local Plan, 2015 and paragraph 189 of the NPPF.
- 7.27 **Highway Safety**
- 7.28 Means of access is included as part of this outline application. The proposed access would be created following the demolition of no.18 Wilburton Road. In the previous application, Ref: 19/00214/OUM, the access was proposed further to the east nearest the junction with Wilburton Road and New Road (A1123). The previous application included a reason for refusal in relation to this access and the subsequent impact on highway safety (See appendix 2, Reason 2). A Transport Assessment has been submitted as part of this application which has been reviewed by the County’s Transport Team. The proposed access details have also been considered by the Local Highway’s Authority. The new access would include 3 tactile crossing points, 2 along Wilburton Road, and 1 on New Road with an additional new 2m footway to be created along New Road. These crossings and footway would ensure a safe connection to the wider village for pedestrians. Further information was requested as per the comments, summarised in paragraph 5.15 in this report.
- 7.29 Policy COM7 of the Local Plan requires all new developments to be designed to reduce the need to travel, particularly by car, and should promote sustainable forms of transport appropriate to its particular location. Development proposals shall also provide safe and convenient access to the highway network and be capable of accommodating the level/type of traffic generated without detriment to the local highway network and the amenity, character or appearance of the locality. This is also reflected within paragraphs 108 and 109 of the NPPF.
- 7.30 The County Council Highways Team have advised, based on the additional information submitted, that the proposed access and the impacts of the proposed development on the wider highway network is acceptable and the previous reason for refusal on Ref: 19/00214/OUM, in relation to highway safety, has been overcome.
- 7.31 In relation to car and cycle parking provision, this is not a matter that is being considered as part of this outline application and would form part of a reserved matters application.

- 7.32 It is therefore considered that in terms of highway safety and accessibility, the proposed development complies with Policy COM7 of the East Cambridgeshire Local Plan, 2015 and is acceptable.
- 7.33 **Biodiversity**
- 7.34 Policy ENV7 of the Local Plan is relevant and requires all new development proposals 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. Also, to provide appropriate mitigation measures, reinstatement or replacement of features and/or compensatory work that will enhance or recreate habitats on or off site where harm to environmental features and habitat is unavoidable, and maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals. Further emphasis of these principles are stated within paragraph 174 of the NPPF. Paragraph 170(d) emphasises the need to minimising impacts on and providing net gains for biodiversity. Furthermore, Policy NE6 of the Council's Natural Environment SPD states that "*all development proposals should contribute to and enhance the natural and local environment by firstly avoiding impacts where possible, where avoidance isn't possible, minimising impacts on biodiversity and providing measurable net gains for biodiversity*".
- 7.35 In terms of biodiversity the application is accompanied by a Biodiversity Net Gain report, Bat Survey Report, a Biodiversity and Ecological Management Plan (BEMP) and a Protected Species Mitigation Strategy which covers Great Crested Newts, Bats and Badgers. The previous application, Ref: 19/00214/OUM, included a reason for refusal based on insufficient evidence in relation to the presence of Great Crested Newts and biodiversity net gain (See appendix 2, Reason 3). The submitted documents now cover these elements.
- 7.36 The Wildlife Trust have reviewed the documents and have advised that they are satisfied with the details and that an overall biodiversity net gain could be achieved (Net gain of 1.71%). The Protected Species document submitted with the application covers Great Crested Newts (GCN), which was a reason for refusal on the previous application. It is acknowledged that GCN may be present in close proximity to the site, however the report covers mitigation and protection measures to ensure that these would not be harmed as a result of the proposal. The Wildlife Trust are satisfied with the recommendations within the report. The previous reason for refusal has therefore been overcome and the proposal is acceptable, in relation to biodiversity.
- 7.37 It is therefore considered that the proposed development, in relation to biodiversity, complies with Policy ENV7 of the East Cambridgeshire Local Plan, paragraph 170(d) of the NPPF and Policy NE6 of the Natural Environment SPD, and is acceptable.
- 7.38 **Flood Risk and Drainage**
- 7.39 Policy ENV8 of the Local Plan requires all developments to contribute to an overall flood risk reduction. Paragraph 155 of the NPPF also emphasises the need to

divert development away from high flood risk areas. Cambridgeshire's Flood and Water SPD is also relevant which supports Policy ENV8.

- 7.40 The site lies within Flood Zone 1, which is an area of low flood risk and where development should be directed to. Due to the scale of the proposed development (over 1ha in size) a Flood Risk Assessment (FRA) is required. A FRA accompanies the application and has been assessed by the Environment Agency (EA), the Lead Local Flood Authority (LLFA) and Anglian Water. A Foul Sewerage assessment has also been submitted as part of the application.
- 7.41 The Lead Local Flood Authority (LLFA) raised concerns initially with the water discharge rates indicated within the Flood Risk Assessment. Further information was submitted to demonstrate that surface water from the proposed development can be managed through the use of permeable paving and a series of Swales and attenuation basins. Surface water will then either infiltrate into the ground or discharge into the Anglian Water surface water sewer at 3l/s during a 1 in 1 year storm event, and 5l/s during the 1 in 30 year and 1 in 100 year (plus 40% allowance for climate change) storm events.
- 7.42 In relation to foul water drainage, Anglian Water have confirmed that this site is in the catchment of Haddenham Waste Recycling Centre that will have available capacity for these flows.
- 7.43 It is therefore considered that the proposed development complies with Policy ENV8 of the East Cambridgeshire Local Plan, 2015, paragraph 155 of the NPPF, and the Flood and Water SPD.
- 7.44 **Impact on Primary Health Care**
- 7.45 The previous application, Ref: 19/00214/OUM, included a reason for refusal based on the impact of the proposed development on Primary Health Care. NHS England (Cambridgeshire and Peterborough Clinical Commissioning Group), in their response, raised concerns that the existing GP Practices do not have capacity for the additional growth resulting from that development, and that the proposed development will likely to have an impact in the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development.
- 7.46 The proposal, subject of this application, is proposing a smaller number of dwellings (from up to 110, to up to 70). NHS England were consulted but have not responded to this consultation, despite numerous correspondence with them. They have not returned messages or emails and can only assume that they have no comments to make on this application. However, if the Council were minded to approve the application, we could seek a contribution as part of the S106 to ensure that any impact could be mitigated, in accordance with Policy Growth 3 of the East Cambridgeshire Local Plan, 2015
- 7.47 In light of no response from NHS England on this proposal including several attempts made to encourage a response, the previous reason for refusal has not been overcome. However, on balance, this could be mitigated through a S106 legal agreement, if relevant, and therefore is acceptable.

- 7.48 It is considered that the proposed development complies with Policy Growth 3 of the East Cambridgeshire Local Plan, 2015.
- 7.49 **Other Material Matters**
- 7.50 Social, Economic and Environmental Benefits Statement – February 2021
- 7.51 A Benefits Statement was submitted in February 2021, which seeks to explain the social, economic, and environmental benefits of the proposed development. The Statement fails to acknowledge that the Council have a comfortable housing land supply, at 7.01 years. Paragraph 1.3 in the Statement refers to Paragraph 11(d) part ii of the NPPF which relates to the “*tilted balance*” and would otherwise be triggered if the Council had not had a 5-year housing land supply. This is therefore not relevant and the analysis against the Social, Economic and Environmental benefits of the proposal is not required as part of the determination of this application. I therefore give no weight to this Statement and do not agree that the application should be assessed against the tilted balance.
- 7.52 Self-Build Dwellings
- 7.53 The previous application, Ref 19/00214/OUM, included a reason for refusal relating to self-build properties (see appendix 2, reason 5). Policy HOU1 of the East Cambridgeshire Local Plan, 2015, states that housing developments of 100 or more dwellings will be expected to provide 5% self-build properties. The previous application failed to demonstrate this and was therefore contrary to this policy. The proposal subject of this application, proposes less than 100 dwellings and as such the requirement for self-build properties is not required, and the reason for refusal therefore is no longer relevant to this application, and could not be refused on these grounds.
- 7.54 Affordable Housing
- 7.55 The proposed development is required to deliver 30% affordable housing in accordance with Policy HOU3 of the Local Plan. The application is accompanied by an Affordable Housing Statement and confirms to deliver this as required by the Policy and would also provide a mix which reflects the latest Strategic Housing Market Assessment, i.e. 77% rented and 23% intermediate housing. The Council’s Housing Strategy and Enabling Officer has supported this proposal, and this can be secured through a S106 legal agreement. It is considered that the proposed development therefore complies with Policy HOU3 of the East Cambridgeshire Local Plan, 2015, in relation to affordable housing.
- 7.56 Renewable Energy and Climate Change
- 7.57 Policy ENV4 of the Local Plan relates to energy and water efficiency and renewable energy in construction. The policy requires 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. Policy CC1 of the Council’s Climate Change SPD supports Policy ENV4 and encourages

developers to submit a Sustainability Statement with their proposals. There is mention of energy efficiency within the submitted Design and Access Statement, which states that “*Environmentally responsible methods of construction and a palette of sustainable, locally sourced materials will be chosen wherever possible, in pursuing a design that is energy efficient and environmentally conscious. Materials will be selected from local sources wherever possible to minimise transport energy use and help sustain the local economy. Low carbon lighting, triple glazing and improved insulation will be incorporated into the scheme. Where possible, the orientation of the plot will ensure the optimum plot orientation for solar gain*”.

7.58 A separate Sustainability Statement has not been submitted with the application elaborating on the above claims, however, this could be secured by condition if the application was approved. It is therefore considered that the proposed development complies with Policy ENV4 of the East Cambridgeshire Local Plan, 2015, and Policy CC1 of the Climate Change SPD.

#### 7.59 Developer S106 Contributions – Education

7.60 The County Council have requested contributions towards education, as shown in paragraph 5.20 and as required by Policy Growth 3 of the Local Plan and the Council’s Developer Contributions SPD. If Members were minded to approve the application, these contributions would be secured by a S106 legal agreement. The proposed development therefore would comply with Policy Growth 3 of the Local Plan, 2015, and the Developer Contributions SPD.

#### 7.61 **Planning Balance**

7.62 It is considered that the proposed development is unacceptable as the site is situated outside of the development envelope where development is normally restricted under Policy Growth 2 of the Local Plan. The proposed development does not fall under the definition of any of the identified exceptions to the policy and is therefore unacceptable. The Council can demonstrate a comfortable 5-year housing land supply, at 7.01 years. Furthermore, it is considered that the proposed development would give rise to significant adverse impacts in terms of visual amenity and the impact on the setting of Haddenham, which forms part of a locally valued landscape. As a result, the proposal would be contrary to Policies Growth 2 and ENV1 of the East Cambridgeshire Local Plan, and the principles of chapter 15 of the NPPF – ‘Conserving and enhancing the natural environment’.

7.63 The application is therefore recommended for REFUSAL.

### 8 COSTS

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

8.2 Unreasonable behaviour can be either procedural i.e. relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local

planning authority has been able to provide evidence to justify a refusal reason or a condition.

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

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

- Objection raised from the Landscape Architect in relation to the adverse visual landscape impact of the proposed development on the character of the locality and setting of Haddenham
- The site is situated outside of the development envelope of Haddenham and the proposed development does not fall under the definition of any of the identified exceptions to Policy Growth 2 of the Local Plan and is therefore unacceptable.
- The Council can currently demonstrate a 5-year housing land supply, well in excess of 5 years, at 7.01 years.

## 9 APPENDICES

9.1 Appendix 1 – Decision Notice for Ref: 14/00130/OUM  
Appendix 2 – Decision Notice for Ref: 19/00214/OUM

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<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
20/00996/OUM	Angela Briggs Room No. 011	Angela Briggs Planning Team Leader
14/00130/OUM 19/00214/OUM	The Grange Ely	01353 665555 angela.briggs@eastcambs.gov.uk

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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



# EAST CAMBRIDGESHIRE DISTRICT COUNCIL

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Gladman Developments Ltd  
C/O Savills (UK) Ltd  
Fao: Mr Andrew Hodgson  
Unex House  
132-134 Hills Road  
Cambridge  
Cambridgeshire  
CB2 8PA

*This matter is being dealt with by:*

Penelope Mills

Telephone: 01353 665555  
E-mail: penny.mills@eastcambs.gov.uk  
My Ref: 14/00130/OUM  
Your ref

7th August 2014

Dear Sir/Madam

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **REFUSAL OF OUTLINE PLANNING PERMISSION**

The Council hereby **refuses** the following development:

**Proposal:** Outline application for up to 100 residential units with all matters reserved except for means of access  
**Location:** Land South Of 18 Wilburton Road Haddenham Cambridgeshire  
**Applicant:** Gladman Developments Ltd

The Council hereby refuses outline planning permission for the application reference **14/00130/OUM** registered 24th February 2014.

### **REASONS FOR REFUSAL**

- 1 The proposed development, particularly when considered cumulatively with the proposed housing allocations for Haddenham and the recently approved affordable housing exception site, would result in an unsustainable amount of residential development, which would outstrip the modest increase in employment provision envisaged for Haddenham and place significantly increased pressure on local infrastructure. The lack of employment, retail and leisure opportunities within the village coupled with the limited options in terms of public transport would result in an unsustainable pattern of development, encouraging high levels of out commuting by private vehicle, contrary to policies CS6 and CS8 of the current Core Strategy and policy COM7 of the draft Local Plan 2014. The development would also be contrary to the environmental strand of achieving sustainable development in the NPPF (paragraph 7 and 95) as the location of would lead to a car-dependant development and would therefore fail to reduce greenhouse gas emissions.

The development would also fail to accord with the locational strategy set out in policy GROWTH2 of the draft Local Plan, which seeks to secure the most sustainable pattern of growth by focussing the



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majority of development on the Market Towns, and would also be inconsistent with the Haddenham Vision which forms part of the emerging Local Plan.

It is considered that these adverse effects would significantly and demonstrably outweigh any benefit the development would bring in terms of helping to address the housing supply shortfall for the district.

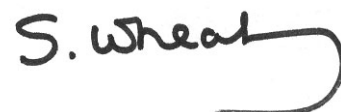
- 2 Haddenham is one of the highest points in the Fens and the application site sits at a key vantage point in the district. From this part of Haddenham, there are attractive and locally valued views from the ridge down across the Fens to Cambridge, and the site takes in part of this existing vista. This is a highly distinctive landscape in the local area and is an important part of the setting not only of Haddenham but also of the Isle of Ely. This open and attractive vista also forms an important gap between Haddenham and Wilburton, with the highway between the two running along the top of the ridge.

Due to the existing landscape features, the topography of the area and the position of the public highways, the character of the area as experienced on the ground is a low density single frontage of development, punctuated by gaps affording views across the countryside beyond. This is not a hard edge, but a transitional zone, which provides an attractive setting for the village and is part of a locally valued landscape. The proposed development of this land would result in a significant adverse effect on the setting of the village contrary to policy EN1 of the Core Strategy and policy ENV1 of the draft Local Plan. It would also be contrary to the guidance contained within paragraph 109 of the National Planning Policy Framework which states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

It is considered that these adverse effects would significantly and demonstrably outweigh any benefits the development would bring in terms of helping to address the housing supply shortfall for the district, providing jobs and additional economic support for local businesses and providing additional affordable housing. It is also considered the development would directly conflict with policy 11 of the NPPF 'Conserving and enhancing the natural environment'.

- 3 The application provides insufficient archaeological information to enable the local planning authority to properly assess the nature and extent of the impact on potential archaeological remains within the site. The indicative thresholds provided as part of the outline application indicate that impacts upon archaeological remains could be total, and there is insufficient evidence to understand the potential impact of the proposed development, as required by paragraph 128 of the National Planning Policy Framework 2012. The application therefore fails to demonstrate that the requirements of policy ENV5 of the East Cambridgeshire Core Strategy 2009 and policy ENV14 of the draft Local Plan 2014.
- 4 The application provides insufficient evidence in relation to foul water treatment infrastructure to demonstrate that the proposal can be delivered without detriment to the water environment. The application therefore fails to comply with policy EN8 of the East Cambridgeshire Core Strategy 2009 and ENV9 of the draft East Cambridgeshire Local Plan 2014.

Dated: 7th August 2014



**Principal Development Management Officer**



# EAST CAMBRIDGESHIRE DISTRICT COUNCIL

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Land Allocation Limited  
C/O AAH Planning Consultants  
FAO Mr Paul Booth  
2 Bar Lane  
York  
YO1 6JU

*This matter is being dealt with by:*

Angela Briggs

Telephone: 01353616307  
E-mail: angela.briggs@eastcambs.gov.uk  
My Ref: 19/00214/OUM  
Your ref

8th November 2019

Dear Sir/Madam

## TOWN AND COUNTRY PLANNING ACT 1990

### REFUSAL OF OUTLINE PLANNING PERMISSION

The Council hereby **refuses** the following development:

**Proposal:** Residential development for upto 110 dwellings  
**Location:** Land South Of 18 Wilburton Road Haddenham Cambridgeshire  
**Applicant:** Land Allocation Limited

The Council hereby refuses outline planning permission for the application reference **19/00214/OUM** registered 22nd February 2019.

### REASONS FOR REFUSAL

- 1 Haddenham is one of the highest points in the Fens and the application site sits at a key vantage point in the District. From this part of Haddenham, there are attractive and locally valued views from the ridge down across the Fens to Cambridge, and the site takes in part of this existing vista. This is a highly distinctive landscape in the local area and is an important part of the setting, not only of Haddenham, but also of the Isle of Ely. This open and attractive vista also forms an important gap between Haddenham and Wilburton, with the highway between the two running along the top of the ridge.

Due to the existing landscape features, the topography of the area and the position of the public highways, the character of the area as experienced on the ground is a low density single frontage of development, punctuated by gaps affording views across the countryside beyond. This is not a hard edge, but a transitional zone, which provides an attractive setting for the village and is part of a locally valued landscape. The proposed development of this land would result in a significant adverse effect on the setting of the village and would be completely uncharacteristic of this part of Haddenham, contrary to Policy ENV1 of the East Cambridgeshire Local Plan, 2015. It would also be contrary to

guidance contained within paragraph 170 of the NPPF which states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

It is considered that these adverse effects would significantly and demonstrably outweigh any benefits the development would bring in terms of helping to address the housing supply shortfall for the district, providing jobs and additional economic support for local businesses and providing additional affordable housing. It is also considered that the proposed development would directly conflict with the principles of chapter 15 of the NPPF 'Conserving and enhancing the natural environment'

- 2 The proposed development would introduce a new access onto the junction of Wilburton Road and New Road, also known as the A1123, which is the main highway through the villages of Wilburton and Haddenham, along the northern ridge. The proposed development would lead to the creation of an access on a stretch of classified highway where the principal function is that of carrying traffic freely and safely between centres of population. The vehicular movements associated with the use of the access would lead to conflict and interference with the passage of through vehicles to the detriment of the principle function and introduce a point of possible traffic conflict, being detrimental to highway safety, and therefore the proposed development fails to comply with Policy COM7 of the East Cambridgeshire Local Plan, 2015, which seeks all new development to provide safe and convenient access to the highway network.

Furthermore, the applicant has failed to submit sufficient highway information to demonstrate that the proposed junction arrangement can be laid out and designed to the correct guidance and highways authority standards, and the application is not supported by a sufficient Transport Assessment or Road Safety Audit to demonstrate that the proposed development would not be prejudicial to the satisfactory functioning of the highway or highway safety. Also adequate pedestrian infrastructure has not been demonstrated to serve the proposed development. The proposed development is therefore also contrary to Policy COM7 of the East Cambridgeshire Local Plan, 2015 which seeks new large developments to be supported by a sufficient Transport Assessment if the proposals are likely to result in significant transport implications.

- 3 The application provides insufficient evidence in relation to the presence of Great Crested Newts and biodiversity net gain to demonstrate that the proposal can be delivered without detrimental harm to the ecology of the area. The application therefore fails to comply with Policy ENV7 of the East Cambridgeshire Local Plan, 2015 and paragraph 174 of the NPPF which seeks development proposals to pursue opportunities for securing measurable net gains for biodiversity.
- 4 The proposed development fails to mitigate against the impact on the existing primary healthcare within the village and therefore does not comply with Policy Growth 3 of the Local Plan which requires developments to make contributions towards infrastructure through financial payments, secured via a S106 legal agreement.
- 5 Housing developments of 100 or more dwellings will be expected to provide a minimum of 5% self-build properties. The proposed development fails to demonstrate that this quantum of development would form part of the development proposal, and therefore is contrary to Policy HOU1 of the East Cambridgeshire Local Plan, 2015.

### **INFORMATIVES RELATING TO THIS APPLICATION**

- 1 The decision to refuse this application has been taken, having regard to the policies and proposals in the Local Development Plan and all relevant material considerations, including the NPPF. The proposal is considered to be unsustainable and the applicant was informed of officer concerns regarding landscape impact, highway safety, impact on biodiversity, impact on local infrastructure (Health care and Early Years) and provision of self-build plots ;. Amendments were requested however the amendments made were not considered sufficient to address the issues above. The proposal is therefore contrary to the provisions of the NPPF.



**Rebecca Saunt**  
**Planning Manager**

Dated: 8th November 2019

## Planning Performance – March 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.

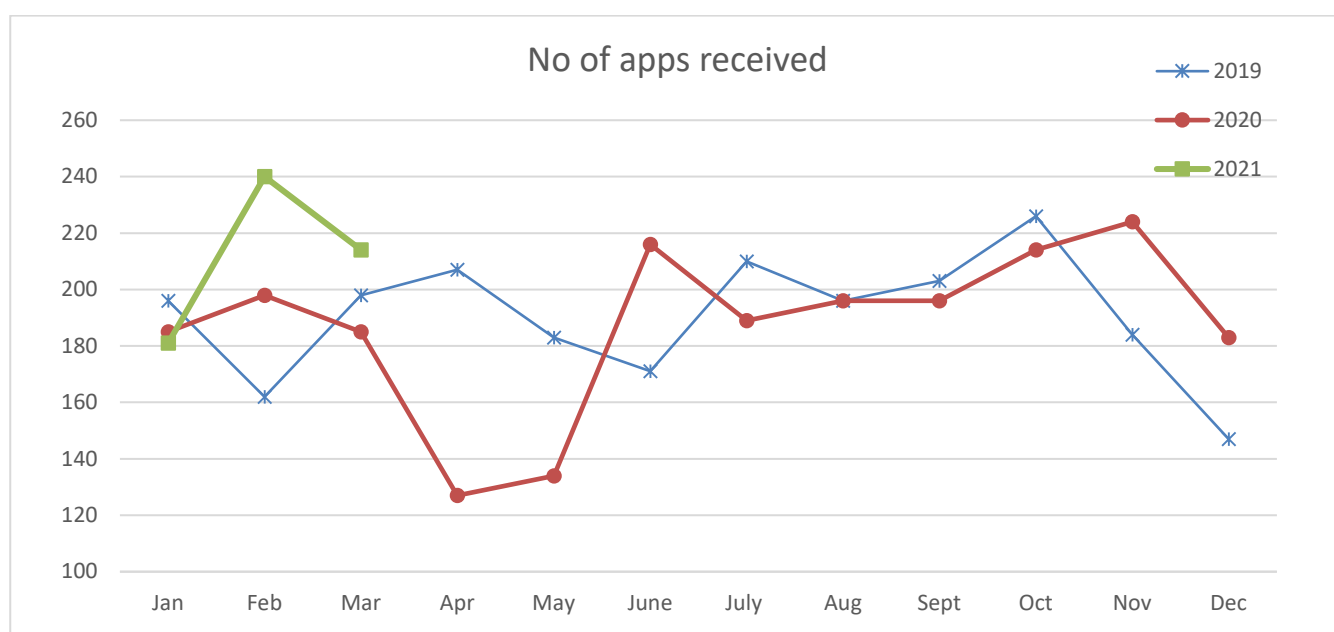
All figures include all types of planning applications.

	Total	Major	Minor	Householder	Other	DIS /NMA	Trees
<b>Validation</b>	<b>218</b>	<b>3</b>	<b>55</b>	<b>77</b>	<b>21</b>	<b>26</b>	<b>42</b>
<b>Validated within 5 days (%)</b>	<b>89%</b>	<b>(E CDC target of 75%)</b>					
<b>Determinations</b>	<b>188</b>	<b>9</b>	<b>35</b>	<b>51</b>	<b>19</b>	<b>29</b>	<b>45</b>
<b>Determined on time (%)</b>		<b>100%</b> (90% within 13 weeks)	<b>97%</b> (80% within 8 weeks)	<b>98%</b> (90% within 8 weeks)	<b>100%</b> (90% within 8 weeks)	<b>69%</b> (80% within 8 weeks)	<b>100%</b> (100% within 8 weeks)
<b>Approved</b>	<b>172</b>	<b>6</b>	<b>30</b>	<b>50</b>	<b>12</b>	<b>29</b>	<b>45</b>
<b>Refused</b>	<b>16</b>	<b>3</b>	<b>5</b>	<b>1</b>	<b>7</b>	<b>0</b>	<b>0</b>

<b>Open Cases by Team (as at 19/04/2021)</b>							
<b>Team 1 (3.8 FTE)</b>	<b>199</b>	<b>8</b>	<b>64</b>	<b>35</b>	<b>28</b>	<b>64</b>	<b>0</b>
<b>Team 2 (4 FTE)</b>	<b>169</b>	<b>11</b>	<b>36</b>	<b>60</b>	<b>27</b>	<b>35</b>	<b>0</b>
<b>Team 3 (4 FTE)</b>	<b>183</b>	<b>12</b>	<b>47</b>	<b>47</b>	<b>37</b>	<b>40</b>	<b>0</b>
<b>No Team (3 FTE)</b>	<b>58</b>	<b>8</b>	<b>3</b>	<b>1</b>	<b>8</b>	<b>4</b>	<b>34</b>

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

The Planning department received a total of 214 applications during March which is a 16% increase of number received during March 2020 (185) and 11% decrease to the number received during February 2021 (240).



### Valid Appeals received – 5

Planning reference	Site Address	Decision Level
20/01050/VAR	27A The Causeway Burwell	Delegated
20/01104/FUL	Saxon Farm Barn Long Dolver Drove Soham	Delegated
20/01231/FUL	47 Pratt Street Soham	Delegated
20/01347/FUL	Solomons 45 Station Road Dullingham Newmarket	Delegated
Enforcement	14 Second Drove Little Downham	Delegated

### Appeals decided – 1

Planning reference	Site address	Decision Level	Appeal outcome
20/00923/FUL	Brian McKay Commercial Vehicles Lakepress Court Newmarket Road Bottisham	Delegated	Dismissed

### Upcoming Hearing dates - 3

Planning reference	Site Address	Decision Level	Hearing Date
18/01703/OUT	Land West Of 19 Station Road Fordham	Delegated	11/05/2021
20/00285/FUL	Land Rear Of 23 West Fen Road Ely	Delegated	18/05/2021
19/01469/OUM	Site East Of Heath Road Swaffham Bulbeck	Delegated	26/05/2021

### Enforcement

New Complaints registered – 26 (0 Proactive)

Cases closed – 40 (0 Proactive)

Open cases/officer (2.5FTE) – 236 cases (23 Proactive)/2.5 = 94.4 per FTE

Notices served – 0

### Comparison of Enforcement complaints received during March

Code	Description	2020	2021
<b>ADVERT</b>	Reports of unauthorised adverts	0	2
<b>COND</b>	Reports of breaches of planning conditions	4	10
<b>CONSRV</b>	Reports of unauthorised works in a Conservation Area	1	0
<b>DEM</b>	Reports of unauthorised demolition in a Conservation Area	0	0
<b>HEDGE</b>	High Hedge complaints dealt with under the Anti-Social Behaviour Act	0	0
<b>LISTED</b>	Reports of unauthorised works to a Listed Building	1	0
<b>OP</b>	Reports of operational development, such as building or engineering works	5	7
<b>OTHER</b>	Reports of activities that may not constitute development, such as the siting of a mobile home	0	0
<b>PLAN</b>	Reports that a development is not being built in accordance with approved plans	0	1
<b>PRO</b>	Proactive cases opened by the Enforcement Team, most commonly for unauthorised advertisements and expired temporary permissions	0	0
<b>UNTIDY</b>	Reports of untidy land or buildings harming the visual amenity	1	1
<b>USE</b>	Reports of the change of use of land or buildings	3	4
<b>TOTAL</b>		<b>15</b>	<b>25</b>