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**MAIN CASE**

**Reference No:** 18/01363/OUT

**Proposal:** Outline planning application with all matters reserved except access for the erection of six self-build plots

**Site Address:** Land Rear Of 6 To 12 High Street Aldreth Cambridgeshire

**Applicant:** P J Lee and Sons

**Case Officer:** Anne James, Planning Consultant

**Parish:** Haddenham

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

**Date Received:** 1 October 2018      **Expiry Date:** 5<sup>th</sup> April 2019

[T238]

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**1.0 RECOMMENDATION**

1.1 Members are recommended to **APPROVE** the application subject to the recommended conditions as set out in APPENDIX ONE of the report and the signing of a satisfactory legal agreement with authority delegated to the Planning Manager and Legal Services Manager to complete the legal agreement and to issue the planning permission.

1.2 The legal agreement will secure the following:

- Prior to occupation of the dwellings (High Street 18/01363/OUT) use of the cooling and ventilation plant at De Freville Farm potato store will cease;
- The date of occupation of the dwellings and cessation of the plant to be advised to the Council;
- Potato store to be identified on a plan; and
- No further cooling or ventilation plant to be introduced to De Freville Farm

1.3 A summary of the conditions is detailed below:

- 1 Approved Plans
- 2 Reserved Matters
- 3 Time Limit
- 4 Up to 6 dwellings

- 5 Vehicle Access
- 6 Visibility Splays
- 7 Written Scheme of Investigation
- 8 CEMP
- 9 Hours of Construction and Deliveries
- 10 Design of access and PROW
- 11 Fire Hydrants
- 12 Energy and sustainability
- 13 Biodiversity Improvements and mitigation
- 14 Foul water
- 15 Welcome Travel Packs
- 16 Site Investigation
- 17 Unsuspected contamination
- 18 External lights
- 19 Surface water management strategy
- 20 CIL - phasing

## **2.0 SUMMARY OF APPLICATION**

- 2.1 This is an outline planning application with access to be considered and external appearance, scale, layout and landscaping to be considered at the reserved matters stage.
- 2.2 The application seeks planning permission for a scheme comprising 6 detached self-build properties with detached garages. Access would be taken to the west of the site from Tinkers Lane to the High Street.
- 2.3 The application has been accompanied by the following documents:
- Preliminary Ecology Appraisal;
  - Highways Statement
  - Planning Statement
- 2.4 The application has been called in by Councillor Steve Cheetham for consideration by Committee in view of the implications on residential amenity, village character, site access and highways and need for self-build plots within the district.
- 2.5 In dealing with this planning application and in reaching a recommendation set out in this report, proper consideration has been given to the duty imposed on the Council under the Equality Act 2010 to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by that Act; to advance equality of opportunity and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are a person's age, sex, gender assignment, sexual orientation, disability, marriage or civil partnership, pregnancy or maternity, race, religion or belief.
- 2.6 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online

service, via the following link <http://pa.eastcambbs.gov.uk/online-applications/>.  
**Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

### 3.0 **PLANNING HISTORY**

- 3.1 17/01548/OUT The erection of 6 detached residential dwellings with garages  
Refused 19<sup>th</sup> October 2017

### 4.0 **THE SITE AND ITS ENVIRONMENT**

- 4.1 The application site comprises an arable field measuring approximately 0.8ha (1.36 acres) which is located on the northern edge of the village.
- 4.2 The site is enclosed by a combination of trees/hedgerow and residential boundary treatments which vary in height. There is an established linear row of housing to the south-east and along the north eastern boundaries of the site. To the west of the site is De-Freville Farm with Tinkers Lane running the full length of the western boundary. On this boundary the site is enclosed by a dense screen of hedgerow. The northern boundary abuts open countryside.
- 4.3 Tinkers Lane comprises an unmade single track access which is also a PROW for both walkers and vehicular traffic using the working farm and for the garage to the rear of No12 High Street.
- 4.4 There is a slight difference in land levels with a gentle fall across the site to the south-east. Whilst trees and vegetation form screening on some boundaries of the site there are no trees within the arable field.

### 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.

Anglian Water – No objection subject to condition

Asset Information Definitive Map Team – Objects.

Public Bridleway No20 has a legally recorded width of 9.1m. This means that the bridleway extends over the full width of the access corridor, not just the northern grass verge. Any works to accommodate the site access would therefore need the prior consent of Cambridgeshire County Council. In view that this application has been designed on the incorrect basis regarding the extent of the public highway the County Council cannot support this proposal and recommends its refusal. Should the LPA be minded to grant planning permission a condition is suggested.

CCC Growth & Development – No comments received

County Archaeologist – no objection

The site lies in an area of high archaeological potential, situated on the northern edge of the historic village of Aldreth. Recommend a condition concerning a Written Scheme of Investigation to be submitted and approved by the LPA.

Environmental Health – No objection

Subject to appropriate conditions concerning ground contamination, construction times and deliveries. The close proximity to De-Freville Farm to the south-west of the proposed site does raise concerns regard agricultural noise and odour. Whilst no complaints have been identified I would expect the future occupiers to take into consideration the rural nature of the environment which does include seasonal out-of-hours work and noise.

Cambridge Ramblers Association – No objection

However, express concern over potential disturbance to users of the Bridleway which provides vehicular access to the proposed building site. Not only does it appear that Tinkers Lane is the sole access during construction but also the permanent access for traffic after completion. It is imperative that a safe pathway is maintained; consideration should be given to provision of an off road pavement for walkers.

Local Highways Authority – No objection subject to conditions.

The access track and internal roads are not laid out to a highways adoptable standard.

Parish – Objects for the following reasons:

No housing allocation in adopted Local Plan 2015 and Submitted Local Plan 2018'  
Weight to be given to adopted local and emerging local plan;

- Back building/not a natural extension to the form of the village and outside of settlement boundary;
- Significant demonstrable harm to the character and appearance of Aldreth;
- Impact on residential amenity;
- Increase in noise and light issues from vehicles accessing the site along Tinkers Lane and behind the High Street;
- Drainage from the field currently slopes towards the houses in the High Street to the detriment of increase risk of flooding;
- Responsibility of upkeep of shared driveways;
- Sewerage system is already to the limit and cannot cope with additional properties;
- Water pressure is also low;
- Access road is not made up to an adoptable standard. Wheelie bins would need to be taken to the end of Tinkers Lane for collection;
- Noise from agricultural fans operating in a nearby storage shed which generate considerable noise and would affect the amenity of future residents;
- Vehicle parking on the road and the development is likely to exacerbate this.
- Visible to users of the PROW;
- Impact on wildlife;

- Misleading information regarding planning permission for development of the rear gardens of properties in High Street;
- Self-Build Register;
- No change in material considerations since planning permission was refused in October 2017. The lack of a 5-year housing supply is therefore not relevant in this case.

#### Ward Councillor – Mark Hugo – Objects

Aldreth is listed as a small village in both the Local Plan 2015 and the Local Plan submission 2017. There is no housing allocation in either of these plans, with housing restricted to only infill sites within the village to ensure no urban sprawl into the countryside.

- Local Plan 2015 Policy ENV2 requires development proposals to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers. Although the design is still awaited it is very clear the amenity of the existing residents will be significantly impacted. Existing properties have small or no gardens and are single storey with paddock/low fencing backing onto to open agricultural land. They therefore enjoy low maintenance of garden and a view onto open fields, both of which are reasons the residents moved there.
- The access road will run down Tinkers Lane and behind the existing properties and the vehicle movements to and from the proposed development will generate significant noise and especially vehicle light issues.

The proposed development would dominate the views from existing habitable rooms or residential gardens. This will have a serious effect on the health and well-being of existing residents, some of whom are very vulnerable.

- The site is clearly NOT infill by definition but would be back land development and does not present itself as a natural extension to the built form of the village. The proposed dwellings would be at odds with the current form of Aldreth and would result in an urban intrusion and would cause significant demonstrable harm to the character and appearance of the setting of Aldreth. As such it is contrary to Policies ENV 1 and ENV2 of the East Cambridgeshire Local Plan 2015 and the National Planning Policy Framework.

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

- Development of this depth and size is unsuitable for Aldreth and will set a bad precedent for further growth into the countryside, thus changing the nature of the hamlet.
- The plots are stated as “self build” which could result in a ‘hotch potch’ of styles and a prolonged build time and ongoing stress, noise and inconvenience for existing residents. Also I consider this a cynical ploy by the applicant to avoid the need to pay CIL to aid the village infrastructure. In addition the self build list held by ECDC has only 7 entries for the whole district and therefore shows no need for this extra number of self builds in one place. In addition there is no evidence that anyone already on the list has indicated they wish to live in Aldreth which surely there needs to be for any self build permissions?
- In Aldreth the existing foul water sewerage system is already being stretched to the limit. I live opposite the village sewerage pumping station from which all foul water has to be pumped up Aldreth Hill to then run down by gravity to the main treatment plant in Haddenham. This small pumping station regularly breaks down causing blocked toilets in The Borough and probably elsewhere and Anglian water are forever attending to sort things out often accompanied by a large tanker to suck out and dispose of the excessive build up. I dread to think what the addition of 6 more houses (around a 6% increase in houses in Aldreth) would do to this creaking system. I am aware this is not a planning concern in the true sense but I urge the planning officer to get an accurate picture from Anglian Water on this issue which I don’t believe can be solved without very significant investment.
- Surface water drainage is also a concern as the proposed properties naturally drain towards the High St which on many occasions flows with water until it reaches often partially blocked drains further down the village. The removal of the natural “sponge” effect of this field would only add to this problem.

In conclusion I believe this is an inappropriate development for the hamlet of Aldreth that would do demonstrable harm to its residents and set a bad precedent for the future. This application was already refused back in 2017 under a different reference number and consistency should apply. It is worth noting that the reasons for refusal last time, of which there were many, make no reference to the validity or not of the East Cambs 5 year housing supply.

Additional comments received on 13<sup>th</sup> February 2019

Further to my previous objection, I wish to add some further comments following the recent refusal of 18/01464/OUT in Wentworth where in my view the application is not dissimilar to 18/01363/OUT:

- 1) The proposed development would be located within the open countryside and is considered to be visually intrusive and would cause demonstrable harm to the character of the rural area and its setting within the open countryside. The proposal is therefore considered to be contrary to the requirements of policies ENV2 of the East Cambridgeshire District Local Plan 2015 and LP3 and LP31 of the Submitted Local Plan 2018.

2) The proposed development is considered to be contrary to policies ENV2 of the East Cambridgeshire District Local Plan 2015 and LP22 of the Submitted Local Plan 2018. The proposal is tantamount to a form of backland development which will generate a significant material detriment to the residential amenities of the dwellings that sit to the front of the proposed development site by reason of proximity of the proposal.

#### Ward Councillor - Steve Cheetham

Aldreth is a small village as defined in the local plan 2015 and the submitted local plan 2017 with no housing allocation in either of these plans, with any housing development on suitable infill sites within the village to ensure no urban sprawl into the countryside.

#### *Residential Amenity*

Local Plan 2015 Policy ENV2 requires development proposals to ensure that there is no significant detrimental effect on the residential amenity of nearby occupiers. The detailed design and appearance of the proposed dwellings is a reserved matter, however it is very clear that the proposed development will generate a significant material detriment to the residential amenities of the properties to the front of the proposed development site.

Currently a majority of the properties have no garden and are single storey with paddock/low fencing backing onto to open agricultural land. This affords them both very low maintenance of garden/etc alongside of the amenity that comes from the open environment.

The access road will run down Tinkers Lane and behind the High Street properties and the vehicle movements to and from the proposed development will generate significant additional noise and also vehicle light issues.

The effect of a proposed development on the outlook from habitable rooms or residential gardens would appear visually intrusive and overbearing.

#### *Village Character*

The site would be back land development in open countryside and does not present itself as a natural extension to the built form of the village and is outside the settlement boundary. The proposed dwellings by virtue of this location would be at odds with the built form, would result in an urban intrusion such that it would cause significant demonstrable harm to the rural areas and the character and appearance of the setting of Aldreth. As such it is contrary to Policies ENV 1 and ENV2 of the Local Plan 2015 and Paragraphs 170 of the National Planning Policy Framework 2018, where it is clear that this development does not meet the environmental objective of sustainable development in relation to the impact on character and appearance of the area which is integral to the dimension of sustainable development.

As well as the above, Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan 2015, seeks to protect landscape and settlement character and in particular, respect views into and out of settlements. These aims are reiterated in paragraph 17 of the NPPF which seeks to protect the intrinsic character and beauty of the

countryside. Policy ENV 1 also requires new development to demonstrate that the location, amongst other things, will create positive, complementary relationships with existing development, and conserve, preserve and where possible enhance the distinctive and tradition

The site would be back land development and does not present itself as a natural extension to the built form of the village and outside the settlement boundary. The proposed dwellings by virtue of this location would be at odds with the built form, would result in an urban intrusion such that it would cause significant demonstrable harm to the character and appearance of the setting of Aldreth. As such it is contrary to Policies ENV 1 and ENV2 of the Local Plan 2015 and policies LP22 and LP28 of the Submitted Local Plan 2017 and Paragraphs 11, 79, 127 and 170 of the National Planning Policy Framework 2018.

As well as the above, Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan 2015, seeks to protect landscape and settlement character and in particular, respect views into and out of settlements. These aims are reiterated in paragraph 17 of the NPPF which seeks to protect the intrinsic character and beauty of the countryside. Policy ENV 1 also requires new development to demonstrate that the location, amongst other things, will create positive, complementary relationships with existing development, and conserve, preserve and where possible enhance the distinctive and traditional landscapes, and key views in and out of settlements. The proposed development would result in a significant level of built form which is highly visible from the public highway and out of keeping with the existing street scene.

With the exception of the replacement of agricultural/farm buildings all development has been infill in the small village of Aldreth in line with the Local Plan 2015 and the Submitted Local Plan 2017.

The development will be highly visible to users of the public right of way/bridle way (Tinkers Lane) that runs adjacent to the south of the site. The proposal fails to respect the edge of the settlement location and will dominate the landscape in the immediate area. It is therefore considered that the scale and layout of the proposal will cause significant and demonstrable harm to the visual amenity of the area and on this basis is contrary to Policies ENV1 and ENV2 of the Local Plan 2015.

Development of this depth is not a defining characteristic of Aldreth and this proposal will result in the loss of an area of open agricultural land to the rear of existing dwellings. The proposal will lead to further encroachment of the built

### *Ecology*

An Ecology Appraisal has been submitted, however based on local knowledge, this site has the potential for nesting birds and badgers. There have also been numerous bats seen in the area and barn owls.

### *Cheffins Planning Statement – September 2018*

*Under point 1.6* the planning statement states incorrectly that an application for a single detached dwelling, etc was approved on 15<sup>th</sup> September 2016 and that this site is situated to the rear of No's 4 and 6. This site is not to the rear of No 6 as can be



seen by the current construction of this property, which is being built on former hardstanding of the commercial business and is in the defined development envelope of the Local Plan 2015 and Submitted Local Plan 2017 and it is noted on the officers report for recommendation for approval that the site reflects more the characteristics of an 'infill' development. It also states in the officer reports that in terms of layout and modest scale it would reflect the character of the existing development plan in this part of the village and would be in compliance with Growth 2 of Local Plan 2015.

The officer report also states that the development would avoid the physical constraints and enclosure that are characteristic of back land development.

*Under point 1.7* the planning statement states incorrectly that there have been permissions for dwellings in gardens of the properties along High Street, notably 6A and 10A.

In fact in relation to 6a, this was a single story front infill extension and relocation of fence (12/00455/FUL). There is no note of permission for a dwelling in the garden at 10A/10 on the ECDC planning portal but this may be an infill property that fronts the High Street in accordance with the Local Plan. Certainly neither of these are 'back land' development.

*Under point 5.4* This refers to the self-build register and it is my understanding that there are only c7 people registered on the self-build register and clearly these should be approached to determine any interest before any planning approval is considered, using self-build as part of the reasons for approval. It also refers to the proposed land being infill within the built framework of Aldreth, which is clearly an incorrect statement under any definition of infill.

Finally, it must be noted that a development for 6 houses on the proposed site was refused in October 2017 for a number of material planning reasons and these reasons are valid for this proposed development.

### **Statutory Consultation**

- 5.2 A site notice was posted on 25<sup>th</sup> October 2018 and advertised in the press on 18<sup>th</sup> October 2018. 36 neighbouring properties were notified and 27 letters of representation have been received objecting to the scheme. The responses received are summarised below. A full copy of the responses are available on the Council's website.

#### *Visual Amenity*

- Affects public views
- Affects streetscene
- Affects Conservation Area
- Landscape impact
- Form and character – backland development
- Loss of public amenity
- Noise and general disturbance
- Leading to sprawl

- Light pollution
- Open countryside
- Overbearing impact
- Visual intrusion
- Loss of view
- Out of keeping with village

#### *Residential Amenity*

- Loss of privacy
- Overlooking
- Persons with protected characteristics

#### *Highway*

- Parking and turning
- Impact on PROW
- Increase in parking
- Highway and pedestrian safety

#### *Biodiversity*

- Presence of Great Crested Newts (GCNs)
- Tree and hedgerow removal
- No Tree Survey
- Ecology Report inaccurate

#### *Flooding and Drainage*

- Groundwater issues
- Surface water drainage

#### *Policy*

- Contrary to Policy and against development plan
- NPPF

#### *Other*

- Misleading information regarding infill development of other sites and that development on three sides of the site.
- Sustainability
- Infrastructure
- Right of access
- Views of local community disregarded
- Sewerage
- Self build can take longer to build
- Area of archaeological interest

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational Strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 2	Housing density
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV11	Conservation Areas
ENV14	Sites of Archaeological interest
COM 7	Transport impact
COM 8	Parking provision

Village Vision Aldreth

### 6.2 Supplementary Planning Documents

East Cambridgeshire Design Guide

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

Flood and Water

Interim Five Year Housing Land Report

Annual Monitoring Report 2018

### 6.3 National Planning Policy Framework 2019

- 2 Achieving Sustainable Development
- 5 Delivering a sufficient supply of homes
- 6 Building a strong, competitive economy
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 10 Supporting high quality communications
- 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
- 17 Facilitating the sustainable use of minerals

### 6.5 Planning Practice Guidance

Due regard has been had to the guidance contained within the PPG.

## **7.0 PLANNING COMMENTS**

- 7.0.1 The starting point for decision making is the development Plan ie the East Cambridgeshire Local Plan 2015. S38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework and the Planning Practice Guidance are both important material considerations in planning decisions. Neither change the statutory status of the development plan as the starting point for decision making but policies of the development plan need to be considered and applied in terms of their degree of consistency with the NPPF, PPG and other material considerations. Determination of the application needs to consider whether the proposal constitutes sustainable development having regard to development plan policy and the NPPF as a whole.
- 7.0.2 An interim Five Year Land Supply Report was published by the Council in November 2018 and its findings demonstrate that the Council does not have a five year housing land supply. As such, Policies relating to the supply of housing cannot therefore be considered up to date. Policies GROWTH 2 of the adopted Local Plan 2015 deals with the locational strategy with housing being centred in Ely, Littleport and Soham. In light of this, all planning applications for housing within the district should now be considered on the basis of the presumption in favour of development unless the adverse impacts significantly and demonstrably outweigh the benefits when assessed against the NPPF.
- 7.0.3 A previous application (17/01548/OUT) was refused on 19<sup>th</sup> October 2017 for three reasons. Namely, that the development was located in an area of open countryside and no need had been demonstrated in this case. Secondly, that the development would likely give rise to adverse highway safety due to substandard visibility at the junction between Tinkers Lane and the High Street and lastly, that the development would be located close to a working farm that utilises electrical fans to dry produce and has the potential to cause noise nuisance.
- 7.0.4 The main issues to consider in the determination of this application are:
- Principle of Development
  - Visual amenity
  - Residential amenity
  - Highway and parking
  - Biodiversity and Ecology
  - Flooding and Drainage
  - Archaeology
  - Other Matters
  - Planning Balance

### **7.1 Principle of Development**

- 7.1.1 An assessment of the planning application has been undertaken within the following sections of the report using the principles of the presumption in favour of sustainable

development, as set out in the revised version of the NPPF 2019 and the East Cambridgeshire Local Plan 2015. An assessment has been made of the benefits together with any harm that would arise from the failure to meet these objectives and how the considerations should be weighed in the overall planning balance.

7.1.2 For the purposes of assessing the proposal, in relation to the presumption in favour of sustainable development, it is considered that when planning permission was refused in 2017, the Council had the benefit of a 5 year housing land supply. The application (17/01548/OUT) was refused for the following reasons:

1. *The proposed development is located within an area defined as open countryside where new dwellings are only permitted where required to accommodate key agricultural, forestry or other essential countryside workers or to meet a local need for affordable housing/accommodation. No such need has been demonstrated in this case and the proposal would lead to sporadic and unsustainable development that would cause harm to the rural character of the area. It would significantly extend permanent built form into the countryside in this prominent location in a manner that is considered harmful to local landscape character and visual amenity. The resultant encroachment will increase the sense of suburbanisation of the countryside to the detriment of local visual amenity. In addition, it is considered that there are no social, economic and environmental benefits specific to the development which would outweigh either the harm to the plan-led system and housing strategy for the area or the site specific harm associated with the consolidation of development in this area. Accordingly, the proposal is not considered to constitute sustainable development in principle and is contrary to adopted East Cambridgeshire Local Plan (2015) Policies GROWTH2, ENV1, ENV2 and HOU2, Policies LP3, LP22, LP28 and LP31 of the Proposed Submission Local Plan (2017) and Central Government advice contained in the National Planning Policy Framework.*
2. *The proposed development would be likely to give rise to adverse highway safety impacts by virtue of substandard visibility at the junction between Tinkers Lane and High Street and the restricted width of the Lane which would prevent opposing vehicles from passing each other leading to vehicles stopping and manoeuvring on the highway to the detriment of other users of the highway. In addition, Tinkers Lane is a public right of way and a bridleway and these conditions are also likely to lead to conflict between motor vehicles, horse riders and walkers further adding to the risks to the safety of users of the highway contrary to Policies COM7 of the adopted East Cambridgeshire Local Plan (2015) and LP17 of the Proposed Submission Local Plan (2017).*
3. *The proposed development is located close to a working farm that utilises electrical fans to dry produce and which has potential to cause noise nuisance for future residents of the development. It has not been possible to fully assess the likely effects on amenity arising from this apparatus as insufficient information has been provided to the local planning authority. As such, the proposals would not comply with Policies ENV9 of the adopted East Cambridgeshire Local Plan (2015) and LP26 of the Proposed Submission Local Plan (2017).*

7.1.3 As has been evidenced recently, the Council can only demonstrate approximately 3.9 years housing land supply, and the presumption in favour of sustainable

development applies. Moreover, the Council will also need to apply a 20% buffer in line with the Government's recently published Housing Delivery Test.

- 7.1.4 In assessing the proposal presently under consideration, it needs to be acknowledged that in view of the Council's current position, the impact on the character of the area needs to be weighed against the under supply of housing provision within the district, changes in policy, as well as any physical changes that have occurred during the intervening period.
- 7.1.5 The second reason for refusal concerning highway safety has now been overcome as the scheme has demonstrated that an acceptable visibility can be achieved from the junction of Tinkers Lane with the High Street to which the Highways Authority have raised no objections. The PROW officer whilst objecting to the scheme has also offered a condition which will resolve previous concerns.
- 7.1.6 In assessing the third reason for refusal afresh, the Environmental Health Officer has raised no objection to the current scheme. In fact, he has advised that new occupiers would be aware of the close proximity of the farm and would be aware that as a working farm there would be noise and general disturbance periodically. However, it is considered necessary to restrict noise impacts by way of a legal agreement with the owners of both this site and the adjoining Defreville Farm to limit noise and general disturbance by way of a number of mitigation measures.
- 7.1.7 The NPPF supports the delivery of a wide range of high quality homes and considers small and medium sized sites (1ha or less) can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly, para 68 of the NPPF refers. Given the small number of dwellings proposed, and that smaller sites are more likely to be delivered on time than the larger strategic sites in Ely, Littleport and Soham, cumulatively, sites such as this one can make an important contribution to the District's housing land supply and be delivered within 3-5 years. As such, considerable positive weight should be afforded to the need for housing within the district.
- 7.1.8 Whilst the site is located within open countryside it is located adjacent to the settlement boundary which means that the site is accessible to the limited amount of services and facilities available in Aldreth. It is also considered the impact on residential amenity can be mitigated by condition.
- 7.1.9 When taking into consideration the impact of the scheme on the visual amenities of the area, physical changes to the adjoining sites now results in only one of its boundaries abutting open countryside. Therefore the site is now fairly well contained by development.
- 7.1.6 The application is therefore supported in principle.

## 7.2 Residential Amenity

- 7.2.1 The NPPF seeks to ensure that a good standard of amenity for all existing and future occupants of land and buildings is provided. Policy ENV2 of the Local Plan requires development to respect the residential amenity of existing and future occupiers.

- 7.2.2 The site lies to the rear of a row of dwellings on the High Street (Nos 4 – 12 respectively), which effectively wrap around the site on its north east/south-east boundaries. There is a variety of house types represented in this area including bungalows and two storey houses. Most of them share a boundary with the application site.
- 7.2.3 Nos 4a, 6, 6a, 8 and 10 High Street all lie in close proximity to the site on the north-eastern and south-eastern boundaries. In particular, No 6a High Street, due to its restricted depth in plot size has resulted in the rear wall of the dwelling approximately 2m from the application site boundary. There is a lounge window on this north-west facing elevation which, although not the sole source of light to the living room, does provide the occupiers of this room with an outlook on to the application site. This would be diminished should the erection of boundary treatment in the form of close boarded fencing be erected along the north eastern and south eastern boundaries of the application site. The occupiers of No 6a have protected characteristics and rely on this room for much of their day-to-day living. Whilst it is acknowledged that the land owners may at any time erect 2m high fencing on this boundary without requiring planning permission, this application would provide an opportunity to ensure that modest post and rail fencing is erected, which would be less intrusive. A careful landscape buffer can also provide a degree of screening and outlook between the development and adjoining occupiers without injurious loss of amenity in terms of loss of sunlight/daylight penetration and outlook. In view of the size of the site and the quantum of development proposed, it is anticipated that an acceptable separation distance can be achieved which would not result in loss of privacy, visual intrusion or overshadowing.
- 7.2.4 It is considered that the needs of these occupiers could be respected in any future scheme by the use of appropriate mitigation measures imposed by condition.
- 7.2.5 Whilst other properties in the High Street would experience a change in outlook as a result of the redevelopment of this site, it is considered the impact on the amenities of these adjoining residents can be comprehensively assessed at the detailed design stage.
- 7.2.6 The application site is of a size to enable development to comply with the criteria set out in the East Cambridgeshire Design Guide. An indicative layout plan has been submitted with the application and this suggests that all properties could achieve a satisfactory living environment in terms of the degree of separation between dwellings and degree of amenity space to be provided. As layout and external appearance form matters to be considered at the detailed design stage, further details can be provided then.
- 7.2.7 Whilst these indicative layout drawings specify that some of the dwellings could be 9m in height, this would be out of character with the prevalent pattern of development which is predominantly single storey in nature. In assessing the impact of the scheme at reserved matters stage then the height, scale and massing of each dwelling can be re-considered further.

- 7.2.8 Although it is evident that the proposed development would change the nature of views from the properties in the vicinity of the site, private views such as these are not a material planning consideration.
- 7.2.9 In the previously refused scheme there were objections with regard to noise and general disturbance with the close proximity of the working farm. However, the Environmental Health Officer has not objected, citing that new occupants of the development would take into consideration the rural nature of the environment which does include seasonal out-of-hours work and noise. However, for reasons of consistency, a legal agreement is recommended to be entered into, similar to the one required by the development of one dwelling off of School Lane (18/00853/OUT) which required the cessation of the cooling and ventilation plant at De Freville Farm potato store.
- 7.2.10 Concerns have also been identified with regard to increased noise and light pollution issues from vehicles accessing the site along Tinkers Lane and behind the High Street. However, given that Tinkers Lane is already used by vehicular traffic then the scheme would not introduce a new element. Any proposed external lighting can be considered at a later stage in association with the biodiversity mitigation measures proposed which form a condition on the consent.
- 7.2.11 On balance, it is considered that the proposal would have an acceptable impact on residential amenities of both existing and future occupiers and that these issues can be comprehensively evaluated at the reserved matters stage. The scheme complies with Policy ENV2 of the Local Plan, and the NPPF, and this is attributed neutral weight in the planning balance.

### 7.3 Visual Amenity

- 7.3.1 In considering the visual impact on the landscape Policy ENV1 of the Local Plan requires new development to provide a complementary relationship with existing development, and conserve, preserve and where possible enhance the distinctive and traditional landscapes, and key views in and of settlements. Policy ENV2 of the Local Plan requires that new development should ensure its location, layout, form, scale, massing and materials are sympathetic to the surrounding area.
- 7.3.2 The application site comprises an agricultural field which is enclosed on three of its four boundaries by development. Land levels rise gradually from east to west and from south to north. The site is visible through gaps between development but is screened effectively by boundary hedgerow. The proposal will be visible from a number of vantage points and these would be along the PROW which abuts the site to the west. The formation of a new vehicular access point will further open up views of the development.
- 7.3.3 It is acknowledged that the development would alter the character of the village at this location, however, since planning permission was granted in December 2017 for the development of a detached dwelling, cart lodge and garage at land to the rear of 4A High Street (17/01921/FUL), to the north-east of the site, then the application site is no longer as “open” in nature as it was when the previous scheme on this site was first assessed. The proposed development could be considered to amount to a ‘rounding off’ of the form of the village given the existing surrounding development



which provides some degree of physical and visual containment of the site. It is considered the proposed development would be well-related to the existing established settlement pattern and would not comprise a sprawling form obtruding into the surrounding countryside but would maintain the compactness of the built form in the locality. As such, it is considered the proposed development would serve to consolidate the existing settlement pattern.

7.3.4 Whilst the proposed development would have an impact upon the character and appearance of the site itself and its immediate environments, its impact on the visual amenities of Tinkers Lane would alter as this section of the road is presently semi-rural with an open outlook on to the application site. Post development this streetscene would be significantly altered to one of a street within the built development of a village. However, these impacts would be inherently localised and it is considered could be mitigated through good design principles and landscaping which can be controlled through a future reserved matters application. Whilst it is noted that a number of properties along the High Street are 2 storey, in order not to appear too obtrusive it is considered that a scheme of six bungalow or chalet bungalow dwellings would be more in keeping and less likely to be incongruous with the general character of this part of the village.

7.3.5 At this stage, the matters of the detailed appearance, layout, landscaping and scale of the proposed development are reserved for approval at a later date and it is therefore not possible to make detailed assessments relating to the design and appearance, but these can be considered fully at the reserved matters stage.

7.3.6 On the basis of this assessment, it is therefore considered the proposal could be designed such as to form a coherent and congruous extension to the village without any significant detriment to the existing character or identity of the village in accordance with Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015, and the NPPF. Therefore, due weight should be given to this factor in the planning balance.

#### 7.4 Access and Highway safety

7.4.1 It is necessary to consider whether the proposed development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised and that safe and suitable access can be achieved. Para 109 of the NPPF requires that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

7.4.2 Policy COM7 of the Local Plan also requires development to be designed in order to reduce the need to travel, particularly by car and should promote sustainable forms of transport appropriate to its particular location.

7.4.3 Aldreth is classified in the adopted Local Plan 2015 as a hamlet which is located two miles south-west of the village of Haddenham. It supports a limited range of facilities including a church, recreation field and play area as well as a daily bus service to Ely which runs Monday-Saturday. It is likely to continue to grow at a slow rate, with new housing being built on suitable 'infill' sites. There will be a reliance on the private car to access higher order services and facilities.

- 7.4.4 The indicative layout shows housing and road layout, which outside of the site, follows the PROW on to the High Street and which is also shared with the neighbouring De Freville Farm. There is also no segregated footway or area for riders/horses to use.
- 7.4.5 A Transport Assessment has been submitted with the application [MTC Engineering dated September 2018] indicating that the development would likely generate approximately 4 movements during each AM peak period and about 5 movements during the PM peak period resulting in the generation of approximately 25 two way movements per day. The Highways Authority have raised no concerns with regard to the impact on the surrounding highway network which it is considered would not be affected by the proposal.
- 7.4.6 In terms of the access into the site again the Highways Authority has raised no objection in principle, however, has observed that the applicant does not appear to control sufficient land in order to carry out the required improvements to the junction with the highway. Tinkers Lane is shown as serving as access into the site and is also a PROW. Moreover, the access track and internal roads are not laid out to a highways adoptable standard. The Highways Authority has therefore imposed a number of conditions on the consent which would need to be discharged by agreement.
- 7.4.7 The County Rights of Way Officer has also raised concerns regarding the impact on the PROW which was not accurately recorded in the Highways Statement. This has now been amended. However, there is sufficient scope to agree an acceptable treatment to both the access road, footway and bridleway into the site and further details can be provided by way of condition.

#### *Parking*

- 7.4.8 Policy COM8 of the adopted Local Plan sets out parking provision outside of town centres and requires 2 spaces per dwelling plus up to 1 visitor parking space per 4 units. Cycle parking should also be provided at 1 space per dwelling.
- 7.4.9 From the indicative layout accompanying the planning application an opportunity exists on the site to provide an acceptable parking scheme and the scheme could be policy compliant in line with Policy COM8 of the adopted Local Plan.
- 7.4.10 To conclude, whilst Aldreth is not considered to be locationally sustainable, with an over-reliance on the car for higher order services and facilities, the scheme can provide a safe access and would not result in an unacceptable impact on highway and pedestrian safety. Further details can also be provided to the satisfaction of the County Rights of Way Officer which on balance would accord with Policies COM 7 and COM 8 of the adopted Local Plan 2015. These factors are therefore afforded neutral weight.

#### 7.5 Ecology and Biodiversity

- 7.5.1 Policy ENV7 of the Local Plan requires that development should protect biodiversity and the geological value of land and buildings and minimise harm to or loss of

environmental features such as hedgerows and trees. The application has been supported by a Preliminary Ecological Appraisal Survey carried out on 20<sup>th</sup> August 2018 [Green Environmental Consultants Ltd dated August 2018]. The aim of the survey was to complete an Extended Phase 1 Habitat Survey and to analyse these findings against a desk study.

7.5.2 The Appraisal identifies the site as a single grass field dominated by an improved grass sward. On the north-eastern side were two small trees Ash and Field Maple with some elm scrub present on the same boundary. The south-western boundary is entirely hedged with elm and hawthorn, damsons and bramble. The site has been valued at 'zone of influence' level due to its very local ecological value. There are no statutorily designated site within 2kms of the site. The area of search also includes the following non-statutory Local Wildlife Sites:

- Aldreth Ponds
- Fen Side Pollard Willows
- Haddenham Engine/Adventurers' Head Drainage System
- River Great Ouse

7.5.3 The Appraisal has not identified any protected species within 2km radius of the application site. Whilst the presence of many of these species were not found on site, it is likely that it is used for foraging and commuting purposes by bats, owls and birds. Mitigation measures have been proposed in the form of off-site vegetation enhancement, control of lighting across the site both during and after construction, as well as any site clearance works and hedge/tree removal undertaken outside of the bird nesting season. No reptiles, badgers, water vole, otters or dormice have been identified as present on site.

7.5.4 It is therefore considered that mitigation measures can be imposed by condition to ensure that the site delivers a net environment gain. The scheme would not result in an unacceptable impact on biodiversity or ecology and this factor is weighed neutrally in the planning balance. The proposal would therefore comply with Policy ENV7 of the adopted Local Plan 2015.

## 7.6 Flood Risk and Drainage

7.7.1 Policy ENV8 of the Local Plan requires that all developments should contribute to an overall flood risk reduction.

7.7.2 The application site is not within an area at high risk of flooding. Surface water is to be disposed of via soakaways. There is no reason to believe that the development could not be served by a suitable drainage system that prevents flooding of adjacent land or increased risk of pollution and further information would need to be submitted through a suitable planning condition.

## 7.8 Archaeology

7.8.1 Section 12 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal including development that may affect the setting of a heritage asset.

7.8.2 The County Archaeologist has commented that the site lies in an area of high archaeological potential, situated on the northern edge of the historic village of Aldreth. County would not object to the development of this site provided a programme of archaeological investigation is secured through the inclusion of a condition.

7.8.3 The scheme would not result in a detrimental impact on archaeology and this is weighed neutrally in the planning balance.

## 7.9 Other Material Matters

### *CIL*

7.9.1 As the development promotes self-build then it would be subject to an exemption of the Community Infrastructure Levy.

### *Energy Efficiency*

7.8.2 All new development would be expected to aim for reduced or zero carbon development in accordance with the zero carbon hierarchy Policy ENV4 refers and further details can be obtained by condition.

### *Ground Contamination*

7.8.3 In view of the historic use of the site, the Council's Environmental Health Department are satisfied that further details regarding possible ground contamination can be submitted by condition. In addition during the construction works, adequate mitigation measures could be controlled to reduce pollution and general disturbance by the imposition of a Construction Environmental Management Plan to be agreed with the Council. External lighting could also be conditioned to preserve general amenity, with internal noise attenuation covered by building regulations.

### *Waste*

In terms of the collection of waste and recycling it would be the responsibility of the owners/residents to take any bins to the public highway boundary.

### *Misleading information within the material submitted with the application concerning other infill development*

The dwelling at 6a High Street was built on garden land to the north side of No 8 High Street. Planning application 80/00636/OUT refers.

The dwelling at 10a High Street was built on garden land to the north side of No12 High Street. Planning application 04/01004/OUT refers.

A dwelling has also been permitted on land to the north west of No 4a High Street, itself an infill development (17/01921/FUL) both of which lie outside of the development envelope.

*Drainage from the field currently slopes towards the houses in the High Street to the detriment of increase risk of flooding;*

In terms of drainage, the applicant's have stated that the existing water course would be used to dispose of surface water and further details would need to be provided by condition.

*Responsibility of upkeep of shared driveways;*

At this stage, the details of development are purely indicative with further information being provided at the reserved matters stage.

*Sewerage system is already to the limit and cannot cope with additional properties;*

Anglian Water have been approached to provide advice on the Aldreth pumping station. However according to their records the 'used water network' has capacity to treat the flows. There have been no reports of sewer flooding which is often caused by maintenance issues or blockages which is unlikely to be capacity issues and growth related. The proposed development would be required to provide further information, by condition, to the satisfaction of the Council that the scheme would either connect to the existing drainage system or provide evidence of other methods of disposing of foul sewage.

*Water pressure is also low;*

This is not a material planning consideration and therefore cannot be dealt with in the report to committee.

*Visible to users of the PROW;*

This proposal would be visible from the PROW, however, apart from the first 90m of the PROW from the rear boundary of No12 High Street the development be framed by existing development on three of its four boundaries. An appropriate landscaping scheme would be required by condition which would ameliorate the proposal into its landscape setting

*Self-Build Register;*

Concerns have been identified in the letters of representation that the number of people wishing to build their own home has significantly decreased. According to the Council's Annual Monitoring Report 2018 (AMR) as at 30 October 2017 there were 90 people on Part 1 of the Self-Build Register. Housing records indicate that there is currently 1 person on the Self-Build Register. However, from 1<sup>st</sup> April 2018 the CIL team have granted self-build relief to 76 people who have bought a plot of land and are building a home to live in for the next 3 years. On 31<sup>st</sup> October 2017 Councils were allowed to charge a fee for entering names on the Register and the implications of this will not be known until the next AMR is published.

Whilst self-build properties may take longer to build, the Council positively supports residents' rights to build their own homes.

## 7.9 Planning Balance

- 7.9.1 The application has been evaluated against the extant Development Plan and the NPPF and the report has assessed the application against the core planning principles of the NPPF and whether the proposal delivers sustainable development. Para 11 of the NPPF requires that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 7.9.2 The development would make a contribution to the housing land supply which, in the context of the Council currently being unable to demonstrate the 5 year housing land supply, is a benefit to be attributed considerable weight in the planning balance. In view of the number of dwellings proposed, there is no reason why the development could not come forward within the next 5 years making a contribution to the district's housing supply. There would also be economic benefits in terms of the construction of the development itself, and those associated with the resultant increase in population to which moderate weight should be attached.
- 7.9.3 Compliance with some of the other core planning principles of the NPPF have been demonstrated in terms of highway safety; flood risk/drainage; access; residential amenity; biodiversity/ecology, archaeology, and, energy efficiency. However, these matters do not represent benefits to the wider area but demonstrates an absence of harm to which weight should be attributed neutrally.
- 7.9.4 The above assessment has also concluded that whilst the proposal would impact on the visual amenities and character of the area, the site specific characteristics provide sufficient physical and visual containment to the site, and it is not considered that the development would unacceptably intrude into the open countryside such that this factor should only be afforded moderate negative weight.

## 8 CONCLUSION

- 8.1 Weighing all the above factors into the planning balance, and having regard to the NPPF as a whole, all relevant policies of the East Cambridgeshire Local Plan 2015 and supplementary planning documents and guidance, in applying para 11 of the NPPF, it is considered that the adverse impacts would not significantly and demonstrably outweigh the benefits.
- 8.2 The proposal is recommended for approval, subject to conditions.

## RECOMMENDATION: APPROVE

## 9. COSTS

- 9.1 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 i.e. 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:

The proposal would not injuriously harm to the character and appearance of the area or residential amenity of existing and future occupiers as well as highway safety.

## 10. **APPENDICES**

Appendix 1 - Conditions

<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
18/01363/OUT 17/01548/OUT	Anne James Room No. 011 The Grange Ely	Anne James Planning Consultant 01353 665555 anne.james@eastc ambs.gov.uk

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

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

## APPENDIX ONE

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

Plan Ref:	Version No:	Date Received:
SK001		12.03.2019
Location Plan		01.10.2018

- 1 Reason:
- 2 Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this permission.
2. Reason; The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 4 The proposal is for up to 6 dwellings.
- 4 Reason: To allow for a design led approach in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 5 The Vehicle access with the highway to be laid out as per drawing number 2203-03 Rev A and be a minimum of 5m from the near edge of the highway carriageway for the first 10m in to the track and thereafter retained in perpetuity.
- 5 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 6 Prior to the occupation of the first dwelling, visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan 2203-03 Rev A and 2.4m x 43m either side of the vehicle access with the adopted highway. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- 6 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 No development shall take place until an archaeological written scheme of investigation (WSI) has been submitted to and approved by the local planning



authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI which shall include:

A. the statement of significance and research objectives;

B. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

C. The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

7. Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 8 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.
- 8 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 9 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 07:30 – 18:00 each day Monday-Friday, 07:30 – 13:00 Saturdays and none on Sundays or Bank Holidays.
- 9 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 Prior to the commencement of development, an access scheme shall be submitted to and approved by the LPA. Such scheme shall include provision for:
  - i. the design of access and public rights of way routes and their surfacing, widths, gradients, landscaping and structures
  - ii. any proposals for diversion and closure of public rights of way and alternative route provision
- 10 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 11 No above ground construction shall take place until details of the position and number of fire hydrants required has been submitted to and approved in writing by the local

planning authority. The development shall be carried out in accordance with the agreed details, including any phasing arrangements.

- 11 Reason: To ensure the appropriate infrastructure is in place to ensure adequate public safety provision in accordance with Policies Growth 3 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 Prior to or as part of the first reserved matters application, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 12 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015.
13. Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 13 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and LP28, LP22.
- 14 No development shall take place until a scheme to dispose of foul water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to occupation of the dwellings.
- 14 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as is detailed as one of the model conditions.
- 15 Prior to first occupation the form and content of Welcome Travel Packs to be issued to new residents on the first occupation of each new dwelling shall be agreed with the Local Planning Authority. The Packs should encourage residents to travel using sustainable modes of transport and shall be provided to new occupiers of the development.
- 15 Reason: In order to encourage future residents to travel using sustainable modes of transport in accordance with Policy COM7 of the East Cambridgeshire Local Plan 2015.
- 16 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include: (i) A survey of the extent, scale and nature of contamination; (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and

pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments; (iii) An appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.

- 16 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 17 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 17 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 18 No external lights shall be erected within the site (either freestanding or building-mounted) other than those expressly authorised within this application.
- 18 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 19 No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.
- 19 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.

20. The biodiversity mitigation measures shall be undertaken in accordance with the recommendations set out in the Preliminary Ecology Appraisal [Green Environmental Consultants dated August 2018] and thereafter maintained in perpetuity.
20. Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 21 The development hereby permitted consists of 6 self-build plots as shown on drawing SK001 and shall be completed in accordance with a phasing plan to be submitted with Condition 2.
- 21 Reason: In order that the development be undertaken in a phased manner for the purposes of CIL.