

21/00818/FUL

Amberlea Country Kennels And Cattery

Ely Road

Sutton

Ely

Cambridgeshire

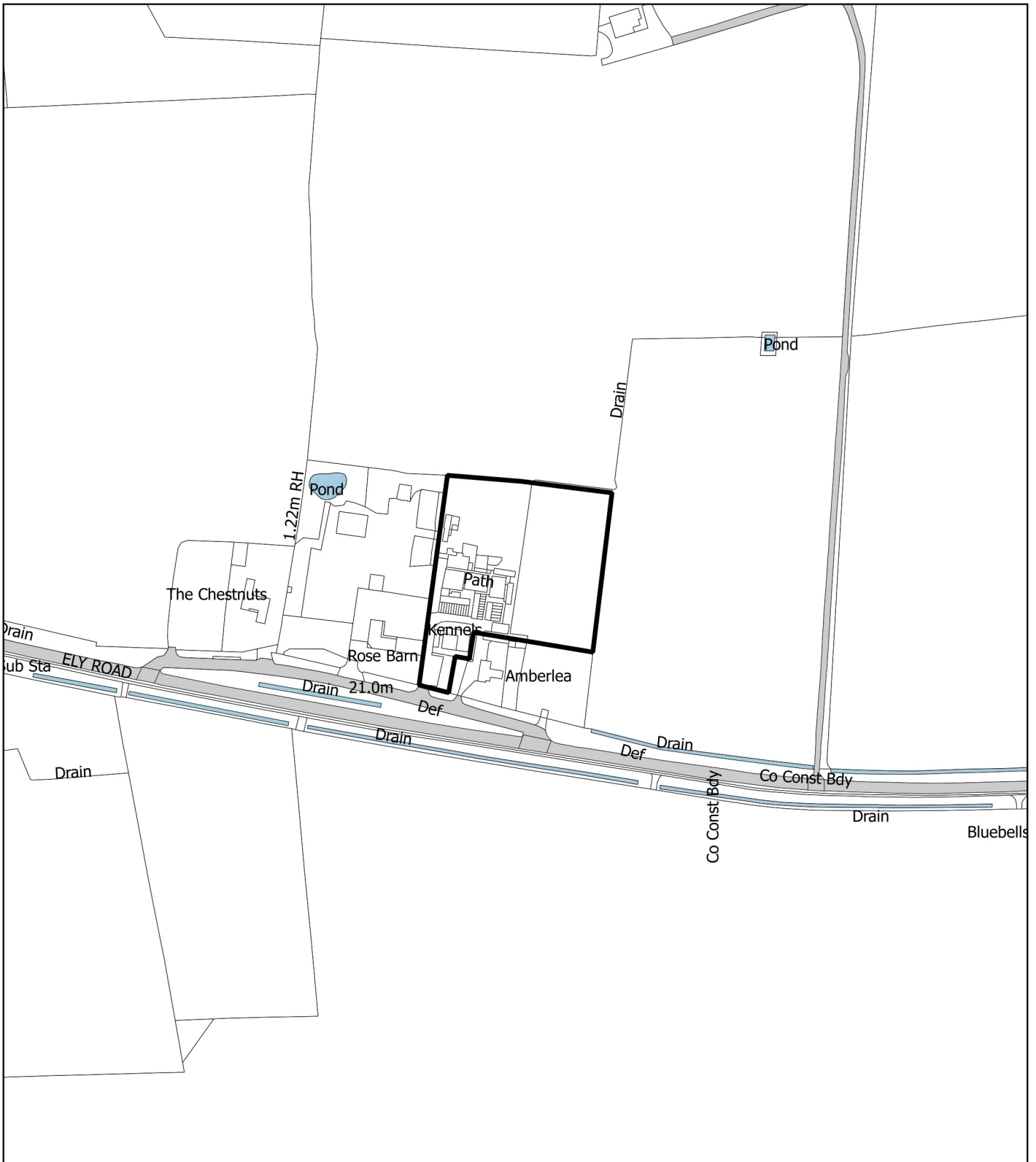
CB6 2AB

Proposed replacement staff welfare facility and staff accommodation unit

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

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QTQ2W0GGJA200>





21/00818/FUL

Amberlea Country Kennels
And Cattery
Ely Road
Sutton



East Cambridgeshire
District Council

Date: 18/10/2021
Scale: 1:3,500



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MAIN CASE

Reference No: 21/00818/FUL

Proposal: Proposed replacement staff welfare facility and staff accommodation unit

Site Address: Amberlea Country Kennels and Cattery Ely Road Sutton Ely Cambridgeshire CB6 2AB

Applicant: Amberlea Country Kennels and Cattery

Case Officer: Molly Hood Planning Officer

Parish: Sutton

Ward: Sutton
Ward Councillor/s: Lorna Dupre
Mark Inskip

Date Received: 26 May 2021 **Expiry Date:** 10 November 2021
Report Number W90

1.0 **RECOMMENDATION**

- 1.1 Members are recommended to REFUSE the application for the following reason:
- 1) The Council is currently able to demonstrate a Five Year Housing Supply and policy GROWTH 2 of the East Cambridgeshire Local Plan 2015 which provides the locational strategy is considered up to date. Outside defined development envelopes development will be strictly controlled having regard to the need to protect the countryside. Development will be restricted to the main exception categories listed in policy GROWTH 2, providing there is no significant adverse impact on the character of the countryside. The need for an additional permanent dwelling for a rural worker has not been adequately demonstrated in line with the requirements of Policy HOU 5 of the East Cambridgeshire Local Plan, 2015 and Policy GROWTH 2.

2.0 **SUMMARY OF APPLICATION**

- 2.1 Permission is sought for replacement staff welfare facilities and accommodation unit on the site of Amberlea Kennels and Cattery. One building is proposed measuring 16m (52.4ft) in length, 5.5m (18ft) at its greatest depth and will have a ridge height of 2.95m (9.6ft). The building will be split into the following three sections:
- Store
 - Staff welfare facilities (including a kitchenette in living area)
 - Overnight staff accommodation (including kitchenette in a main living area, shower room, store, wardrobe/cupboard and bedroom).

- 2.2 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.
- 2.3 The application has been called into Planning Committee by Councillor Dupré on the grounds that refusal of the application for overnight staff accommodation would unreasonably prevent a successful local business being able to comply with the terms of its licence on the retirement of its owner.

3.0 PLANNING HISTORY

04/01490/FUL	Erection of new reception and staff facilities building and extension to dog grooming parlour to create canine hydrotherapy facilities with new vehicular access.	Approved	28.01.2005
07/00231/FUL	Construction of staff facilities and reception building (modified proposal previously approved under application 04/01490/FUL)	Approved	17.04.2007
09/00802/FUL	Change of use from staff facility/office building to single one bedroom living accommodation.	Refused Appeal Dismissed	06.01.2010
10/00138/FUL	Change of use from staff facility/office building to include temporary overnight staff accommodation	Approved	31.03.2010
15/01280/CLE	For staff facility/office buildings including provision for overnight accommodations for manager	Refused	07.01.2016
16/00226/FUL	Change of use from a staff facility/office to a permanent residence. Use Class C3 - Dwellinghouse.	Approved	22.04.2016
16/00851/FUL	Proposed demolition of part and extension to existing building to increase domestic accommodation	Refused	30.08.2016

and decrease reception and sales area to facilitate change of use to accommodation

16/01538/FUL Proposed demolition of part Approved 21.12.2016
and extension to existing
building to provide a new
and permanent reception,
office and sales area and an
additional bedroom within
the domestic
accommodation

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site forms part of the wider Amberlea Kennels and Cattery Site which includes the owners dwelling, the staff accommodation as well as the kennels and cattery buildings. There are further ancillary buildings within the site, one in particular is the existing mobile home to the northern corner of the site. The site is within the countryside outside of the defined development envelope but on the outskirts of the village. To the south is the access road and the A142. The application site is outside of the Sutton Neighbourhood Plan Area.

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultees and are summarised below. The full responses are available on the Council's web site.

Local Highways Authority - 23 June 2021

No objection to this application

CCC Growth & Development –

No Comments Received

Environmental Health - 8 June 2021

If Peter wishes to make any comments he will respond separately.

As this is a replacement facility for one already in situ I will have no issues to raise with this.

I would advise a condition which restricts the use of the accommodation unit to those connected to the business.

I would not expect a great deal construction associated with this proposal but I would still recommend that construction times and deliveries during the construction phase are restricted to the following:

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

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

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

Waste Strategy (ECDC) - 24 June 2021

East Cambs District Council does not collect commercial waste and the business owners should ensure all waste is disposed of via a registered waste carrier.

Parish - 23 June 2021

Sutton Parish Council will let ECDC determine this application

Ward Councillors – 7 October 2021

Councillor Dupré - I would like to call this application in for determination by the Planning Committee on the grounds that refusal of the application for overnight staff accommodation would unreasonably prevent a successful local business being able to comply with the terms of its licence on the retirement of its owner.

- 5.2 A site notice was displayed near the site on 21 June 2021.
- 5.3 Neighbours – one neighbouring property was notified and no responses have been received.
- 6.0 The Planning Policy Context
- 6.1 East Cambridgeshire Local Plan 2015
 - GROWTH 2 Locational strategy
 - GROWTH 5 Presumption in favour of sustainable development
 - ENV 1 Landscape and settlement character
 - ENV 2 Design
 - ENV 4 Energy and water efficiency and renewable energy in construction
 - ENV 7 Biodiversity and geology
 - ENV 8 Flood risk
 - ENV 9 Pollution
 - COM 7 Transport impact
 - COM 8 Parking provision
 - HOU 5 Dwellings for rural workers
- 6.2 Supplementary Planning Documents
 - Design Guide
 - Developer Contributions and Planning Obligations
 - Flood and Water
 - Climate Change SPD
 - Natural Environment SPD

6.3 National Planning Policy Framework 2021

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

6.4 Planning Practice Guidance

7.0 PLANNING COMMENTS

7.1 The main considerations of this application are: principle of development, highways safety, impact on residential amenity and impact on visual appearance and character of the wider area. Due to the complex planning history for the site, the report will begin by explaining the previous planning applications which are most pertinent to this current proposal.

7.2 Planning History

7.2.1 The site received permission under application 04/01490/FUL for new staff facilities and reception building, which was modified under application 07/00231/FUL. Following these approvals, permission was sought for the change of use of this building from staff facilities/office to single bedroom living accommodation, reference 09/00802/FUL. This application was refused by Planning Committee on the grounds of the proposal not complying with policy H5 (dwellings for essential rural workers) as there is an existing dwelling within the kennels and cattery site which has and continues to provide the necessary on-site provision. The applicants need at that time was due to the planned retirement of the proprietor, however this was not deemed adequate justification in line with the policy. This application was also dismissed at appeal, which took into account application 10/00138/FUL as this was approved at the time of the Appeal Decision.

7.2.2 The history follows with a further application in 2010 (reference 10/00138/FUL) which was for the change of the staff facilities/office to temporary overnight accommodation. This application was approved on the basis that the circumstances were different, as this was an ad-hoc accommodation for when sickness, holidays or other emergencies occurred and cover is required. Planning conditions were applied to ensure it did not become a permanent residential dwelling, these were:

- *The building shall not be slept in overnight for more than 185 nights in any calendar year, unless prior written agreement has been obtained from the Local Planning Authority.*
- *The building shall not be slept in overnight for a period of more than 42 consecutive nights, unless prior written agreement has been obtained from the Local Planning Authority.*

- 7.2.3 The Planning Inspector advised that there was 'no conclusive evidence which points to the essential needs of the enterprise not being capable of being satisfactorily met by the accommodation arrangements available.' Those arrangements referred to in the decision were the owners dwelling and the temporary one bedroom accommodation. The Inspector added 'the functional needs of the enterprise are met by the existing and permitted provision (10/00138/FUL) and to allow a further permanent dwelling here would be at odds with the aims of policy H5 of the CS and national guidance in PPS7. While I appreciate that significant additional convenience and benefits for the business would arise from a further dwelling here, to allow the scheme to proceed in the absence of a clear and convincing demonstration of an essential need would undermine the Councils policies in respect of development in the countryside.'
- 7.2.4 In 2015 an application was made for a certificate of lawfulness (15/01280/CLE) claiming the building has been lived in by a member of staff since 2008. Evidence was submitted to confirm the buildings completion in 2007. An assessment was made on the balance of probability's whether a residential dwelling has been established within the 4 years prior to approved application 10/00138/FUL. The LPA were not satisfied that on the balance of probability's there was sufficient evidence to demonstrate it was lived in for 4 years as a single dwellings house. A second assessment was made on the breach of the planning conditions. Where a breach of planning control involves the failure to comply with a planning condition of a permission it has to be subsisted for a period of 10 years, with no enforcement action taken. The end of the 10-year period has to coincide with the date of the certificate of lawfulness. Application 15/01280/CLE was submitted five years and six months after the approval of 10/00138/FUL and therefore is below the 10 year period.
- 7.2.5 Application 16/00226/FUL sought permission for the change of use from the staff facility/office to a permanent residence (C3). At the time of the application the Council had no five-year housing land supply and the housing policies at that point were considered out of date, meaning new dwellings in the countryside were considered on the presumption in favour of sustainable development. Additional evidence was submitted by the applicant to illustrate the staffing at the site, the expansion and the owner's medical records to confirm the practicality issues of their ability to manage the site. It was felt that the need was justified under this application in line with policy HOU5 and the dwelling was approved, subject to a condition tying it to the business. The condition reads as follows:
- The occupation of the dwelling shall be limited to a person solely or mainly working at Amberlea Country Kennels and Cattery, Ely Road, Sutton or any subsequent kennels and cattery business that may operate from the site and to any resident dependants.*
- 7.2.6 Shortly after the permission for the dwelling, the applicants sought to extend this significantly from a one bedroom property to a three bedroom dwelling. The floor area would have increased from 72sqm to 127sqm. This application was refused as the extension would extend the dwelling beyond the remit and intent of the previous permission, resulting in a substantially larger dwelling than that required to provide staff accommodation. A revised scheme was submitted under 16/01538/FUL to increase the residential unit to a two-bedroom dwelling. It was considered this was

visually acceptable and a better balance between the business and residential floor space.

7.3 Principle of Development

- 7.3.1 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 26th 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.
- 7.3.2 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 most recent update is the 'Five Year Housing Land Supply Report 1 April 2021 to 31 March 2026' (published October 2021). The latter report confirmed that the Council maintains a housing land supply and expressed in years, this dwelling supply is equivalent to 7.00 years supply of housing land (up to 31 December 2021), or 7.04 years supply of housing land (from 1 January 2022).
- 7.3.3 Policy GROWTH 2 of the Local Plan 2015 sets out the overall strategy for the distribution of growth across the district. 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. 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.
- 7.3.4 The application site is situated outside of the defined development envelope for Sutton and in an area defined as countryside. As such the development would be contrary to Policy GROWTH2. However, the proposal has the potential to meet the requirements of policy HOU5 which forms one of the exemptions under policy GROWTH 2, providing it meets the requirements and there are no adverse impacts on the character of the countryside. Therefore, the application is assessed under the policy 'dwellings for rural workers'. It should be noted that all other local plan policies and relevant material considerations remain relevant and form part of the planning balance for this application.

7.4 Staff facilities and Rural Workers Dwelling

7.4.1 The Planning Statement considers the merits of Policy HOU5 have been met under this application and the accommodation needs of the business were already fully accepted under application 16/00226/FUL. The Planning Statement advises that the proposal has not been described as a new residential dwelling as it will form employee accommodation. However, under historic application 09/00802/FUL the Councils view was clear that irrelevant of the accommodation being used by an employee or them not paying rent, bills or registering the address on electoral register, the proposal still establishes a C3 use class. As defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) C3 dwellinghouses are defined by:

‘Use a dwellinghouse (whether or not as a sole or main residence) by-

- (a) A single person or by people to be regarded as forming a single household*
- (b) Not more than six residents living together as a single household where care is provided for residents or*
- (c) Not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4)*

7.4.2 Furthermore, the case of [*Gravesham v SoS Environment (1982)*] held that ‘whether a building was or was not a dwellinghouse would be a matter of fact and degree. A distinctive characteristic of a dwellinghouse was its ability to afford those who used the facilities required for day to day private domestic existence’. The proposal does provide all the facilities required for day to day private domestic existence and remains separate from the adjacent staff welfare facilities, as such it is considered to form a one-bedroom residential dwelling.

7.4.3 On the basis of the definitions above, the new staff accommodation is a C3 use and would form a residential dwellinghouse. Whilst the need has been accepted on the site previously, this doesn’t provide an automatic acceptance of further workers dwellings. Therefore, the proposal is assessed on the basis of providing staff welfare facilities and a single bedroom residential dwelling. The proposed building is split into the following three areas:

- A small store of 3 x 2.5m (9.8 x 8ft) (total =7.5sqm/80.7sqft)
- Staff welfare facilities (including a kitchenette in living area) of 3.5 x 4.5m (11 x 14.7ft) (total = 15.75sqm/169sqft)
- Overnight staff accommodation (including kitchenette in main living area, shower room, store, wardrobe/cupboard and bedroom) of 9.5 x4.5m (31 x 14ft). (total = 42.75sqm/460sqft)

7.4.4 Policy HOU 5 advises that proposals for permanent dwellings in the countryside for full-time workers in agriculture, horticulture, forestry, stud and other rural activities will be permitted as an exception to the normal policies of control where:

- It can be demonstrated that the dwelling is essential to the needs of the business (i.e. there is a need for one or more workers to be readily available at most times).
- It can be demonstrated that the enterprise has been established for at least three years and is, and should remain financially viable.

- There is no other accommodation within the site/holding or nearby which is currently suitable and available, or could be made available.
- A dwelling or building suitable for conversion to a dwelling within the site/holding has not been sold on the open housing market without an agricultural or other occupancy conditions in the last five years.
- The proposed dwelling is no larger than that required to meet the functional needs of the enterprise, nor would it be unusually expensive to construct in relation to the income that the enterprise could sustain.
- The proposed dwelling is sensitively designed and in keeping with its rural surroundings and will not adversely affect the setting of any heritage asset.
- The proposed dwelling will have satisfactory access.
- The proposed dwelling is well landscaped, is sited to minimise visual intrusion and is in close proximity to existing buildings to meet the functional need of the business; and
- Where the proposal involves a new business that cannot yet demonstrate financial soundness, a temporary dwelling (in the form of a caravan, mobile home or wooden structure that can easily be dismantled and removed from the site) may be acceptable provided all the other criteria are met.

7.4.5 The purpose of the building is to provide an additional onsite employee accommodation to support the owner's retirement as they will no longer be involved in the day to day running of the business. The kennels and cattery business is supported by the existing owners property (secured via site licence) and the managers accommodation (secured via planning condition) on the site. Part of the justification for permitting the managers accommodation under application 16/00226/FUL was due to the changes in circumstances of the owners and their practicality issues of running the site. The current application proposes a further single bedroom unit of accommodation to facilitate the owner's retirement, alongside the staff welfare facilities. However, the owners retirement would not warrant automatic need for a second residential dwelling on the site.

7.4.6 Alongside demonstrating an essential need, policy HOU5 requires the proposed dwelling to be no larger than that required to meet the functional needs of the enterprise. Licensing consider it 'advisable for there to be at least two members of staff on site at all times to fully supervise the premises and act as a back-up in case a sole staff member had an accident and needed urgent assistance'. The Licensing Officer adds 'in my opinion, as the maximum number of boarded cats is 65 and boarded dogs is 60, during the time when the facilities are at a high level of occupancy, I believe at least one staff member would be required to be alert in order to carry out nightly site patrols, CCTV surveillance, etc'. It is accepted that two members of staff are required on site in line with the above, however this does not mean it is essential for two workers to actually live on site and doesn't warrant an essential need for a further residential dwelling. An area where an employee, can rest, use the facilities and eat is required, if they so happen to be on a night shift, as the business already has a manager living on site. Furthermore, licencing have advised that the second member of staff should remain alert.

7.4.7 It is accepted there is a need for facilities to support that secondary staff member who will be present on site, alongside the manager. As part of this acceptance a request was made to reduce the scale of the proposal, as it was considered that whilst staff

facilities were required for a place to rest, a separate self-contained residential property was not necessary on the site. Officers suggestion was to have a communal room with kitchenette to allow workers to eat or rest, with a shower room and single bedroom individually coming off that main space. It would still allow for the employee working during the night to have a place of rest and meet the needs of the business. The applicant was advised that the proposed double bedroom with wardrobes and self contained living space, was a greater area of space than required. The suggestion was not taken on board and the agent advised they wished to proceed with the current design. The Officers request to amend the proposal was denied and the agent remained of the opinion that the accommodation was not a residential dwelling, however members will see in paragraphs 7.4.1-7.4.3 how it is defined as residential C3 dwellinghouse, and in of a similar nature to the previous proposal in application 09/00802/FUL.

- 7.4.8 A staff welfare facility, would allow employees to make food, drinks, have access to a toilet and somewhere to rest. A reduction in scale and the removal of the self-contained unit, still supports all of those tasks and essentially the longevity of the business. The key factor is that it supports the employee who is only there to work their shift or the period of cover (i.e. holidays, sickness) and then return to their main residence off site. The managers accommodation provides that on site residency, as does the dwelling which the owners are currently residing in. If the owner wishes to retire, then the existing manager accommodation can provide the onsite residency and the new staff facilities provides the secondary support.
- 7.4.9 As for the other matters of policy HOU5 the proposal doesn't involve a new business and it is accepted that the business has been established for at least three years. No evidence has been provided to demonstrate that there are no other properties suitable in the local area for workers. The Planning Statement advises that the nature of employment it is incredibly difficult for the business to attract and retain staff and staff will not typically travel for such employment. However, nothing has been evidenced within the application to support this claim. In any event this is not a sufficient reason to allow a new residential dwelling on site. The site is close to the settlements of Sutton, Mepal and Witcham where staff could easily travel to the site for work. A worker would then be able to work any shifts required from a permanent residence offsite and be supported by staff facilities. Furthermore, it isn't evidenced that the construction isn't unusually expensive for what the business can sustain. The application hasn't confirmed if any buildings have been sold from the site in the last 5 years and there is no confirmation that there are no other buildings on the site suitable for conversion to a residential dwelling.
- 7.4.10 The agent made the suggestion of restricting the use of the accommodation through planning conditions. However, it is evident from the planning history that conditions to restrict the temporary/ad-hoc use of accommodation or limiting the number of nights the accommodation is used for has failed. The previous applications evidence that the managers accommodation has been lived in as a permanent residential dwelling and operating in breach of the planning conditions attached to 10/00138/FUL. Officers are hesitant to apply this approach given the sites planning history and there are concerns with the enforceability of this condition.
- 7.4.11 In summary, the proposal has failed to demonstrate an essential need for an additional dwelling on the site to serve the business and the retirement of the owners would not

justify as the essential need. Furthermore, it hasn't been demonstrated that the other requirements of policy HOU 5 have been met. The comments of the Planning Inspector (paragraph 7.2.3) have been reviewed alongside this application, as it applies to the current proposal. It is considered the situation is mirrored by this application and since that appeal decision the onsite accommodation has evolved. If the owners were to retire the managers dwelling then provides the onsite residency and the reduced scale of welfare facilities as suggested by the Officer provides the emergency or cover accommodation. As such, no essential need has been demonstrated and the application fails to meet the requirements of policy HOU5 and consequently GROWTH 2.

7.5. Residential Amenity

7.5.1 Policy ENV2 of the East Cambridgeshire Local Plan 2015 requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. The application proposes the replacement of the existing staff facilities, the mobile home in the northern corner, and the construction of a staff welfare facility and staff accommodation unit. The building will be located in the current area of the mobile home, however it will be larger than the existing massing present on the site. The building will span a length of 16m (52.4ft) along the western boundary and have a ridge height of 2.95m (9.6ft). Although the built form will be approximately 1.1m (3.6ft) from the boundary, its location is not considered to result in detrimental overbearing, overshadowing or oppressive impacts to occupiers of the adjacent site. No windows are proposed on the rear elevation and all openings will project across the kennel and cattery. The introduction of a permanent building for staff facilities would not result in excessively harmful noise or disturbance. Furthermore, the location and scale of the staff facilities and accommodation unit is not considered to harm the amenity of existing residential units on the site. As such the proposal complies with policy ENV2.

7.6 Visual Amenity

7.6.1 Policy ENV1 of the Local Plan 2015 requires proposals to ensure that location, layout, scale, form, massing, materials and colour create positive, complementary relationships with existing development and enhance where possible. In accordance with policy HOU5 the proposal should be well landscaped and sited to minimise visual intrusion, remaining in close proximity to existing buildings to meet the functional need of the business. It is considered the location of the building would not result in visual intrusion or a dominant structure within the open countryside. It is well screened by existing western and northern boundary vegetation and sits within the existing complex of the kennels and ancillary buildings. The building is considered to be sensitively designed, as the flat roof design ensures the massing is minimised. No formal landscaping plans have been submitted, however a condition could be applied to ensure that full details of soft landscaping are secured. Materials proposed for the building include painted timber cladding, flat roof black EPDM membrane, white uPVC windows and doors. It is considered these are appropriate for the countryside location and sympathetic to the surrounding buildings.

7.7 Highways and Parking

7.7.1 Local Plan policy COM7 requires the proposed new access to provide a safe and convenient access to the public highway. Policy COM8 of the East Cambridgeshire Local Plan 2015, requires proposals to supply appropriate car parking. The application maintains the existing access point and the parking area to the front of the site is unchanged. The facilities are to support the existing workforce and it is considered no increase in parking provision is required. There is a pedestrian footpath to the building from the front car park.

7.8 Biodiversity

7.8.1 Policy ENV7 of the Local Plan 2015 seeks to maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals. In addition, the Natural Environment SPD seeks to establish biodiversity net gain. The Local Plan 2015 includes policies which seek to deliver a net gain in biodiversity, proportionate to the scale of development proposed, by creating, restoring and enhancing habitats and enhancing them for the benefit of species.

7.8.2 The application site is the existing kennels and cattery site and the particular area of the development is situated along the western boundary. The western boundary is characterised by an existing mature hedgerow which is important for not only biodiversity but the screening of the site. There is no indication of its removal and to ensure its protection during construction, a condition could be applied for a method statement to detail construction methods due to the proximity and any protection fencing. To the northern boundary there are some large leylandii trees, however these are at some distance from the development and are not considered to be at risk.

7.8.3 Whilst this application is for full planning permission, it was considered unreasonable to request a full ecological report given the retained green features and the use of the site. It is understood that due to the use of the site, there will be a degree of noise and disturbance to wildlife due to the animals boarding. The proposal will see the removal of the existing mobile home on the site, which is still in use for storage and staff facilities. The mobile home has not been abandoned and is not of a condition which would leave it open to wildlife. Furthermore, this area of the site is regularly maintained and in use by staff. It is considered the removal of this structure would not result in detrimental harm to wildlife or protected species in accordance with the Standing Advice from Natural England. As mentioned previously, there is a mature hedgerow along the western boundary which will offer a significant contribution to the biodiversity value of the site. To add to the existing vegetation, a soft landscaping condition would be applied, alongside a biodiversity enhancements condition to secure a net gain from the development. It is expected that enhancement measures may need to be located on more quieter areas of the site.

7.9 Drainage

7.9.1 The application site is situated within Flood Zone 1. Policy ENV 8 states that all developments and re-developments should contribute to an overall flood risk reduction. The policy states that development would not be permitted where it would intensify the risk of flooding for the development or surrounding properties elsewhere, it should also take into account climate change allowances and surface water runoff.

The application doesn't evidence how foul and surface water will be drained. As such a condition would be required to ensure this details are secured and the proposal doesn't result in a flood risk.

7.10 Energy and Water Efficiency and Renewables

7.10.1 The recently adopted Climate Change Supplementary Planning Document predominantly focusses on providing additional guidance to the implementation of Local Plan Policy ENV 4 – Energy and water efficiency and renewable energy in construction. Policy ENV 4 states all proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable. The agent advised that as a new building (rather than a static caravan which it replaces) it would be built to current building regs standards and so would be far better than the existing provision. It was advised that the buildings energy source could be served by solar or an air source heat pump, however this detailed consideration hasn't been made at this stage. Consideration has been had on the inclusion of measures to deliver an energy efficient development and the proposal is considered to address policy ENV4 and the Climate Change SPD.

7.11 Planning Balance

7.11.1 The proposal is considered to fail to demonstrate an essential need for a further workers dwelling on the site to support the business. In accordance with policy GROWTH 2 and HOU 5 no essential need has been demonstrated and the proposal is considered to be larger than that required to meet the requirements of the business. The application is therefore recommended for refusal.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
21/00818/FUL	Molly Hood Room No. 011 The Grange Ely	Molly Hood Planning Officer 01353 665555 molly.hood@eastcambs.gov.uk
07/00231/FUL		
09/00802/FUL		
10/00138/FUL		
15/01280/CLE		
16/00226/FUL		
16/00851/FUL		
16/01538/FUL		
04/01490/FUL		

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

