

21/01156/FUL

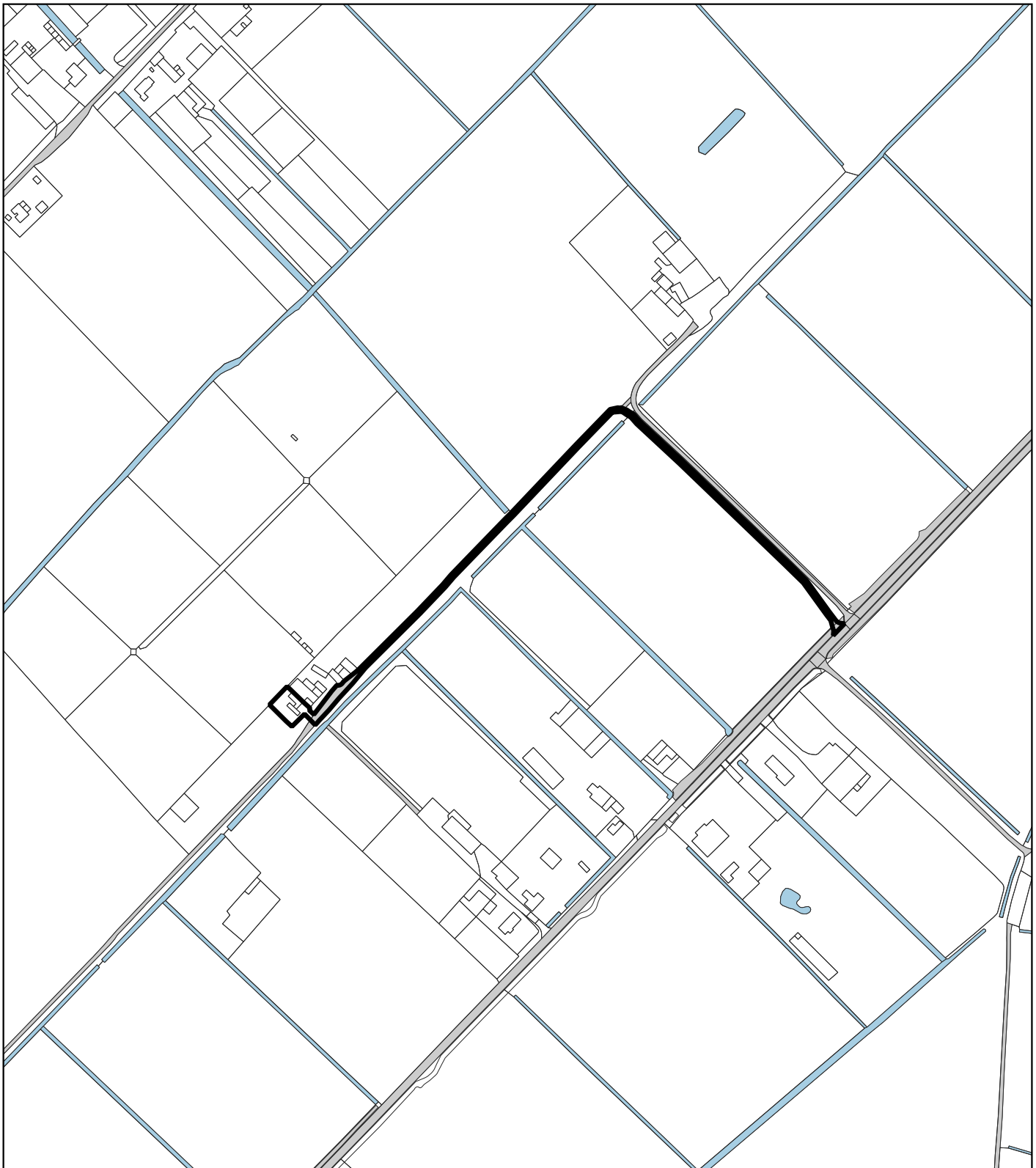
Alpaca Lifestyle Farm
First Drove
Little Downham
Ely
Cambridgeshire
CB6 2UB

Application for the continued occupation of a temporary residential building

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=QXCU67GGLWN00>





21/01156/FUL

Alpaca Lifestyle Farm
First Drove
Little Downham



East Cambridgeshire
District Council

Date: 11/11/2022
Scale: 1:4,000



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MAIN CASE

Reference No: 21/01156/FUL

Proposal: Application for the continued occupation of a temporary residential building

Site Address: Alpaca Lifestyle Farm First Drove Little Downham Ely
Cambridgeshire CB6 2UB

Applicant: Mr S Cole

Case Officer: Gemma Driver Planning Officer

Parish: Little Downham

Ward: Downham
Ward Councillor/s: Anna Bailey

Date Received: 30 September 2021 **Expiry Date:** 9 December 2022
Report Number [X120]

1.0 **RECOMMENDATION**

1.1 Members are recommended to APPROVE the application subject to the signing of the S106 Agreement, the Applicant agreeing to any necessary extensions to the statutory determination period to enable completion of the S106 Agreement, and the draft conditions below, with authority delegated to the Planning Manager and the Director Legal Services to complete the S106 Agreement and to issue the planning permission. The recommended planning conditions can be read in full within Appendix 1.

- 1 Approved Plans
- 2 Flood Contingency Plan

1.2 In the event that the Applicant does not agree any necessary extensions to the statutory determination period to enable the completion of the S106 Agreement, Members are recommended to delegate authority to the Planning Manager to refuse planning permission on the basis of the absence of a necessary S106 Agreement.

2.0 **SUMMARY OF APPLICATION**

2.1 The applicant seeks consent for the continued occupation of a temporary residential building on land known as 'Alpaca Lifestyle Farm'. The building is a mobile home that has had ad-hoc built extensions. It now no longer meets the dimensional restrictions for a caravan, but is in nature still a relatively temporary building.

- 2.2 The application has been referred to committee as it is a departure from the Local Development Plan.
- 2.3 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

3.1

17/00110/FUL	Erection of an Agricultural Dwelling	Refused	22.06.2017
08/01030/FUL	Change of use to residential for siting of mobile home.	Approved	19.02.2009

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site ("Alpaca Farm"), is located off a track off Black Bank Road, to the northeast of Little Downham. The site lies outside of the development envelope and is in a rural countryside location. To the North and East of the site are open fields. To the South East is a small industrial / business centre. The site is within Flood Zone 3.

4.2 The site comprises a parcel of land with an agricultural building housing a derelict mobile home and machinery associated with the running and maintenance of the Alpaca Farm. Immediately adjacent to this is the area in which the temporary residential building (subject to this application) is located. The building comprises a standard mobile home building with an extension perpendicularly attached to this. To the rear of these buildings is the area in which the Alpaca are kept. The Alpaca are split with females and males contained in separate areas. An Alpaca shelter is also located on the land here.

5.0 RESPONSES FROM CONSULTEES

5.1 The following responses have been received and these are summarised below. The full responses are available on the Council's web site.

The Ely Group Of Internal Drainage Board - 20 October 2021

This application for development is within the Littleport and Downham Internal Drainage District. The Board has no objections from a drainage point of view.

Local Highways Authority – 1st Consultation: 26 October 2021

The application states that there are two parking spaces on site although the spaces are not specifically shown on a plan. You may wish to seek a plan to show this or condition details to be submitted and approved.

Local Highways Authority – 2nd Consultation: 7 September 2022

I have no observations beyond those made previously in correspondence dated 26th October 2021.

Environmental Health - 18 October 2021

From reading the Covering Letter I understand that there are currently two mobile homes on site but that one is due to be removed "in the short term".

Waste Strategy (ECDC) - 22 October 2021

- o This retrospective application does not require consultation

- o East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).

Parish - No Comments Received

Ward Councillors – Comments were initially received from Councillor Bailey requesting a call in of the application should the application being recommended for refusal. Following notification that the application was recommended for approval Councillor Bailey confirmed she was supportive of this approach.

Environment Agency - No Comments Received

Enforcement Section - No Comments Received

- 5.2 A site notice was displayed near the site on 7 September 2022 and a press advert was published in the Cambridge Evening News on 15 September 2022.

- 5.3 Neighbours – five neighbouring properties were notified and no responses have been received.

6.0 THE PLANNING POLICY CONTEXT

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted East Cambridgeshire Local Plan (2015) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

- 6.2 *East Cambridgeshire Local Plan 2015*
 - GROWTH 1: Levels of housing, employment and retail growth
 - GROWTH 2: Locational strategy
 - GROWTH 4: Delivery of growth
 - GROWTH 5: Presumption in favour of sustainable development
 - HOU 5: Dwellings for rural workers
 - HOU 8: Extension and replacement of dwellings in the countryside
 - 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
EMP 2:	Extensions to existing businesses in the countryside
COM 7:	Transport impact
COM 8:	Parking provision

6.3 Supplementary Planning Documents

Design Guide – Adopted March 2012

Contaminated Land: Guidance on submitted Planning Application on land that may be contaminated - Adopted May 2010

Developer Contributions and Planning Obligations – Adopted May 2013

Natural Environment SPD – Adopted September 2020

Climate Change – Adopted September 2021

6.4 National Planning Policy Framework 2021 (NPPF)

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

6.5 *Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021*

6.6 *Planning Practice Guidance*

7.0 PLANNING COMMENTS

7.1 **Principle of Development**

7.2 The proposal subject to this application seeks retrospective consent for the continued occupation of a temporary residential building.

7.3 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 in Little Downham and aims to ensure that growth takes place in appropriate locations across the district. Outside defined development envelopes, development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages. Limited development is permitted outside of development envelopes, and may be permitted as an exception, providing there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied.

7.4 Policy HOU5 of the Local Plan states that residential development in the countryside for full-time workers in agriculture, horticulture, forestry, stud and other

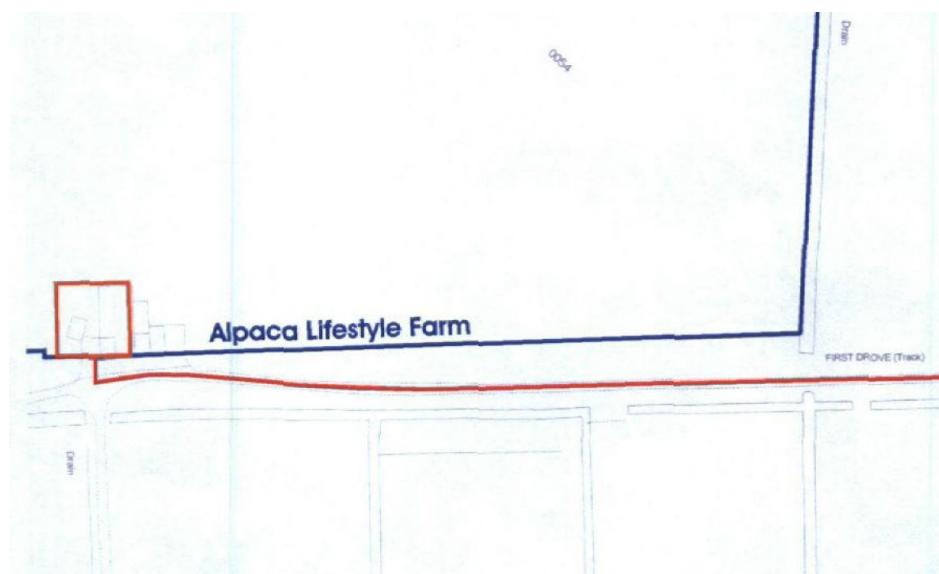
rural activities will be permitted as an exception to the normal policies of control, subject to strict criteria. The primary element of Policy HOU5 ensures that the proposal must demonstrate a clear and essential need for a dwelling in the countryside with the purpose of serving an agricultural operation.

- 7.5 Paragraph 80 of the NPPF states that new isolated homes in the countryside should be avoided unless there are special circumstances. One such circumstance is the essential need for a rural worker to live permanently at or near their place of work in the countryside.
- 7.6 Although not referred to in Paragraph 80, the Department for Levelling Up, Housing and Communities (DLUHC) guidance provides considerations to take into account when applying this part of the NPPF. This could include evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day). Other considerations include the degree to which there is confidence that the enterprise will remain viable for the foreseeable future, and in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.
- 7.7 *Background to the application*
- 7.8 Essential in considering the principle of development for the temporary residential building is understanding the complex site history of Alpaca Farm.
- 7.9 Application reference number 08/01030/FUL gave permission for the change of use to residential for the siting of a mobile home. It is understood from the 2008 permission that the applicant's intention was to establish an alpaca breeding herd following their initial purchase of 3 breeding females in 2003, increasing to 19 in 2009, gaining a herd of 16 animals in the space of six years. The 2008 application noted that the applicant required to live on the site in order to work full time on the farm. The application accepted the functional need for a worker to live in close proximity to the business in order for it to be successful. As no alternative accommodation was available, the proposal was considered acceptable.
- 7.10 The application was approved on 19th February 2009 for a temporary period, expiring 36 months from the date of the decision. This temporary consent allowed the provision of a caravan on the site until 19th February 2012. The caravan was required by condition to be removed after that date. The time limit condition was imposed in the interests of the visual amenity of the area. Condition 2 of that consent limited the occupation of the mobile home to be limited to a person solely or mainly employed in the agricultural enterprise as detailed on the business plan that accompanied with application.
- 7.11 However, it appears based on the evidence submitted in support of the current application, that the caravan was not removed from the site in accordance with that condition. The breach of the three-year temporary condition therefore appears to date from 19 February 2012.

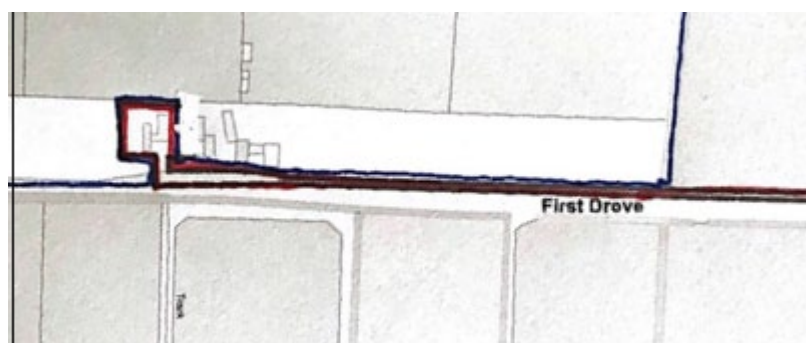
- 7.12 Later, in 2017 under reference no. 17/0110/FUL, permission for the erection of an agricultural dwelling was refused. The refusal reason is below:
- 7.13 *“A need for a dwelling for a rural worker has not been adequately justified in line with the requirements of Policy HOU5 of the East Cambridgeshire Local Plan 2015. The proposal is deemed to not meet the functional or financial test to demonstrate an essential need and is therefore contrary to policy HOU5 of the East Cambridgeshire Local Plan 2015 and paragraph 55 of the National Planning Policy Framework.”*
- 7.14 As indicated in the refusal reason above, the business need for the proposal was not justified. The Officer Report for that application states that the *“profit margins are not sufficient to justify a permanent dwelling the site and it is questionable whether a temporary dwelling should remain as the profit margins are not sufficient to support a full time worker whilst allowing re-investment in the business”*. Under the 2017 application no reference was made to the number of the Alpaca on site, however the comment regarding the profit margins has been noted. However, under the current application, Officers have been advised that that number of Alpaca on site is 26 - this is an increase of 7 Alpaca since the 2008 application.
- 7.15 Following refusal of the above application, Council Officers visited the site in 2017 and noted the mobile home that had been in place at least since the time of granting the temporary consent in 2008 (further photographs available to the Council noted the mobile home had been there on an image dated 18/12/2006). The Council Officers advised that one potential way of establishing a lawful use would be to submit a lawful development certificate. This application never came forward.
- 7.16 *Current application*
- 7.17 Turning to the matters of the current application, the applicant now seeks permission to regularise a temporary residential building that is located to the South West of the previously approved mobile home that has been on site since 2006. With the breach of the previous temporary condition commencing from 19th February 2012. Under Section 171B of the Town and Country Planning Act, where there has been a breach of planning control consisting in the change of use of any building to use as a single dwellinghouse, no enforcement action may be taken after the end of the period of four years beginning with the date of the breach. Furthermore, in the case of any other breach of planning control (such as change of use or a breach of condition), no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach. These time limits indicate that to be immune from enforcement and therefore justify the granting of a certificate for the lawful residential use, the site must have been used in such way for a period over 10 years and any building used as a dwelling must have been used in such a way for four years.
- 7.18 It is understood from the information submitted with this application that the mobile home that was permitted under the 2008 application was rendered unsafe in 2017. The applicants sited a new mobile home on the site, close to the old one, connecting to existing utility services in the process. The applicants state they thought they could lawfully replace the old mobile home, given that Council Officers

had previously mentioned the potential route of a lawful development certificate. However, as the lawful development certificate had not come forward, the applicant had not certified the use of the land. The introduction of the new unit 'reset' the clock in terms of the time limits previously specified. In addition to this, although omitted from the information supplied with the application, it is known that this mobile home has since been extended during the 2020 lockdown. The works undertaken to the mobile home in 2020 mean that it can no longer be considered as a caravan. Again, this is considered to have reset the clock in terms of the four-year period required in order for a building in residential use to be immune from enforcement action.

- 7.19 Whilst the building has undergone ad-hoc extensions and replacement, the site itself remains broadly in a similar location to the 2008 consent. An extract of the location plan for 08/01030/FUL is shown below, demonstrating how red line boundary indicating the residential use is similar to the 2008 consent.



- 7.20 An extract of the location plan submitted under the current application is found below:



- 7.21 In assessing the application, the Council has considered the complex site history in respect of the principle of the development. Whilst at the time of submission, the development did not have a lawful full back position, it is acknowledged that the applicant has an extensive history with the site. All evidence suggests that the applicant has lived at the site since 2006.

- 7.22 In terms assessing the proposal under the rural workers policy, no information on the finances of the business have been submitted with the current application. The scale of the business has not increased to a significant extent over the past decade. It is therefore considered that the application has not demonstrated the need for a permanent dwelling on the site. Notwithstanding this, it is noted within planning caselaw that Alpaca have a number of different characteristics in comparison to other livestock, which make it necessary to live close to the animals to safeguard their well-being. Specific activities that would lead to the need for an on-site presence would be breeding, birthing and responding swiftly to complications that may arise from those activities. There is also a need to closely supervise and monitor the alpaca herd given the characteristics of the animal during times of illness.
- 7.23 Officers have considered the applicants' long-standing association with the land and are conscious of the tie the applicants have with the ongoing care of the Alpaca. It is clear that a residential use of the site has been ongoing for a significant period of time and considerable weight has been given to this relationship with the site. In this regard, the Council are sympathetic to the unique situation that presents itself and consider these as material in reaching a recommendation on this application.
- 7.24 It is noted that there would be few alternatives available to the applicants in terms of re-locating their residential use and their ongoing maintenance of the Alpaca Farm. The expansion of the Alpaca Farm business is considered limited in its viability considering the level of growth in the last 14 years. Therefore, given the applicants' personal circumstances and employment, it is considered unlikely that the business is going to grow to such scale that would be harmful to the area by way of visual, residential and highway harm.
- 7.25 There is a clear justification to be living on the site in terms of the functional link with the Alpaca Farm and any potential harm arising in terms of the residential use of the land is not considered significant to warrant refusal of the application. The level of harm is considered minimal and this harm could be mitigated in granting of a temporary permission. Therefore, it would be considered reasonable, in this instance, to allow an exception to policy in granting approval of the application, limiting the permission to the applicants and their lifetime.
- 7.26 On the basis of the above supporting factors, it is found that granting consent for the continued occupation of the temporary residential building could be justified as a departure from policy.
- 7.27 **Other Material Matters**
- 7.28 *Flood Risk*
- 7.29 Policy ENV8 of the East Cambridgeshire Local Plan 2015 states that the Sequential Test and Exception Test will be strictly applied across the district, and new development should normally be located in Flood Risk Zone 1. The site is located within Flood Risk Zone 3 and has been supported by a Flood Risk Assessment.

- 7.30 As the proposal is retrospective in nature and it was concluded in the principle of development section above that there would not be any other suitable locations for the siting of the residential building in conjunction with the Alpaca business, it is not required to apply the sequential test.
- 7.31 The Exception Test requires consideration of the wider sustainability benefits of a development and that the development would be safe and residual risks managed. As outlined in the above Principle of Development section of this report, granting approval of the proposal will enable the owner of the site to continue to live at the site. There is clear justification in needing to live at the site given the care the Alpaca require. Whilst an unusual situation, the applicants have lived in such a manner for a significant period of time and have managed any potential flood risk during this time. Therefore, it is considered that the residual risks can be managed through mitigation measures as outlined in section 5.2 of the submitted FRA and in this case these measures can be relied upon given the functional need of the building in this location. The floor level of the mobile home is estimated to be 1.0m above surrounding ground levels, providing some mitigation in the event of a breach. Additionally, it is recommended that occupier of the building should register with the Floodline Direct Warnings Service to receive any future flood warnings.
- 7.32 These mitigation measures can be secured through condition; therefore, the proposal would be compliant with Policy ENV8 of the Local Plan 2015.
- 7.33 *Residential Amenity*
- 7.34 Policy ENV2 of the ECLP requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers and that occupiers of new buildings enjoy high standards of amenity. This policy accords with Chapter 12 (particularly paragraph 130) of the National Planning Policy Framework (NPPF) which aims to achieve high standards of amenity.
- 7.35 The proposed building is considered to be far enough from neighbouring dwellings that the built form would not result in any significant overshadowing, visual intrusion, loss of light or be overbearing to any neighbouring properties. The occupiers of the building would benefit from sufficient external amenity space.
- 7.36 The proposal would therefore be compliant with Policy ENV2 of the Local Plan 2015 in terms of residential amenity.
- 7.37 *Visual Amenity*
- 7.38 Policy ENV 1 of the East Cambridgeshire Local Plan, 2015 states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV 2 states that development proposals ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area.
- 7.39 In terms of the proposal's visual impact, views of the building are largely restricted from the public realm due to the access to the site located somewhat down an

unmade track off of Black Bank Road. Furthermore, the building is a modest structure that would not appear out of place in the context of the scale and number of other commercial buildings located between the site and Black Bank Road. Accordingly, the proposal would not adversely harm the area's character.

- 7.40 It is acknowledged that there are other structures on the land, however, those do not form part of the proposal and assessing whether these are acceptable or indeed require planning permission would be a separate matter for the Council to pursue.
- 7.41 Although the proposal results in a degree of harm to the countryside setting, this is outweighed by the applicants' personal need to live on site. Additionally, given the temporary permission, any harm arising will be removed when the site no longer being needed for such purposes by the applicants. As such, although the proposal is not in strict accordance with Local Plan policies in relation to its visual impact, the need for the proposal outweighs such harm.
- 7.42 *Highways*
- 7.43 Policy COM 7 of the East Cambridgeshire Local Plan, 2015 states that development proposals shall provide a safe and convenient access to the highway network. Policy COM 8 of the East Cambridgeshire Local Plan, 2015 states that development proposals should provide adequate levels of car and cycle parking in accordance with the Council's parking standards, which is two car parking spaces per dwelling.
- 7.44 Due to the low scale Alpaca business and the proposal benefiting only the use of one singular residential building, the proposal does not generate high volumes of daily traffic movements. No objection has been raised from the Council's Highway advisers in terms of any parking deficiency or shortfall, and from what was seen at the site, sufficient space together with parking and turning is available for the intended use. Although the access track to the site is unmade and informal in its nature, the site has been accessed this way for a number of years and therefore it would be unreasonable to request enhancements to the track for highways reasons without concerns to highways safety.
- 7.45 The proposal is therefore compliant with Policies COM 7 and COM 8 of the Local Plan 2015.
- 7.46 *Biodiversity*
- 7.47 Policy ENV1 of the Local Plan 2015 requires proposals to protect, conserve and enhance traditional landscape features and the unspoilt nature and tranquillity of the area. Policy ENV 7 of the ECDC Local Plan 2015 seeks to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds. The Natural Environment SPD Policy SPD NE6 also requires that all new development proposals should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

- 7.48 The baseline biodiversity of this building is considered generally low and no biodiversity enhancements are proposed. Based on the existing situation together with the temporary nature of the application it would not be considered necessary or reasonable to impose a condition requiring biodiversity enhancements.
- 7.49 *Human Rights*
- 7.50 The Human Rights Act 1998, sets out the basic rights of every person together with the limitations placed on these rights in the public interest. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the Convention rights. Members therefore need to satisfy themselves that any potential adverse impacts are acceptable and that any potential interference with Convention rights will be legitimate and justified, necessary and proportionate.
- 7.51 Convention rights likely to be relevant include Article 8 of the Convention, the right to respect for private and family life, which provides as follows:
- '(1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.'
- 7.52 Both public and private interests are to be taken into account in the exercise of the Council's powers and duties. Members must therefore carefully consider the balance to be struck between individual rights and the wider public interest. In granting a temporary personal consent, this is one way in which protection of such rights can be granted.
- 7.53 Were Members minded to refuse the application they need to satisfy themselves that any effect of this decision on the human rights of the applicant is clearly outweighed by the wider public interest. Any interference with a Convention right must be necessary and proportionate having regard to the Human Rights Act 1998.
- 8.0 **Planning Balance**
- 8.1 The proposal would result in the continued residential occupation on the site, in connection with an existing Alpaca Farming enterprise. Although a departure from Policy GROWTH 2 of the Local Plan, the Council has applied the proportionate weighting in the balance of the material considerations - in this case the extensive association with the site and the continued care of the Alpaca. It is considered unlikely for a suitable site within a development envelope to become available for such mix of uses. The applicant has indicated they will commit to the necessary mitigation to Flood Risk.

8.2 In addition, as identified above, it would be considered reasonable in this instance to grant a personal permission for the applicants' subject to a legal agreement securing that, when the site is no longer need, it should revert back to its previous agricultural use and any residential building should be removed.

8.3 On the above basis, the application is therefore recommended for approval, subject to conditions and Section 106.

9.0 **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.

9.2 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.

9.3 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.

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

- The applicant's long association with the land

10.0 **APPENDICES**

10.1 Appendix 1 – Conditions

10.2 Appendix 2 – Decision Notice for 08/01030/FUL

10.3 Appendix 3 – Decision Notice for 17/00110/FUL

Background Documents

21/01156/FUL

Location

Gemma Driver
Room No. 011
The Grange
Ely

Contact Officer(s)

Gemma Driver
Planning Officer
01353 665555
gemma.driver@eastcambs.gov.uk

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

APPENDIX 1 - 21/01156/FUL Conditions

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

Plan Reference	Version No	Date Received
Location Plan		8th July 2022
Flood Risk Assessment		13th October 2022

- 1 Reason: To define the scope and extent of this permission.
- 2 Within three months of date of this permission, a Flood Contingency Plan for the development, which should include an appropriate method of flood warning and evacuation to ensure the safe use of the development in extreme circumstances, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details before the development is occupied or the use commenced.
- 2 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.

Mr Stephen Cole
Alpaca Lifestyle Farm
First Drove
Little Downham
Ely
Cambridgeshire
CB6 2UB

This matter is being dealt with by

Lucie Turnell

Telephone: 01353 665555
E-mail: lucie.turnell@eastcambs.gov.uk
My Ref: 08/01030/FUL
Your Ref:

Dear Sir/Madam

19th February 2009

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Subject to conditions

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

Proposal: Change of use to residential for siting of mobile home.
Location: Farm Buildings First Drove Little Downham Cambridgeshire
Applicant: Mr Stephen Cole

This consent for planning permission is granted in accordance with your application reference **08/01030/FUL** registered 9th December 2008 and the plans, drawings and documents, which form part of the application subject to the additional conditions set out below:

ADDITIONAL CONDITIONS

- 1 This permission shall be for a limited period only expiring 36 months from the date of this decision at which time the caravan hereby permitted shall be removed and the land reinstated to its former condition.

Reason: To ensure that planning control is retained by the Local Planning Authority and to protect the visual amenity of the area.

DCPEFULZ

- 2 The occupation of the mobile home hereby approved shall be limited to a person solely or mainly employed in this particular agricultural enterprise as detailed in the business plan that accompanies this application and which occupies the plot edged red/blue on the approved plans.

Reason: To ensure compliance with the restrictive housing in the countryside policies of the Local Plan.

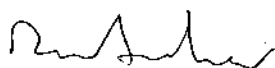
- 3 No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan detailing boundary treatment which should include planting to the southeast boundary. The boundary treatment shall be completed before the change of use commences. Development shall be carried out in accordance with the approved details.

Reason: To ensure adequate screening within this rural location.

INFORMATIVES RELATING TO THIS APPLICATION

- 1 Approval has been granted because the proposal is broadly in accord with the policies of the current Development Plan. It is considered that it would not raise any adverse issues of either visual or residential amenity, or introduce any elements detrimental to highway safety that cannot be addressed by the imposition of suitable conditions. The design, siting and materials have been assessed as being in accord with the character and appearance of the locality.
- 2 The approved plans for this application are Location plan 1:1250 and 1:2500, sheet 3 and sheet 3a and the development shall be completed strictly in accordance with these plans.
- 3 This decision has been made in accordance with Policies 86, 89 and 90 of the East Cambridgeshire Local Plan June 2000 following consideration of the business plan for the Alpaca Lifestyle Farm, which accompanies this application.
- 4 This decision has also been made in accordance with PPS7.

PLEASE ALSO NOTE THAT THIS PERMISSION IS GRANTED SUBJECT TO DUE COMPLIANCE WITH THE BYE-LAWS AND GENERAL STATUTORY PROVISION IN FORCE IN THE DISTRICT AND DOES **NOT** CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS. YOU ARE ADVISED TO CONTACT THE BUILDING REGULATIONS SECTION IF YOU WISH TO DISCUSS THIS FURTHER



Dated: 19th February 2009

Executive Director Development Services

DCPEFULZ

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under section 78 of the Town and Country Planning Act 1990. The Planning Inspectorate acts on behalf of the Secretary of State.
- If you want to appeal, then you must do so using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.
- An online appeals service is available through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pcs. The Planning Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information you are happy will be made available to others in this way, including personal information belonging to you. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.
- Fully completed appeal forms must be received by the Planning Inspectorate within six months of the date of this decision notice. Late appeals will only be accepted by the Planning Inspectorate in extraordinary circumstances.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notices

- If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

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

Telephone: Ely (01353) 665555
DX41001 ELY Fax: (01353) 665240
www.eastcambs.gov.uk

Mr S R Cole
Alpaca Lifestyle Farm
First Drove
Little Downham
Ely
Cambridgeshire
CB6 2UB

This matter is being dealt with by:

Oli Haydon

Telephone: 01353 616360
E-mail: oli.haydon@eastcambs.gov.uk
My Ref: 17/00110/FUL
Your ref

26th June 2017

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

The Council hereby **refuses** the following:

Proposal: **Erection of a Agricultural Dwelling**
Location: **Alpaca Lifestyle Farm First Drove Little Downham Ely Cambridgeshire**
Applicant: **Mr S R Cole**

The Council hereby refuses permission for the application reference **17/00110/FUL** registered 13th March 2017.

REASONS FOR REFUSAL

1 A need for a dwelling for a rural worker has not been adequately justified in line with the requirements of Policy HOU5 of the East Cambridgeshire Local Plan 2015. The proposal is deemed to not meet the functional or financial test to demonstrate an essential need and is therefore contrary to policy HOU5 of the East Cambridgeshire Local Plan 2015 and paragraph 55 of the National Planning Policy Framework.

INFORMATIVES RELATING TO THIS APPLICATION

1 The decision to refuse this application has been taken, having regard to the policies and proposals in the Local Development Plan and all relevant material considerations, including the NPPF. The

proposal is considered to be unsustainable and the applicant was informed of officer concerns regarding the lack of essential need. The proposal is therefore contrary to the provisions of the NPPF.

A handwritten signature in black ink, appearing to read 'Rebecca Saunt', written in a cursive style.

Rebecca Saunt
Planning Manager

Dated: 26th June 2017