



20/01069/FUL

72B West Street
Isleham



East Cambridgeshire
District Council

Date: 16/11/2020

Scale: 1:1.25

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MAIN CASE

Reference No: 20/01069/FUL

Proposal: Construction of 1no. four bedroom two storey detached dwelling and garage/games room/gymnasium

Site Address: 72B West Street Isleham Ely Cambridgeshire CB7 5RA

Applicant: A.T. Consultants & Builders Ltd

Case Officer: Rachael Forbes Planning Officer

Parish: Isleham

Ward: Fordham And Isleham

Ward Councillor/s: Julia Huffer
Joshua Schumann

Date Received: 17 September 2020 **Expiry Date:**
9th December
2020

[V122]

1.0 **RECOMMENDATION**

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

- 1 Approved Plans
- 2 Time Limit -FUL
- 3 Reporting of unexpected contamination
- 4 Foul and Surface Water
- 5 Parking and turning
- 6 Specified materials
- 7 Construction times - Standard hours
- 9 Piling foundations
- 10 Biodiversity Improvements
- 11 Landscaping works

The conditions can be read in full on the attached appendix A.

2.0 **SUMMARY OF APPLICATION**

2.1 The application seeks permission for a four bedroom dwelling and detached garage at Plot 2 at 72 West Street, Isleham. Plot 2 was also part of another application, 19/00366/FUL, which was for three detached dwellings on land at 72 West Street,

Isleham, which was split into three plots. Plot 2, under application 19/00366/FUL was originally proposed to be a two storey dwelling, which officers considered to be too large and was objected to by the Trees Officer as it was situated in the Root Protection Area (RPA) of the trees to the east, which are subject to a Tree Preservation Order (TPO). The plans were amended to reduce the scale and height of the dwelling and the dwelling was removed from the RPA, which was considered to be acceptable and the application was approved. An application was then submitted for Plot 2 only, 19/00877/FUL, which was refused at Planning Committee for the following reason:

'Policy ENV1 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 ENV2 states that development proposals ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area. The proposed development by virtue of its scale and mass, would be out of keeping with the surrounding dwellings. It would be visually prominent in the street scene and would present an expanse of 14.3 metres on both the north east and south west elevations at a height of 7 metres and lacks articulation and interest. The proposed dwelling would appear to be a two storey dwelling against adjacent dwellings of 1.5 or single storey and would therefore be dominant and out of keeping in the street scene. The proposal fails to comply with policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 as it does not provide a complementary relationship with the existing development or relate sympathetically to the surrounding area'.

- 2.2 The previous application was decided at Planning Committee and therefore in accordance with the Council's constitution, officers have approached the Chair and Vice-Chair of Planning Committee as to whether they wish to see this application at Planning Committee. The Chair and Vice-Chair confirmed that they did wish to see this application at Planning Committee, which is now before you.
- 2.3 This application seeks planning permission for a four bedroom dwelling and detached garage. The proposed dwelling subject of this application would be approximately 7.1 metres (23.29ft) in height, 15 metres (49.21ft) in width and 15.3 metres (50.19ft) in length. The detached garage, which is approximately 6.5 metres (21.32ft) in height, 9 metres (29.52ft) in width and 6.7 metres (21.98ft) in length, would be positioned to the east of the principal elevation. The materials proposed are white sand and cement render walls, cream UPVC windows and doors, farmhouse red pantile roof, hardiplank boarding to the dormer windows and TBS Culford brickwork for the brick plinth.
- 2.4 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

3.0 PLANNING HISTORY

19/00877/FUL	Proposed five bedroom house and detached garage, parking, access and associated site works	Refused	05.12.2019
19/00366/FUL	Construction of 3 no. dwellings, parking, garaging, access road and associated site works	Approved	22.08.2019

4.0 THE SITE AND ITS ENVIRONMENT

72 West Street is a single storey detached dwelling. To the west of the dwelling is a brick built outbuilding, which has planning consent to be converted under application 19/00366/FUL; at the time of the site visit for this application, the approved conversion was underway. The land to the rear of 72 West Street has planning approval for two dwellings granted under application 19/00366/FUL; Plot 1 is nearing completion and Plot 2 is subject of this application. To the east of the site there is a private road which serves approximately nine dwellings; there are TPO trees along the boundary of the site. To the west, there is a residential dwelling and its associated land. To the north is another residential dwelling, 70 West Street, which is a two-storey dwelling. The site is within the development envelope for Isleham and is not within the Conservation Area. The area is characterised by a mix of house types and styles.

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.

Cadent Gas Ltd - 24 September 2020

'An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works'.

Cadent Gas Ltd - 29 September 2020

'Should you be minded to approve this application please can the following notes be included an informative note for the Applicant

****PLEASE NOTE - the below information is related to Low and Medium Pressure Assets. You may be contacted separately by our engineers regarding High/Intermediate Pressure Pipelines.****

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to'.

Cambridgeshire Archaeology - No Comments Received

Local Highways Authority - No Comments Received

Environmental Health Officer - 24 September 2020

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

07:30 - 18:00 each day Monday - Friday

07:30 - 13:00 on Saturdays and

None on Sundays or Bank Holidays

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 points to raise at this time but please send out the environmental notes.

Waste Strategy (ECDC) - 8 October 2020

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).

Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.

CCC Growth & Development - No Comments Received

Parish Council - 6 October 2020

No concerns

Ward Councillors - No Comments Received

ECDC Trees Team – 22 October 2020

‘The arb report is dated 2018, however these are mature Sycamores and their Root Protection Areas will not have increased dramatically therefore I am happy to accept the details within the report and the tree protection details.

The rear build line of the proposed dwelling is also in line with a previously approved layout which takes the footprint to the edge of the indicated RPA.

No Objection providing the tree protection is installed following demolition and crown lifting works as stated in the report’.

Environmental Health Officer - 20 October 2020

‘I have read the Envirosearch report dated 11th March 2019. The report does not mention the previous agricultural use of the site which has the potential to cause land contamination. However, I note that site has been cleared and stripped so any risk is likely to be low. Due to the proposed sensitive end use of the site (residential) I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission’.

5.2 **Neighbours** – Nine neighbouring properties were notified and a site notice displayed on 9th October 2020. No responses have been received.

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 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations

Design Guide

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

Flood and Water

Natural Environment SPD

6.3 National Planning Policy Framework 2019

2 Achieving sustainable development

5 Delivering a sufficient supply of homes

9 Promoting sustainable transport

11 Making effective use of land

12 Achieving well-designed places

14 Meeting the challenge of climate change, flooding and coastal change

15 Conserving and enhancing the natural environment

16 Conserving and enhancing the historic environment

6.4 Planning Practice Guidance

7.0 PLANNING COMMENTS

The main considerations of this application are: principle of development, visual amenity, residential amenity, highway safety, parking provision, ecology and trees and other matters.

7.1 **Principle of Development**

7.2 Policy GROWTH 2 of the East Cambridgeshire Local Plan, 2015 states that the majority of development will be focused on the market towns of Ely, Soham and Littleport but more limited development will take place in villages which have a defined development envelope. Within the defined development envelopes housing, employment and other development to meet local needs will normally be permitted – provided that there is no significant adverse impact on the character and appearance of the area and that all other material planning considerations are satisfied.

7.3 The site is located within the development envelope of Isleham and therefore the principle of development in this location would be considered acceptable subject to satisfying all other relevant material planning considerations.

7.4 As concluded in the recent appeal decision APP/V0510/W/20/3245551, Land between 27 and 39 Sutton Road, Witchford, the Council can demonstrate a five-year

supply of deliverable housing sites of between 5.3 and 5.6 years. As such, the housing policies in the adopted East Cambridgeshire Local Plan 2015 are considered to be up-to-date.

7.5 Visual Amenity

- 7.6 Policy ENV1 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.
- 7.7 The proposal seeks the provision of a two storey, four bedroomed detached dwelling on Plot 2, to the north of the site. Plot 2 would sit behind Plot 1 and the existing dwelling (number 72) and would therefore be considered as backland development. The principle of backland development in this location has been established under approved application 19/00366/FUL and refused application 19/00877/FUL. It is therefore considered that backland development in this location would be considered acceptable.
- 7.8 Under application 19/00366/FUL, Plot 2 was originally proposed to be a two-storey dwelling, with a larger footprint which encroached into the root protection area (RPA) of the TPO trees. Officers were concerned about the height and scale of the proposed dwelling. The height was reduced from two storey to 1.5 storey, the scale was reduced and the dwelling located outside of the RPA and the application was approved. Application 19/00877/FUL originally proposed the dwelling at Plot 2 in its original form, however the plans were amended to reduce the height, length and width of the dwelling. This application was refused at Planning Committee for the reason set out in paragraph 2.1 of this report.
- 7.9 The proposed dwelling subject of this application would be approximately 7.1 metres (23.29ft) in height, 15 metres (49.21ft) in width and 15.3 metres (50.19ft) in length. The detached garage, which is approximately 6.5 metres (21.32ft) in height, 9 metres (29.52ft) in width and 6.7 metres (21.98ft) in length, would be positioned to the east of the principal elevation, in the same position as the previously approved garage under 19/00366/FUL. The proposed dwelling has a simple frontage and has dormer windows which are featured in the properties opposite, 58 and 58a West Street; the principal elevation of the proposed dwelling is very similar to that at 58a West Street. The materials proposed are white sand and cement render walls, cream UPVC windows and doors, farmhouse red pantile roof, hardiplank boarding to the dormer windows and TBS Culford brickwork for the brick plinth.
- 7.10 Approved application 19/00366/FUL is an extant permission and therefore forms a material consideration in the determination of this application. The approved dwelling at Plot 2 measured approximately 17.8 metres (58.39ft) at its widest point, 13 metres (42.65ft) in length at its longest point and 7.1 metres (23.29ft) in height. The dwelling proposed under this application will add approximately 2.3 metres (7.54ft) in length but will lose approximately 2.8 metres (9.18ft) in width and therefore is of a similar scale to the approved dwelling. The proposed dwelling is approximately 7.1 metres (23.29ft) in height which is the same as the approved dwelling and is also the same

as the dwelling under construction at Plot 1. The proposed garage will be approximately 0.1 metres (0.32ft) wider than the previously approved garage and will be the same length (6.7 metres/21.98ft). The proposed garage will add approximately 0.7 metres (2.29ft) in height, however, it will sit between the proposed dwelling at Plot 2 and the dwelling at Plot 1 and it is considered that there will be limited views of the garage from the wider street scene view.

- 7.11 The materials chosen largely differ from Plot 1, with the exception of the TBS Culford brickwork, however both Plot 1 and the dwelling to the north, 70 West Street have red roof tiles. It is considered that there is a mixture of materials seen in the street scene, however both the brick and tile colour are seen within the street scene and therefore the materials are considered to be appropriate.
- 7.12 It is noted that the proposal description does describe the dwelling as a two-storey dwelling. However, it is the same height as the previously approved dwelling at Plot 2. Furthermore, it gives the appearance of a 1.5 storey as it features dormer windows within the roof space.
- 7.13 It is considered the proposed dwelling is in keeping with the character and appearance of the area and provide a complementary relationship with the existing development and is therefore considered to comply with policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015.
- 7.14 **Residential Amenity**
- 7.15 Policy ENV2 of the East Cambridgeshire Local Plan, 2015 states that new development will be expected to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity.
- 7.16 To the north of the application site is 70 West Street, a two-storey detached dwelling. To the direct east is a private road and on the opposite side of this is 58 and 58a West Street. To the south is previously approved Plot 1. To the west is number 74 West Street.
- 7.17 The proposed dwelling is situated approximately 9 metres (29.52ft) from the northern boundary at its closest point, 8 metres (26.24ft) to the eastern boundary and 4.5 metres (14.76ft) to the western boundary. There are dormer windows on the north and south elevations which all serve bedrooms. The dormers on the south elevation will look towards the parking areas/garages of both Plots 1 and 2. It is considered that these windows would not overlook any private amenity space. The dormer windows on the rear elevation are positioned approximately 16.8 metres (55.11ft) from the north boundary and it is considered that this is a sufficient distance not to result in a significant overlooking impact to 70 West Street.
- 7.18 There are dormer windows proposed on the west elevation which serve bedrooms; these windows are approximately 11 metres (36.08ft) from the boundary which is considered sufficient to avoid a significant overlooking impact. Furthermore, the area to the west is not private amenity space.

- 7.19 It is considered that there is sufficient distance between the dwellings to not result in an overbearing impact.
- 7.20 Given the sun's natural path rising in the east and setting in the west, it is considered that the main impact would be to number 70 West Street as it is north of Plot 2. However, it is considered that there is sufficient distance between the dwellings as to not result in a significant impact to residential amenity.
- 7.21 Policy ENV 2 sets out that new development should ensure that users of new buildings, especially dwellings, enjoy high standards of amenity. The plot size as stated in the application form is 1,100sqm (0.11 hectares/0.27 acres) exceeds the guidance of 300sqm (0.03 hectares/0.074 acres) set out in the Design Guide SPD. The built form takes up less than a third of the plot and the garden size provided is in excess of the 50sqm (0.005 hectares/0.012 acres) requested.
- 7.22 It is considered that the proposed dwelling would not result in a significant adverse impact to residential amenity and would provide high standards of amenity to future occupiers in accordance with policy ENV 2 of the East Cambridgeshire Local Plan, 2015
- 7.23 **Highway Safety and Parking**
- 7.24 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. The access for the proposed dwelling would be that approved under 19/00366/FUL. The Local Highway Authority have been consulted as part of the application, however, no comments have been received. The access under the original application (19/00366/FUL) was to serve the host dwelling (72 West Street) and the three dwellings approved under that application, one of which this dwelling would replace. Therefore, there would be no more intensification of use than previously approved.
- 7.25 The Local Highway Authority had no objections to application 19/00366/FUL in principle and they requested conditions in relation to the access being laid out as per the approved plan with the access 5 metres (16.40ft) wide for 15 metres (49.21ft) and turning and parking areas to be laid out prior to occupation. The access has been constructed; it appeared at the site visit that the only hardstanding left to be completed would be the parking and turning areas to serve the proposed dwelling subject to this application.
- 7.26 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. The parking standards set out that there should be two car parking spaces per dwelling and 1 cycle parking space. The proposed dwelling has two car parking spaces and single car space within the garage. There are no cycle spaces shown on the plan, however, it is considered that given the size of the plots that there would be sufficient space to accommodate these.
- 7.27 It is therefore considered that the proposal complies with policies COM 7 and COM 8 of the East Cambridgeshire Local Plan, 2015.

7.28 Ecology and Trees

7.29 Policy ENV7 of the East Cambridgeshire Local Plan, 2015 states that all applications for development that may affect biodiversity and geology interests must be accompanied by sufficient information to be determined by the Local Planning Authority, including an ecological report, to allow potential impacts and possible mitigation measures to be assessed fully. It also states that all development will be required to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds.

7.30 In respect of ecology, the application form states that there are no protected or priority species or designated sites important habitats or other biodiversity features on the site. No further ecological information was sought under the previous application 19/00366/FUL due to the site being considered as unsuitable for protected species and therefore it would be unreasonable and unnecessary to request this information now. Although the site plan shows the provision of bird/bat boxes, it is considered that further biodiversity enhancements could be provided and this could be secured by condition.

7.31 The Trees Officer had initially raised concern in respect of 19/00366/FUL around the boundary treatments in proximity to the trees and what those boundary treatments would be as installing a fence could result in damage to the tree roots. Plot 2 was also positioned too close to the RPA to allow for protective fencing alone as this would need to be moved to allow access for building. Following the reduction in scale of Plot 2, the Trees Officer had no further objection but noted that an updated tree protection plan would be required providing details of the areas where the protective fencing would need to be moved to allow access for buildings and details of the ground protection required in these locations. In respect of this application, the Trees Officer has commented that the arboricultural report is dated 2018, however as the trees are mature Sycamores that their Root Protection Areas will not have increased dramatically therefore is happy to accept the details within the report and the tree protection details. The Trees Officer further commented that the rear build line of the proposed dwelling is also in line with a previously approved layout which takes the footprint to the edge of the indicated RPA. The Trees Officer concluded that there is no objection providing the tree protection is installed following demolition and crown lifting works as stated in the report. This is secured by condition 9.

7.32 The proposal is therefore considered to comply with policy ENV 7 of the East Cambridgeshire Local Plan, 2015.

7.33 Flood Risk and Drainage

7.34 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 during the lifetime of the development taking into account climate change allowances, unless suitable flood management and mitigation measures can be agreed and implemented.

- It would increase the risk of flooding of properties elsewhere during the lifetime of the development, taking into account climate change allowances, by additional surface water run-off or by impeding the flow or storage of flood water.
- It would have a detrimental effect on existing flood defences or inhibit flood control and maintenance work.
- The risk of flooding would cause an unacceptable risk to safety; or
- Safe access is not achievable from/to the development during times of flooding, taking into account climate change allowance.

7.35 The application site is situated within flood zone 1, where development is expected to be situated and where flood risk is low and therefore would not require the submission of a flood risk assessment. The application forms states that surface water would be disposed of via soakaways, with foul water to be disposed of via mains sewer. Details have been shown on drawing number 03/2488/20 and they appear to be similar to the details approved under 19/00366/DISA. Therefore, no further details would be required.

7.36 The proposal is therefore considered to comply with policy ENV 8 of the East Cambridgeshire Local Plan, 2015.

7.37 **Other Material Matters**

7.38 Policy ENV 9 of the East Cambridgeshire Local Plan, 2015 states that all development proposals should minimise and where possible, reduce all emissions and other forms of pollution, including light and water pollution and ensure no deterioration in air or water quality. Proposals will be refused where there are unacceptable pollution impacts, including surface and groundwater quality.

7.39 The Scientific Officer was consulted as part of approved application 19/00366/FUL and has commented that the site is at very low risk of land contamination but due to the sensitive end use of the site requested a condition that if contamination is found that was not previously identified that work must cease and a site investigation and risk assessment carried out.

7.40 The Scientific Officer has commented on this application that he has read the submitted Envirosearch report dated 11th March 2019. He has commented that the report does not mention the previous agricultural use of the site which has the potential to cause land contamination, however the site has been cleared and stripped so any risk is likely to be low. Due to the proposed sensitive end use of the site (residential) it is recommend that standard contaminated land condition relating to unexpected contamination is attached to any grant of permission. This has been recommended as condition 3.

7.41 The proposal is therefore considered to comply with policy ENV 9 of the East Cambridgeshire Local Plan, 2015.

7.42 Cambridgeshire Archaeology have been consulted as part of the proposal. As part of application 19/00366/FUL, the following comments were received:

'Our records indicate that the site lies in an area of high archaeological potential, situated roughly 420m to the west of the scheduled earthwork remains of fish ponds, hollowed lanes and platforms that were part of the Isleham priory (National Heritage

List for England reference 1013278, Historic Environment Record reference DCB221): an alien Benedictine priory 100m west of St Andrew's Church (Historic Environment Record reference 07591). One of over 150 Benedictine monasteries founded in England, Benedictine monasticism had its roots in the rule written about AD 530 by St Benedict of Nursia for his own abbey at Monte Cassino but the earliest attempts to develop an order came only in 1216. The only remaining standing priory building at Isleham is the Chapel of St Margaret of Antioch (a Grade I Listed Building, NHLE ref 1126476, HER ref DCB713) to the north of which lie the buried foundations of the conventional buildings and the earthwork remains of the associated agricultural complex (07528).

Adjacent to the proposed development area are the gardens of Isleham Hall, dating from the 16th century (Historic Environment Record reference MCB19362), with extensive evidence for prehistoric and Roman activity in the vicinity, including ring ditch remains of Bronze Age burial mounds (MCB17114) and numerous finds of prehistoric and Roman artefacts. Archaeological investigations adjacent to the site identified evidence of a post-mill and a large volume of ceramic building material, which may have originated from the former Isleham Hall (post-excavation works on going ECB4999).

We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition’.

7.43 However, following reconsultation for the revised design, plans and elevations for Plot 2 of 19/00366/FUL, they then commented:

‘Thank you for consulting us again with regard to the revised design, plans and elevations for Plot 2. The archaeological programme which was recommended in mitigation of the development impacts has now been completed and we therefore remove our recommendation for the inclusion of an archaeological condition on any permission you may be minded to grant for development within the redline area indicated’.

The red line boundary does not include any land that was not part of the red line boundary under application 19/00366/FUL and therefore the imposition of an archaeological condition would not be reasonable or necessary. The proposal is therefore considered to comply with Policy ENV 14 of the East Cambridgeshire Local Plan, 2015.

7.44 **Planning Balance**

7.45 The proposal seeks a four bedroom detached dwelling. It is similar in scale and height to the previously approved dwelling under 19/00366/FUL. 19/00366/FUL is an extant permission which has been implemented (although Plot 2 itself has not commenced) and therefore forms a material consideration. It is considered that the proposed dwelling would not result in harm to the character and appearance of the area, would not result in a significant impact to the residential amenity of neighbouring dwellings or future occupiers and complies with the relevant policies in respect of highway safety and parking, ecology and trees, flood risk and drainage and contaminated land. The proposal is therefore recommended for approval.

8.0 APPENDICES

- 8.1 Appendix A - Proposed conditions
- 8.2 Appendix B - Officer Report 19/00366/FUL
- 8.3 Appendix C - Officer Report 19/00877/FUL

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
20/01069/FUL	Rachael Forbes Room No. 011	Rachael Forbes Planning Officer 01353 665555
19/00877/FUL	The Grange Ely	rachael.forbes@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 A - 20/01069/FUL Conditions

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

Plan Reference	Version No	Date Received
01/2488/20		17th September 2020
02/2488/20		17th September 2020
03/2488/20		17th September 2020
04/2488/20		17th September 2020
05/2488/20		17th September 2020
06/2488/20		17th September 2020

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 4 The foul and surface water disposal shall be carried out in accordance with the details shown on drawing number 03/2488/20. The scheme(s) shall be implemented prior to the occupation of each plot.
- 4 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.
- 5 Prior to first occupation of each plot or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

- 5 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 6 The materials to be used in the construction of the external surfaces, including walls, roof, doors and windows, shall be as specified on 05/2488/20. All works shall be carried out in accordance with the approved details.
- 6 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 0730 to 1800 each day Monday - Friday, 0730 to 1300 Saturdays and none on Sundays, Bank Holidays and Public Holidays.
- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 8 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.
- 8 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 9 All works shall be carried out in accordance with the Arboricultural Impact Assessment, Urban Forestry, 29th November 2018. If, during construction, it becomes apparent that further works or changes are required, work shall not progress any further on site until the applicant has secured a site meeting with a suitably qualified professional to agree the details and phasing of any tree surgery works not detailed in the submitted report. A written schedule shall be submitted to and approved in writing by the Local Planning Authority.
- 9 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 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.
- 10 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD, 2020.
- 11 All soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If

within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 11 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.