

**22/01229/FUL**

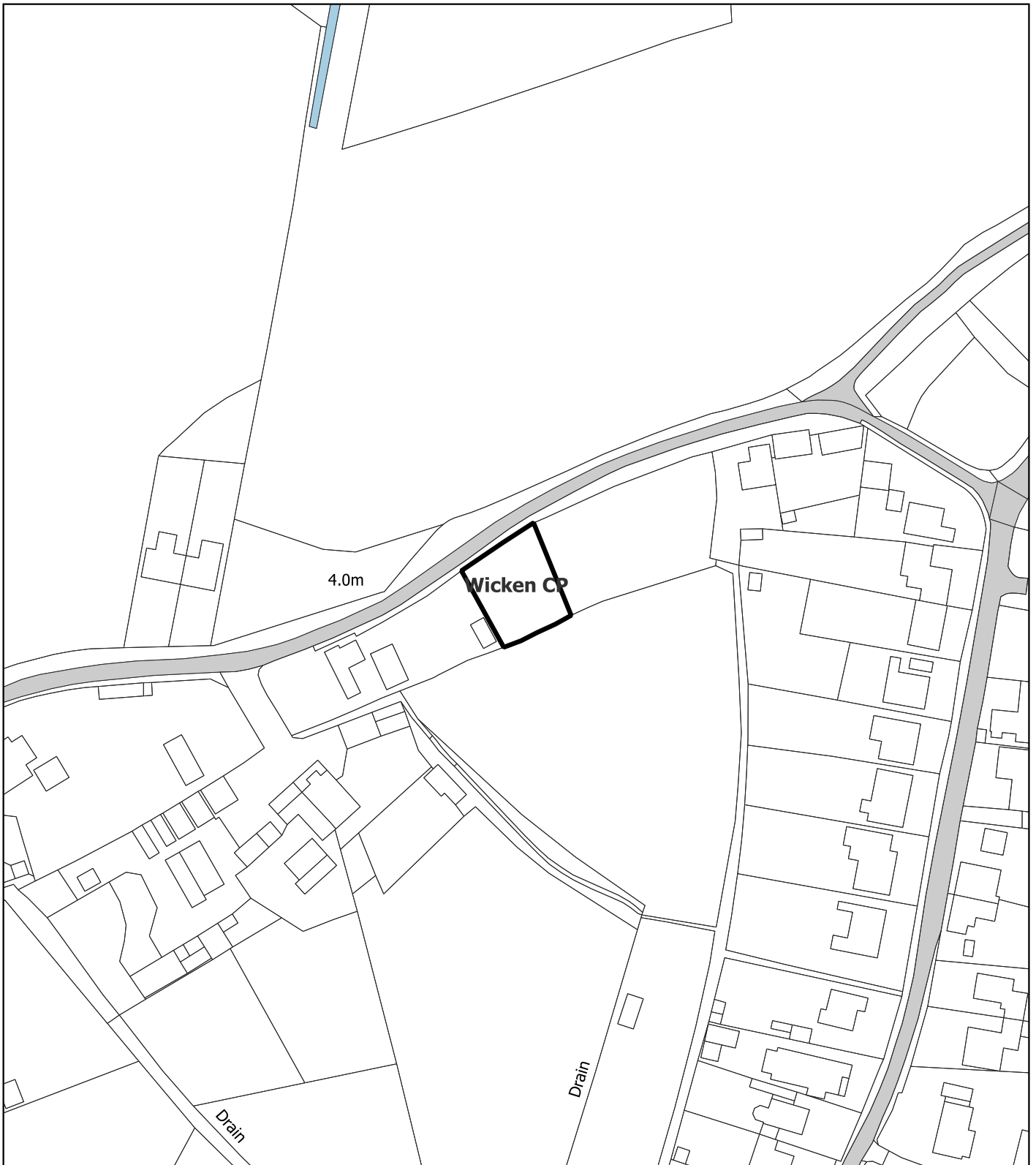
Site To The East Of 38A Chapel Lane  
Wicken

Erection of 2 detached four bedroom dwellings with car ports, off-street parking  
and associated landscaping

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22/01229/FUL

Site To The East Of 38A  
Chapel Lane  
Wicken



East Cambridgeshire  
District Council

Date: 17/07/2023  
Scale: 1:1,500



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**TITLE: 22/01229/FUL**

Committee: Planning Committee

Date: 2 August 2023

Author: Senior Planning Officer

Report No: Y29

Contact Officer: Holly Chapman, Senior Planning Officer  
holly.chapman@eastcambs.gov.uk  
01353 616360  
Room No 011 The Grange Ely

**Site Address: Site To The East Of 38A Chapel Lane Wicken Cambridgeshire**

**Proposal: Erection of 2 detached four bedroom dwellings with car ports, off-street parking and associated landscaping**

**Applicant: James Development Company Limited**

**Parish: Wicken**

**Ward: Soham South**  
Ward Councillor/s: Ian Bovingdon  
Lucius Vellacott

**Date Received: 20 October 2022**

**Expiry Date: 04 August 2023**

**1.0 RECOMMENDATION**

1.1 Members are recommended to APPROVE the application subject to the recommended conditions summarised below: The conditions can be read in full on the attached appendix 1.

- 1 Approved Plans
- 2 Time Limit – Full Application (3 Years)
- 3 Contamination Investigation (Pre-Commencement)
- 4 Unexpected Contamination
- 5 Ground Piling (Pre-Commencement)
- 6 Hours of Construction (Standard)
- 7 Foul and Surface Water Drainage
- 8 Soft Landscaping
- 9 Hard Landscaping
- 10 Parking and Turning
- 11 Visibility Splays

- 12 External Materials
- 13 Boundary Treatments
- 14 Restriction of Gates, Fences, Walls
- 15 Removal of Permitted Development Rights for Dwellings
- 16 Obscure Glazing of Windows
- 17 Biodiversity Enhancement
- 18 Air Source Heat Pump (Noise)
- 19 Tree protection

## 2.0 **SUMMARY OF APPLICATION**

2.1 The application proposals comprise the erection of two detached dwellings with associated car-ports, as well as associated works including the provision of off street-parking via Chapel Lane, and hard and soft landscaping works.

2.2 The proposed dwellings would measure as follows (Table 1):

	<b>Proposed Plot 1 and Plot 2 (metres)</b>
<b>Ridge</b>	c.7.8
<b>Eaves</b>	c.5.0
<b>Depth</b>	c.13.5 (inc. conservatory)
<b>Width</b>	c.8.0

*Table 1 – proposed dwellings*

2.3 The proposed dwellings are of a style and materials palette to match the adjoining development of eight dwellings approved under LPA Ref. 16/01492/OUT (and 20/00499/RMA and subsequent amendments) adjoining the application site to the east and south-east.

2.4 Each dwelling will benefit from two parking spaces, with an additional parking space provided within the car ports per dwelling, served via Chapel Lane via a central access.

2.5 It is necessary to fell six (Category C and U) individual trees and one landscape feature (a collection of dense undergrowth and a mixture of tree species) in order to facilitate the proposed development. Additionally, two off-site trees which overhang the site boundary require minor surgery to permit construction space or access.

2.6 The application is being referred to Planning Committee for determination in accordance with the Council's Constitution as it is a departure application recommended for approval. This is following clarification from the Council's Legal Director as to the delegation procedures regarding departure applications.

2.7 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

### **3.0 PLANNING HISTORY**

#### **3.1**

##### **16/01492/OUT**

The erection of up to 8 dwellings with parking, garages and associated works.

**Approved**

5 May 2017

##### **20/00499/RMA**

Approval of the details for reserved matters for Appearance, Landscaping, Layout and Scale of previously approved 16/01492/OUT for the erection of up to 8 dwellings with parking, garages and associated works

**Approved**

11 December 2020

##### **20/00709/DISA**

To discharge conditions 3 (Energy and Sustainability Report), 4 (Biodiversity), 5 (Foul & Surface Water), 6 (Contamination), 8 (Archaeology), 10 (fire hydrants) and 11 (Public Rights of Way) of decision notice 20/00709/VAR dated 11 December 2020 for the erection of up to 8 dwellings with parking, garages and associated works

8 March 2022

##### **20/00499/NMAA**

Non material amendment to previously approved 20/00499/RMA in respect of Plot 1 for Approval of the details for reserved matters for Appearance, Landscaping, Layout and Scale of previously approved 16/01492/OUT for the erection of up to 8 dwellings with parking, garages and associated works

11 October 2022

##### **20/00709/VAR**

To Vary Conditions 1 (Approved Plans) and 7 (Highways Works) of previously approved 16/01492/OUT for the erection of up to 8 dwellings with parking, garages and associated works

**Approved**

11 December 2020

##### **20/00499/NMAB**

Non material amendment to previously approved 20/00499/RMA for Approval of the details for reserved matters for Appearance, Landscaping, Layout and Scale of previously approved 16/01492/OUT for the erection of up to 8 dwellings with parking, garages and associated works

8 November 2022

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

#### **4.1**

The application site comprises an area of land which is known to have been used as a builder's yard, but appears to have been left unused for some time and has

become overgrown with brambles, nettles and other vegetation. The site has previously been subject to considerable disturbance and bordered by a road to the north, residential dwellings to the south-west, and the on-going active development site of eight dwellings to the north-east, wrapping around the site to the south (consented under 16/01492/OUT (and 20/00499/RMA and subsequent amendments).

- 4.2 A gate provides vehicular/foot access from Chapel Lane. Recent highway upgrade works means that a lit footpath now runs directly to the front of the application site, providing access into the centre of Wicken.
- 4.3 The application site contains a number of trees, as well as very dense undergrowth. The site falls within a green and amber risk zone for Great Crested Newts.
- 4.4 The site does not lie within proximity to any listed buildings, structures or monuments, and is not within or near to a Conservation Area.
- 4.5 The site falls wholly within Flood Zone 1 (lowest risk). There are no public rights of way adjoining or directly affect by the application site/proposals.
- 4.6 The Wicken Fen National Nature Reserve, a Site of Special Scientific Interest, is situated approximately 1 km (c.0.6 miles) to the southwest of the application site.

## **5.0 RESPONSES FROM CONSULTEES**

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

### **Waste Strategy (ECDC) - 28 October 2022**

States: “• 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 (delivery and administration) 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. • Each new property requires a set of receptacles; the contribution is currently £53 per set. We would recommend the developer made the contribution on behalf of the residents. Please note that the bins remain the property of East Cambridgeshire District Council. • Payment must be made in advance of bins being delivered; East Cambs District Council Account Number 43135897, Sort Code 52-41-19, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number.”

**Environmental Health (Domestic) - 1 November 2022**

States: "In addition, due to the proposed number of dwellings and the close proximity of existing properties I would advise that construction times and deliveries during the construction phase are restricted to the following:

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

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. This document should include the commitment to notifying nearby properties prior to the work commencing to advise how long the works will last. This notification should also provide a contact number so that if there are any concerns while the piling is taking place they can contact the contractor. If the method of piling involves impact driving I would request a commitment to the following restricted hours specifically for piling - 09:00 - 17:00 each day Monday - Friday and None on Saturdays, Sundays or Bank Holidays.

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.

Also, from looking at a satellite view of the site it would appear as though there is a large amount of greenery which would have to be removed in order for the development to go ahead. For this reason I would advise no burning of waste on site during the construction or clearance phases due to the close proximity of existing residents.

I have read the Design and Access Statement which mentions that the dwellings will be served by ASHPs. I would recommend the following condition to control the noise generated by these -

"The specific rated noise level emitted from the air source heat pumps shall not exceed the existing background noise level. The free field sound level shall be measured and/or calculated at the boundary of the nearest noise sensitive property. The noise level shall be measured and/or calculated in accordance with BS 4142:2014+A1:2019."

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

**Environmental Health (Domestic) - 5 April 2023**

States: "Peter will respond separately with his comments concerning land contamination.

I have no additional comments to make at this time."

**Environmental Health (Scientific) - 11 November 2022**

States: "Thank you for consulting me on the above application. As stated in the Existing Use section of the application form, where land contamination is known or

suspected, or the proposed use would be particularly vulnerable to the presence of contamination, an appropriate contamination assessment will be required with the application. The site has been a builders yard, and residential use is a proposed use that would be particularly vulnerable to the presence of contamination. The applicant will need to supply an appropriate contamination assessment with the application.”

**Environmental Health (Scientific) - 20 April 2023**

States: “I have read the Phase 1 Desk Study Report dated December 2022 prepared by Ground Engineering and accept the findings. The report recommends that a Phase 2 site investigation is carried out to include a ground contamination assessment. I recommend that standard contaminated land conditions CM1A and CM4A are attached to any approval.”

**Parish - 16 November 2022**

States: “Does the Parish Council have any concerns about the application? Yes  
Can these concerns be addressed by;

- a. amendments to the scheme No
- b. conditions to be applied to any permission no
- c. outright refusal of permission Yes

The Parish Council strongly objects to this application due to the following reasons:

- o The Parish Council rejects and disagrees with the use of the 'potential deviation' as a route to obtain planning
- o The proposal is outside the defined development envelope for Wicken
- o Wicken has particularly suffered with speculative development that has yet to be assimilated into the small community so allowing more seems contrary to the fully adopted Local Plan 2015.
- o The proposal is deemed Over development of the site due to the mass, scale, bulk and closeness of the proposed dwellings to each other and next door.
- o The proposal is deemed to have poor design and not in keeping with other nearby dwellings.
- o It is not in keeping with the street scene as these large houses are amongst bungalows and cottages some of which are yet to be built.
- o Existing concerns with the surrounding development being built by the same developers. These concerns have been made to ECDC planning department and the LLFA regarding drainage issues and overflowing water from the site on to the highway.
- o Single track road with the cars from the proposed development turning on to a very narrow section of the Chapel Lane.
- o Concern that the development will cause detriment to road users during building as there is no allocated area for works' vehicles to park or turn without blocking the Lane to others.
- o No biodiversity net gain
- o Known drainage issues with the neighbouring property, having flooded in the past.
- o This site has been used for agricultural and building storage in the past so recommend the need for a contamination report.
- o It should also be noted that this location and application has nothing to do with No 42 Chapel Lane which is a privately occupied residence with no connection to JD Developments.”



**Parish - 12 April 2023**

States: "The Parish Council strongly objects to this application due to the following reasons:

- The Parish Council rejects and disagrees with the use of the 'potential deviation' as a route to obtain planning
- The proposal is outside the defined development envelope for Wicken
- Wicken has particularly suffered with speculative development that has yet to be assimilated into the small community so allowing more seems contrary to the fully adopted Local Plan 2015.
- The proposal is deemed Over development of the site due to the mass, scale, height bulk and closeness of the proposed dwellings and adjacent dwellings.
- The proposal is deemed to have poor design and not in keeping with other nearby dwellings.
- It is not in keeping with the street scene as these large houses are amongst bungalows and cottages some of which are yet to be built.
- Existing concerns with the surrounding development being built by the same developers. These concerns have been made to ECDC planning department and the LLFA regarding drainage issues and overflowing water from the site on to the highway.
- Single track road with the cars from the proposed development turning on to a very narrow section of the Chapel Lane.
- Concern that the development will cause detriment to road users during building as there is no allocated area for works' vehicles to park or turn without blocking the Lane to others.
- No biodiversity net gain. The proposal is to fell 7 healthy trees including ash trees
- Known drainage issues with the neighbouring property, having flooded in the past.
- This site has been used for agricultural and building storage in the past so recommend the need for a contamination report."

**Parish - 13 July 2023**

States: "Wicken Parish Council stands by our list of concerns submitted on 12 April 2023 along with our response to the planning consultant sent to ECDC in April. Our list of concerns remain as below.

The Parish Council strongly objects to this application due to the following reasons:

- The Parish Council rejects and disagrees with the use of the 'potential deviation' as a route to obtain planning
- The proposal is outside the defined development envelope for Wicken
- Wicken has particularly suffered with speculative development that has yet to be assimilated into the small community so allowing more seems contrary to the fully adopted Local Plan 2015.
- The proposal is deemed Over development of the site due to the mass, scale, height bulk and closeness of the proposed dwellings and adjacent dwellings.
- The proposal is deemed to have poor design and not in keeping with other nearby dwellings.
- It is not in keeping with the street scene as these large houses are amongst bungalows and cottages some of which are yet to be built.
- Existing concerns with the surrounding development being built by the same developers. These concerns have been made to ECDC planning department and the LLFA regarding drainage issues and overflowing water from the site on to the highway.

- Single track road with the cars from the proposed development turning on to a very narrow section of the Chapel Lane.

Concern that the development will cause detriment to road users during building as there is no allocated area for works' vehicles to park or turn without blocking the Lane to others.

- No biodiversity net gain. The proposal is to fell 7 healthy trees including ash trees
- Known drainage issues with the neighbouring property, having flooded in the past.
- This site has been used for agricultural and building storage in the past so recommend the need for a contamination report."

**Local Highways Authority - 4 November 2022**

States: "I do not object to the principle of this application, however some additional detail / clarification is required.

In addition the inter-vehicular visibility (which is shown to be achievable), there needs to be 2m x 2m pedestrian visibility splays either side of the access, measured to the back of the footway. Such splays need to be kept free from obstruction from a height of at least 600mm above footway level and should therefore be shown on the submission drawings. The splays must be contained within the application boundary and / or the public highway.

The shared drive is to be drained by permeable paving. This is not acceptable to the LHA in isolation due to the onerous maintenance requirements and the tendency for the system to fail. Therefore, additional means of surface water interception is required, such as a channel drain, to prevent private water discharging onto the highway.

I would like to invite the applicant to respond to the above comments, prior to making any final recommendations."

**Local Highways Authority - 14 November 2022**

States: "The revised site layout as shown on drawing 1103-03 Revision B has addressed my previous comments and as such, I have no objection to the application.

Please append the following conditions and informative to any permission granted:  
Conditions

HW8A: Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicular access, as shown on 1103-03 Revision B.

HW16A: Prior to first occupation or commencement of use the proposed on-site turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan 1103-03 Revision B and thereafter retained for that specific use.

HW20A: Prior to the commencement of the use hereby permitted visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the back of footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway.

Informative

Works in the Public Highway

This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's

responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.”

**Graham Moore - Middle Level Commissioners Middle Level Drain - 1 November 2022**

States: “The application proposes discharging surface water into an existing system that has been previously agreed by the Board. Therefore, this discharge will require the consent of the Board before any works commence on site. This is to ensure that the proposed discharge rates are acceptable and will not overload the Board's system.”

**ECDC Trees Team - 25 November 2022**

States: “I'm concerned that the submitted arboricultural report is recommending the removal of tree T1, T2, T3 and T4 despite it stating that these trees are located off site so in 3rd party ownership though this is confusing as the plan shows the trees located within the site boundary, clarification of the ownership and location of these trees is required prior to determination of the application.

Tree T7 which is located on the neighbouring property is identified as requiring its crown reduced by 3m back to the vertical boundary reducing its crown spread by 60% and its roots also being cut back to the boundary resulting in a 10.5% loss of its root protection area so as to create sufficient space for the development, not only will this result in a misshapen tree that will require repeated pruning so that it doesn't become a legal nuisance to the proposed property but these works will effect the trees vitality and stability. The Construction (Design and Management) Regulations (2015) states that developers and contractors have responsibilities for health and safety as a result of their actions. Should trees be left in an unstable or hazardous condition the Health and Safety Executive (HSE) could seek to prosecute those responsible along with the potential for further Civil claims for damages.

Tree T8 is also located on the neighbouring property is identified as requiring its crown reduced by 2m back to the vertical boundary reducing its crown spread by 66% and its roots also being cut back to the boundary resulting in a 26% loss of its root protection area so as to create sufficient space for the development which result in the same issues as tree T7.

The pruning of roots and crowns to facilitate development shows that sufficient space has not been provided to allow for the future growth potential of the trees and a lack of suitable consideration required as trees are a material consideration in the UK planning process.

For the reasons above I object to this application at this time.”

**ECDC Trees Team - 5 June 2023**

States: “The revised arboricultural information corrects the previous tree locations though I'm still concerned that it down grades the categorisation of the existing trees on site to a C category yet states that 'The tree displays a good physiological condition with a large amount of foliage throughout the canopy.' This statement is used for trees T1, T2, T3, and T4. If a tree is down graded from an A category to a C as in this case I would expect some form of justification for this, if these trees

were a category A or B these 4 trees alone would required replacement with 10 new trees to comply with policy SPD.NE8: Trees and Woodland Natural Environment Supplementary Planning Document 2020. Tree T1 is of a size that is significant to the landscape with a stem diameter of 400mm the trees height is given as 8m but the street view images from 2011 indicate it was taller than this then and there is no information stating that the trees height has been reduced and the images in the ecology report indicate that the tree is more likely to be 12-14m in height therefore I can only assume that this height measurement is a typo. the majority of the trees on site have been stated as having a prospective life expectancy of 10 years+ the second lowest category available yet they are either semi mature or young trees with no significant defects listed. The existing tree species on site will not be suitable for the current layout but they should be considered for retention but this may require an alteration to the sites layout due to the issues with the AIA as described.

From looking at street view images of this site from 2011 the front section of area A1 facing Chapple Lane was managed as a hedge that has since been neglected, because of the sites location and there previously being a mixed native species hedge in this location when the soft landscaping scheme is confirmed a new mixed native species hedge should form the front boundary to the site.

Although the space for trees T7 and T8 has been increased and the requirement for their crown reductions removed I'm still concerned that there will be little room for the future growth potential of these 3rd party owned trees and that linear root pruning is still required in order to facilitate the proposed development.

The indicated tree species is Malus Profusion a red leaved, red flowered and red fruited Crab apple that will not be suitable for the indicated locations due to its fruit proliferation which will fall onto the highway and parking areas attracting unwanted insects such as Wasps and Ants, when squashed by moving vehicles the pulp will create a skid risk to the road and slip risk for residents as the fruit are small and round they can act like marbles when they first fall adding to the injury risk. The proposed locations for the trees could also conflict with the site drainage and as such could require technical solutions to reduce this possibility such as root barriers etc. the details of the soft landscaping scheme could be agreed by condition if the application is approved.

I have concerns about some of the information in the submitted AIA as stated above and that given the extent of vegetation removal it is currently only indicated that 4 trees will be planted to the front of the site no other planting is indicated. The details of the sites drainage and service runs has also not provided these details should be provided in tandem with the soft landscaping details so as to avoid any conflict. Due to the issues with the tree information provided it is not possible to support this application at this time.”

#### **ECDC Trees Team - 19 June 2023**

States: “Response to the arboricultural consultants comments;

If trees are to be classified as a category C tree there should be some justification for this provided such as stating they are unremarkable of limited merit, just giving them a C category while stating that 'The tree displays a good physiological condition with a large amount of foliage throughout the canopy.' Does not provide any information as to why any tree is not a category A which is the initial category every tree should start at being down grade via visual observations such as the

trees health, vitality, condition, habit etc. with these visual observations being recorded so that the tree assessor's process can be understood and justified.

The trees current condition was assessed via a site visit and site photos the mention of using google street view was purely in relation to observable features such as the front boundary hedge comments which supported the consultants opinion of these trees. Regarding tree T1 the mention of the out of date street view images was in relation to this trees given dimension's not matching up with current site photos in the ecology report and knowledge of the tree species and its expected height dimension's when growing in a location such as this.

The mention of the numbers of replacement trees was in relation to the lack of information that supported the consultants categorisation and the information now provided giving reasons for the classifications negates the issues relating to required replacement planting , it is a shame the consultant did not provide any reasoning for the classifications prior to being asked to provide some as this would have saved everyone a lot of time and associated costs.

Trees and their future are a material consideration of the planning system, the legal common law rights to prune trees back to the boundary should not be an excuse for allowing development that harms the trees future viability this would be negligent of the local planning authority.

As the arboricultural consultant has now provided some justification for their tree categorisations I can accept them as provided. I still have concerns regarding the long term futures of trees T7 and T8 but this is likely to be minor in the scheme of things.

The revised soft landscaping scheme is also now acceptable please condition its compliance.”

**CCC Growth & Development** - No Comments Received

**Cambs Wildlife Trust** - No Comments Received

**Ward Councillors** - No Comments Received

5.2 A site notice was displayed near the site on 01/11/22 and a press advert was published in the Cambridge Evening News on 3 November 2022.

5.3 Neighbours – 26 neighbouring properties were notified and the four responses received are summarised below. Full copies of the responses are available on the Council's website.

*Comments in support (Two)*

- Benefit of new homes;
- New build quality dwellings;
- Benefitting charm and appearance of Wicken;
- Site is unsightly in its current form;
- Vital for village life to prevent loss of services and facilities;
- Planning envelope is outdated and character of the area has changed, no longer rural/countryside;

- Chapel Lane has been upgraded with footpath and is effectively near the centre of Wicken;
- Variety of development is attractive;

*Comments in opposition (two)*

- Overlooking of properties to the south/rear and No.38A;
- Overdevelopment of the site (mass, scale, bulk and proximity);
- Not in keeping with the landscape;
- Not in keeping with existing development;
- Dwellings are very large;
- Concerns that trees will be affected by the development, in combination with existing upgrade works to the footpath;
- Mature trees within the application site will be lost as will hedgerows;
- Visibility of the site will be restricted by trees/hedgerows proposed;
- If insufficient parking on site, there will be parking on the road/footpath;
- Increase in vehicle traffic;
- Not enough on-site parking;
- Loss of green space;
- Concerns over tree/hedge ownership
- Concerns over surface water and sewerage system capacity;
- Outside of the defined development envelope for Wicken;
- Highway safety on the single-track road and passing;
- Wildlife impact;
- No public transport;
- Only two churches in the village, not three;

## **6.0 THE PLANNING POLICY CONTEXT**

### **6.1 *East Cambridgeshire Local Plan 2015***

GROWTH 1 Levels of housing, employment and retail growth

GROWTH 2 Locational strategy

GROWTH 3 Infrastructure requirements

GROWTH 5 Presumption in favour of sustainable development

ENV 1 Landscape and settlement character

ENV 2 Design

ENV 4 Energy efficiency and renewable energy in construction

ENV 7 Biodiversity and geology

ENV 8 Flood risk

ENV 9 Pollution

HOU 1 Housing Mix

HOU 2 Housing density

HOU 3 Affordable housing provision

COM 7 Transport impact

COM 8 Parking provision

### **6.2 *Supplementary Planning Documents***

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

Flood and Water

Developer Contributions and Planning Obligations  
Natural Environment SPD  
Design Guide  
Climate Change SPD

- 6.3 *National Planning Policy Framework 2021*  
2 Achieving sustainable development  
4 Decision-making  
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*  
Nationally Described Space Standards March 2015

## 7.0 **PLANNING COMMENTS**

### 7.1 Principle of Development

- 7.2 The application site is located outside of the development envelope for Wicken. Officers consider therefore that the starting point should be to consider the proposal as a departure from the Development Plan. It is considered that permission should not normally be granted unless there are material considerations which can be afforded sufficient weight to justify a departure from policy.
- 7.3 Wicken is a small village situated 6 miles south of Ely. The village is centred on three greens that form the heart of a Conservation Area. The parish is home to Wicken Fen, the first nature reserve acquired by the National Trust. Wicken has limited services, which include a village hall, a public house and a bus service to Soham and Ely which runs one day per week (Thursdays)
- 7.4 The application site, although outside of the development boundary, would be located off Chapel Lane, which is c.450 metres from the High Street. The site is therefore within a short walking distance of the village centre and the village facilities referred to above.
- 7.5 To the east and south-east of the site, eight dwelling approved under LPA Ref. 16/01492/OUT (and 20/00499/RMA and subsequent amendments), consented during a period whereby the Council could not demonstrate a 5-Year Housing Land Supply. This previous approval had the effect of infilling a large gap in development along Chapel Lane, connecting this development to the existing linear development along Drury Lane to the east.
- 7.6 Previously, a further seven dwellings were approved under LPA Ref. 16/00024/OUT (and 19/01033/RMA with subsequent amendments) to the west/south-west of the application site, infilling another gap in development along Chapel Lane.

- 7.7 The proposal subject to this application would therefore be bound on three out of four of its boundaries by residential development, with a highway forming the fourth boundary. The site is therefore in effect an infill plot.
- 7.8 Therefore, although the site is outside of the development framework and is technically in a 'countryside location', the situation on the ground is that the site will be increasingly enclosed by residential development with the continued construction of dwellings adjoining the application site to the east/south-east, as well as construction of development to the west/south-west. The site is also not considered to significantly contribute to the character or openness of the countryside, by virtue of its enclosure by existing and planned (implemented) development. With the surrounding approved consents in mind, the proposal would not be introducing residential development in an open countryside location. This section of Chapel Lane is now becoming built-up to such a degree that a further two dwellings in an undeveloped gap in-between existing development would not be out of place.
- 7.9 The location of the site is considered to be relatively sustainable for a dwelling in locational terms. On account of the adjoining consent, the proposed development would be served by a new lit footpath providing direct access into the centre of Wicken and its services, only c.450-metres in distance from the application site.
- 7.10 Whilst contrary to Local Plan Policy GROWTH 2, the change in the character of the area through the provision of recently approved housing development amounts to a material consideration of significant enough weight that justifies a decision at variance with the development plan. This is on the basis of the unique location of the application site therefore meaning the development is considered to be acceptable in relation to the location of development, and that the introduction of two dwellings would not amount to unsustainable development for the reasons given.
- 7.11 It is also considered that as per Paragraph 79 of the National Planning Policy Framework, so as to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It is considered that whilst only a modest contribution to the vitality of the rural community of Wicken, in the overall planning balance, the contribution of the two dwellings weighs in favour of the proposed development in this location.
- 7.12 Consideration has also been given to the relationship of the site with the adjoining eight dwellings, and whether there has been a purposeful subdivision of the sites. On the basis of planning history, land ownership and the nature of the separate planning units, it is considered that the proposed developments are distinct from one another, and have not been purposefully subdivided. The development proposed will therefore be treated as independent from the adjoining eight dwellings. This means Policies HOU 1 and HOU 3 relating to housing mix and affordable housing provision do not apply.
- 7.13 Residential Amenity
- 7.14 Policy ENV 2 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. Paragraph 130(f) of the NPPF requires proposals to ensure



that they create safe, inclusive and accessible development which promotes health and wellbeing and provides a high standard of amenity for existing and future users. The Design Guide SPD requires that, in most cases, rear private amenity space should be a minimum of 50 square metres.

- 7.15 The proposed dwellings would provide a good outlook, light receipt and internal and external amenity space for prospective occupiers.
- 7.16 With regard to impacts upon nearby occupiers, on account of their design (including fenestration), siting and scale, the proposed dwellings are not considered to result in any significantly detrimental impacts in terms of overlooking, overshadowing, overbearing, loss of light or loss of privacy upon nearby adjoining residential occupiers to the east, south-east, south and west.
- 7.17 This is subject to conditions requiring the side facing first floor main bathroom windows within both dwellings (facing north-east and south-west respectively) are obscure glazed to prevent overlooking to adjacent occupiers given the proximity of the dwellings to the shared boundaries.
- 7.18 The fourth bedroom in both dwellings have secondary high level windows facing onto each other, in between the shared driveway. Given the separation and high level nature of these windows, it is not considered necessary to obscure-glaze these windows to protect the residential amenity of prospective occupiers.
- 7.19 For the reasons outlined, the proposed development is considered to result in acceptable residential amenity impacts upon existing and prospective occupiers by virtue of its design, siting and scale, subject to the imposition of the conditions set out above. The proposed development is therefore considered to comply with the objectives of Policy ENV 2 of the Local Plan, the Design Guide and the NPPF.
- 7.20 Visual Amenity and Heritage
- 7.21 Policy ENV1 of the ECDC Local Plan 2015 seeks to ensure that proposals provide a complementary relationship with existing development, and conserve, preserve and where possible enhance the distinctive and traditional landscapes, and key views in and out of settlements. Policy ENV2 of the ECDC Local Plan 2015 requires proposals to ensure that location, layout, scale, form, massing, materials and colour relate sympathetically to the surrounding area and each other.
- 7.22 The Design Guide states that, in most cases, building plots should be approximately 300 square metres (c.3229sqft), and that the footprint of any proposed development should be no more than approximately one third of the plot size. Paragraphs 126 to 130 of the NPPF seek to secure visually attractive development which improves the overall quality of an area and is sympathetic to local character and history.
- 7.23 Existing development along Chapel Lane varies in scale, character and siting, with a collection of two-storey gable-fronted dwellings as well as bungalows, chalet-bungalows. A number of dwellings are gable fronted, with others containing dormers or of typical rural cottage proportions. There is no overriding architectural characteristics within the street-scene.

- 7.24 The proposed development has therefore been designed so as to assimilate with the adjoining development consented under LPA Ref. 16/01492/OUT (and 20/00499/RMA) in design and materials.
- 7.25 The originally submitted proposals were considered to comprise a sub-standard quality of development, given the unduly dominant front gable projections, which were off-centred and considered to be visually jarring within the street-scene. Following a round of discussions, the Applicant provided an acceptable revised scheme, which proposed pared-back traditional frontages to the dwellings.
- 7.26 The proposed dwellings incorporate rear conservatories, and whilst these are not considered to represent the highest quality of development, they are commonplace within the adjoining approved development of eight dwellings, and would not be visible within the street-scene.
- 7.27 It is therefore considered that on balance, by virtue of their design, scale and siting, the proposed development would provide a complementary form of development that assimilates well into the street-scene, and would conserve and enhance the character and appearance of the area.
- 7.28 Whilst the LPA are unable to rely solely on planting to justify the visual impacts of proposals, which should be acceptable in their own right, the design and scale of the proposals are considered to be acceptable and appropriate for this location; the proposed planting will, in this instance, assist in the assimilation and visual softening of the proposed dwelling within this rural location and within the street-scene, as well as making a genuine contribution to the enhancement of biodiversity within the site. The re-provision of a treed frontage with a hedgerow also ensures a soft edge to the development to minimise the urbanising impacts of the proposals, and complement the rural character of the area.
- 7.29 The areas of proposed hard landscaping are also kept to a minimum, and the proposed 1.8-metre (c.6ft) close-board fencing enclosing the rear gardens to the dwellings is also considered to be appropriate in the location shown, given the existing urbanisation of the wider area. However, this type of fencing is not considered to be acceptable forward of the front elevations of the dwelling, which is more open, treed and rural in nature. On this basis, it is considered pertinent to restrict permitted development rights for gates, fences, walls and other means of enclosure forward of the front elevations of the dwellings in the interests of protecting visual amenity, given the open nature and rural location of the application site.
- 7.30 It is also considered pertinent to restrict permitted development rights for alterations to the proposed dwellings such as extensions, roof addition, windows and porches, in the interests of protecting visual amenity and to ensure the negotiations undertaken as part of this submission are not undermined.
- 7.31 The proposed dwelling satisfies the requirements of Policy HOU 2 and the Design Guide SPD with regard to density, plot size and coverage.
- 7.32 For the reasons provided above, whilst the proposals will be visible within the street-scene, given their scale, location and design, the visual amenity impacts of the

proposals are considered to be acceptable in accordance with Policies ENV 1, ENV 2 and HOU 2 of the ECDC Local Plan 2015, the Design Guide SPD and the guidance contained within the NPPF.

7.33 Other Material Matters

7.34 Highways – the proposed development provides policy-compliant levels of on-site parking for vehicles and bicycles. The Local Highways Authority raise no objections to the proposed development in terms of highway safety, subject to conditions relating to controls over the erection of gates, fences, walls across the site's vehicular access; visibility splays; and the provision of parking and turning spaces within the site. These conditions are considered to be necessary in the interests of highway safety in accordance with Policy COM 7 and COM 8 of the Local Plan and the NPPF.

7.35 Ecology and Biodiversity – there are a number of trees within the application site, all of which are Category C or below. There are also a number of off-site trees that overhang the application site outside of the control of the Applicant.

7.36 The Applicant has also undertaken a Preliminary Ecological Appraisal (PEA) of the site and the Wildlife Trust were consulted. With regard to the loss of trees, a total of six on-site trees are proposed to be removed, as well as one 'landscape feature' (this being a dense undergrowth with a variety of tree species). A total of seven trees are proposed within the application site as replacement planting, as well as a hedge planting along the site's road frontage. Given the categorisation of the trees, in accordance with the Tree Officer's comments, the replacement planting scheme is considered to be acceptable to compensate for the loss of trees and current landscape features, as well as providing a biodiversity net gain through the provision of higher quality planting and improved site management, as well as biodiversity enhancement features incorporated throughout the site.

7.37 Tree protection details will be secured via a condition in accordance with details submitted on the tree protection drawing.

7.38 On the basis of the PEA submitted and in the absence of any objection from the Wildlife Trust, the proposed development site is considered to be a small area of land of relatively low ecological value on the basis of the current habitats it provides and the historic land uses associated with it. The site is considered unlikely to result in any significant disturbance upon protected species.

7.39 Notwithstanding, the site is considered likely to provide some habitat for nesting birds, and whilst no bat activity was noted within the site itself, retained trees surrounding the application site may still provide foraging habitat. The proposed development is considered unlikely to result in the disturbance of any other protected species. The PEA makes recommendations with regard to tree/clearance works during bird nesting season, as well as controls over artificial lighting. Informatives will therefore be added to any consent regarding the necessary licences, procedures and protections (i.e. clearing the site outside of nesting season) afforded to protected species, which exist outside of the Planning System, but by which any applicant and/or developer are still bound.

- 7.40 It is considered that, subject to conditions securing soft landscaping and biodiversity enhancement details, the proposed development would be acceptable in accordance with Policies ENV 1 and ENV 7 of the Local Plan, the Natural Environment SPD and the NPPF.
- 7.41 Flood Risk and Drainage – the application falls wholly within Flood Zone 1 and is therefore at a low risk of flooding. The proposed development will be served by a drainage channel at its vehicular access point with Chapel Lane, and a permeable driveway. The proposed development is seeking to drain into the existing mains sewer for both foul water, as agreed on the adjoining application site of eight dwellings. Surface water is proposed to drain to the existing roadside along Chapel Lane, via a piped system from the permeable driveways proposed. The IDB raise no objections to the proposed drainage infrastructure but note the Board’s consent is required. Subject to a condition securing a drainage strategy for the site, the proposed development is therefore considered to be compliant with Policy ENV 8 of the Local Plan, the Flood and Water SPD and the NPPF.
- 7.42 Contamination and Pollution – the Environmental Health (Scientific) Officer has reviewed the contamination report submitted with the application, and agrees with the findings. The Scientific Officer therefore recommends, in accordance with the conclusions of the report, that further site investigation into contamination is required prior to works on site commencing. A safeguarding condition regarding unexpected contamination will also be imposed upon the consent.
- 7.43 The Environmental Health (Domestic) Officer has requested conditions pertaining to ground piling, construction hours and no burning of materials within the application site. Ground piling and construction hour conditions are considered to be necessary in the interests of protecting residential amenity of surrounding occupiers. An informative relating to burning of waste will be added to any consent as standard for applications of this nature.
- 7.44 Climate Change and Sustainability - The proposed development is to be served by air-source heat pumps, water butts, electric vehicle charging points. The proposed development will also be subject to the increased Building Control standards for construction. On this basis, the proposed development is considered to satisfy the objectives of Policy ENV 4 of the Local Plan, as well as the objectives of the Climate Change SPD and the NPPF in seeking to secure reduced-energy and sustainable developments.
- 7.45 Planning Balance
- 7.46 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.47 Whilst the site does not form one of the exceptions of GROWTH 2, it is considered that the change in the character of the area (through the introduction of recently permitted residential dwellings surrounding the application site) amounts to a material consideration that justifies a decision at variance with the Development Plan. It is considered that the introduction of two dwellings in this location would not significantly alter the character of the area, particularly comprise an infill plot. It is

also considered to be a sustainable location in respect of its proximity and access to Wicken and the services provided, as well as providing a modest contribution in supporting the vitality of the rural community.

7.48 The proposed development is considered to be acceptable in all other respects.

7.49 The application therefore recommended for approval.

## **8.0 APPENDICES**

8.1 APPENDIX 1 - 22/01229/FUL Conditions

### Background Documents

22/01229/FUL  
16/01492/OUT  
20/00499/RMA  
20/00709/DISA  
20/00499/NMAA  
20/00709/VAR  
20/00499/NMAB

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

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

## APPENDIX 1 - 22/01229/FUL Conditions

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

Plan Reference	Version No	Date Received
1103-02	D	26th June 2023
1103-03	G	26th June 2023
1103-01	D	26th June 2023
Arboricultural Impact Assessment		22nd February 2023
9811-D-AIA		22nd February 2023
C15825 Phase 1 Report		22nd February 2023
Preliminary Ecological Assessment		22nd February 2023
Planning Design and Access Statement		20th October 2022
1103-04		20th October 2022

- 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 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
  - (i) A survey of the extent, scale and nature of contamination;
  - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
  - (iii) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with 'Land Contamination Risk Management' (LCRM), Environment Agency, 2020. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.

- 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. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 4 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.
- 4 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.
- 5 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.
- 5 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 6 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.
- 6 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 The foul and surface water drainage scheme as shown on Drawing Ref. 1103-03 REV G shall be implemented prior to first occupation of the hereby approved development and thereafter maintained.
- 7 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.
- 8 All soft landscaping works shall be carried out in accordance with the approved details as shown on Drawing Ref. 1103-03 REV G. 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.

- 8 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 9 All hard-landscaping works shall be carried out in accordance with the approved details set out at Section 1.19 of the Planning, Design and Access Statement prior to the occupation of any part of the development or in accordance with an implementation programme submitted to and approved in writing by the Local Planning Authority prior to first occupation.
- 9 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 Prior to first occupation or commencement of use the proposed on-site parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan Drawing Ref. 1103-03 REV G and thereafter retained for that specific use.
- 10 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 11 Prior to the commencement of the use hereby permitted visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the back of footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway.
- 11 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 12 The materials to be used in the construction of the external surfaces of the development shall be either:
- a. As detailed on Section 1.19 of the Planning, Design and Access Statement; or,
  - b. Submitted to and approved in writing by the Local Planning Authority prior to their use in the construction of the development.
- All works shall be carried out in accordance with the approved details.
- 12 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 The boundary treatments hereby permitted shall be constructed in accordance with the details specified on Drawing Ref. 1103-03 REV G. The boundary treatments shall be in situ and completed prior to the first occupation on the site. All works shall be carried out in accordance with the approved details and retained thereafter
- 13 Reason: To safeguard the residential amenity of neighbouring occupiers and assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted



Development)(England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no development within Class A of Part 2 of Schedule 2 of the Order shall take place on site between the front elevations of the hereby approved dwellings and the carriageway of Chapel Lane (as defined by Drawing Ref. 1103-03 REV G) unless expressly authorised by planning permission granted by the Local Planning Authority.

- 14 Reason: To assimilate the development into its surroundings, and safeguard the residential amenity of surrounding occupiers and in the interests of highway safety, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modifications), no development within Class(es) A, B, C and D of Part 1 of Schedule 2 of the Order shall take place on site unless expressly authorised by planning permission granted by the Local Planning Authority.
- 15 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 16 The first floor windows in the north-east side elevation of Plot 1 and in the south-west side elevation of Plot 2 (both shown to be serving a bathroom on Drawing Ref. 1103-01 REV D and 1103-02 REV D) shall be glazed using obscured glass and any part of the window(s) that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.
- 16 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 17 The biodiversity improvements set out at Section 1.16 of the Planning Design and Access Statement shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 17 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.
- 18 The specific rated noise level emitted from the air source heat pumps shall not exceed the existing background noise level. The free field sound level shall be measured and/or calculated at the boundary of the nearest noise sensitive property. The noise level shall be measured and/or calculated in accordance with BS 4142:2014+A1:2019.
- 18 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 19 The tree protection measures as shown on Drawing Ref. 9811-D-AIA (dated 14/02/2023) (and set out within the Arboricultural Impact Assessment prepared by Haydens dated 15/02/2023) shall be implemented prior to the commencement of development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the

existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

- 19 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, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD.