

20/01295/FUL

Land South East Of 4 Meadowbrook

Aldreth

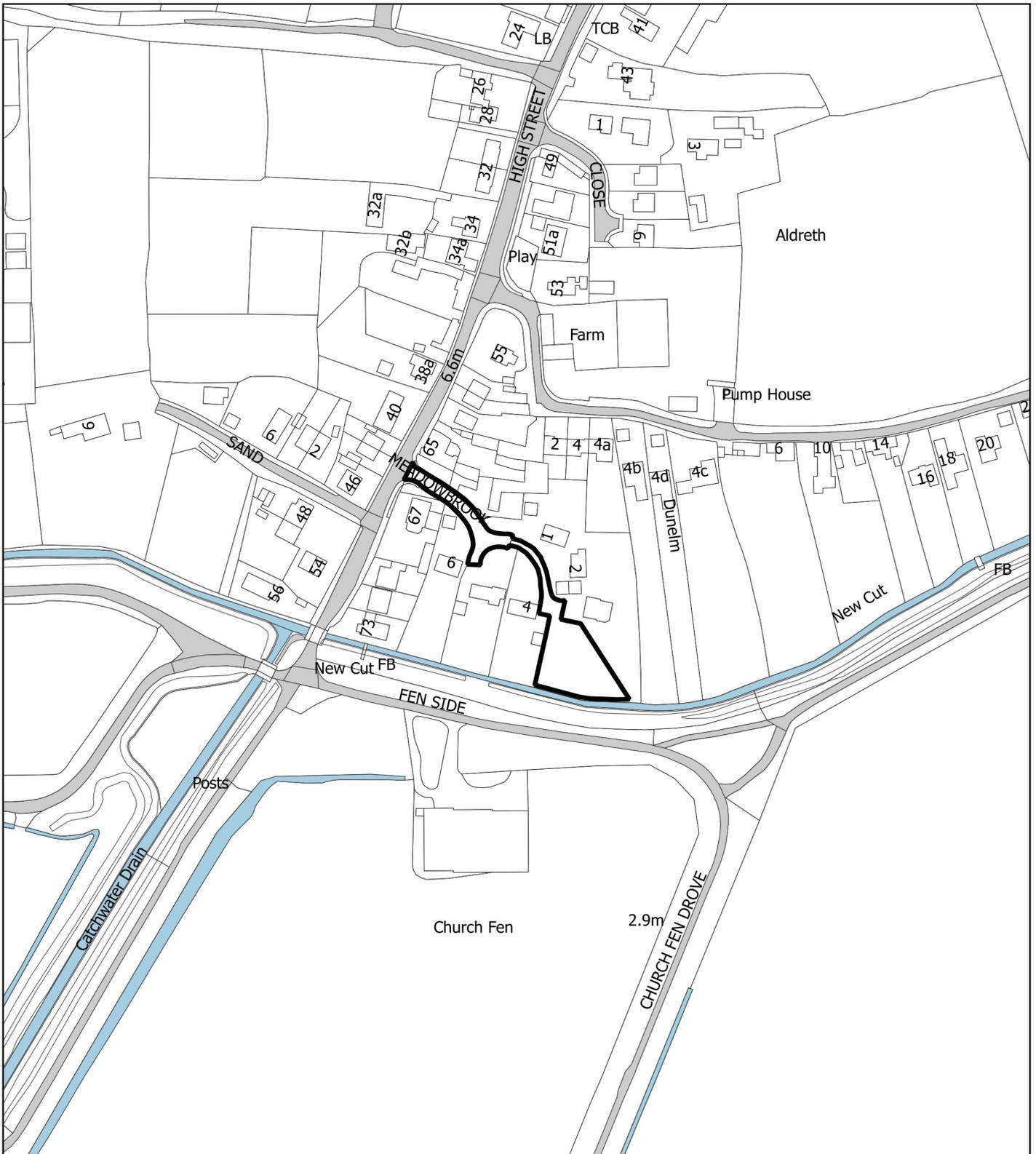
Cambridgeshire

Erection of 1 no. two storey four bedroom detached dwelling

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<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QHTKZBGGIC300>





20/01295/FUL

Land South East of 4
Meadowbrook
Aldreth



East Cambridgeshire
District Council

Date: 17/08/2021
Scale: 1:2,500



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MAIN CASE

Reference No: 20/01295/FUL

Proposal: Erection of 1 no. two storey four bedroom detached dwelling

Site Address: Land South East Of 4 Meadowbrook Aldreth
Cambridgeshire

Applicant: Meadow Barn Developments Ltd

Case Officer: Molly Hood Planning Officer

Parish: Haddenham

Ward: Haddenham
Ward Councillor/s: Gareth Wilson

Date Received: 5 October 2020 **Expiry Date:** 9 September 2021
Report Number W59

1.0 **RECOMMENDATION**

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

- 1 Approved Plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Sample materials
- 4 Reporting of unexpected contamination
- 5 Piling foundations
- 6 Parking, serving, etc
- 7 Soft landscaping scheme
- 8 Boundary Treatments
- 9 Construction times - Standard hours
- 10 No lights
- 11 Permitted Development Removal
- 12 Permitted Development Removal
- 13 Ecology mitigation
- 14 Tree Protection
- 15 Surface Water Drainage

2.0 **SUMMARY OF APPLICATION**

2.1 The application seeks permission for the construction of a detached two storey four bedroom dwelling on a site situated between No. 4 and No.3 Meadowbrook. At its

greatest width the dwelling would span 20.3m (66.6ft) across the site and would measure 10.7m (35.1ft) at the deepest section. The ridge height of the dwelling would sit at 8.2m (26.9ft) and the eaves at 4.7m (15.4ft).

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

2.3 The application has been called into Planning Committee by Councillor Wilson, due to the strong opposition by the Parish Council, the opposition from the people who live nearby. In addition, the proposed development has been refused several times by the Planning Inspector and would not be in keeping to the streetscene and is overdevelopment.

3.0 PLANNING HISTORY

3.1

97/0452/F	New house with private garage	Refused	28.08.1997
		Dismissed at Appeal	24.02.1998
97/0103/F	New House and private garage	Refused	17.04.1997
95/00720/FUL	Erection of six houses with garages	Approved	18.10.1996
91/00236/OUT	Construction of five dwellings, conversion of barn and outbuildings to residential access and siteworks	Approved	03.11.1993
90/00169/OUT	ERECTION OF 6 DWELLINGS AND CONVERSION OF BARN/OUTBUILDINGS TO RESIDENTIAL WITH ACCESS ROAD/SITWORKS	Refused	17.04.1990

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site sits in between No.4 and No.3 two large detached dwellings, forming a small area of grassed land accessed off Meadowbrook. The application site was originally part of the wider development site application, but was only allocated as forming residential curtilage for the adjacent properties. The land sits within the defined development boundary for Aldreth, with agricultural buildings and land to the south.

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 website.

CCC Growth & Development - No Comments Received

ECDC Trees Team - 18 November 2020

The details are satisfactory, no objections providing tree protection details provided are adhered to.

Waste Strategy (ECDC) - 29 October 2020

No objection, comments added as an informative.

Local Highways Authority - 28 October 2020

I have no objections.

I note that the proposed dwelling is to be accessed along an existing narrow private driveway that already serves 4 dwellings; while not ideal, given its current use and relatively minor intensification I have no objection in this regards.

From the plan provided, it is not clear whether turning within the site is entirely workable for both parking spaces and is likely to result in multiple manoeuvres being required to enable vehicles to exit the plot in forward gear; while this is unlikely to have an adverse safety implication for the public highway, I would recommend that the applicant reconsider and amend the turning arrangements within the site for the benefit of any future residents of the proposed dwelling.

Please append the following condition and informative to any approval granted:

HW16A Parking, serving, etc

Insert 1: parking and turning

Insert 2: 19:052-1 Rev b (or as revised)

Cambs Wildlife Trust - 10 December 2020

In relation to the proposals at this site, we would expect that a Preliminary Ecological Appraisal (PEA) be completed by a suitably qualified ecologist. The applicant can refer to CIEEM (2017) Guidelines for Preliminary Ecological Appraisal and also British Standards BS42020.

In terms of establishing whether great crested newts are present or not at the site, if the habitats on the site appear suitable then it is not possible to draw any further conclusions about their presence / absence until the spring. There is also guidance published on this, which I can refer the applicant and their ecologist to, if required. The PEA process allows for the assessment of habitats on (and adjacent to) the site, including suitability for great crested newts. Suitably qualified ecologists will understand the need to look for waterbodies beyond the site boundary as part of this process.

Cambs Wildlife Trust - 25 January 2021

I have reviewed the GCN report provided and can confirm I would be content with the findings. I would support the requirement to ensure that fencing contains gaps suitable for hedgehogs and other wildlife to move through.

Cambs Wildlife Trust - 11 March 2021

I have reviewed the Great Crested Newt (GCN) Assessment which has been produced in support of this application.

My comments in Dec 2020 were that a Preliminary Ecological Appraisal (PEA) be carried out to enable ECDC to understand (at an outline level) what, if any, ecological impacts could arise from the proposed development and whether any further assessment work was needed.

I understand that the GCN report has been produced in light of specific concerns raised by interested parties and that there are additional concerns being raised in relation to ecology. I would make the following comments:

- I agree with the findings of the report in relation to great crested newts and recommend that the measures set out in the report are likely to be sufficient to address any impacts (as per my comment 25th Jan 2021).
- The report focusses on great crested newts with only brief mention of the habitats on site and other protected species, or species of nature conservation importance. It therefore doesn't adequately deal with all potential impacts that could arise from the proposed development.
- I would recommend that the applicant's ecologist completes a PEA in accordance with published guidance (CIEEM, 2017). This can utilise the work already completed, but should be expanded to cover all relevant aspects, and, as per the guidance, should include a Phase 1 Habitat map or similar and recommendations for enhancements for biodiversity.

Cambs Wildlife Trust - 20 July 2021

With reference to our earlier conversation, I would advise that you include a planning condition requiring a mitigation plan for great crested newts to be submitted prior to commencement of development. This should include the measures set out in the ecological report along with other reasonable precautionary measures that the ecologist deems necessary, to cover the remote chance that great crested newts may be using the application site as terrestrial habitat. Likewise details of external lighting will need to be approved demonstrating how adverse impacts will be avoided on the bat roost reported from the adjacent property.

Cambs Wildlife Trust - 6 August 2021

With reference to the additional ecological report submitted as evidence by the neighbour, my previous advice remains broadly the same. I would advise that you include a planning condition requiring a mitigation plan for great crested newts and bats to be submitted prior to commencement of development. This should take account of the findings of the additional ecological report supplied by the neighbour including protecting the boundary vegetation between the application site and 3 Meadowbrook. The mitigation plan should also incorporate the measures set out in

the applicants own ecological report along with other reasonable precautionary measures that a qualified ecologist deems necessary, to cover the possibility that great crested newts may be using the application site as terrestrial habitat. Likewise details of external lighting will need to be approved demonstrating how adverse impacts will be avoided on the bat roost reported from the adjacent property.

Parish - 23 October 2020

The Planning Committee considered this application at a meeting last night. The recommendation is for outright refusal for the following reasons;

- The proposed dwelling would have significant impact on the residential amenity of neighbouring properties.
- This proposal represents cramped development in the corner of Meadowbrook. This would be uncharacteristic when all other properties have an open frontage to the centre of the development.
- The Committee believe that an ecological/habitat survey should be conducted in accordance with the East Cambs Local Plan. The Committee believe there is clear evidence of Great Crested Newts being present at this location.
- There are some concerns over the vehicular access to the proposed dwelling.

Ward Councillors - 7 April 2021

Councillor Wilson

I am sorry that you have decided to recommend this application for approval. Because of the strong opposition to this by the Parish Council and the people who live nearby and the fact that this proposed development has been refused several times including by the Planning inspector, as not in keeping with the street scene and overdevelopment. I feel that I should call in this application.

Natural England - 22 January 2021

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England - 11 March 2021

Thank you for your email received on 3 March 2021 regarding planning application 20/01295/FUL.

As you are aware I forwarded your email to the West Anglia Team for their advice.

They have confirmed that they are not aware of any Natural England discussions regarding this site however, confirm that Natural England supports the Wildlife Trust response in relation to protected species matters and have no additional comments to make.

Should there be any concerns about the presence of Great Crested Newts at the site then you should refer to Natural England's Standing Advice which you can use

to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England - 26 April 2021
NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Aldreth Community Association – 7 April 2021

We understand that East Cambs may be considering approving the planned development 20/01295 at Meadowbrook in Aldreth against the recommendation of the Parish Council and numerous objections from local residents. As the Aldreth Community Association, we are deeply concerned about the backfill nature of the development setting a precedent for further backfill development opportunities in Aldreth.

The original Meadowbrook development was approved for six similar dwellings, each with frontage onto Meadowbrook and detached double garages. The additional plot created by the original developer during the construction of Meadowbrook for a seventh house went against the agreed plans and planning permission. We understand that the original developer sought to gain planning for the seventh plot on two occasions, which was refused by East Cambs due to the overbearing nature and cramped form of backfill development.

After studying the proposed plans under 20/01295, we note the proposed new development is similar to the two previous refused applications. The house has a single integrated garage, not a detached double garage as all other properties in Meadowbrook and will therefore be out of character with other properties. Our key concern though is the backfill nature of the development. The frontage of the new development onto Meadowbrook will only be the width of the driveway, with the majority of the house behind the boundary of the adjacent No.3 Meadowbrook. As the proposed development has a very limited frontage onto Meadowbrook and the building is behind the boundary of the adjacent property, it is not a 'suitable infill' site within the village as defined in the Local Plan.

We therefore wish to register an objection to the proposed development based on the two previous refusals and our concerns that allowing this unsuitable backfill development to proceed will set a precedent for further backfill development in Aldreth which should be protected in accordance with the Local Plan.

Environmental Health – 16 August 2021

I have read the Envirosearch report dated 16th July 2020 and accept the findings. I recommend that a condition requiring site investigation, etc. is not required. I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission due to the proposed sensitive end use (residential).

Environmental Health – 17 August 2021

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.

5.2 A site notice was displayed near the site on 30th October 2021.

5.3 Neighbours – eight neighbouring properties were notified directly and a total of 33 households have provided responses. All comments are summarised below, however a full copy of the responses are available on the Council's website.

Highway Safety

- The dwelling would impact the residents of No.3 and 4, especially as the increase in traffic as a result of the proposed new build and the cramped area.
- Access to the plot is limited and will cause significant disruption to residence, many who will need unfettered access/entry to their properties.
- The road in front of No.3 and No.4 is tight, with minimal turning room.
- The development will create a blind access point for vehicles and pedestrians exiting.
- It includes parking and turning areas behind an 8ft high row of conifer and 6ft high fence.
- Safety concerns over children in surrounding properties from vehicular movements and existing the access point, as not be able to see cars.
- The East Cambs Highways response to this application also identifying multiple vehicle movements associated with the layout
-

Other Matters

- It would not be of benefit to Aldreth but a detriment to the residents. It is another example of a property developer trying to build houses on inappropriate land.
- Large lorries and building materials pose a real risk to residents and children.
- Noise and dirt are significant problem during construction.
- The Parish Council unanimously agreed to recommend refusal due to the impact to residential amenity, harm to the character and appearance of the Meadowbrook Estate.
- The emerging Haddenham & Aldreth Neighbourhood Plan, has recently been accepted by the Parish Council, endorsing the Local Plan on the strict infill position. It is yet to be made by ECDC but given its advance state it should be given substantial weight.
- It would be a health and safety hazard.

- Some of the plans do not include the extension that was added to the rear of my property 9 years ago. Neighbour has sent in a plan illustrating where their extension is located.

Planning History

- The previous reason for refusal still applies and the current application has not resolved any of the issues. It remains as an impact to the character with the other houses on Meadowbrook and impact to residential amenity.
- This is the third attempt to squeeze an additional house on the Meadowbrook Estate.
- The first refusal 97/103/F was on the basis the additional dwelling would have a cramped appearance in the group of houses and adverse relationship with plot 4.
- The second refusal 97/0452/F was on the basis that additional dwelling would have a cramped appearance, out of character with the existing group of houses and would have an adverse relationship with Plot 4 through overlooking. This was challenged and dismissed at appeal due to cramped form of development in the corner of Meadowbrook uncharacteristic with other properties, a new dwelling would be harmful to the character and appearance of the area and significant impacts to residential amenity including overlooking.
- Previous applications E/97/103/F and E/97/0452/F to build a new dwelling on this particular plot 3A site have been refused due to the **impact to residential amenity, particularly overlooking** and the **overbearing cramped form** of development.
- In 1997 I personally spent a great deal of time formulating objections to 2 applications to build an extra house on this site. The development was intended for 6 houses not 7. There was a great deal of support in the village for the objections, the second of which went to appeal which was also rejected. I do not believe anything has fundamentally changed in the new application.

Drainage

- The application indicates that surface water will be disposed of via a soakaway however given the geology is clay (Kimmeridge Clay Formation) this is not possible. This indicates a lack of proper consideration to the application details. It suggests that surface water will likely be connected to the existing municipal drainage distance system, adding strain.
- The site backs onto the surface water course.

Ecology

- No ecological surveys have been completed and the tree survey excludes any information regarding tree protection orders (TPO), checks for bat roosts and did not use climbing inspections. It is therefore missing important information regarding the ecological benefit of the trees.
- The local area is known to have a number of different snakes, bats and newts (including Great Crested Newts which I have seen in the area). As such the statement that no protected and/or priority species are present is incorrect.
- Although the tree survey details a number of trees on the site, it is highly likely a mature Ash tree will be destroyed/cut down with the building of this house. This should have a Tree Preservation Order and it is preferred if this remained.

- The applicant was informed that protected species are present on the site on 16th January 2019, however they have intentionally said no to the reasonable likelihood of protected species. This is a direct intention to mislead the planning authority.
- The plot of land proposed for development is a large grassed area with scrub that is current habitat for Great Crested Newts and Bats, protected under European legislation and the Habitat Regulations.
- There's a shaded pond within 150m of the proposed development, identified as a County Wildlife Site in the Local Plan.
- his site has the potential for Great Crested Newts, which under National Planning guidance produced by Natural England is within the 500m identified as a requirement to undertake an ecological assessment / extended Phase 1 Habitat Survey.
- Reference to policies ENV7 and Natural Environment SPD NE5, NE11 and their requirements. In addition, the standing advise from Natural England: A survey required when development is within 500m of a pond and included refuges. The applicant has not addressed these and lack of robust information such as a Phase 1 habitat survey.

Bats

- There is a nursery group of long eared bats regularly using the loft as a roost, with the grassland and scrub forming ideal foraging grounds for the nursery group. Often see bats flying around in the summer months and feeding.
- The report does not mention anything about Bats, the report is flawed and is not an actual representation.
- No.3 Meadowbrook has been registered as a maternity roost for long eared bats with the Cambridgeshire Bat Group. These bats are especially sensitive to a change in lighting, seeking confirmation that the bats access will not be impacted by the development.

Great Crested Newts

- Images of Great Crested Newts have been supplied.
- No.3 had a mains water leak and contractors discovered a mother and babies (GCN) hibernating under a paving slab on the driveway.
- Challenge the survey on Great Crested Newts as in 2018 we found one in our wall, which borders Meadowbrook and found a large mother in 2010.
- GCN the report is unsatisfactory, as its quite clear the species have been found on the property, with clear evidence to deny approval.
- The GCN report is based on theoretical assumptions, to provide a positive submission. It falls short on real/detailed investigative activity or discussion with people living in the vicinity. It's an incomplete document.
- The report does not discount the presence of habitats for GCN within the boundary. I believe surveys cannot be undertaken until Spring/Summer – so this cannot answer the question.
- The commentary in the GCN report that the drainage ditch immediately south of the proposed development would "act as a barrier" to GCN movements from nearby ponds etc is demonstrably either incorrect or irrelevant - as GCN have been positively identified on the Meadowbrook side of this water feature.

- It is astonishing that the GCN report states GCN are highly unlikely to found on the site – this is professional incompetence considering evidence has been included in neighbour comments and No.3 repair works.
- Understand from the ecologist that there are legal obligations to carry out full surveys for Great Crested Newts due to the breeding pond at No.2 and link with the Aldreth ponds. Plus, legal obligations to determine the entry and exit routes for the long-eared bats in our loft and measures to ensure they are not disturbed.
- The GCN survey suggested that the grass/vegetation was kept short (less than 10cms) in an attempt to control the GCN population. The developer has had full access to this site for well over a year now and has done nothing with it. The vegetation (tress excepted) is well over a metre high in places. Reducing the height as a result of this objection should not be seen as compliance with the GCN survey suggestions.

Response to Ecology Consultee Comments

- Concerned over the recommendations of the Wildlife Trust and use of a Preliminary Ecological Appraisal Report (PEAR) to address the impact to protected species. The CIEEM (2017) Guideline referenced by the Wildlife Trust specifically states a PEAR is not suitable for determining a planning decision because the scope of a PEAR is unlikely to fully meet requirements in respect of biodiversity policy and implications for protected species. The appropriate report is an EclA Report. It is also inconsistent with the East Cambs Local Plan and Natural Environment SPD.
- As there is evidence of Bats and Great Crested Newts at and immediately adjacent to the site, approving a planning application with just a PEAR and without sufficient robust ecological information obtained during the time of year specified by Natural England as required under the Local Plan, Supplementary Guidance and Natural England requirements would therefore be a breach of this legal duty.
- Alarmed at that the Wildlife Trust have confirmed they are content with the findings. Seeking confirmation that Wildlife Trust are aware that GCN and bats have been identified immediately adjacent to the site.
- East Cambs have a legal duty towards protected species and the application must be refused as the information is not in accordance with the Local Plan requirements.

Residential Amenity

- It will be overbearing and overshadowing to the existing properties.
- It will reduce privacy and severely impinge on the quality of the life of the adjoining properties.
- The proposal will overlook the adjacent properties, with clear sight lines into gardens and private parts of the properties.
- Increased traffic and residents will result in noise issues.
- The six current dwellings are already relatively together, but this is mitigated by the angle of the residences meaning that our gardens are not directly overlooked and you do not feel that there is lack of privacy. In contrast, the proposed new dwelling would have a significant loss of privacy to existing residences and overall loss of residential amenity.

- Squeezing another house in will ruin the beauty and privacy of our street, having a big impact on residential amenity. It will result in loss of open aspects which each property enjoys causing stress and anxiety.
- Windows in the new property will look into our lounge, conservatory, bedroom and master bedroom which is of significant loss of privacy. I understand this was one of the key reasons for previous refusals.
- The staircase window and upper floor windows will look directly into master bedrooms, lounge areas on No.3 and No.4 and conservatory of No.3. As well as the kitchen at No.4, all resulting in a loss of privacy.
- Overbearing nature of the 2 storey high brick wall immediately adjacent the boundary at No.3, the significant loss of privacy at No.3 and No.4.
- The main inside living area (the conservatory and lounge) and the outside living areas (patio and seating areas) will be overwhelmingly dominated by the proposed structure, with the current visual outlook utterly changed and there will be a huge loss of privacy. The same applies to the master bedroom at No.3 and the outside swimming pool in the garden of No.4 which will be dominated and overlooked.
- The RVVA submitted by No.3 clearly demonstrates the significant impact, being overbearing and overlooking from many key living aspects. It will be like having a new house built in their back garden.

Visual Amenity

- The nature of the development is inappropriate and out of character with Meadowbrook.
- It is being shoe-horned into a small area, forming a cramped development which is tightly wedged in the corner of the site.
- Building on a corner plot requires careful thought and imagination. I suggest the original development site of Meadowbrook should have been planned more carefully to accommodate this sort of application.
- The garage is out of character to the other properties, as all have a double garage but this has an integrated garage.
- The cul-de-sac is already tightly spaced and another house would make this situation even worse.
- It won't have enough space to build according to the design of the other houses, such as a detached double garage.
- Out of character with the existing houses on Meadowbrook, comprising an angled dwelling with an integrated garage.
- It is out of character with only the width of the driveway fronting onto Meadowbrook.
- The new development will lie within the 45 degree rule of thumb when assessing the impact to outlook from key residential areas at No.3.
- Further development would result in a more cramped form of character impacting the overall characteristics and appearance of the approved layout for Meadowbrook
- It will have an adverse effect on the character and appearance of the area and the housing densities within the surrounding area.

Back Fill

- Section 8.1 of the East Cambs Local Plan specifically states that Aldreth is expected to *'grow at a slow rate with 'new housing being built on suitable 'infill'*

sites within the village'. The Local Plan also states that '*Development on infill sites need to be in line with Local Plan Policy GROWTH*

- Therefore, is the proposed development infill or backfill? Infill' is defined as 'the development of a relatively small gap between existing buildings with a continuous frontage such as a road'.
- All properties on Meadowbrook have a frontage greater than the width of the building, focused towards the centre of the estate.
- As the proposed development does not fill a gap between existing buildings with a continuous frontage, with the frontage limited to the width of the driveway, the proposed development must therefore be considered a 'backfill'.
- This type of backfill development is not allowed in our village.
- The density based on a site-by-site basis is not appropriate (policy HOU2).

Planning Conditions

- As the proposed development does not meet the requirements of the Local Plan and legislation, I understand these material requirements cannot be addressed through approval conditions & obligations to make the development acceptable.

Visual Amenity Assessment submitted No.3 Meadowbrook

- The assessment has been carried out in accordance with the Landscape Institute Residential Visual Amenity Assessment best practice guidance. Specifically addressing the impact to residential amenity.
- The assessment states that;
 1. The proposed development will be ***inescapably dominant*** from key residential areas at No.3 Meadowbrook that will breach the Residential Visual Amenity Threshold
 2. The proposed development is out of character with other properties in Meadowbrook
 3. The proposed development is considered a backfill due to the limited frontage onto Meadowbrook
 4. The proposed development will result in overlooking and loss of privacy
- It will dominate our key living areas and result in significant impact to residential amenity/living conditions.
- Residential Amenity is protected under GROWTH 2, HOU2, ENV2 and section 127 of the NPPF (now 130). The credentials of the policy have been listed.
- The summary of the document considers the proposal does not accord with the Local Plan policy, it would have adverse impact upon the character and appearance of the area and due to its limited frontage, it would not comprise suitable infill development. The design falls short the high standards within the Local Plan. It would result in unacceptable amenity harm to the occupiers of existing properties, through overbearing and overlooking impacts. The full extent of the report can be reviewed on through the Councils website.

Ecology Support Document submitted by No.3 Meadowbrook

- The document refers to the findings of GCN At No.3 during investigation of a mains water leak and works having to stop. During the repairs to pipe, a licensed Ecologist was present on site and the observations were recorded.
- An inspection was made in and around No.3 Meadowbrook. Observations included the presence of a terrestrial habitat suitable for Great Crested Newt,

pond in the rear of No.2 Meadowbrook was searched and probable GCN eft was found, indicating the pond is used to breed. There is a network of commuting habitat, providing a corridor for GCN to disperse throughout the area.

- In addition, an inspection of the attic of the property was made to check for the roosting bats and the observations are recorded. In summary, bat droppings were found, with indication the main roosting along the ridge board. Consider a summer roost, no bats were seen at the time of the visit and the access point couldn't be confirmed. The ditch/stream/hedgerow could provide important/good feeding and commuting habitat for roosting bats.
- Therefore, the potential presence of a protected species must be considered when determining a planning application in proximity to this site. Measures would be necessary to avoid adverse impacts on this protected species both to maintain legal compliance and to meet planning policy requirements.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development
HOU2	Housing Density
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Design Guide
 Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated
 Developer Contributions and Planning Obligations
 Flood and Water
 Natural Environment SPD
 Climate Change SPD

6.3 National Planning Policy Framework 2021

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

6.4 Planning Practice Guidance

7.0 PLANNING COMMENTS

- 7.1 The main issues to consider in the determination of this application are the principle of development, impact on residential amenity of the nearby occupiers, the visual appearance and character of the wider area, biodiversity, and highway safety.
- 7.2 The sites planning history should be noted, as permission for a single dwelling was previously refused under application 97/0103/F and a further application (97/0452/F) was refused and dismissed at appeal. To offer context to the public comments received in objection to the proposal and the assessment of the dwelling a brief summary of the history and indication of the previous reason for refusal, is provided. The application site is part of a larger site that was granted full planning permission for 6 dwellings, in the form of a cul-de-sac with the houses facing onto a central green. Application 97/0103/F was refused permission 'as the additional dwelling would have a cramped appearance in the group of houses and would have an adverse relationship with plot 4 through overlooking.' Plot 4 is now identified as No.4 Meadowbrook.
- 7.3 As for application 97/0452/F the Inspector considered the main issue to be the effect of the proposal on the character and appearance of the surrounding area. The Inspector advised that the density would still be low in the event of an additional dwelling, however its differences were due to it not being able to enjoy the open aspect of the central green which is a feature of the other properties. The Inspector advised that it was the relationship arising from the orientation of the dwelling with No.3 and No.4 which would create a cramped form of development in this corner of the site. It was referenced in the Inspectors decision that the dormer window in the side elevation of the proposed property, would result in some overlooking of the rear elevation and garden to No 4.
- 7.4 A number of comments have been received expressing that the previous reasons for refusal and appeal dismissal still stand for the current application. This application differs from the previous refusal as it removes the side elevation windows. Furthermore, the site context and planning policy have evolved since 1997.
- 7.5 Principle of Development
- 7.5.1 The application is assessed in accordance with the development plan which comprises East Cambridgeshire Local Plan 2015. Also relevant are the associated Supplementary Planning Documents, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance. On 26th March 2021 East Cambridgeshire District Council issued a Single-Issue Review of the East Cambridgeshire Local Plan 2015. One area has been identified as needing an update, namely Policy GROWTH1 which uses an out of date housing requirement figure. The need to review the Local Plan was triggered by a number of factors including the need to re-examine the appropriate level of housing growth, to ensure there is sufficient housing land supply and to ensure the Local Plan remains up to date. The review focusses on one aspect of the Local Plan only. For the avoidance of doubt, the vast majority of the Local Plan 2015 will not be amended. While the Emerging Plan is at an early stage and carries no weight in the determination of this application, it is worth noting the current policy position.
- 7.5.2 Since April 2020 the Council has been able to demonstrate an adequate 5 Year Housing Land Supply, as demonstrated first in its 'Five Year Land Supply Report - 1 April 2019 to 31 March 2024' (published April 2020) and later in its updated 'Five Year Land Supply Report - 1 April 2020 to 31 March 2025' (published December 2020). The latter report confirmed that from 1 January 2021 the Council had a 6.14-year supply of deliverable housing land. That calculation included a 20% buffer as required by paragraph 73 of the NPPF based on a 2019 Housing

Delivery Test (HDT) result of 66%. The 2020 HDT result, published in January 2021, indicates that housing delivery in the district has improved to 87%. As a result of the HDT exceeding 85%, the appropriate paragraph 73 buffer falls to 5% which has the effect of increasing the Council's housing land supply to 7.01 years. This adequate housing land supply means that the Council considers its policies relating to housing delivery up-to-date and gives them full weight in the determination of this application.

- 7.5.3 Policy GROWTH 2 of the Local Plan 2015 sets out the overall strategy for the distribution of growth across the district and is the locational strategy, seeking for development to be concentrated within the defined settlement boundaries. The policy is up-to date and aims to ensure that growth takes place in appropriate locations across the district. Outside these areas and subject to other policies in the plan, development will be strictly controlled having regard to the need to protect the countryside and the setting of towns and villages. This proposal is located within the defined development boundary for Aldreth and is well related to the centre of the hamlet. It is considered that future occupiers would be well connected to the centre of the hamlet and as such the development meets the requirements of policy GROWTH2. The proposal does not encroach development into the countryside and retains it within the defined settlement boundary. However, it should be noted that all other local plan policies and relevant material considerations remain relevant and form part of the planning balance for this application.
- 7.5.4 Public comments have referenced the introduction of a back-land development, lack of continuous frontage and this being something which is not allowed in the village. To date, there is a draft Haddenham Design Code which carries very limited weight given its very early stage in the consultation process. The document has no specific policy relating to back-land in Aldreth. Chapter 8.1 of the 2015 Local Plan, references housing for Aldreth, advising that 'Aldreth is likely to continue to grow at a slow rate, with new housing being built on suitable 'infill' sites within the village'. There is nothing within the village policy or the general Local Plan policies which restricts back-land development in the hamlet of Aldreth.
- 7.5.5 From the location of the site, the access point and existing pattern of development in the cul-de-sac of Meadowbrook, this proposal is not considered to constitute back-land development, given its position alongside neighbouring built form. The proposal is considered to form infill development, in line with the definition with the 2015 Local Plan 'The development of small incidental plots of land within an otherwise developed frontage within a settlement.' Furthermore, this proposal is considered to comply with paragraph 119 of the NPPF as it would make effective use of land.

7.6 Neighbourhood Plan

- 7.6.1 Neighbourhood planning was introduced in England through the Localism Act 2011 with legislation coming into effect in April 2012 through the Neighbourhood Planning (General) Regulations 2012. The Neighbourhood Planning Act 2017 states that Section 70 (2) of the Town and County Planning Act 1990 is to be amended to read as follows:

'In dealing with such an application [for planning permission] the authority shall have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post-examination draft neighbourhood development plan, so far as material to the application
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations'

Haddenham parish is designated as a Neighbourhood Area. The parish council is actively preparing a Neighbourhood Plan but is yet to publish the draft plan for consultation. This

Neighbourhood Plan will cover the settlement of Aldreth. Currently, the most up to date document is the Haddenham Design Code. This Neighbourhood Plan is at a very early stage of its preparation and currently only very limited weight can be given to the Haddenham Design Code document.

7.6.2 However, the following policies would be applicable to this current proposal, in particular Policy HNP.DC.14 – Site Specific Design; HNP.DC. 15 – boundaries and HNP.DC.17 – Sustainable homes. There are references within these design codes to material palette, design responding to site location and boundary treatments. Materials and boundary treatments at this point remain unknown, but these details can be conditioned. A full assessment of the design and visual amenity has been carried out further in this report.

7.7 Residential Amenity

- 7.7.1 Policy ENV2 of the East Cambridgeshire Local Plan 2015 requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. Additionally, 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. A number of public and Parish concerns have been received over the impact of the proposed dwelling to the surrounding neighbours, in particular the loss of privacy, overlooking into the dwellings and curtilages, overbearing, overshadowing. An Officer site visit has been carried out and the neighbouring properties fenestration and built form has all been noted. In addition, the sites planning history has been noted, in particular the refusals on the basis of overlooking to No.4.
- 7.7.2 The dwelling proposed is predominantly a two storey property with a ridge height of 8.2m (26.9ft), but it does encompass a one and half storey aspect at 6.2m (20.3ft) and a further rear projection at 7.8m (25.5ft). In the assessment of the dwelling significant consideration has been given to the layout, fenestration placement, distance to boundaries and scale. The layout of the dwelling reflects the plot boundaries, as the side elevations run parallel but maintain separation distance. Excluding the chimney, the north-east elevation will sit approximately 2.2m (7.2ft)-2.6m (8.5ft) from the boundary with No.3 Meadowbrook and the central chimney is distanced 1.2m (3.9ft)-1.4m (4.5ft) from the boundary. No.3 Meadowbrook has expressed concern over the impact to the conservatory, lounge and bedroom windows, whilst No.4 has expressed concern to the master bedroom and lounge window.
- 7.7.3 The curtilage for No.3 Meadowbrook runs along the boundary with the site and it is noted that a ground floor window, conservatory and two first floor windows project towards the site. The conservatory would class as a habitable room. No.3 have supplied their own Visual Amenity Assessment of residential amenity impacts, giving an insight into the proximity of the proposed dwelling and the views from the windows. CGI images have been used to illustrate the proposal and its proximity to the neighbour. The neighbours submission has been reviewed as part of the assessment of the application.
- 7.7.4 The proposed dwelling is set back from the neighbouring properties and has a number of openings on the front elevation, which project towards the front of the site and access road. No windows are proposed on the north-east elevation of the dwelling, reducing direct overlooking. On the front elevation of the proposed dwelling, a bedroom and a sitting room window are the closest openings to No.3. Approximately 12m (39.3ft) separates the nearest ground floor lounge window on the side of No.3 and the ground floor sitting room window on the proposal. The 45 degree test has been applied to these window relationships and within the range, the outlook is across the predominantly driveways, but there are views of the first 1.4m (4.5ft) of No.3's side elevation and curtilage.

- 7.7.5 As referenced previously, one ground floor (lounge) window is present on the closest side elevation of No.3, however, all other side elevation windows are located on the rear projection. As the remainder of the fenestration is set back, it is considered due to the angle of the existing and proposed dwellings, there would be no direct views from the sitting room and first floor bedroom window of the proposal. It is considered no significantly detrimental impacts, in terms of overlooking or loss of privacy would occur to the amenity space or habitable room windows of No.3.
- 7.7.6 The neighbour's assessment has been reviewed and it should be noted that a private view does not form a material planning consideration. The dwellings impact in terms of loss of privacy and overlooking have been considered with no significant harm found. Furthermore, the potential for the dwelling to result in overbearing, overshadowing and loss of outlook to the windows has also been assessed. The dwelling does maintain separation to the boundary and the ridge height of side elevation parallel to the curtilage of No.3 will be 8.2m (26.9ft), with the eaves reducing to 4.2m (13.7ft). It is accepted that the chimney extends higher at 8.9m (29.1ft), but overall the side elevation will not be a block of built form all at 8.2m (26.9ft). The side elevation of the dwelling, will sit parallel to the boundary foliage in No.3s curtilage, which includes large shrubs and a tree.
- 7.7.7 It is accepted that the dwelling will alter the light levels towards the property and give rise to some overshadowing in the curtilage, however the closest point of the chimney will sit 11.7m (38.3ft) from nearest point of the conservatory. Overall, the distance between the properties minimises the levels of harm to No.3 and it is considered that sufficient distance has been maintained to No.3 to avoid significantly detrimental overshadowing and overbearing. Furthermore, it is considered that the conservatory and side elevations would not result in a loss of outlook which is detrimentally harmful to the amenity of residents or compromising the use of habitable rooms.
- 7.7.8 In terms of No.4 Meadowbrook, a similar assessment has been carried out on the windows and built form placement. A distance of 1m (3.2ft) will separate the dwelling and the north-west boundary and 3.8m (12.4ft) of the side elevation will sit adjacent to the neighbouring properties garage. The closest aspect of the dwelling to No.4 is the one and half storey garage with bedroom above. No windows are included on the western side elevation or the front elevation at ground and first floor on the 1.5 storey projection. A total of 3.3m (10.8ft) will sit parallel to the neighbour's curtilage and it is noted this area does house a pergola and small seating area. It is considered the proximity of the built form would not result in significantly detrimental overbearing or overshadowing to the amenity space, due to the directional orientation and design, as the roof will slope down to the eaves. A rear dormer window will serve the bedroom above the garage and whilst it will have views of the rear corner of No.4's garden which includes a shed. When applying the 45 degree test, the extent of the views from the dormer are not considered detrimentally harmful in terms of loss of privacy and overlooking. The same applies to the rear bedroom window to the north-east of the dwelling and the curtilage of No.3 Meadowbrook. Residential amenity concerns were raised in application 97/0452/F and within the appeal, in particular the relationship with No.4 Meadowbrook. It is considered this proposal has a better relationship with No.4 than the previous submissions, with no significantly harmful overlooking, loss of privacy or overbearing.
- 7.7.9 Other aspects of the proposal which have been assessed for their amenity impacts, include the additional rear and front elevation windows, serving a study, kitchen dinner, a bedroom and the inset balcony. Neighbour concerns have been raised over the front elevation windows and the relationship with No.4, in particular the staircase and bedroom. The staircase window is not a habitable room and a distance of approximately 22.1m (72.5ft) would separate the central point of the bedroom window and the corner of No.4. For comparison, the Design Guide SPD refers to minimum 20m (65.6ft) distance for back to back windows, to avoid amenity impacts and if this test was applied to these windows it would surpass. The location,

distance and angle of the windows are not considered to result in significantly harmful overlooking or privacy impacts to the surrounding neighbours. As for the balcony, this would be approximately 9.8m (32.1ft) from the western boundary and is inset which restricts views, with the direct outlook towards the rear boundary.

7.7.10 Whilst the public comments received have been taken on board and the assessment submitted by No.3 reviewed, the proposal has not been found to be contrary to policy ENV2 or paragraph 130(f) of the NPPF. It is understood the introduction of a dwelling will result in a change to the residential amenity of the neighbouring properties, as currently this site forms an area of grassland and encompasses no built form. However, the introduction of a dwelling on this site is not considered to be significantly detrimental to residential amenity in terms of overbearing, overshadowing, overlooking, loss of privacy or loss of outlook.

7.8 Visual Amenity

7.8.1 Public comments have referenced the development as being out of character, cramped development and tightly wedged in the corner of the site. One comment references the cul-de-sac as already being tightly packed in and the proposal having an adverse effect on housing densities within the area. In addition, the Parish Council have raised concern over the proposal representing cramped development in the corner of Meadowbrook and being uncharacteristic.

7.8.2 Policy HOU2 advises the appropriate density of a scheme will be judged on a site by site basis, considering existing character and locality, housing densities and making effective use of the land. Furthermore, the need to ensure that residential amenity of new and existing dwellings is protected will impact the appropriate density for a site. The density of Meadowbrook has been reviewed carefully and it is accepted that the current proposal would step built form back from No.3 and No.4, however it is considered the addition of one property in this corner location would not introduce a density which is uncharacteristic. The dwelling is relatively large and would extend to a width across the plot, all features which are present on either one or more of the properties on Meadowbrook. The proposal would still maintain a large frontage, for a driveway and parking, as well a large curtilage. Its density would not be uncharacteristic, the development would make effective use of the land and residential amenity would not be significantly impacted.

7.8.3 Whilst it is accepted that the sites size and its access point remain unchanged, it is considered that the characteristic of the streetscene has evolved since the application in 1997 and the Local Plan, along with Supplementary Planning Documents have also been updated. As highlighted earlier, the main issue with the appeal was the dwelling not being able to enjoy the open aspect of the central green which is a feature of the other properties and the relationship arising from the orientation of the dwelling with No.3 and No.4, which would create a cramped form of development in this corner of the site. When entering Meadowbrook there is an area of green space along the northern boundary, just forward of No.1 which has a number of medium sized trees and remains open.

7.8.4 The other large area of green space is forward of properties No.4 & No.5. This has a well-established hedge along the boundaries, mature trees and has been adapted to form curtilage for those properties, including raised beds and a greenhouse. It should also be noted that No.2 and No.3 have smaller curtilages with only driveways and no extensive green space and No.3 Meadowbrook, has a restricted outlook towards the green space. The design of the dwelling ensures the front elevation projects towards the green space and it could be argued that this property would have an equal or high potential for enjoyment of this central green space than No.3 Meadowbrook. It is therefore considered, that whilst the intention of the original development was to create all properties with an outlook onto to the open aspect of the central green, the streetscene has evolved and become sheltered, with existing properties

having varying degrees of outlook onto this space. It is considered the design, orientation and layout of the proposal would contribute to a property which does have the potential to enjoy the central green space and mirror the features of the other properties.

7.8.5 Policy ENV2 requires all development proposal to be designed to a high quality, enhancing and complementing the local distinctiveness and public amenity, by relating well to existing features and introducing appropriate new designs. The design has varied the ridge heights and incorporated a variant of angles adding interest to the appearance of the property and breaking up the mass of built form. It is considered the dwelling is an appropriate design for the site and respects the boundaries. Concerns over the development being out of character with the street and only having the width of the driveway fronting onto Meadowbrook, have been expressed. However, during the appeal of 97/0452/F the Inspector advised that the frontage length, overall size of the plot and distance between properties would be similar to those found elsewhere on the development. The frontage on the current proposal has enlarged and is even more in keeping to the large driveways of the adjacent properties.

7.8.6 Furthermore, Policy ENV1 of the Local Plan 2015 requires proposals to ensure that location, layout, scale, form, massing, materials and colour create positive, complementary relationships with existing development and enhance where possible. Materials remain unknown at this point and will be conditioned to ensure the full colour, type and quality are appropriate for the site and area. Whilst there are concerns over the dwelling being out of character, it is considered that the design of the property would be complementary to the existing built form in Meadowbrook. Furthermore, the Inspector referenced in the appeal for 97/0452/F that the existing properties were varied, but complementary styles. It is considered that this dwelling takes note of the styles and scales of the surrounding dwellings, complementing them but still remaining individual. A number of concerns have been expressed over the integral garage differing from the existing detached garages. Whilst all properties have a detached garage, the proposed integral garage is not considered to be visually harmful to the character of the street, such that it would warrant refusal on that basis.

7.9 Highway Safety and Parking Provision

7.9.1 Local Plan policy COM7 requires proposals to provide a safe and convenient access to the public highway. Concerns have been raised over the impacts to the adjacent residential dwellings, as the access is limited and there are concerns over safety and visibility due to the hedge and fence for No.3. The application illustrates an access point adjacent to the driveway of No.4 Meadowbrook and to the south of the driveway for No.3. At the entry to the site the access measures 3.5m (11.4ft) and enlarges as it extends into the site and becomes part of the driveway. The sites access will be served by the existing private road which serves No.1, No.2, No.3 & No.4 Meadowbrook. The Local Highway Authority (LHA) note the dwelling is to be accessed along an existing narrow private driveway that already serves 4 dwellings. Whilst this is not ideal, given its current use and relatively minor intensification the LHA have no objection.

7.9.2 The Local Highway Authority comments questioned the workability of the turning area in the site. The dwelling has a large frontage proposed with separate off-street parking spaces and an integral garage. The turning area measures 10.3m (33.7ft) in width and extends 10.5m (34.4ft) at its greatest depth, it is considered this will be provide sufficient area for vehicles parking to manoeuvre and leave the site in forward gear. The LHA Officer recommended the applicant reconsider the turning arrangements, however it is considered that no alternative arrangement could be proposed without potential impacts to residential amenity and due to the access point. Whilst the existing boundary treatments are noted, it is considered the site would have sufficient area to allow vehicles to leave in a forward gear and see any pedestrians or vehicles in the road. It is considered the site provides safe and convenient access to the highway, without any adverse safety implication for the public highway. The proposal is

considered to comply with policy COM7 as well as COM8 as it provides two off street parking spaces.

7.10 Ecology and Biodiversity Net Gain

7.10.1 Policy ENV7 of the Local Plan 2015 seeks to maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals. In addition, the Natural Environment SPD seeks to establish biodiversity net gain and has detailed guidance on protected species, which should be utilised to inform an application submission. Policy NE5 provides guidance on an assessment of an application where a proposal is likely to affect a protected species, stating permission will only be granted if:

- an appropriate survey was carried out by a qualified ecologist at the time of year specified in Natural England's standing advice;
- a wildlife licence is likely to be granted by Natural England if one is needed;
- mitigation plans are considered acceptable;
- compensation plans are acceptable when mitigation isn't possible; and
- review and monitoring plans are in place, where appropriate.

7.10.2 Initially there were concerns over the lack of Ecology detail for the site and the claim in the application that no protected species would be impacted. Concerns were mainly focused on Great Crested Newts and Bats, but other wildlife was referenced. Additional information was submitted, in the form of a Great Crested Newt Assessment and a Preliminary Ecological Appraisal.

7.10.3 Public comments have raised concern of the presence of protected species either on and/or surrounding the site in other areas of the hamlet, images have been supplied from two of the neighbouring properties of GCN over the years. In particular comments from No.3 Meadowbrook have advised that Great Crested Newts have been present on their property and have supplied their own Ecological Support document. No.3 has also expressed that their dwelling is registered with the Cambridgeshire Bat Group as a maternity roost for long eared bats. It should be noted that contact was made with Natural England to confirm the presence of GCN on the adjacent property during repairs to a water pipe, following the first reports from the neighbour. The water pipe repairs have been referred to in the neighbour's Ecology Support Document dated 20th July, however no record of this was confirmed by Natural England. From the neighbour's submission it appears a licensed Ecologist was present at the time of the repairs due to the potential presence of GCN on the site and a number of observations were made.

7.10.4 In response to the public concerns the applicant supplied a Great Crested Newt Assessment, which advised that works are expected to result in a low scale loss of suboptimal GCN terrestrial habitat through the clearance of the <0.1ha of improved grassland. The document reviewed the pond within 250m to the south-west of the site and the stream/ditch along the southern boundary. However, the Assessment did not reference the pond in the curtilage of No.2 Meadowbrook and instead this has been highlighted in the Ecology document submitted by the neighbour at No.3. However, the approach taken, as advised by the Wildlife Trust, is to adapt precautionary measures in the event that GCN are present on the site or directly adjacent.

7.10.5 As a precautionary measure, mitigation in the form of vegetation on the site to cut and maintained short (10cm maximum) until the start of the works, was recommended. A neighbour has advised that this has not been regularly maintained through the past months, but upon a recent site visit the grass was cut short. The Assessment concluded that taking on board the precautionary mitigation, it is predicted no impact on Great Crested Newts, with no further survey necessary. Other mitigation measures were recommended to protect other

wildlife. Whilst the survey was carried out in the off season for GCN, the Wildlife Trust were content with the findings. In addition, Natural England advised the West Anglia Team have confirmed that they are not aware of any Natural England discussions regarding this site, however confirm that Natural England supports the Wildlife Trust response, in relation to protected species matters and have no additional comments to make. Therefore, no significant risks were identified in relation to the development of the site and Great Crested Newts.

- 7.10.6 A number of public comments were received in response to the GCN Assessment, the Wildlife Trust and Natural England consultee comments. Concerns were expressed that the Assessment didn't reference the public comments or examples, falling short of a detailed investigation. Concerns were raised over the acceptance of the findings and the Wildlife Trusts recommendation of a Preliminary Ecological Appraisal Report to address protected species. The applicant took the approach to produce the GCN Assessment initially due to the specific concerns with newts on this site, subsequently a PEA was submitted to address other wildlife and possibility of protected species. The comments regarding a potential roost in the adjacent property were known to the Wildlife Trust and applicant.
- 7.10.7 The Wildlife Trust commented on the application again, advising it is understood that the GCN report was produced in light of the specific concerns. The report focuses on GCN with only a brief mention of the habitats on site and other protected species, not adequately dealing with all potential impacts. It was recommended that a Preliminary Ecological Assessment (PEA) is carried out, covering all relevant aspects and include recommendations for enhancements for biodiversity.
- 7.10.8 The PEA stated the development is expected to result in a low scale loss of nesting habitat for tree nesting birds and low scale loss of foraging features for bats. No.3 Meadowbrook has referred to long eared bats using the loft as summer roost, with an unconfirmed possibility for a maternity roost as well. The neighbour has informed that the property is registered with the Cambridgeshire Bat Group. The agricultural land beyond the site is considered of moderate value for foraging and commuting bats, however the site itself provides a low value as a foraging habitat. No significant risks were found to any roosting, foraging or commuting bats as a result of the development of the site. In response to the PEA submitted, Natural England raised no objection and based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 7.10.9 The Wildlife Trust have advised that a planning condition is attached requiring a mitigation plan for the GCN to be submitted prior to the commencement of development. This mitigation plan should also reference the measures set out in the Ecological Reports, along with other reasonable precautionary measures that the ecologist deems necessary, to cover the remote chance that Great Crested Newts may be using the application site as terrestrial habitat. Another recommended condition was in relation to external lighting, as it should be demonstrated how adverse impacts will be avoided on the bat roost reported from the adjacent property. No concerns were raised by either consultee about the extent and type of Ecological Reports submitted. It is considered the information submitted fulfils the criteria in the Local Plan and the Natural Environment SPD.
- 7.10.10 The most recent piece of Ecological data added to the application was by the neighbouring property No.3 Meadowbrook. The Wildlife Trust have reviewed the document and advised the following:

'With reference to the additional ecological report submitted as evidence by the neighbour, my previous advice remains broadly the same. I would advise that you include a planning condition requiring a mitigation plan for great crested newts and bats to be submitted prior to commencement of development. This should take account of the findings of the additional

ecological report supplied by the neighbour including protecting the boundary vegetation between the application site and 3 Meadowbrook.'

7.10.11 Following the submission of the Great Crested Newt Assessment and Preliminary Ecological Appraisal it is considered the Ecology information provided with the application is appropriate to the species on the site and has been carried out by a qualified ecologist. It has been acknowledged with the Ecological Assessments that the site offers a low value and the development would result in a low scale of loss of habitat. However, the development is proposed on previously un-developed land and whilst it offers little potential to protected species, it will still have a contribution to hedgehogs and birds. Precautionary and enhancing mitigation has been specified, and a mitigation plan will be conditioned in line with the guidance from the Wildlife Trust to secure these details. The photographs supplied by neighbouring properties and comments stating GCN are present in the surroundings have all been taken on board. As such, whilst the Appraisal and Assessment evidence low habitat values, precautionary measures will take place in case GCN are present on or around the site, all secured via the mitigation plan condition. As such the proposal meets the requirements of policy NE5, NE6 and NE11 within the Natural Environment SPD, as well as policy ENV7 and the NPPF. Furthermore, Great Crested Newts and any other protected species present on the site are further protected by the Wildlife and Countryside Act 1981, as amended.

7.11 Trees and Vegetation

7.11.1 The site contains a mature hedgerow and trees along the southern boundary beyond the ditch. In addition, there is some well-established shrubs and trees in the neighbouring properties curtilage which should be protected to maintain habitats for bats. Public comments have expressed concern of the removal of the large Ash tree and lack of detail on Tree Preservation Orders and lack of climbing inspections. Within the site there are a few scattered trees, which vary in size and none are covered by a TPO. A condition will be applied to the development to ensure a detailed soft landscaping scheme is submitted which not only mitigates the trees lost but also seeks for native planting to be introduced. Submitted with the application is a Tree Survey, which has been reviewed by the Trees Officer. The Officer confirmed that the details are satisfactory, with no objections providing tree protection details provided are adhered to. A condition will be applied to ensure that the tree protection measures illustrated on drawing 2020215 are adhered to and in accordance with BS 5837:2012.

7.12 Other Matters

7.12.1 In accordance with policy ENV8, all applications for new development must demonstrate that appropriate surface water drainage arrangements for dealing with surface water run-off can be accommodated within the site. The application form has advised that surface water will be handled via a soakaway and the dwelling will be connected to the mains sewer. Concerns have been raised over the suitability of a soakaway on the site due to the area being formed of clay. A condition will be applied to ensure full details are submitted of the surface water drainage proposed for the dwelling. Full details of the foul water drainage would be provided under Building Regulations.

7.12.2 All applications for residential use are considered particularly sensitive to the presence of contamination. Submitted with this application was an Envirosearch report dated 16th July 2020. The Scientific Officer has reviewed the report and accepts the findings, recommending that a condition requiring site investigation, etc. is not required and the standard contaminated land condition 4 (unexpected contamination) is attached due to the proposed sensitive end use (residential). As such the proposal accords with Policy ENV9 of the Local Plan 2015.

7.12.3 Concerns have been raised from the public comments over the noise, traffic and dirt during construction of the dwelling. Due to the scale of the development and timescale that

construction is likely to take, it would be unreasonable to condition a Construction Management Plan and if vehicles were parking in an unsafe manner then this should be reported to the Highway Authority or the police. However, a condition will be included to ensure construction hours are controlled to reduce impacts on residential amenity.

- 7.12.4 The recently adopted Climate Change Supplementary Planning Document predominantly focusses on providing additional guidance to the implementation of Local Plan Policy ENV 4 – Energy and water efficiency and renewable energy in construction. Policy ENV 4 states all proposals for new development should aim for reduced or zero carbon development in accordance with the zero-carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable. The opportunity was provided to the agent; however, no comments were received on how the dwelling will deliver efficiency or incorporate renewables. Whilst the Council encourages the use of renewables and measures to ensure energy and water efficiency, the lack of detail with the application would not warrant refusal.
- 7.12.5 Boundary treatments remain unspecified; however, it is expected that the boundary treatments will be improved upon to protect the amenity of residents of No.3 & No.4 Meadowbrook. A condition will be applied to ensure full details of the boundary treatments are submitted and Permitted Development rights will be removed for Class A, Part 2 of Schedule 2 to protect the character of the area.
- 7.12.6 Permitted Development rights will also be removed for Classes A-D, Part 1, Schedule 2 to protect the amenity of the adjacent occupiers and to prevent further built form or additional openings being introduced to the property without full consideration to residential amenity.
- 7.12.7 Neighbour concerns were raised over the lack of detail for the single storey extension at No.4 Meadowbrook. The location and scale of the extension has been noted during the Officers site visit.

8.0 Conclusion

- 8.1 The levels of contact from members of the public, adjacent neighbouring properties and consultees has all been extensively reviewed and an assessment carried out taking on board all matters raised. The proposed dwelling is considered to not result in significantly detrimental residential amenity impacts of the surrounding occupiers and would be a property that can deliver a high level of amenity for future occupiers. No detrimental harm is considered to occur to the streetscene of Meadowbrook or the character of the area. Furthermore, the proposal would not result in adverse implications to highway safety, protected species and delivers biodiversity enhancements.

9.0 Appendices

Appendix 1 – Recommended conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
20/01295/FUL	Molly Hood Room No. 011 The Grange	Molly Hood Planning Officer 01353 665555 molly.hood@eastcambs.gov.uk
91/00236/OUT	Ely	
97/00103/FUL		
95/00720/FUL		
90/00169/OUT		

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.eastcamb.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX 1 – 20/01295/FUL Conditions

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

Plan Reference	Version No	Date Received
Preliminary Ecological Appraisal	1.0	14th April 2021
Great Crested Newt Assessment	1.0	12th January 2021
19:052-0	A	5th October 2020
19:052-1	B	5th October 2020
2020215		5th October 2020
Envirosearch Residential		5th October 2020
Tree Survey		5th October 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 No above ground construction shall take place on site until details of the external walls, roof tiles, windows and doors to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 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.

- 6 Prior to first occupation or commencement of use the proposed on-site parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan 19:052-1 B and thereafter retained for that specific use.
- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 Prior to first occupation or commencement of use a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant (including retained existing trees/hedgerows) 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.
- 7 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 8 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the occupation of the dwelling.
- 8 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 9 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.
- 9 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 No external lights shall be erected within the site (either freestanding or building-mounted) without the prior approval from the Local Planning Authority.
- 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 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 of Part 2 of Schedule 2 of the Order shall take place on site unless expressly authorised by planning permission granted by the Local Planning Authority.
- 11 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 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-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.

- 12 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 Prior to the commencement of development, a mitigation and enhancement plan for Great Crested Newts and bats shall be submitted to and approved in writing by the Local Planning Authority. The plan should take account of the findings of the Great Crested Newts Assessment, Preliminary Ecological Appraisal and the Ecology Support document dated 20th July 2021, along with other reasonable precautionary measures that a qualified Ecologist deems necessary.
- 13 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.
- 14 The tree protection measures as shown on drawing 2020215 shall be implemented prior to the commencement of development, site works or clearance in accordance with the approved details and BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations, 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
- 14 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. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 15 No development shall take place until a scheme to dispose of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to occupation of the dwelling.
- 15 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.

