

## **4 Housing**

### **4.1 Introduction**

- 4.1.1 This chapter sets out the Council's approach to addressing the need for different types of housing within the district up to 2031. It includes policies relating to affordable housing, the type, mix and density of new dwellings, and Gypsies, Travellers and Travelling Showpeople housing requirements.
- 4.1.2 The strategy seeks to deliver the vision and objectives in Chapter 2, and ensure that future housing needs within the district are addressed as part of new development. This will require the provision of affordable homes as well as an appropriate range of housing types and sizes to meet the needs of households (including families and older people). Developers will be required to provide affordable housing as part of open market housing developments, and affordable housing will also be facilitated on exception sites (where housing would not normally be permitted).

### **4.2 Housing mix and type**

- 4.2.1 The National Planning Policy Framework requires Local Planning Authorities to plan for a mix of housing to meet the different needs of the community including families with children, older people and people with disabilities. In order to ensure that housing provision meets the needs of all sectors, it is important that a range of house types and sizes are provided as part of new residential developments within the district. The policy below relates to open market housing schemes. Affordable housing schemes are covered by Policies HOU 3 and HOU 4.
- 4.2.2 Evidence in the Cambridge Sub-Region Strategic Housing Market Assessment indicates that there is a need for more 2 and 3 bed dwellings to cater for the predicted increase in single occupancy households, smaller family units, and older people in East Cambridgeshire. However, it is recognised that housing need is not a straight indication of housing occupancy as people aspire to take properties they can afford rather than their actual 'needs'. Cambridgeshire County Council Research team has produced a 'Property Size Guide' (2010) which sets out estimated need in East Cambridgeshire for different sizes of dwellings (expressed as number of bedrooms) when market behaviour is applied – see Table 4.1 below. The Size Guide, along with any additional information relating to housing mix and type in the locality, will be used to inform negotiations between the District Council and applicants to determine the appropriate mix of housing on schemes of 10 or more dwellings. This threshold is considered to be a reasonable level, above which schemes should make a contribution to mixed communities.

*Table 4.1 – Indicative property size guide for open market housing*

	<i>Minimum %</i>	<i>Maximum %</i>
1 Bedroom	3	5
2 Bedroom	13	23
3 Bedroom	22	39
4 Bedroom	26	47
5+ Bedroom	7	14

### Part One: Spatial strategy and policies

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- 4.2.3 There is also a need for specialist types of housing for the elderly, disabled and other groups, including sheltered housing, retirement schemes and extra care housing<sup>21</sup>. It is acknowledged that applications for this type of accommodation will contain mainly one-bed and two bed homes. Rather than the Size Guide, the final mix of housing on such schemes will therefore be determined on a site by site basis according to identified needs in the locality (in consultation with the Council's Housing team). Further information on this type of specialist housing is set out in Policy HOU 6.
- 4.2.4 The district also faces a major challenge in increasing the provision of housing for potentially vulnerable elderly and single person households. The Council will therefore aim to ensure that a proportion of new housing built as part of major housing developments is suitable, or easily adaptable for occupation by the elderly or people with disabilities (Lifetime Homes Standard or equivalent). The precise amount of open market housing which will be required to meet all or some of aspects of Lifetime Home Standards will be determined following negotiation with the applicant as part of the planning application process. This will take into account the need for this type of housing within the locality and the financial viability of individual housing developments. Further guidance on this issue will be set out in the Council's Design Guide SPD. The Government has announced in early 2014 that changes will be made to the existing Building Regulations which will introduce two new optional accessibility standards. These will include criteria to provide age friendly, accessible and adaptable housing (which is similar to Lifetime Home Standards) and to meet the specific needs of wheelchair users. Open market developments should continue to provide an element of housing which meets Lifetime Home Standards until the new accessibility standards come into effect.
- 4.2.5 The development of self-build properties by individuals or community groups (including Community Land Trusts) can also contribute to meeting the need for additional housing within the district, and provide a more diverse housing stock. The policy below proposes that larger housing schemes should include an element of self build plots, to facilitate this diversity. Where this policy would result in the requirement relating to part of a dwelling the calculation will be rounded upwards to ensure that at least the minimum requirement is met.
- 4.2.6 The final mix of housing/types will be subject to negotiation with the applicant. Applicants will be expected to provide robust evidence relating to the identified level of housing need, financial viability or deliverability to support their proposals.

#### **Policy HOU 1: Housing mix**

Housing developments of 10 or more dwellings (or allocations where specified) should provide an appropriate mix of dwelling types and sizes that contribute to current and future housing needs as identified in the most recent available evidence relating to the locality.

Developments of 50 or more dwellings will be expected to provide a proportion of dwellings that are suitable or easily adaptable for occupation by the elderly or people with disabilities (Lifetime Homes standard or equivalent).

Developments of 100 or more dwellings will be expected to provide a minimum of 5% self build properties. The inclusion of self build properties on smaller sites will also be encouraged.

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<sup>21</sup> Housing which enables older people with longer term health conditions to live independently in self contained accommodation as an alternative to residential care.

**Part One: Spatial strategy and policies**

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The final mix of dwelling types and sizes will be subject to negotiation with the applicant. Applicants will be required to provide sufficient evidence to support their proposals.

### **4.3 Housing density**

- 4.3.1 The density of housing development varies across the district, and between different sites, as the design and layout of schemes needs to be in harmony with the local character of the area. Other factors affecting density include on-site constraints, the type of development proposed and the level of transport accessibility. Whilst higher densities may be appropriate in major developments or town centre locations where public transport is good and urban form is dense, lower densities may be appropriate in established suburban areas, in villages, in areas with an open character or on the edge of settlements.
- 4.3.2 The Council will expect all housing schemes to propose densities which are sensitive to the character of the local area, and take account of on-site constraints and the level of local transport accessibility. At the same time, applicants should also have regard to making efficient use of land, as this can help to reduce the amount of building that needs to take place on greenfield sites. Major schemes should include a range of different housing density areas, to ensure varied character and appearance, in accordance with agreed Masterplans.

#### **Policy HOU 2: Housing density**

The appropriate density of a scheme will be judged on a site-by-site basis taking account of:

- The existing character of the locality and the settlement, and housing densities within the surrounding area.
- The need to make efficient use of land.
- The biodiversity of the site and its surroundings and any heritage assets within or adjoining the site.
- The need to accommodate other uses and residential amenities such as open space and parking areas.
- Levels of accessibility, particularly by public transport, walking and cycling; and
- The need to ensure that the residential amenity of new and existing dwellings is protected.

Major development schemes will be expected to provide a range of housing densities as part of the development in accordance with an agreed Masterplan.

### **4.4 Affordable housing on open market sites**

- 4.4.1 The National Planning Policy Framework defines affordable housing as ‘social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market.’ Affordable housing in East Cambridgeshire is normally owned and managed by Registered Social Landlords (RSLs). Intermediate housing is provided at a cost below market levels, and can take the form of rented properties or shared ownership/shared equity schemes. Affordable housing should also include provision to remain at an affordable price for future eligible households.

## East Cambridgeshire Local Plan Adopted April 2015

### Part One: Spatial strategy and policies

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- 4.4.2 There is a significant need for additional affordable housing within East Cambridgeshire, as set out in the current Strategic Housing Market Assessment (SHMA)<sup>22</sup>.
- 4.4.3 The District Council secures the majority of affordable housing that is built in the district by requiring developers to provide affordable dwellings as part of open market housing developments (through Section 106 agreements). Affordable housing is also delivered on 'exception sites' as set out in Policy HOU 4 in the next section.
- 4.4.4 Affordable housing on development sites are an importance source of supply and can help meet a proportion of this need. Policy HOU 3 sets out the proportion of affordable housing that the Council will seek to secure on development schemes – 40% in the south of the district, and 30% in the north. These percentages have been informed by a realistic assessment of the viability of general market housing schemes - as set out in the Council's 'Community Infrastructure Levy Viability Assessment' (December 2011) and Addendum (April 2012).
- 4.4.5 The Council recognises that in some cases there may be exceptional development costs, which need to be recognised, and that the policy is a starting point for negotiation. Applicants seeking to justify a lower proportion of affordable housing will be required to demonstrate why it is not economically viable to make the minimum level of provision in Policy HOU 3. The financial viability assessment should be prepared by the applicant and provided to the Council for its consideration. Where agreement is not reached external consultants will be appointed to undertake a further independent viability assessment. The applicant will be required to meet the costs of the assessment being prepared.
- 4.4.6 Policy HOU 3 states that affordable housing contributions will be sought on developments of 5 or more dwellings. It is considered that this is a realistic threshold, which will enable the delivery of affordable housing and not prevent the delivery of smaller sites for housing within the district.
- 4.4.7 Where the affordable housing policy would result in the requirement relating to part of a dwelling the calculation will be rounded upwards for 0.5+ and downwards for less than 0.5. Where development involves the demolition of existing properties the amount of affordable housing will be calculated on the gross number of dwellings.
- 4.4.8 The policy indicates that the size mix and tenure of affordable dwellings should reflect identified needs at the time of the proposal and in the locality. The SHMA provides a starting point for identifying these needs. Housing developments should also ensure that sufficient provision is made to meet the needs of an ageing population and disabled people as highlighted in the Government's Housing Strategy and the SHMA. Affordable housing within the district will be expected to meet the Homes and Communities Agency's Design and Quality Standards (or successor document). These standards include some requirements which enable properties to be suitable or adaptable or accessible by elderly or people with disabilities – but are not as extensive as Lifetime Home requirements. Therefore, as with open market housing (see Policy HOU 1) an element of affordable housing should be provided to meet Lifetime Homes Standards or equivalent. The precise amount of affordable housing which will be required to meet all or some of aspects of Lifetime Home Standards will be determined following negotiation with the applicant as part of the planning application process with details in the Council's Design Guide SPD. The Government has recently announced that changes will be made to the existing Building Regulations which will introduce two new optional accessibility standards. These will include criteria to provide age friendly, accessible and adaptable housing (which is

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<sup>22</sup> Cambridge Housing Sub Region Market Assessment 2012

### Part One: Spatial strategy and policies

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similar to Lifetime Home Standards) and to meet the specific needs of wheelchair users. Affordable housing developments should continue to provide housing which meets Lifetime Home Standards until the new accessibility standards come into effect. Applicants are advised to contact the Council's Housing team at an early stage in the application process, for guidance on the latest evidence of need for different tenures and size dwellings in a particular locality.

- 4.4.9 In general, affordable housing should be provided on the application site as part of well designed, mixed tenure schemes, as this ensures the best prospect of securing mixed, inclusive communities. Off-site provision or financial contributions in lieu will only be acceptable in exceptional circumstances where agreed with the District Council. For example, on smaller sites it may be more practical or desirable, particularly where there is an alternative scheme in the locality which could benefit. Applicants proposing off-site provision or financial contributions in lieu in connection with any schemes will be expected to provide justification as part of a planning application.
- 4.4.10 There are no agreed ideal method(s) for ensuring the physical integration of affordable and open market housing. However developers will be expected to demonstrate that they have considered this issue as part of the overall design of the development.
- 4.4.11 The Council will ensure that any planning permission granted is subject to appropriate conditions and/or planning obligations to secure affordability in perpetuity. Further details of the Council's approach to affordable housing including details of how financial contributions in lieu of on-site provision are to be calculated is set out in the Council's Supplementary Planning Document on Developer Contributions.

### **Policy HOU 3: Affordable housing provision**

All new open market housing developments which incorporate more than 10 dwellings will be required to make appropriate provision for an element of affordable housing, as follows:

- A minimum of 40% of the total number of dwellings to be provided will be sought in the south of the district (i).
- A minimum of 30% of the total number of dwellings to be provided will be sought in the north of the district (ii).
- The proportion and type of affordable housing will be the subject of negotiation with applicants. As part of this, consideration will be given to the financial viability of the development including any exceptional costs (e.g. site remediation and infrastructure provision).
- Applicants seeking to justify a lower level of affordable housing will be required to provide a financial viability assessment as part of the planning application.
- The precise mix in terms of tenure and house sizes of affordable housing within a scheme will be determined by local circumstances at the time of planning permission, including housing need, development costs and the availability of subsidy.
- Affordable housing should normally be provided on-site, apart from in exceptional circumstances where agreed with the District Council. Applicants will be required to provide justification as part of the planning application setting out the need for off-site provision or financial contributions in lieu to be made.
- The affordable properties will be made available to eligible households at an affordable cost for the life of the property.
- The allocation of affordable housing should give priority to people in local housing need in accordance with the District Council's allocation policy (except where alternative mechanisms

**Part One: Spatial strategy and policies**

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involving local connections criteria are proposed for specific sites, as set out in Part 2 of the Local Plan).

- On larger schemes the affordable housing will be provided in phases, as set out in an agreed masterplan or approved planning application.
- The affordable housing shall be physically integrated into the open market housing development by using appropriate design methods.
- Affordable housing intended specifically for elderly occupants should be focused on public transport routes.
- In order to meet identified local needs, a proportion of dwellings should be provided that are suitable or easily adaptable for occupation by the elderly or people with disabilities (Lifetimes Homes or equivalent).

(i) The south of the district comprises the parishes of Ashley, Bottisham, Brinkley, Burrough Green, Burwell, Cheveley, Chippenham, Dullingham, Fordham, Kennett, Kirtling, Lode, Reach, Snailwell, Stetchworth, Swaffham Bulbeck, Swaffham Prior, Westley Waterless and Woodditton.

(ii) The north of the district comprises the parishes of Coveney, Ely, Haddenham, Isleham, Little Downham, Littleport, Little Thetford, Mepal, Soham, Stretham, Sutton, Wentworth, Wicken, Wilburton, Witcham, Witchford.

## **4.5 Affordable housing exception sites**

4.5.1 In East Cambridgeshire there is significant need for additional affordable housing, as demonstrated in the Strategic Housing Market Assessment (SHMA). However, land values are high, and Registered Social Landlords find it difficult to afford to purchase sites within settlements for the development of affordable housing schemes. The NPPF recognises these issues, and allows small affordable housing schemes to be developed as 'exception sites' where open market housing would not normally be permitted. In East Cambridgeshire, this is typically on small sites on the edge of villages and towns, outside development envelopes.

4.5.2 Policy HOU 2 sets out the circumstances in which exception sites may be considered appropriate. In assessing such proposals the housing needs of the local community will be carefully considered, and schemes should be designed to include a range of dwelling sizes, types and tenures, appropriate to local need (as demonstrated for example by a local housing need survey). To ensure priority for the affordable housing is given to people in local housing need, the Council will require the affordable housing provider to enter into a nomination agreement with cascade provisions, under which applicants with a connection to the village (through residence, employment or close family) are given first priority for newly created housing, followed by those with a connection to neighbouring villages, and then those in the wider locality.

4.5.3 The Council will ensure that any planning permission granted is subject to appropriate conditions and/or planning obligations to secure its affordability in perpetuity.

4.5.4 Exception sites should ideally be solely for the provision of affordable housing but this may not always be possible where there is a lack of housing grant. Therefore in certain circumstances an element of market housing may be permitted on exception sites where the applicant can demonstrate to the satisfaction of the District Council that the inclusion of open market housing:

- is required to enable the site to be developed primarily for affordable housing, and

**Part One: Spatial strategy and policies**

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- does not significantly increase the land value above that which would be payable if sufficient grant were available to provide 100% affordable housing.

4.5.5 Applicants proposing an element of open market housing as part of a scheme should be prepared to submit viability appraisal evidence to the District Council at an early stage as part of pre-application discussions – and as a minimum, as part of a planning application. Where agreement is not reached external consultants will be appointed to undertake a further independent viability assessment. The applicant will be required to meet the costs of the assessment being prepared.

**Policy HOU 4: Affordable housing exception sites**

Affordable housing development on exception sites can make an important contribution to meeting local housing needs, and schemes may be permitted on sites outside settlement boundaries where:

- There is an identified local need which cannot be met on available sites within the development envelope (including allocation sites), or sites which are part of community-led development.
- The site is well related to a village which offers a range of services and facilities, and there is good accessibility by foot/cycle to those facilities.
- No significant harm would be caused to the character or setting of the settlement and the surrounding countryside.
- The scale of the scheme is appropriate to the location and to the level of identified local affordable housing need.
- The scheme incorporates a range of dwelling sizes, types and tenures appropriate to the identified local need; and
- The affordable housing provided is made available to people in local housing need at an affordable cost for the life of the property.

An element of open market housing will only be acceptable where there is insufficient grant available, and it is demonstrated through financial appraisal that the open market housing is essential to enable delivery of the site for primarily affordable housing, and does not significantly increase the land value above that which would be payable if sufficient grant were available to provide 100% affordable housing.

**4.6 Dwellings for rural workers**

4.6.1 The accommodation needs of rural workers employed full-time in agriculture, horticulture, stud and other rural businesses can usually be met in existing properties either on the site or in nearby settlements. Occasionally it is essential for a worker to be in close proximity to the business and there is no suitable accommodation available nearby – for example, where animal or agricultural processes require essential care at short notice, or where there is a need to deal with emergencies that could otherwise cause serious loss of crops or produce. These special circumstances may justify the potential construction of new dwellings in the countryside to meet these needs, providing the financial and functional criteria in Policy HOU 5 below are satisfied. It must be stressed that genuine essential need, rather than business convenience, must be justified.

4.6.2 Applications will be assessed taking account of the history of the enterprise, in order to establish whether existing dwellings within the site/holding or nearby could fulfill the need,

### Part One: Spatial strategy and policies

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or whether any dwellings or buildings suitable for conversion have been sold on the open housing market. Such a sale is likely to constitute lack of evidence of essential need.

- 4.6.3 New permanent dwellings can only be justified if the enterprise to which they relate is economically viable. For this reason, details of the financial situation of the business will be required. This information will also inform the scale of dwelling which the enterprise can sustain. The scale should be demonstrated to be appropriate to the needs of the business, rather than those of the owner or occupier.
- 4.6.4 Where planning permission is granted for a new dwelling on this basis, suitable occupancy conditions will be imposed to ensure the dwelling remains available to meet that particular need. Proposals to remove an occupancy condition will be considered on the basis of whether a need remains for the accommodation for other rural workers. This will involve marketing the property for a period of at least 12 months at a realistic price to reflect the occupancy restriction. Applicants will also need to demonstrate a lack of general need in an area. As part of this approach, applicants will need to demonstrate that the dwelling has been made available to a minimum of three Registered Social Landlords operating locally on terms which would prioritise its occupation by a rural worker as an affordable dwelling - and that option has been refused.

#### **Policy HOU 5: Dwellings for rural workers**

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

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

Where a new dwelling is permitted, the occupancy will be restricted by condition to ensure that it is occupied by a person, or persons currently or last employed in local agriculture, horticulture, forestry, stud and other rural activities, or their surviving partner or dependant(s). Applications for



### Part One: Spatial strategy and policies

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the removal of an occupancy condition related to rural workers will only be permitted where it can be demonstrated that:

- There is no longer a need for accommodation on the holding/business and in the local area.
- The property has been marketed for a reasonable period (at least 1 year) and at a price which reflects the existence of the occupancy condition; and
- The dwelling has been made available to a minimum of three Registered Social Landlords operating locally on terms which would prioritise its occupation by a rural worker as an affordable dwelling - and that option has been refused.

## 4.7 Residential care accommodation

- 4.7.1 There is a need in the district to provide care accommodation for various groups of people for rehabilitation and out of hospital care, including the elderly, people with disabilities and vulnerable people.
- 4.7.2 The forecast change in population by broad age groups for the period 2011-2031 predicts significant growth in the over 60 age group. The proportion of people aged 75+ years will rise by 93% and those aged 85+ years will grow by 144%<sup>23</sup>. This is a dramatic increase in potentially vulnerable elderly couples and single elderly person households.
- 4.7.3 Accommodation for the elderly and others in need of care is moving towards more flexible forms of living and support which seek to maintain their independence and control of their lives. There are several options where residents can enjoy their own self-contained home within a site offering extra facilities. These include retirement homes/villages, and 'extra care' housing, where varying levels of care and support are provided in the home. These models often include a restaurant or dining room, health & fitness facilities and hobby rooms on site. Other forms of accommodation include care or nursing homes, which comprise single rooms within a residential setting where residents receive varying levels of care. Care can range from primarily personal care to nursing care for those who are bedridden, very frail or have a medical condition or illness.
- 4.7.4 Residential care accommodation should normally be located within settlements where there is easy access to a range of services e.g. shops, healthcare and social facilities. This should enable non-car access to local facilities for residents and staff, and ensure the facility is accessible for staff and visitors. However, as an exception, approval may be granted for care or nursing homes adjoining or close to a settlement – recognising that current provision of nursing/care homes within the district are at the lowest level per population in Cambridgeshire (Guidance Note: Adult Social Care and Planning Policies for Housing Developments – CCC 2013). Nevertheless, all applicants will need to demonstrate localised need for provision, having regard to the Cambridge Sub-Region Strategic Housing Market Assessment (SHMA) and other County strategies.

### **Policy HOU 6: Residential care accommodation**

Residential care accommodation should be located within a settlement that offers a range of services and social facilities. The design and scale of schemes should be appropriate to its setting and have no adverse impact on the character of the locality or residential amenity. Applicants will be expected to provide evidence of need for the provision.

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<sup>23</sup> Source: ONS population projections (May 2010).

**Part One: Spatial strategy and policies**

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As an exception, proposals for care or nursing homes may be acceptable on sites outside development envelopes where:

- The site is located adjoining or in close proximity to a settlement which offers a range of services; and facilities, and there is good accessibility by foot/cycle to those facilities.
- The proposal would not cause harm to the character or setting of a settlement or the surrounding countryside; and
- There is an identified need for such provision that is unlikely to be met within the built-up area.

## **4.8 Mobile homes and residential caravan parks**

- 4.8.1 There are a number of mobile home/residential caravan parks in the district, both within settlements and in the open countryside close to settlements. They play an important role in providing low-cost market housing for local people. These properties are particularly popular with the semi-retired, retired and the elderly, and are sometimes referred to as 'park homes'. Properties are usually owned by the occupier, but a rent is also payable to the site owner that includes costs towards maintenance of the communal areas. All sites are licensed by the District Council.
- 4.8.2 The Council is keen to retain existing mobile home and residential caravan parks in the district. Proposals involving the loss of all or any part of these existing parks will be resisted, unless applicants can demonstrate a lack of viability or business demand (e.g. by marketing the business at an appropriate price for at least 12 months).
- 4.8.3 The development of new, or the extension of existing mobile homes/residential caravan parks will not normally be appropriate outside development envelopes. New mobile homes and caravans should be located within existing settlements, where permanent dwellings would be acceptable. However, the intensification of sites in the countryside within the current development footprint may be appropriate, providing there is no adverse impact on the character and appearance of the locality and amenity of nearby residents, and on the local highway network.
- 4.8.4 Where new provision is appropriate, planning conditions will be used to control the colour, massing and materials used, and the careful use of landscaping and layout of pitches, to reduce the environmental impact of mobile homes and caravans.

### **Policy HOU 7: Mobile homes and residential caravan parks**

Proposals involving the loss of all or part of key identified mobile home or residential caravan parks will be resisted, unless it can be demonstrated that the operation is no longer viable and there is no business demand.

The development of new, or the extension of existing mobile home and residential caravan parks will not normally be appropriate outside development envelopes. As an exception, intensification of existing sites in the countryside may be appropriate within the footprint of the current developed area of the site.

All proposals for development or intensification must:

- Have no adverse impact on the character and appearance of the locality or amenity of nearby residents.

**Part One: Spatial strategy and policies**

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- Have no significant adverse impact in terms of the scale and nature of traffic generated.
- Have careful regard to the colour, massing and materials used, and incorporate appropriate landscaping.
- Ensure that there is no unacceptable risk of flooding; and
- Adhere to the Model Standards 2008 for Caravan Sites in England (or subsequent update).

## **4.9 Extension and replacement of dwellings in the countryside**

- 4.9.1 There are a number of dwellings in the countryside and these are an important part of the housing stock in the district. It is recognised that there is some need for the replacement or extension of existing dwellings and this is a form of development in the countryside that may be allowed as an exception to normal policies of control.
- 4.9.2 It will be important to ensure that extensions and replacement dwellings are sensitively designed and do not adversely affect the character of the countryside. The design of proposals will be important to reduce any adverse impact on the landscape, and should correspond with the principles set out in Policy ENV 2 on design and the Council's Design Guide Supplementary Planning Document.
- 4.9.3 For the purpose of this policy, the 'existing dwelling' refers to a dwelling house that has an existing lawful use as a domicile (i.e. not abandoned), as it exists on the date of the adoption of this document; or any new dwelling permitted after this date.

### **Policy HOU 8: Extension and replacement of dwellings in the countryside**

Proposals which seek to extend or replace an existing dwelling in the countryside will only be supported where:

- The extension to an existing dwelling is in keeping with the height, scale and character of the original dwelling and does not adversely affect the character and appearance of the locality or its countryside setting.
- The replacement dwelling is of a scale and design which is sensitive to its countryside setting, with its height being similar to that of the original dwelling. If an alternative height is proposed, the applicant will be expected to demonstrate that the scheme exhibits exceptionally high quality of design and enhances the character and appearance of the locality.
- The proposal is within the existing curtilage.
- The residential use of the dwelling has not been abandoned.
- Proposals accord with Policy ENV 2 on design and other relevant Local Plan policies; and
- Proposals have regard to maximising carbon neutrality (see Policy ENV 4 in Chapter 6).

## **4.10 Gypsies and Travellers and Travelling Showpeople accommodation**

- 4.10.1 The Gypsy and Traveller community in East Cambridgeshire is long established, and comprises about 90 or so families living on a mix of private sites and Council sites, plus other families in permanent dwellings (as at 2013). Local Authorities are required to consider and plan for the accommodation needs of Gypsies, Travellers and Travelling Showpeople as set out in the Housing Act 2004. The Government's guidance on 'Planning

## East Cambridgeshire Local Plan Adopted April 2015

### Part One: Spatial strategy and policies

policy for traveller sites' (March 2012) requires that local planning authorities set pitch targets for Gypsies and Travellers and plot targets for Travelling Showpeople which address the likely site accommodation needs of travellers<sup>24</sup> in their area. Local authorities are also required to identify specific deliverable Gypsy and Traveller and Travelling Showpeople sites where there is an identified need for additional accommodation, equating to a minimum of 10 years supply.

- 4.10.2 The Cambridge Sub-Regional Gypsy and Traveller Accommodation Needs Assessment (October 2011) identifies a need for 38 Gypsy and Traveller pitches to be provided within East Cambridgeshire between 2011 and 2031. Since 2011 planning permission has been granted for a total of 22 pitches. Assuming that these sites are delivered there will be a residual requirement for 16 pitches to be provided over the Plan period. A summary of these requirements is set out in Table 4.2 below.

Table 4.2 – Estimated need for pitches in East Cambs 2011-31

<i>Need for gypsy and traveller pitches</i>	<i>Number of pitches</i>
2011-2016	10
2016-2021	13
2021-2026	10
2026-2031	5
Total (2011-2031)	38
Planning permission granted 2011-13	22
Residual requirement 2013-31	16

- 4.10.3 The Needs Assessment also identifies a need for 4 Travelling Showpeople plots to be provided in the district between 2011 and 2016. The District Council has since granted permission for one plot – leaving a residual requirement of 3 plots.
- 4.10.4 The level of need for Gypsy and Traveller and Travelling Showpeople accommodation, as identified in the Needs Assessment, will be used to inform the determination of planning applications. The Planning Inspector appointed to consider the Local Plan indicated that the Needs Assessment is not robustly justified and should be reviewed and updated as part of the next Local Plan review, in order to ensure consistency with Government guidance. The District Council is committed to updating this evidence base as part of the Local Plan review.
- 4.10.5 In addition, it is proposed to allocate a number of specific sites for Gypsy and Travellers in the Local Plan, as this can help to ensure the delivery of some sites whilst allowing flexibility to deal with other applications. Policy HOU 9 below proposes 2 separate allocation sites, providing a total of 4 pitches. These sites could theoretically also be suitable for Travelling Showpeople. However, they are owned by gypsy families, and are therefore likely to come forward for this section of the travelling community. Applications on the two allocated sites for the requisite number of pitches will be acceptable in principle, providing other Local Plan policies are satisfied.
- 4.10.6 The Council has a good track record of positively considering appropriate windfall sites, as evidenced by the high level of approvals over recent years. The policy below sets out criteria which will be used to determine 'windfall' proposals for gypsy and traveller pitches and travelling showpeople plots which come forward over the Plan period. Reasonable travel distance will be determined on a case-by-case basis, taking account of the

<sup>24</sup> Travellers means "gypsies and travellers" and "travelling showpeople" as defined in Annex 1 of Planning Policy for Traveller sites (March 2012)

**Part One: Spatial strategy and policies**

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availability of public transport services, the suitability of the route for walking and cycling, and any other relevant factors.

**Policy HOU 9: Gypsies, Travellers and Travelling Showpeople sites**

The District Council will make provision for Gypsy, Traveller and Travelling Showpeople sites to meet identified needs. Provision should be made for at least 38 permanent Gypsy and Traveller pitches between 2011 and 2031, and at least 4 plots for Travelling Showpeople between 2011 and 2016.

The following sites are allocated as Gypsy and Traveller sites (see Inset Maps 4.1 and 4.2). Applications for the requisite number of pitches will be suitable in principle on these sites, provided other Local Plan policies are satisfied:

- Land at Muckdungle Corner, Newmarket Road, Bottisham (2 pitches).
- Land at Pony Lodge, Grunty Fen Road, Witchford (2 pitches).

Proposals elsewhere for Gypsy, Traveller and Travelling Showpeople accommodation should meet the following criteria:

- Adequate schools, shops and other community facilities are within reasonable travelling distance.
- There is no significant adverse impact on the character and appearance of the countryside and the setting of settlements.
- The site would not lead to the loss of or adverse impact on important historic and natural environment assets as defined in Policies ENV 7 and ENV 11-15.
- There is no significant risk of land contamination.
- There is no unacceptable risk of flooding.
- The scale of the proposal is not disproportionate to the size of the nearest settlement and the availability of community facilities and infrastructure.
- The site provides a suitable level of residential amenity for the proposed residents and there is no significant adverse impact on the amenity of nearby residents.
- Safe and convenient vehicular access to the local highway network can be provided together with adequate space to allow for the movement and parking of vehicles.
- Essential services (water, electricity and foul drainage) are available on site or can be made available; and
- Plots for Travelling Showpeople should also be of a sufficient size to enable the storage, repair and maintenance of equipment.

The sub-division of authorised Gypsy, Traveller and Travelling Showpeople sites will also be permitted provided that:

- The residential amenity of residents on the proposed site and neighbouring land is protected.
- Sites are of a suitable size to enable the creation of additional pitches or plots.
- There is no significant loss of soft and hard landscaping and amenity provision within the existing site, particularly where conditioned by previous consent; and
- There is no adverse impact in terms of highways access and movement.

## **5 Employment**

### **5.1 Introduction**

- 5.1.1 Employment development is a priority for the District Council. This chapter builds on the strategic policies in Chapter 2, and sets out a series of detailed policies which will be used to assess planning applications for employment uses. It includes policies which seek to retain sufficient stock of employment land and premises (B1, B2 and B8 uses) to support the expansion of the local economy, and policies which seek to ensure that development is of an appropriate scale and type to its location.
- 5.1.2 Most of the chapter focuses on business uses (B1, B2 and B8 uses) but also includes policies relating to other specific employment sectors, including horse racing and tourism.

### **5.2 Retention of existing employment sites and allocations**

- 5.2.1 Future economic growth in the district can only be successfully delivered if there is sufficient land in the right locations for these uses. As demonstrated in the Council's Jobs Growth Strategy, existing employment sites (B1, B2 and B8 uses) play an important role in this process and retaining existing employment sites is key to underpinning future economic growth. The availability of local employment opportunities is particularly important given the high levels of out-commuting from the district. Existing sites are serviced and add to the variety of stock. The loss of business land can harm local firms, who may find it difficult to find suitable replacement sites.
- 5.2.2 The policy below seeks to retain sites currently or last in employment use, whilst allowing some flexibility to take account of sites that may no longer be suitable or appropriate for employment use. For example, where the use of the site gives rise to unacceptable environmental/amenity problems that cannot be overcome, or is no longer viable. In relation to environmental/amenity issues, applicants will need to provide clear and robust evidence of problems, and demonstrate that they cannot be mitigated. Where the continued viability of a site for B1, B2 or B8 use is in question, applicants will be required to demonstrate that the site has been actively marketed with a commercial agent and placed on the District Council's business website at a realistic price for a continuous period of at least 12 months. If these conditions are met, redevelopment may be permitted, providing it involves a mixed-use scheme which includes a proportion of employment development (B1/B2/B8 uses). Applicants proposing the loss of all business uses on the site will be expected to demonstrate clear viability or other evidence as to why it is not possible to provide any employment uses on the site.
- 5.2.3 The policy applies to all employment sites or premises, currently or last used for employment purposes (B1, B2, B8) The Council does not propose to set a limit on the size of site to be retained, as small sites can make a significant contribution to local employment opportunities, and are a key type of stock, particularly for start-up businesses.
- 5.2.4 In order to help meet anticipated future employment demand, the Local Plan also identifies a number of new employment allocations, and mixed-use sites which include an element of employment uses (as set out in Part 2). These employment allocations are considered to be essential to the Council's strategy of delivering 9,200 new jobs over the Plan period, and meeting the identified future needs of the local economy (as set out in the Jobs Growth Strategy). These strategic sites will be expected to be retained for employment uses. However, proposals for redevelopment/development for other purposes will be

**Part One: Spatial strategy and policies**

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assessed on their merits, taking account of viability and environmental matters, and other policies in the Local Plan, particularly those relating to development in the countryside (Policy GROWTH 2) and impact on local character (Policy ENV 1).

- 5.2.5 There are some changes of use from office or business use (B1) that are permitted development under the General Permitted Development Order 1995 (as amended). These do not require an application for planning permission to be made to this Council; however, they may require an application to be made to this Council for a determination as to whether prior approval is required for specified matters.

**Policy EMP 1: Retention of existing employment sites and allocations**

The Council will seek to retain land or premises currently or last used for employment purposes (B1, B2 and B8 uses). As an exception, planning applications for mixed-use re-development involving an element of employment uses may be permitted, where it can be demonstrated that:

- a. Continued use of the site for 100% employment purposes is no longer viable, taking into account the site's characteristics, quality of buildings, and existing or potential market demand; or
- b. The redevelopment of the site would bring significant environmental or community benefits which outweigh the partial loss of employment uses.

Applicants will need to provide clear and robust evidence relating to criteria a or b alongside a planning application. Planning applications for re-development which propose the loss of all employment uses will need to be accompanied by clear viability or other evidence as to why it is not possible to deliver employment as part of the scheme.

The Council will seek to retain employment allocations for their designated B1/B2/B8 uses. However planning applications for redevelopment/development for other purposes will be assessed on their merits, taking account of criteria a and b above, and other policies in the Plan (particularly those relating to development in the countryside and impact on local character).

**5.3 Extensions to existing businesses in the countryside**

- 5.3.1 One of the key aims of the Council's Jobs Growth Strategy and the Local Plan is to encourage business growth, particularly indigenous businesses. In many cases this will involve expansion or intensification within an existing site, rather than relocation - and many of these sites will be in countryside locations. Wherever possible the Council will aim to assist businesses in their proposals to extend on site, providing the proposal is in scale with the location – particularly in relation to the amount and nature of traffic generated. Extensions should be of an appropriate design in terms of height, scale, massing and materials, and not have an adverse effect on the character of the locality or residential amenity. Extensions should also be for the purpose of the existing business. Justification for the expansion, including the submission of a business case, will be need to be submitted with any planning application.

**Policy EMP 2: Extensions to existing businesses in the countryside**

Proposals to expand existing businesses in the countryside will be permitted where:

- The proposal does not harm the character and appearance of any existing buildings or the locality.
- The proposal is in scale with the location, and would not (by itself or cumulatively) have a significant adverse impact in terms of the amount or nature of traffic generated.
- The extension is for the purpose of the existing business; and
- Any intensification of use will not detract from residential amenity.

Full justification for the proposals should be submitted with a planning application.

## **5.4 New employment development in the countryside**

5.4.1 The Council encourages the development of small businesses. It is known that there is a shortage of small business units throughout the district to cater for current and predicted demand. Some local business needs are likely to be met through the re-use of existing buildings in the countryside as detailed in Policy EMP 4. However, in cases where there are no suitable sites within settlements for business development or opportunities for re-use of buildings, new buildings to accommodate small business developments may be appropriate on the edges of settlements. This is particularly likely to be the case in relation to villages, rather than the market towns where there is a greater choice of land and buildings. The scale of development acceptable in these circumstances will depend on the type of business, the nature of the settlement and the character of the area, but is likely to involve the provision of up to 500m<sup>2</sup> of business floorspace. Any such development will only be permitted where it would not adversely affect its surroundings and is easily accessed by foot or cycle from the settlement centre along clear links.

**Policy EMP 3: New employment development in the countryside**

New development for small scale businesses (B1, B2 and B8 uses) will be permitted on small sites closely related to the built framework of a settlement where:

- There is a lack of suitable buildings and sites within the settlement.
- There is a lack of suitable buildings to re-use or replace in the countryside close to the settlement (in accordance with Policy EMP 4).
- The proposal would not have an adverse impact on the character and appearance of the area, the amenity of neighbouring occupiers, or result in a significant increase in traffic; and
- The site can be easily accessed by foot or cycle from the settlement.

## **5.5 Re-use and replacement of existing buildings in the countryside**

5.5.1 This policy relates to the re-use and replacement of non-residential buildings in the countryside, such as barns and other agricultural buildings. The replacement of existing rural dwellings (and their extension) is covered by Policy HOU 8.



### Part One: Spatial strategy and policies

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- 5.5.2 The re-use of existing rural buildings that are no longer needed for their original purpose provides an opportunity for development without the impact that new buildings have on the landscape. There are some changes of use from agricultural buildings that are permitted development under the General Permitted Development Order 1995 (as amended). These do not require an application for planning permission to be made to this Council; however, they may require an application to be made to this Council for a determination as to whether prior approval is required for specified matters. Not all buildings in the countryside are suitable for conversion or adaptation to new uses, as they may be of insubstantial construction, of poor design, or not in keeping with their surroundings. Proposals for re-use will also need to demonstrate there is capacity on the local road network to deal with any increase in traffic flows, and no significant adverse impact (alone or cumulatively) in terms of the amount or nature of traffic generated.
- 5.5.3 The re-use of rural buildings will generally be supported over the replacement of buildings. However, the replacement of rural buildings may be appropriate where it would result in a more acceptable and sustainable development than would be achieved through conversion. For example, the replacement would bring environmental improvement in terms of impact on the surroundings and landscape. As for re-use, proposals for replacement will also only be appropriate where the existing buildings are of permanent and substantial construction. The replacement of attractive existing rural buildings of visual or historic interest will be resisted.
- 5.5.4 Where planning applications are required, the re-use or replacement of existing rural buildings will primarily be supported for business (B1, B2, B8), tourism, outdoor recreation or community-related uses. This includes rural worker dwellings associated with local businesses (in accordance with Policy HOU 5), and farm shops (in accordance with Policy COM 1). Other retail uses will not normally be appropriate development in the countryside. Proposals for tourism uses will also need to accord with Policies EMP 7 to 9. Where planning applications are required, the re-use of rural buildings for holiday cottages may be appropriate in certain circumstances, but not replacement – as it is considered important to minimise the impact of development on the countryside.
- 5.5.5 Proposals for other types of residential re-use (e.g. open market housing) requiring a planning application will only be permitted where applicants can demonstrate that a range of other opportunities have been explored, and are not deliverable due to lack of demand or viability issues. As part of this applicants will need to explore options for business re-use and to provide evidence that the building has been marketed for sale or let for business use with a commercial agent and the District Council's business website at an appropriate price for at least 12 months. The replacement of rural buildings for residential use will not normally be considered appropriate, in order to minimise impact on the character of the countryside.

#### **Policy EMP 4: Re-use and replacement of existing buildings in the countryside**

Proposals for the re-use of existing buildings in the countryside for business (B1, B2, B8), tourism, outdoor recreation or community-related uses which require a planning application will be permitted where:

- It can be demonstrated that the building is of permanent and substantial construction.
- The form, bulk and design of the building is of visual merit, architectural merit or historical significance, and is in general keeping with its surroundings.
- The proposal does not harm the character and appearance of the building or the locality.

**Part One: Spatial strategy and policies**

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- The proposal would not (by itself or cumulatively) have a significant adverse impact in terms of the amount or nature of traffic generated; and
- Other Local Plan policies relating to specific uses are met.

The replacement of existing buildings in the countryside (for the same uses) will only be permitted where it would result in a more acceptable and sustainable development than would be achieved through conversion. In addition, bullets 1 and 5 above should also be satisfied. Proposals for replacement involving change of use to holiday cottages will not be permitted.

Proposals for the residential re-use of rural buildings which require a planning application will only be appropriate where the above criteria are satisfied, and applicants can demonstrate that business use is not viable or deliverable.

Proposals for the replacement of non-residential rural buildings for residential use will not normally be considered appropriate.

## **5.6 Equine development**

- 5.6.1 Horse racing and other equestrian-related activities are popular forms of recreation and economic development in the countryside, particularly in the south of the district around Newmarket. These uses, including stud farming, training establishments, riding schools and stables, can fit in well with agricultural activities and help to diversify the rural economy. The Council will support equine development that maintains environmental quality and the character of the countryside.
- 5.6.2 In some circumstances, the erection of stables or loose boxes within the curtilage of a dwellinghouse for the domestic needs or enjoyment of the occupants of the dwelling may not require planning permission. Applicants are encouraged to seek advice from the Council.
- 5.6.3 Whilst equestrian development can be appropriate in the open countryside, the cumulative impact of horse-related activities and associated buildings can have an adverse impact on the character and appearance of rural areas. Wherever possible, existing buildings should be re-used. New buildings for horse-related activities including stables, field shelters and tack rooms should be no larger than is essential.
- 5.6.4 In most cases, isolated developments will be unacceptable. Small-scale domestic stables should be well related to dwellings whilst larger scale facilities should be well related to existing development. Commercial equestrian facilities should be well related to existing public bridleways or gallops to minimise the need to exercise horses on the highway.
- 5.6.5 All equestrian development, whether domestic or commercial, should be of an appropriate scale and design and careful attention should be given to siting, materials and landscaping details to avoid an adverse impact on the countryside. Particular care will be needed where floodlighting is proposed in order to avoid an unacceptable impact on residential amenity. Adequate pasture may be necessary depending on the feeding and grazing regime. The British Horse Society recommends 0.4-0.6ha per horse.
- 5.6.6 Proposals for dwellings as part of equine development schemes will be assessed against Policy HOU 5.

**Policy EMP 5: Equine development**

Proposals for horse racing or equestrian development, whether domestic or commercial, will be permitted when the following criteria are met:

- The proposal is not sited in a prominent or isolated location away from existing buildings.
- Where new buildings are proposed, applicants have demonstrated that existing structures cannot be adapted or re-used.
- The siting, scale and design of the proposal is in keeping with the character of the area, with adequate pasture to support the horses where necessary. Particular regard will be had to the cumulative effect of proposals.
- Proposals for larger scale private or commercial enterprises have access to the public bridleway network or have sufficient space for exercising horses on-site. Such proposals will require a Transport Statement to demonstrate that there are no unacceptable impacts on highway safety.
- The amenity of nearby residential properties is not adversely affected, for example, in relation to floodlighting, changes in levels or noise and disturbance.
- The proposal would not (by itself or cumulatively) have a significant adverse impact in terms of the nature and amount of traffic generated; and
- Schemes proposing dwellings for rural workers will need to accord with Policy HOU 5.

**5.7 Development affecting the horse racing industry**

- 5.7.1 Given the historical association of the Newmarket area with horse racing, and its importance to the local economy, it is important that development does not have an adverse impact on the industry. Development which harms the long-term viability of operational studs and other racing facilities, or the racing industry as a whole, will be resisted.

**Policy EMP 6: Development affecting the horse racing industry**

Any development which is likely to have an adverse impact on the operational use of an existing site within the horse racing industry, or which would threaten the long term viability of the horse racing industry as a whole, will not be permitted.

**5.8 Tourist facilities and visitor attractions**

- 5.8.1 East Cambridgeshire is an attractive rural district with a range of tourist attractions including Ely Cathedral, Wicken Fen, Anglesey Abbey and Oliver Cromwell's House. The Council is keen to support proposals which sustain and enhance the district's tourism and visitor economy.
- 5.8.2 Tourist facilities and visitor attractions are usually considered to be a 'main town centre use' (see paragraph 3.3.8) but they can also play an important role in rural diversification. Certain tourism development may be appropriate in the countryside, for example to support the expansion of existing tourist facilities and attractions, or to create a new attraction from a specific feature.

**Part One: Spatial strategy and policies**

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- 5.8.3 Where a new or extended tourist facility or visitor attraction is proposed, applicants will be expected to submit evidence of genuine need to support the case for the proposal. This should include an analysis of market supply and demand (including evidence of similar establishments in the locality and their visitor numbers) and a business plan.
- 5.8.4 All proposals will be encouraged to reuse existing buildings where possible (in accordance with Policy EMP 4). Where new buildings are proposed, these should be in scale with their surroundings and sensitively designed and located to minimise potential impact on the landscape and local area. New tourist development should not adversely affect nature or wildlife habitats, which can be tourist attractions in their own right. Applicants should also demonstrate that opportunities for sustainable travel arrangements have been explored and suitable proposals incorporated into schemes, for example, provision of enhanced cycling and walking links or enhanced public transport.

**Policy EMP 7: Tourist facilities and visitor attractions**

Proposals for new or extended tourist facilities or attractions will be supported where it can be demonstrated that:

- There is an identified need to create new facilities or to expand or improve existing visitor attractions and facilities to ensure their continued viability.
- The proposal is of an appropriate scale and nature relative to its location, and would not (by itself or cumulatively) have a significant adverse impact in terms of the amount and nature of traffic generated.
- The character & appearance of the area and natural assets would be maintained and enhanced.
- The proposal maximises opportunities for sustainable travel including walking, cycling and public transport; and
- Opportunities to reuse existing buildings have been explored.

**5.9 Tourist accommodation**

- 5.9.1 The district's proximity to Cambridge, Newmarket, King's Lynn and Norwich make it an attractive destination for day visits and an increasingly popular destination for overnight stays. There is a need for additional tourist accommodation, particularly within the hotel, caravan and camping sectors. Additionally, on-going improvements to the navigable waterways, including the Fens Waterways Link, mean that East Cambridgeshire is ideally placed to capitalise on growth within the leisure marine and boating holiday market.
- 5.9.2 Hotel development is defined as a 'main town centre use', which can enhance the vitality and viability of town centres. Concentrating hotel development in sustainable town centre locations close to shops, services and public transport can help to reduce the need to travel and benefit the environment. Other locations which provide good accessibility may also be appropriate, such as sites close to railway stations. Proposals for new hotel development or extensions to hotels will also be assessed against Policy COM 1 which relates to town centre uses, and seeks to ensure a sequential approach is generally applied.
- 5.9.3 It will also be important to retain existing hotel stock. Facilities such as the Lamb Hotel in Ely help to meet business and tourist demand in the city and hence enhance the vitality and viability of the city centre. The Council will only permit the loss of hotel accommodation

### Part One: Spatial strategy and policies

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to other uses where it can be demonstrated that the continued use as a hotel would not be economically viable. In assessing viability, evidence will be required of occupancy rates and other relevant factors such as business plans, locational factors and ease of access for visitors by a variety of transport routes. Applicants will also need to submit evidence that the site has been marketed for sale or let at a reasonable price for a period of at least 12 months.

- 5.9.4 All tourist accommodation should be located within settlements wherever possible. However, for caravan/camping/marinas/moorings it is recognised that locations on the edge of settlements may also be appropriate – and also where schemes are proposed as part of the expansion of existing accommodation (providing that they are in scale with the location, and accord with other criteria in the policy).
- 5.9.5 Proposals for other unserviced holiday accommodation (e.g. holiday cottages) will only be appropriate in the countryside where they involve the re-use of existing rural buildings, in accordance with Policy EMP 4. In order to minimise the impact on the countryside, schemes should be limited to 1 or 2 holiday cottages only, and will not be appropriate where they involve new buildings. Where any type of unserviced accommodation is permitted, occupation will be restricted to short term holiday lets, in accordance with Policy EMP 9.
- 5.9.6 Where new or expanded tourist accommodation is proposed, applicants will need to submit evidence of genuine need to support the case for the proposal. This should include an analysis of market supply and demand (including evidence of similar establishments in the locality and their visitor numbers) and a business plan.

#### **Policy EMP 8: Tourist accommodation**

Proposals for new hotel development or extensions to hotels will be assessed against the terms of Policy COM 1. Proposals resulting in the loss of sites currently, or last used, for hotel accommodation will only be permitted where it can be demonstrated that the continued use of a site for hotel accommodation is no longer economically viable, nor has the potential to become viable, and that all reasonable efforts have been made to sell or let the property at a reasonable price for a period of at least 12 months.

Proposals for new or extended caravan, caravan-lodge, camping sites, marinas and moorings will be supported where:

- The need for the additional accommodation can be justified.
- Proposals are located within, or well related to, an existing settlement boundary, or on sites where existing service providers require additional space to expand.
- There is no significant adverse impact on the character and appearance of the area or natural assets.
- The proposal is of an appropriate scale and nature relative to its location, and would not (by itself or cumulatively) have a significant adverse impact in terms of the amount and nature of traffic generated; and
- In the case of marinas and moorings, development would not impede navigation or lead to hazardous boat movements, harm the quality of the fisheries, or conflict with traditional river uses such as fishing, sailing and rowing.

Proposals for holiday cottage accommodation will be supported where:

- The need for the additional accommodation can be justified.
- Schemes are located within, or well related to, an existing settlement boundary; and
- In the case of schemes in the countryside, they involve the re-use of an existing building in the countryside for a maximum of 2 dwellings (and accord with criteria in Policy EMP 4), and do not involve new build accommodation.

## **5.10 Holiday and seasonal occupancy conditions**

5.10.1 There is demand for self-catering holiday accommodation across the district, particularly in the touring caravan, static caravan, caravan-lodge and boat sectors. Unserviced holiday accommodation can bring benefits to the rural economy, particularly where under-used buildings are brought back into productive use, or where development forms part of a rural diversification scheme. However, development pressures for housing and high land prices in East Cambridgeshire means that there is a potential risk that such units, once permitted, may be used as permanent residential accommodation.

5.10.2 The intention of this policy is to create a clear distinction between residential accommodation (which may or may not be used as second homes) and accommodation that is used as commercial holiday lets and therefore brings economic benefit to the area. Commercial holiday lets can support the rural economy through visitor spend at local shops, attractions and facilities, whilst placing much less pressure on local services such as doctors and schools, than permanent residential occupancy.

5.10.3 Conditions will therefore be placed on new unserviced holiday accommodation to ensure availability as short-term commercial holiday lets for a substantial part of the year. This approach is in accordance with the Valuation Office definition of self-catering accommodation that states accommodation must be available for short periods totalling 140 days a year. The Valuation Office also advises that letting for 'short periods' means letting for periods of a month or less, to different individuals on each occasion.<sup>25</sup>

5.10.4 Additionally, in some cases holiday accommodation, whether by the character of its construction, design or location, will also be unsuitable for continuous occupation. In such instances, the Council may restrict occupation to certain months of the year. Seasonal occupancy may also be appropriate to protect the local environment, for example, from visual intrusion or disturbance, impact upon nature conservation and habitats, or physical erosion within the site or its surroundings that occupation during certain times of the year may cause.

### **Policy EMP 9: Holiday and seasonal occupancy conditions**

Holiday occupancy conditions will be placed on new unserviced holiday accommodation requiring that:

- The accommodation is occupied for holiday purposes only and shall not be occupied as any person's sole or main residence.
- It shall be available for commercial holiday lets for at least 140 days a year and no let must exceed 28 days.

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<sup>25</sup> Valuation Office Rating Manual 5 – Section 480: Holiday Homes (self catering)

**Part One: Spatial strategy and policies**

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- The owners/operators of the site shall maintain an up-to-date register of lettings/occupation, including the names of all owners/occupiers, their home addresses, where they are registered for Council tax and electoral purposes, and showing arrival and departure dates; and
- The owner/operator shall undertake a monthly management check of the register, and be prepared to make the register available at all reasonable times to the Local Planning Authority.

A seasonal occupancy condition will be attached where accommodation is not suitable for year-round occupation by nature of its construction, location or design, or proximity to a habitat that needs extra protection at certain times of the year.

## **6 Environment and climate change**

### **6.1 Introduction**

6.1.1 Achieving a high quality built and natural environment is a key theme of this Plan. This chapter sets out a series of policies which will be used to ensure that development proposals protect and promote the special qualities of the district and minimise impact on the environment. The chapter includes policies which seek to:

- Sustain and create landscapes and townscapes with a strong sense of place and local identity (section 6.2)
- Create well-designed, safe and attractive new developments (sections 6.3 and 6.4)
- Increase energy efficiency and the use of renewable and low-carbon energy (sections 6.5-6.7)
- Retain, protect and enhance features of biological or geological interest (section 6.8)
- Protect people and property from the risks of flooding (section 6.9)
- Minimise and reduce all forms of pollution, including light and noise pollution, and ensure no deterioration in air and water quality (section 6.10)
- Protect the Green Belt from inappropriate development (section 6.11)
- Protect and enhance the historic environment (sections 6.12-6.18)

### **6.2 Landscape and settlement character**

6.2.1 Attractive and distinctive local landscapes help to raise both the overall quality of the environment and the quality of people's lives. A high priority is therefore given to the protection, conservation and enhancement of traditional landscape character. New development that is well designed and helps to sustain and create landscapes and townscapes with a strong sense of place and local identity is important to achieving this objective. The importance of planning for the protection and enhancement of landscape character is endorsed strongly by the NPPF.

6.2.2 The countryside in East Cambridgeshire is characterised by three distinctive and contrasting landscape types which are consistent with the qualities defined in the national Landscape Character Assessment:

- Fens – these cover the northern part of the district and are characterised by large open, flat and low lying fields under wide skies, crossed by numerous waterways and drainage channels. There are fine long distance views of buildings and settlements, and most settlements are located on old 'islands'.
- Chalk hills – these extend between Cambridge and Newmarket, and are a broad scale landscape of large fields, low hedges and relatively few trees. Villages are mainly nuclear in form.
- Clay hills – these lie to the south-east, and are an undulating landscape of gently rolling hills and scattered woodland. A number of small hamlets and villages have developed in sheltered locations, often originally built to take advantage of the natural springs.

6.2.3 The character areas are described in more detail in the County Council's 'Cambridgeshire Landscape Guidelines' (1991), which remains the baseline evaluation of landscape in the County. The Guidelines stress the need to pay special attention to the design of edges of towns and villages and their integration with and relationship to the wider landscape. This



### Part One: Spatial strategy and policies

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requires the location, scale and height of development, views into and out of the settlement and the detailed edge treatment to be considered carefully. These matters are particularly important given the predominantly flat landscape of the district. A clear distinction between countryside and developed areas, including that between gardens and farmland, should be maintained and ad hoc changes damaging this relationship will not be permitted.

- 6.2.4 The Council's 'Ely Environmental Capacity Study' provides a detailed assessment of the landscape character of Ely and its environs, including an analysis of the distant and near views of Ely Cathedral. This study is due to be updated in 2015, and will be adopted as a Supplementary Planning Document to the Local Plan. Other studies that contribute to the evidence base about landscape and the character of settlements in the district include Conservation Area Appraisals for various town and villages (adopted as Supplementary Planning Documents). This information should be used by developers to ensure that proposals reflect the distinctive character, qualities and sensitivities of the area. More information on Conservation Areas is contained in Policy ENV 11.
- 6.2.5 The flatness of the fens and southern rolling hills, interspersed with small low lying villages, results in broad open skies, which are a key part of the distinctive landscape character. At night the rural nature of the area means that only urban areas are brightly lit, islands of light in a dark and tranquil sea. It is important that these qualities are protected from inappropriate development, especially from increased light pollution from street lighting, floodlighting and domestic lighting, and that new development retains the openness and tranquility of the area and protects wildlife.
- 6.2.6 In protecting landscape and settlement character the Council will expect: important existing views into and out of settlements to be maintained and enhanced and new ones to be created; important open spaces to be retained; and wildlife features to be undisturbed, as detailed in other policies within this Plan.

#### **Policy ENV 1: Landscape and settlement character**

Proposals for development should be informed by, be sympathetic to, and respect the capacity of the distinctive character areas defined in the Cambridgeshire Landscape Guidelines.

Development proposals should demonstrate that their location, scale, form, design, materials, colour, edge treatment and structural landscaping will create positive, complementary relationships with existing development and will protect, conserve, and where possible enhance:

- The pattern of distinctive historic and traditional landscape features, such as watercourses, characteristic vegetation, individual and woodland trees, field patterns, hedgerows and walls, and their function as ecological corridors for wildlife dispersal.
- The settlement edge, space between settlements, and their wider landscape setting.
- Visually sensitive natural and man-made skylines, hillsides and geological features.
- Key views into and out of settlements; this includes quintessential views of Ely Cathedral and the setting of the City as a historic 'isle' settlement close to the fen edge and the valley of the River Great Ouse.
- The unspoilt nature and tranquility of the area.
- Public amenity and access; and
- Nocturnal character of rural areas free from light pollution.

Suitable compensatory provision must be made in the event of significant harm where necessary.

## **6.3 Design**

- 6.3.1 Well-designed, safe and attractive new development which respects its surroundings can help to raise the quality of towns and villages and have a significant impact on everyday life. Good design is a key element in sustainable development and the Council believes strongly in raising the standard of design in all proposals. The NPPF stresses the importance of good design in sound planning and allows for local planning authorities to resist poor design.
- 6.3.2 The importance of creating distinctive, safe and accessible new developments is established in the strategic objectives of the Local Plan. Development needs to be of an appropriate scale, design and materials for its location and conform to the design principles set out in the policy below. All new buildings and spaces must enhance and respect their surroundings and contribute towards local identity, whilst securing and maintaining a high level of movement, quality in the public realm and general amenity for residents and workers. The particular importance of design in areas of historic conservation is detailed in Policy ENV 11. However, seeking to respect tradition should not inhibit innovation and good modern design that contributes positively to the character of towns and villages through new developments and urban extensions.
- 6.3.3 The Local Plan objectives also address the impacts of development on climate change. Good design can reduce energy consumption and improve sustainability through mitigation. The Council will actively promote development incorporating new technology that promotes energy and water conservation, and landscaping that mitigates climate change effects. Further details are set out in Policy ENV 4 on sustainable design and construction.
- 6.3.4 Development proposals also need to be designed to facilitate sustainable waste management, e.g. make provision for waste storage, collection and recycling. The County Council's RECAP Waste Management Design Guide Supplementary Planning Document (2012) provides further advice on design and provision of waste management infrastructure on residential and commercial schemes, and will be applied by the District Council to development within East Cambridgeshire.
- 6.3.5 Enabling the delivery of superfast broadband and other advanced communication technologies throughout the district is vital to supporting the economic and sustainability aims of the Local Plan. The Council expects high quality communications infrastructure to be incorporated into the design of all new housing and commercial development in the district, ensuring the future proofing of telecommunications, enabling them to be easily provided and/or upgraded in the future. Retrofitting of communications networks are costly and reduce the financial viability for investment by the private sector in the future. The Council will therefore expect developers to explore the option of providing on-site infrastructure, including ducting to industry standards in any new residential, employment or commercial development for efficient connection to existing networks. If such measures cannot be delivered, the developer will need to submit evidence to justify the reasons why this is the case, whether it be for viability or technical reasons.
- 6.3.6 For development in key areas, the Council will prepare and adopt development frameworks to guide development and ensure that potential benefits are maximised. Developers of these sites will be expected to build on these frameworks and produce detailed site Masterplans for submission alongside outline planning applications. The Council will also require Masterplans to be prepared for other large and more sensitive sites in the district, to be submitted alongside outline planning applications. Typically, a

### Part One: Spatial strategy and policies

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masterplan should establish the broad location of land uses, roads, services, open space and landscaping, and look at principles such as access and movement, built form and phasing. Masterplans should also demonstrate how the site will deliver the key aims of any relevant site-specific policy, and how a high standard of comprehensive planning can be achieved. Developers will be expected to involve the local community in the production of a masterplan. In some cases, design codes will also need to be submitted for approval between outline and reserved matters application stages. Developers are advised to contact the District Council at an early stage in preparing an application, to determine what level of design planning may be required. Where outline applications are proposed in locations which are deemed to be sensitive by virtue of the special character and value of the historic and natural environment in or in the vicinity of the site, they should be accompanied by sufficient information so that the impact of the proposed development can be properly assessed.

- 6.3.7 The Council will expect all development sites to be brought forward in as a comprehensive way as possible, avoiding piecemeal development, or development which would prevent adjacent land or other nearby sites from coming forward (for example, by impeding future access).
- 6.3.8 The East Cambridgeshire Design Guide Supplementary Planning Document contains detailed guidance on how design should compliment landscape, setting, local architectural traditions, and how sustainable construction techniques can be incorporated. Guidance on the appropriate design of shopfronts and advertisements is set out in the Shop Fronts Supplementary Planning Document. Other detailed local context information can be found in Conservation Area Appraisals, the Ely Environmental Capacity Study and the Cambridgeshire Landscape Guidelines, which should be taken into account. Reviews of these documents will occur during the lifetime of the Local Plan and the most up to date material should be used.
- 6.3.9 The Government requires Design and Access Statements to be submitted with most planning applications. These Statements are intended to demonstrate how a proposal is functional, attractive and accessible to all. Comprehensive guidance on the format and content of a Statement is provided on the Council's website. The Council will establish design review arrangements, in line with the requirement of the NPPF, to assist in raising the quality of architectural and urban design across the district.

#### **Policy ENV 2: Design**

All development will be designed to a high quality, enhancing and complementing local distinctiveness and public amenity by relating well to existing features and introducing appropriate new designs.

Design which fails to have regard to local context including architectural traditions and does not take advantage of opportunities to preserve, enhance or enrich the character, appearance and quality of an area will not be acceptable and planning applications will be refused.

The Council will prepare and adopt development frameworks to guide the development of key sites. Developers will be required to prepare detailed Masterplans for these sites, and for other large-scale developments and developments in sensitive areas, and submit these alongside an outline or initial application. In addition to key design principles, masterplans should include details on infrastructure delivery and phasing. Design codes will be required for certain proposals and should be submitted for approval between outline and reserved matters application stages.

### Part One: Spatial strategy and policies

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Large scale or significant schemes may be expected to go through a formal design review process, which may need to be financed by the developer.

The Council will encourage innovative, creative good modern architectural design that complies with the principles set out below. Schemes should be founded on an understanding of the architectural traditions of an area, even if there are no direct references to them in the final design. All new development proposals, including new buildings and structures and extensions and alterations to existing buildings and structures will be expected to:

- Make efficient use of land while respecting the density, urban and village character, public spaces, landscape and biodiversity of the surrounding area.
- Be developed in a comprehensive way, avoiding uncoordinated piecemeal development, to create a strong and attractive sense of place and local distinctiveness.
- Where appropriate, contain a variety and mix of, uses, heights and types of buildings, public spaces paths and routes, and landscaping, and provide variety and visual richness.
- Retain existing important landscaping and natural and historic features, and include landscape enhancement schemes.
- Ensure that the location, layout, scale, form, massing, materials and colour of buildings relate sympathetically to the surrounding area and each other, as well as creating quality new schemes in their own right.
- Protect important views into and out of settlements and key views of landmark buildings, especially ensuring that there is no detrimental effect on the appreciation of Ely as an historic cathedral city in the quality of the approaches and the quality of distant and close up views of the cathedral.
- Ensure there is no significantly detrimental effect on the residential amenity of nearby occupiers, and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity.
- Provide structure and legibility to navigate through developments by making use of existing views, vistas, landmarks and built and natural landscapes and creating new ones.
- Provide enclosure to streets and spaces through the grouping, positioning and height of buildings and landscape features, and road layouts.
- Make a clear distinction between public and private spaces, and enhance the public realm, including maximising opportunities to provide public art where appropriate.
- Incorporate the sustainable construction principles and methods contained in Policy ENV 4.
- Comply with the RECAP Waste Management Design Guide Supplementary Planning Document - the Council will encourage innovative solutions to minimising and handling waste and recycling on development sites.
- Demonstrate that opportunities have been explored to provide on-site infrastructure, including ducting to industry standards in any new residential, employment or commercial development to accommodate future communications infrastructure and other utility needs.
- Incorporate the highway and access principles contained in Policy COM 7 into designs to ensure:
  - The conflict between motor vehicles and pedestrians and cyclists is minimised, and where appropriate establishing home zones.
  - Safe and convenient access is provided for people with disabilities.
  - Good access to public transport services.
  - That networks of pedestrian and cycle routes (linking to existing routes where opportunities exist) give easy access and permeability within developments and to adjacent areas; and
  - Protection of rights of way.

### Part One: Spatial strategy and policies

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- Ensure that car parking is discrete, accessible, supports permeable environments and integrated, so it does not dominate existing and proposed new places, and is provided in accordance with Policy COM 8.
- Ensure that places and buildings are accessible to all, including the elderly and those with impaired mobility, and consider the life time use of developments, especially housing.
- Create safe environments addressing crime prevention and community safety.
- Integrate Sustainable Urban Drainage Schemes (SuDS) into developments so they provide wider green infrastructure benefits (in accordance with Policy ENV 8); and
- Have regard to the East Cambridgeshire Design Guide Supplementary Planning Document.

## 6.4 Shop fronts and advertisements

- 6.4.1 Shop fronts form an important element in the street scene, both individually and in terms of their collective impact. Therefore, when designing a new or replacement shop front, it is important to consider the visual impact upon both the building and the overall character of the area. Proposals will be assessed against the Shop Front Design Guide Supplementary Planning Document (2010 or as amended), Policies ENV2 and ENV3, and historic environment policies as appropriate.
- 6.4.2 The installation of new shop fronts can have a significant impact on the character of traditional buildings and streets across the district. When designing a new shop front or planning to alter or replace an existing one, it is important to consider the visual impact it will have upon the building and wider streetscape. A shop front and building must be considered separate elements of the same building.
- 6.4.3 The Local Planning Authority will give priority to the retention of architecturally or historically interesting traditional shop fronts. Adapting new shop fronts to modern needs can be brought about by sensitive design. Where replacement is allowed, the design should respect not only the building but the overall character of the area.
- 6.4.4 The Council recognises the importance that first floor accommodation can play in promoting economic vitality and creating active town centres. Upper floors provide a unique opportunity for enhanced security and surveillance as well as additional residential and office accommodation.
- 6.4.5 Advertisements play an important role in creating a sense of character and place. Some signs may be erected without the need for consent<sup>26</sup>. However, where consent is required the Council will seek to ensure that the form and design of signs and advertisements does not adversely impact the character of the area.
- 6.4.6 Sensitive designed signs incorporating individually illuminated mounted letters on a suitable background may be acceptable in certain areas where the scale, colour, design and intensity of the illumination would not detract from the character or appearance of the area.
- 6.4.7 It is important to protect the quality of design of shops and discourage inappropriate development. The installation of shutters, blinds and canopies if unregulated can have a detrimental impact on the character and visual amenity of the street scene. Any proposals should form part of the comprehensive design process and be incorporated into the shop front design.

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<sup>26</sup> Town and Country Planning (Control of Advertisements) Regulations

**Part One: Spatial strategy and policies**

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- 6.4.8 Careful attention has to be given to security in order to prevent poorly designed shutters and grills being installed that would detract from the appearance and attractiveness of buildings and areas.

**Policy ENV 3: Shop fronts and advertisements**

The Council will support applications for new shop fronts or alterations to existing shop fronts where:

- The design is consistent with the architectural style, materials and form of the building(s) to which it would form part, except in cases where the building itself is architecturally incompatible with the character of the area; and
- The shop front is an appropriate scale, in terms of the building on which it is located, and the locality. Where a shop front occupies more than one building, the division between each should be identifiable and the shop front should relate to the original units.

Where possible existing traditional shop fronts and features should be retained and restored. The removal of a traditional shop front will not be permitted if it is appropriate to the building or is of architectural or historic significance in its own right. The replacement of traditional shop fronts in Listed Buildings or in Conservation Areas will only be granted where the existing shop front is inappropriate to the building or area and its replacement will be of a high quality and improve the character of the buildings or area.

The Council will support proposals that provide independent access to upper floor accommodation and seek to encourage the use of vacant upper floors.

Consent for the display of advertisements or signs will only be permitted where:

- The size, design, colour and number of any advertisements or signs respects the character, scale, design and location of the building and shop front on which is being displayed, as well as the street scene.
- The advertisement or sign relates to and is integrated to the shop front which it serves; and
- The advertisement or sign is not internally illuminated.

Where unacceptable advertisements already exist the Council will, where appropriate, take discontinuance action to secure their removal.

The Council will not support the provision of external roller shutters, metal roller shutters and shutter boxes on commercial/retail premises within the district, with special reference to Listed Buildings and Conservation Areas.

Shutters, sun blinds and canopies must be sympathetic in style, colour and materials to the building on which they are attached and their architectural style.

## **6.5 Energy and water efficiency and renewable energy in construction**

- 6.5.1 Maximising energy efficiency and reducing resource consumption in new development can help to reduce CO<sub>2</sub> emissions and thereby the contribution to climate change effects. This policy seeks to ensure that all development schemes achieve greater efficiency in the use

### Part One: Spatial strategy and policies

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of natural resources, including measures to minimise energy use, improve water efficiency and promote waste minimisation and recycling. This will involve consideration of building design, layout and orientation, the use of sustainable (including re-used) materials, and planning a scheme's resilience in terms of the future implications of climate change. New technologies for handling waste/recycling should be considered for inclusion in large developments. Developments should minimise construction waste and encourage reuse and recycling wherever possible. Incorporation of these measures will also help to reduce the running costs of buildings and create attractive and healthy places for people to live and work by use of natural light and ventilation. Further guidance on design for sustainable construction is set out in the Council's Design Guide Supplementary Planning Document.

- 6.5.2 While there is significant new development planned for the district, the vast majority of buildings will be those built in earlier times when standards, e.g. of heat insulation, were much lower than at present. The Council will work with property owners to improve the efficiency of these buildings through initiatives that may be developed centrally or locally. Improvements in the efficiency of existing buildings will, where possible, be sought through conditions where changes requiring planning consent are proposed and/or through a retrofit programme supported with developer contributions. The Council will seek to ensure that efficiency improvements do not compromise the essential qualities of historic buildings and Conservation Areas. English Heritage guidance relating to energy efficiency and historic buildings is available at the following address: [www.helm.org.uk/guidance-library](http://www.helm.org.uk/guidance-library).
- 6.5.3 The Code for Sustainable Homes (CSH) measures the sustainability of a new home against nine categories of sustainable design including energy and CO<sub>2</sub> emissions reduction. The Government's future target is for all new homes to be 'zero carbon' (Code Level 6), and intermediate step changes are proposed for Building Regulations Part L. The 2012 minimum national standard in energy efficiency is equivalent to Code Level 3, and the Council will expect developments to make all reasonable endeavours to maximise their performance against all sustainability aspects of the Code. Developments of 5 or more homes shall achieve at least Code Level 4, providing improved levels of energy efficiency, CO<sub>2</sub> reduction and wider sustainability benefits.
- 6.5.4 However, in August 2013 the Government carried out consultation on a Housing Standards Review, and indicated that they were minded to require that carbon and energy targets for housing would only be set in national Building Regulations, pending implementation of a zero carbon homes requirement. The Government has since confirmed that the Code for Sustainable Homes requirements including those relating energy and carbon emissions will be incorporated into Building Regulations (Ministerial Statement on Building Regulations – March 2014). Policy ENV 4 therefore contains reference to these forthcoming replacement standards.
- 6.5.5 The Government proposes that non-domestic buildings will be zero carbon from 2019, and the Council requires proposals to demonstrate how energy efficiency and CO<sub>2</sub> reduction is being addressed. The Council expects all non-domestic developments over 1000m<sup>2</sup> to achieve BREEAM Very Good, or equivalent though an alternative environmental rating scheme. This will demonstrate good levels of energy efficiency and sustainable design.
- 6.5.6 The zero carbon buildings concept comprises three parts: energy efficiency, carbon compliance and allowable solutions. The foundation for any zero carbon home is ensuring good energy efficiency to minimise energy demand (e.g. ensuring that homes are sufficiently well insulated and adequately air-tight). The overall on-site contribution to zero carbon (including energy efficiency) is called carbon compliance. This includes on-site low and zero carbon energy such as solar panels and heat pumps and connected heat such as

**Part One: Spatial strategy and policies**

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a community heating network. The remaining emission reductions can be achieved via allowable solutions (see section 6.6 and Policy ENV 5), although at present, there is uncertainty about exactly what these might be and how much they might cost.

**Policy ENV 4: Energy and water efficiency and renewable energy in construction**

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.

Applicants will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction, as set out in the Code for Sustainable Homes (or its successor). Developments of 5 or more homes are required to achieve Code for Sustainable Homes Level 4 (or its replacement pending implementation of the zero carbon homes requirement). All non-domestic developments of 1000m<sup>2</sup> or more are required to meet BREEAM Very Good standard or equivalent.

The Council will negotiate with applicants over the most appropriate solutions for historic buildings and Conservation Areas.

**6.6 Carbon offset**

- 6.6.1 Of the three elements of the zero carbon hierarchy, allowable solutions has the most potential to achieve community-wide carbon savings, create green wealth for local communities, and contribute to social change and the rebalancing of the local economy.
- 6.6.2 As outlined in paragraph 6.5.4, the Government has yet to publish the final Allowable Solutions Framework. One option for carbon offsetting could involve the establishment of a local Community Energy Fund (CEF), which invests in energy efficiency and renewable and low carbon energy projects in Cambridgeshire, with an emphasis on community benefits. Work is ongoing to investigate the potential of developing a Cambridgeshire CEF, linked to the national Allowable Solutions Framework. Such a fund would require agreement across all Cambridgeshire local authorities with robust governance arrangements, building on the Cambridgeshire Renewable Infrastructure Framework (CRIF) Report and the Community Energy Fund (CEF) Report.

**Policy ENV 5: Carbon offsetting**

Where allowable solutions are required for a development scheme, the Council will be prepared to accept alternative provision in line with the national Allowable Solutions Framework.

Where a local Community Energy Fund exists, developers will be expected to provide financial contributions to this Fund to offset the difference. The contribution will be used to finance specific renewable energy projects within the local area. Financial contributions will be required into CEF where developments do not achieve the CO<sub>2</sub> reductions required under Policy ENV 4.



## **6.7 Renewable energy development**

- 6.7.1 Opportunities for renewable energy generation in the district includes solar radiation, wind power, anaerobic digestion, biomass, ground heat sources and other technologies. Combined heat and power systems may also be used to provide efficient energy to larger developments. Commercial schemes for renewable energy generation are likely to come forward over the Plan period, but there will also be smaller schemes, including renewable energy development on individual buildings. There are also likely to be opportunities for community-led initiatives for renewable and low carbon energy in towns and villages.
- 6.7.2 Current large-scale generation in operation in the district includes the straw burning plant at Sutton and the solar farm at Wilburton.
- 6.7.3 Proposals for renewable energy schemes will be supported wherever possible. The wider environmental, social and economic benefits will be given significant weight in planning decisions. However when assessing proposals, consideration will also be given to potential impacts on the local environment and amenity, including key views (in particular of Ely Cathedral), important wildlife sites, protected species and residential amenity, and significant adverse effects will be avoided. A landscape assessment will be a key part of this evaluation. Various types of technology will give rise to different impacts, and Policy ENV 6 sets out the broad criteria against which any scheme for renewable energy will be assessed. The Council will expect developments for energy generation to remediate potential adverse impacts, especially in relation to visual impact, through careful location, design and landscaping following the design principles set out in this Plan.

### **Policy ENV 6: Renewable energy development**

Proposals for renewable energy and associated infrastructure will be supported, unless their wider environmental, social and economic benefits would be outweighed by significant adverse effects that cannot be remediated and made acceptable in relation to:

- The local environment and visual landscape impact.
- Impact on the character and appearance of the streetscape/buildings.
- Key views, in particular those of Ely Cathedral.
- Protected species.
- Residential amenity.
- Safeguarding areas for nearby airfields; and
- Heritage assets.

Renewable energy proposals which affect sites of international, national and local nature importance or other irreplaceable habitats will be determined against the relevant sections of Policy ENV 7.

The visual and amenity impacts of proposed structures will be assessed on their merits, both individually and cumulatively.

Provision should be made for the removal of facilities and reinstatement of the site, should they cease to operate.

## **6.8 Biodiversity and geology**

- 6.8.1 Biodiversity can be described as ‘the wealth of wildlife around us’ and contributes significantly to our quality of life. It includes flora and fauna – but also features and environments such as trees, wetlands, hedgerows, woodlands and ponds which provide habitats, corridors and links for wildlife, and are part of an essential network for the survival and diversity of species. Geological conservation is also important as such environments are irreplaceable.
- 6.8.2 Biodiversity and environmental features occur on many sites throughout the district. The District Council will expect all applicants to consider potential biodiversity of sites at the outset, and how harm can be prevented or minimised (the favoured course of action) – and in some cases, compensated or mitigated (with this being the least favoured course of action). Development proposals should be accompanied by sufficient information to enable effects to be assessed, such as a Phase 1 habitat survey or other appropriate ecological report. The Natural Environment and Rural Communities Act 2006 imposes a legal duty on local authorities to protect and enhance biodiversity.
- 6.8.3 Whilst the biodiversity value of all sites is important, certain species, habitats and individual sites have been identified as being of particular importance to protect and enhance. The UK Biodiversity Action Plan (BAP) considers the conservation of all aspects of biodiversity within the natural environment and identifies habitats and species in special need of protection. On a local level, the Cambridgeshire Biodiversity Action Plan identifies habitats (e.g. fens) and species (e.g. great crested newts) in the county where action is needed to enhance and protect biodiversity. A number of species are also protected in their own right by national and European legislation – including bats, barn owls and badgers. A number of trees and woodlands in the district are also designated for their amenity or landscape value and have ‘Tree Preservation Orders’ or afforded protection if within Conservation Areas. Similarly, hedgerows considered important for their landscape or wildlife value may be protected against removal within the scope of the Hedgerow Regulation Notices 1997. Some specific sites in East Cambridgeshire are also designated for their local, national or international biodiversity value, and their protection and enhancement is a priority for the Council. The different categories of site designation are listed in the table below, and the individual sites are shown in the Policies Map.

*Table 6.1 – Categories of designated sites in East Cambridgeshire*

<i>Category of site</i>	<i>Level</i>	<i>Description/number of sites</i>
Special Protection Area	International	Ouse Washes
Special Conservation Area	International	Ouse Washes, Chippenham Fen and Wicken Fen
RAMSAR site	International	Ouse Washes
National Nature Reserve	National	Chippenham Fen and Wicken Fen
Site of Special Scientific Interest (SSSI)	National	19 sites (including one designated partly for its geological value) as listed in Appendix 2
County Wildlife Site	Local	81 sites as listed in Appendix 2 (also see Supplementary Planning Document for site details)
Local Nature Reserve	Local	Sites in Isleham and Little Downham
Protected Roadside Verge	Local	12 sites as listed in Appendix 2
Ancient Woodland	Local	24 sites as listed in Appendix 2

### Part One: Spatial strategy and policies

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- 6.8.4 Applicants should have particular regard to designated or important species, and habitats. In the case of protected species, applicants are advised to consult Natural England's standing advice. International sites have statutory protection and development proposals trigger specific legal procedures under the Conservation of Habitats and Species Regulations (2010). The specific international, national and local designated sites in East Cambridgeshire are listed in Appendix 2. Further information on County Wildlife Sites is contained in the Council's 'County Wildlife Sites' Supplementary Planning Document (2010).
- 6.8.5 The Cambridgeshire and Peterborough Biological Records Centre can provide general species distribution data for development sites and further information is available from the local Wildlife Trust and the Greater Cambridgeshire Local Nature Partnership. Where there is reason to suspect the presence of protected species or trees and woodland, the Council will require applications for development to be accompanied by an appropriate survey or impact assessment by professional consultants, assessing their presence and if present, details of how the proposal is sensitive to, and makes provision for their needs. The measures used must accord with the relevant protecting legislation. In all proposals where there is thought to be an impact on biodiversity or geodiversity, the Council will seek guidance from appropriate experts, such as the local Wildlife Trust.
- 6.8.6 Whilst it is important to conserve existing habitats and species, the integration of biodiversity and open space into new developments can aid both the environmental sustainability of schemes and make them more financially viable as they are more attractive places in which to live and work. Biodiversity measures may include the provision of open watercourse drainage systems, the planting of dense native hedgerows, trees and woodland, and the provision of bat or owl boxes and underpasses for mammals. Development proposals should explore opportunities to enhance biodiversity, and seek to create and improve habitat wherever appropriate.

#### **Policy ENV 7: Biodiversity and geology**

All development proposals will be required to:

- Protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds.
- Provide appropriate mitigation measures, reinstatement or replacement of features and/or compensatory work that will enhance or recreate habitats on or off site where harm to environmental features and habitat is unavoidable; and
- Maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals.

Development proposals where the main aim is to conserve biodiversity will be permitted; and opportunities to incorporate biodiversity into new development will be supported.

All applications for development that may affect biodiversity and geology interests must be accompanied by sufficient information to be determined by the Local Planning Authority, including an ecological report, to allow potential impacts and possible mitigation measures to be assessed fully. Where there is reason to suspect the presence of protected species, trees and woodland, applications must be accompanied by a survey carried out by a qualified individual assessing their presence and, if present, the proposal must be sensitive to, and make provision for, their needs, in accordance with the relevant protecting legislation. Where appropriate, there will be a requirement for the effective management of designated sites and other features, controlled through the

imposition of conditions or Section 106 agreements.

- Proposals which have an adverse impact on a site of international importance will not normally be permitted unless there are exceptional overriding reasons of public interest (human health, public safety or environmental benefit).
- Proposals which have an adverse impact on a site of national importance will not normally be permitted unless the benefits of development at the site significantly outweigh the impacts.

Proposals which would cause harm to County Wildlife Sites, Ancient Woodland, aged and veteran trees, Local Nature Reserves, Protected Roadside Verges, any other irreplaceable habitats, and green corridors or important species<sup>27</sup> will not be permitted unless the need for, and benefits of development in that location outweigh the potential harm to nature conservation interests.

## 6.9 Flood risk

- 6.9.1 Flood risk is an important issue for the district, particularly given the topography of the area and the context of climate change with related sea-level rises and increased incidents of heavy rainfall. Areas close to the major rivers (the Great Ouse, the Cam and the New and Old Bedford rivers) have been subject to periodic flooding in the past, as have several of the smaller river valleys in the south of the district. Flooding causes significant damage to properties, infrastructure and agricultural land, potential pollution and, in serious cases, is a threat to human life. It is therefore essential that development does not add to these dangers.
- 6.9.2 The NPPF is clear on the importance of flood risk as an issue to be taken into account in planning, and is accompanied by the 'Technical Guidance to the National Planning Policy Framework' (March 2012), which gives detailed guidance on flood risk. The tidal reaches of the Old Bedford River mean the Council is expected to collaborate with the Marine Management Organisation to ensure that policies across the land/sea boundary are integrated, and to have regard to the Marine Policy Statement and relevant license arrangements. The East Inshore Marine Plan was adopted in April 2014. As part of the district is at or below sea level there is the potential for it to be highly influenced by marine processes especially those relating to coastal flooding. Reference should also be had to the Environment Agency's Tidal River Strategy (2009) and other similar strategic documents.
- 6.9.3 Flooding can arise anywhere from rapid run-off from impermeable or waterlogged land. However, there is a specific risk from the overtopping or breach of watercourses in the district. The Environment Agency has identified specific zones of flood risk in East Cambridgeshire, and these are shown on flood risk maps on the Agency's website. The maps indicate 4 different zones which are defined as Zone 1 (low probability of flooding), Zone 2 (medium probability), Zone 3a (high probability) and Zone 3b (functional floodplain). As required by Government guidance, the Council has carried out work to refine the flood zone maps, and produced a 'Level 1 Strategic Flood Risk Assessment' (SFRA) in 2011 (which can be viewed on the Council's website). The Environment Agency maps, the SFRA and Surface Water Management Plans where relevant will be used to inform decisions on planning applications. The District Council will also work closely with

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<sup>27</sup> Those included in the UK and Cambridgeshire Biodiversity Action Plans

### Part One: Spatial strategy and policies

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Cambridgeshire County Council as Lead Local Flood Authority and other relevant organisations to develop a Floods and Water Management Supplementary Planning Document following adoption of the Local Plan. However, in some cases there will be a need for applicants to submit site-specific Flood Risk Assessments (FRAs) to ensure that flood risk and surface water run-off issues are comprehensively considered and addressed. The NPPF details situations where site specific FRAs are required.

- 6.9.4 The NPPF says Local Plans should apply a sequential, risk-based approach to the location of development based on the zones above, to avoid wherever possible flood risk to people and property and manage any residual risk, i.e. development should always be in the lowest possible risk zone. However, in certain circumstances vulnerable development in areas of flood risk may be permitted where an 'exceptions test' is passed. Development schemes need to:
- Demonstrate that the development provides wider sustainability benefits to the community that outweigh flood risk; and
  - Demonstrate via a site-specific flood risk assessment that the development will be safe over its lifetime taking into account the vulnerability of users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 6.9.5 Applicants will need to demonstrate that development proposals accord with both NPPF and Local Plan policies in relation to flood risk. Developers should contact the Environment Agency, Lead Local Flood Authority and Internal Drainage Boards at an early stage to obtain further information relating to potential flood risks including flood risk zones and surface water for individual sites. Detailed Standing Advice is available from the Environment Agency at [www.environment-agency.gov.uk/research/planning/82584.aspx](http://www.environment-agency.gov.uk/research/planning/82584.aspx). All proposals with drainage and flooding implications should have regard to the guidance and byelaws of the relevant Internal Drainage Boards (IDBs).
- 6.9.6 Policy ENV 8 seeks to ensure that development schemes provide appropriate measures for dealing with surface water run-off. Sustainable Drainage Systems (SuDS) can provide the best method of minimising flood risk whilst benefiting biodiversity. Design and layout measures and the effective use of features such as permeable surfaces, soakaways and water storage areas should be incorporated in all new developments where technically possible. Systems that mimic natural drainage processes such as retention ponds, swales and wetlands/reed beds will be particularly encouraged. Water recycling on site will also be encouraged, as described in the Council's Design Guide Supplementary Planning Document.
- 6.9.7 The Council's Water Cycle Study (2011) indicates that the southern half of the district is suitable for infiltration SuDS. In these areas, developers should provide SuDS that return as much clean runoff as possible to ground. However, the northern area of the district will generally be reliant on surface attenuation and runoff restriction – requiring land provision within development sites. A risk assessment in line with national guidance will be important in informing the design of surface water systems on some brownfield sites. The design should address the issue of ownership and maintenance of SuDS. The Floods and Water Management Act 2010 requires the County Council to act as the Sustainable Drainage Systems Approving Body, which must approve drainage systems in new developments and re-developments before construction begins.

### **Policy ENV 8: Flood risk**

All developments and re-developments should contribute to an overall flood risk reduction.

The sequential test and exception test will be strictly applied across the district, and new development should normally be located in Flood Risk Zone 1. The modelled flood risk zones as identified in the SFRA and the Environment Agency Flood Maps will inform the application of the sequential test. Development will not be permitted where:

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

A site-specific Flood Risk Assessment, endorsed by the Environment Agency, appropriate to the scale and nature of the development and the risks involved, and which takes account of future climate change, will be required for:

- Major and non-minor development proposals in Flood Zones 2 and 3 and 'Modelled Zone 3'; and
- Major and non-minor development proposals in Flood Zone 1, on sites of 1 hectare or greater, or where there is evidence of historic flooding set out in the SFRA and/or a Surface Water Management Plan.

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, and that issues of ownership and maintenance are addressed.

The use of Sustainable Drainage Systems will be required for new developments in accordance with the Cambridgeshire SuDs Design and Adoption Handbook (or successor document) unless, following an assessment of character and context, soil conditions and/or engineering feasibility dictate otherwise. SuDS may be incorporated within the Flood Risk Assessment.

## **6.10 Pollution**

- 6.10.1 Some development schemes can result in pollution to air, water or land or all three; many will generate waste in some form. The NPPF indicates that pollution from existing and new development should be addressed; and the aim should be to minimise pollution and other adverse effects on the environment.
- 6.10.2 Air quality in the district is generally good, and there are no designated National Air Quality Management Areas (AQMA). The Council carries out monitoring at roadside sites for nitrogen dioxide, and also monitors for particulates, and all show levels within the national

### Part One: Spatial strategy and policies

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targets. There are concerns about levels in parts of Ely, e.g. the Station Gateway, and the impacts of further development will have to be scrutinised very carefully.

- 6.10.3 Water quality is particularly important in the district as many watercourses have international or national environmental designations. New development must ensure that increases in run-off and sewage effluent discharge can be achieved without adverse impact on water quality. Policy GROWTH 3 on infrastructure describes the constraints related to Sewage Treatment Works capacity. The Council places a high priority on protecting surface and groundwater from pollution arising from development, and will support initiatives that result in an improvement to water quality. Regard should also be had to the Water Framework Directive and the objectives of the Anglian River Basin Management Plan.
- 6.10.4 Lighting and noise pollution arising from new development can individually and cumulatively have a significantly damaging impact on the countryside, on peoples' living environments, and on wildlife. Whilst lighting is desirable for safety, recreation and the enhancement of some buildings, inappropriate lighting can cause sky glow, glare, light-spill and represents energy waste.
- 6.10.5 Land contamination in East Cambridgeshire arises most frequently from former industrial and agricultural uses, but can also result from accidents, spillages or be caused by elevated levels of naturally occurring substances. Land contamination is a key consideration as it causes harm to the environment, has the potential to affect adversely public health and safety, and unless dealt with appropriately, can inhibit the re-use of otherwise suitable brownfield sites. It is important that potential contamination is identified at the earliest stage in the development process to ensure that appropriate remediation measures are identified and addressed early in the preparation of proposals for a site. Remediation should remove unacceptable risk and make the site suitable for its new use. In addition to the NPPF, contamination is subject to pollution control legislation. Additional advice for developers on the process for assessing contaminated sites and information on remediation works is set out in the Council's Supplementary Planning Document (SPD), 'Guidance on submitting planning applications on land that may be contaminated' (2010). It is intended to update this SPD following adoption of the Local Plan.
- 6.10.6 Low levels of naturally occurring radon are present in certain parts of the district, and properties in these areas may require special basic protection. Further information on areas affected, and control measures for new development are contained in BR211 Radon: Guidance on Protective Measures for New Dwellings (BRE), and Part C of the Building Regulations 2000.
- 6.10.7 Policy ENV 9 sets out the criteria against which developments with potential pollution, contamination and waste implications will be considered. The Council will seek to ensure that levels of all are kept to a minimum and are acceptable to human health and safety, the environment and the amenity of adjacent or nearby land users. Environmental Health legislation regulates many forms of pollution, but it is clearly preferable to prevent conflict from new development arising in the first place. The weight given to each criterion will depend on the particular circumstances and relevant control authorities will be consulted as necessary. Careful consideration will be required where development is likely to, on its own or cumulatively, result in harmful levels of pollution, or where developments are located within safety consultation zones (for example, areas around pipelines, airports, railways and sewage treatment plants). The Council therefore encourages pre-application discussions with applicants involving bodies responsible for pollution control or drainage where pollution is an issue. In some cases this may involve an Environmental Statement,

**Part One: Spatial strategy and policies**

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prepared as part of an Environmental Impact Assessment (EIA) to ensure the environmental impacts of a significant development proposal are comprehensively considered.

**Policy ENV 9: Pollution**

All development proposals should minimise, and where possible, reduce all emissions and other forms of pollution, including light and noise pollution, and ensure no deterioration in air and water quality. All applications for development where pollution is suspected must contain sufficient information to enable the Council to make a full assessment of potential hazards and impacts.

Proposals will be refused where, individually or cumulatively, there are unacceptable impacts arising from the development on:

- The natural environment, general amenity and the tranquility of the wider rural area, including noise and light pollution.
- Health and safety of the public.
- Air quality.
- Surface and groundwater quality.
- Land quality and condition; or
- Compliance with statutory environmental quality standards.

In exceptional cases, development proposals may be permitted where it can be clearly demonstrated that the environmental benefits of the development and the wider social and economic need for the development substantially outweigh any adverse impact in terms of pollution. In such cases, where pollution is unavoidable, mitigation measures to reduce pollution levels will be required in order to meet acceptable standards.

New development will not be permitted where there is a potential to conflict with existing developments that require particular conditions for their operation, or that are authorised or licensed under pollution control or hazardous substances legislation, where it would be likely to impose significant restrictions on the activities of the existing use in the future.

Development proposals on contaminated land (or where there is reason to suspect contamination) must include an assessment of the extent of the contamination and any possible risks. Proposals will only be permitted where the land is, or can be made, suitable for the proposed use. Development proposals where there is a risk of pollution should include a Pollution Management Plan which includes details of the identified risks and the proposed control measures.

Conditions may be attached to any planning permission, or Section 106 agreements used, to ensure adequate reduction and management of impacts.

## **6.11 Green Belt**

6.11.1 Green Belts are primarily designed to control the spread of development and the coalescence of towns by keeping land permanently open. The NPPF attaches great importance to Green Belts in preventing urban sprawl and keeping land permanently open. Strict control of development should ensure their open and rural character is not eroded.



## **East Cambridgeshire Local Plan Adopted April 2015**

### **Part One: Spatial strategy and policies**

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6.11.2 The Cambridge Green Belt was established formally in 1965, and includes approximately 1,910 hectares of East Cambridgeshire around the villages of Bottisham, Lode and Swaffham Bulbeck. The purposes of the Cambridge Green Belt are to:

- Preserve the unique character of Cambridge as a compact, dynamic city with a thriving historic centre.
- Maintain and enhance the quality of its setting; and
- Prevent communities in the environs of Cambridge from merging into one another and with the city.

6.11.3 The boundaries of the Green Belt in East Cambridgeshire were subject to minor changes in the Core Strategy (2009) to remove anomalies, as informed by the Council's Green Belt Assessment (2005). Only one major change is proposed in this Local Plan, involving the release of a small area of land for residential development on the edge of Bottisham. For further details, see the Bottisham Village Vision in Part 2.

6.11.4 Development proposals which come forward in the Green Belt will be assessed against Government policy in the NPPF and other policies in this Local Plan. Development will be strictly controlled, and generally linked to those uses which require a rural setting and preserve the openness of the Green Belt. The NPPF sets out clear guidance on the types of buildings and development that may exceptionally be permitted in Green Belt areas, as listed below. Please note that this is a summary, and applicants should refer to the NPPF for further guidance (as well as other policies in this Plan for further requirements relating to these uses or proposals).

- Extensions or alterations to buildings, where not disproportionate additions compared to the size of the original building.
- Re-use of buildings, provided they are of permanent and substantial construction.
- Replacement of a building, provided it is in the same use and not materially larger.
- Development on brownfield land where there is no greater impact on openness of Green Belt than the existing development.
- Affordable housing.
- Development brought forward under a Community Right to Build Order.
- Buildings for agriculture or forestry.
- Facilities for outdoor sport, outdoor recreation and cemeteries.
- Mineral extraction and engineering operations.
- Local transport infrastructure.

#### **Policy ENV 10: Green Belt**

Development in the Green Belt will be strictly controlled, and limited to certain exceptions as prescribed in the NPPF. Development proposals for exceptions will also need to accord with other policies in the Local Plan.

Where development is permitted within the Green Belt it must be:

- Located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt; and
- Subject to landscaping conditions, together with a requirement that any planting is adequately maintained to ensure that any impact on the Green Belt is mitigated.

Where development is permitted adjacent to the Green Belt account will be taken of any adverse impact on the purposes of the Green Belt. Development on the edges of settlements that are surrounded by the Green Belt must include high quality landscape and design in order to protect the purposes of the Green Belt.

## **6.12 Historic environment**

- 6.12.1 The role of the historic environment in achieving sustainable development is set out in national policy. All development should aim to conserve heritage assets in a manner appropriate to their significance and provide a positive response to the historic character and local distinctiveness of the district. The significance of heritage assets lies in how they are valued in terms of their special historic, archaeological, architectural or artistic qualities. The contribution of the setting of heritage assets to the appreciation of these qualities will be carefully considered, alongside other more direct impacts of development proposals.
- 6.12.2 The district contains a great wealth and variety of buildings and structures that are important to the character and appearance of towns and villages. Within the district, there are 26 designated Conservation Areas, approximately 930 Listed Buildings and 41 sites designated as Scheduled Ancient Monuments. Ely Cathedral is one of England's great monuments, and is of national and international significance, as well as having resonance as a local landmark and symbol of the fens.
- 6.12.3 The Council will pro-actively seek opportunities to enhance or better reveal the significance of heritage assets through all appropriate means, applying the historic environment evidence base as part of a strategy for achieving positive outcomes for the historic environment. This will apply to investigating how heritage assets at risk, or potentially at risk, can be restored and brought back into beneficial use.

## **6.13 Conservation Areas**

- 6.13.1 The Council has designated a number of Conservation Areas in the district. These are listed in Appendix 2 and the boundaries are shown in the maps in Part 2 of this Plan. These areas have been designated due to their particular architectural or historic interest, taking account of the overall quality of the area, mix and style of buildings, quality of open spaces, and other features which contribute to the overall character.
- 6.13.2 The Council is undertaking a programme of Conservation Area reviews and has adopted several Conservation Area Appraisals as Supplementary Planning Documents. These appraisal documents examine boundaries, character and general condition. In addition the programme also includes the designation of new Conservation Areas. The Conservation Area Appraisals for both the revised and new Conservation Areas will be adopted as Supplementary Planning Documents to the Local Plan.
- 6.13.3 Designation emphasises the special care that must be taken over the design, layout and materials of development proposals to ensure the character and appearance of these areas is preserved and enhanced. Traditional features and local characteristics should be recognised and reflected in development proposals. However, new development does not always have to mimic the past, and high quality schemes that provide a successful visual contrast with their surroundings may also be appropriate.

**Part One: Spatial strategy and policies**

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6.13.4 Demolition of buildings in Conservation Areas will be resisted, except in very exceptional cases where it can be satisfactorily demonstrated that the building is structurally unsound or of little or no importance to the character and appearance of the area. In all circumstances, demolition will only be allowed if planning permission has already been obtained for the redevelopment of the site, to ensure no adverse impact on the character or appearance of the area.

6.13.5 Where necessary, the Council will use Section 215 notices and Article 4 Directions to maintain and enhance the quality of Conservation Areas.

**Policy ENV 11: Conservation Areas**

Development proposals, within, or affecting a Conservation Area should:

- Be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area.
- Seek to retain attractive traditional materials and features such as original doors, windows, chimneys and boundary walls; and
- Only involve the demolition of buildings where:
  - They are structurally unsound (for reasons other than deliberate damage or neglect), beyond reasonable repair, and measures to sustain the existing use or find an alternative use/user have been exhausted; and in all cases
  - They have little or no architectural, historic or visual significance or have a negative impact on the Conservation Area; and in all cases
  - Comprehensive proposals for reconstruction or redevelopment have been submitted and have received planning permission.

Where there is an adopted Conservation Area Appraisal SPD, developers will be expected to show how this has informed their proposals.

**6.14 Listed Buildings**

6.14.1 Buildings are listed by the Secretary of State in recognition of their special architectural or historic interest, and any works which affect the character of a Listed Building require Listed Building Consent. Within the district there are almost 930 Listed Buildings, about 100 of which are Grade I or Grade II\*. The high ratio of Grade I and II\* is due in part to Anglesey Abbey and the Ely Cathedral complex. The main aim of listing is to prevent alterations that are detrimental to the special character of the building or structure, including the interior.

6.14.2 The setting of a Listed Building is also important, and proposals that detract from the setting will be resisted. Similarly, where a Listed Building has landscape value, contributing to the wider setting of a settlement or the countryside, it will be necessary to demonstrate that development proposals do not adversely affect character or views.

6.14.3 There is a strong presumption in favour of the retention and preservation of Listed Buildings. Demolition, in full or in part, will be approved only in the most exceptional circumstances as set out in Policy ENV 12, after applicants have demonstrated that every effort has been made to keep the building. If demolition is permitted, the Council is likely to require an appropriate archive of the features and fabric that would be lost. The best way of preserving a Listed Building is by securing an active, economically viable use, and sympathetic consideration will be given to proposals that help to secure the long-term future

### Part One: Spatial strategy and policies

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of the building. Such proposals will only be acceptable where there is no detriment to the structure, character, appearance or setting of the building.

6.14.4 Applicants proposing the alteration, extension or change of use of a Listed Building will be required to provide sufficient information to demonstrate how the proposals would contribute to the building's conservation, whilst preserving or enhancing its architectural or historic significance.

6.14.5 Setting and contribution to the wider environment need to be fully considered and respected when proposing extensions, alterations or new buildings. Planning permission will be refused for any form of development that would adversely affect the setting of a Listed Building or a group of Listed Buildings.

6.14.6 Investing in historic buildings can have a direct impact on the quality of life of residents. Many buildings at risk have a rich historic legacy and contribute to local identity. The repair and refurbishment of declining and/or derelict historic buildings can often be a catalyst in encouraging confidence and investment in an area.

#### **Policy ENV 12: Listed Buildings**

Proposals that affect a Listed Building will not be permitted where it would have a detrimental impact on the visual, architectural or historic significance of the asset.

Proposals to extend, alter or change the use of a Listed Building will only be permitted where they would:

- Preserve or enhance the significance of the building and not involve substantial or total loss of historic fabric.
- Be compatible with the character, architectural integrity and setting of the Listed Building; and
- Facilitate the long-term preservation of the building.

Proposals that affect the setting of a Listed Building will only be permitted where they would:

- Preserve or enhance those elements that make a positive contribution to or better reveal the significance of the heritage asset.
- Not materially harm the immediate or wider setting of the Listed Building. This setting may extend well beyond the immediate building curtilage and may include an extensive street scene or a wider urban design context, especially when the proposal is within a Conservation Area; and
- Facilitate the long-term preservation of the building.

Proposals to demolish all or part of a Listed Building will not be permitted other than in wholly exceptional cases where:

- All possible measures to sustain the existing use or find an alternative use have been exhausted, including active and genuine marketing<sup>28</sup> of the asset.
- Reasonable endeavours have been taken to secure a public or charitable organisation to take on the asset and failed.
- The building is structurally unsound (for reasons other than deliberate damage or neglect) beyond all reasonable repair and its redevelopment would bring wider public benefits; and in all cases

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<sup>28</sup> Applicants should provide evidence that the building has been marketed for a period of no less than 12 months, at a price that reflects its condition.

**Part One: Spatial strategy and policies**

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- Comprehensive proposals for reconstruction or redevelopment have been submitted and have received planning permission.

The Council will monitor Heritage at Risk within the district and will pro-actively engage with key stakeholders in order to secure and improve those heritage assets deemed to be most at risk. The Council will use its statutory powers to enforce the repair of heritage assets where appropriate.

## **6.15 Local Register of Buildings and Structures**

- 6.15.1 The Council, in conjunction with local amenity groups, will prepare a local register of buildings which make a valuable contribution to the local scene, local distinctiveness and/or local history, but which do not merit inclusion on the national list. These will be given additional protection and their status will be a material consideration, but they will not have the full protection of statutory listing.
- 6.15.2 Proposals for the change of use of a building or structure on the Local Register will be required to demonstrate how this would contribute to its conservation whilst preserving or enhancing its architectural or historic significance.
- 6.15.3 Applications proposing full or partial demolition will be required to demonstrate that the viability of continued beneficial use, restoration or conversion has been exhausted and its redevelopment would bring wider public benefits.
- 6.15.4 In cases where demolition is acceptable, the Council will seek to ensure that provision is made for an appropriate level of building recording to take place.

### **Policy ENV 13: Local Register of Buildings and Structures**

Proposals that affect a building or structure on the Local Register will not be permitted where it would have a detrimental impact on the visual, architectural or historic significance of the asset.

The Council will resist development that will:

- Involve the demolition or part demolition of buildings or structures on the Local Register; and
- Involve the inappropriate alteration or extension to buildings or structures on the Local Register.

Proposals to demolish all or part of a building or structure on the Local Register will not be permitted other than in wholly exceptional circumstances where:

- All possible measures to sustain the existing use or to find an alternative use have been exhausted, including active and genuine marketing of the asset<sup>29</sup>.
- The building is structurally unsound (for reasons other than deliberate damage or neglect), beyond all reasonable repair and its redevelopment would bring wider public benefits; and in all cases
- Comprehensive proposals for reconstruction or redevelopment have been submitted and have received planning permission.

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<sup>29</sup> Applicants should provide evidence that the building has been marketed for a period of no less than 12 months, at a price that reflects its condition.

## **6.16 Archaeological sites and monuments**

- 6.16.1 East Cambridgeshire has a rich and varied archaeological heritage. In the north of the district, settlement from the early pre-historic period focused on the dry land of the Isle of Ely and surrounding fen margins, although well preserved artefacts and organic remains may occur in the areas of fen. Extensive evidence of Roman activity survives throughout the district, and in addition to the historic city of Ely, numerous medieval villages and towns survive to the present day.
- 6.16.2 Archaeological remains are finite and non-renewable. As well as having historic value in their own right, they are important for education, leisure and tourism and contribute to the character of the district. The Council will make every effort to safeguard the local archaeological heritage which is vulnerable to the impacts of development. Designated Assets of national importance are listed in Appendix 2. These and other 'undesigned' assets of local, regional and national significance are listed in the Cambridgeshire Historic Environment Record which is maintained by Cambridgeshire County Council, to which more assets are routinely added.
- 6.16.3 As most archaeological remains are yet to be discovered it is crucial that sites of potential interest are appropriately assessed. Development that harms the significance of any heritage asset of known or identified national importance will be resisted, and the impact of development on all types of remains should be appropriately assessed as part of the application process.
- 6.16.4 Where permission for development is granted that would harm assets of archaeological interest, a programme of conservation appropriate to their significance should be undertaken. Their in-situ preservation is preferred, but where this is not feasible, provision should be made for a programme of archaeological excavation, recording and public presentation (where appropriate) to take place before development commences. The analysis, reporting and publication of the evidence should take place thereafter. This will be secured by a planning condition, the discharge of which will be agreed in conjunction with the County Council Historic Environment Team. All works will be guided by national planning policy, government advice and that issued by English Heritage.
- 6.16.5 Archaeological assessments are expected to define the location, extent, character, condition, quality and significance of any archaeological remains in order to establish the potential impacts of the development and to enable any preservation or mitigation strategies to be developed.

### **Policy ENV 14: Sites of archaeological interest**

Development proposals at or affecting all sites of known or potential archaeological interest will:

- Have regard to their impacts upon the historic environment and protect, enhance and where appropriate, conserve nationally designated and undesignated archaeological remains, heritage assets and their settings.
- Require the submission of an appropriate archaeological evaluation/assessment of significance by a suitably qualified person. This initial work may be required prior to the submission of a planning application; and
- Not be permitted where the proposals would cause substantial harm to new or known nationally important sites, including Scheduled Ancient Monuments and their settings.

## **6.17 Historic parks and gardens**

6.17.1 English Heritage has compiled a 'Register of Parks and Gardens of Special Historic Interest' which includes 4 sites within East Cambridgeshire. The aim of this register is to draw attention to important historic parklands, pleasure grounds and gardens laid out before 1939 and which are considered to be an essential part of the nation's heritage. The County Council has also identified 6 other historic landscapes as being of local significance. All of these sites are listed in Appendix 2. Any development must have careful regard to the important landscape architecture of the site, and the setting of these heritage assets. When considering proposals for enabling development, the Council will utilize best practice guidance where available in order to help inform the decision making process. Developers are encouraged to enter into pre-application discussions with the Council at an early stage when considering a proposal for enabling development. The Council will expect sufficient information to be submitted with any application that affects a historic park or garden listed in Appendix 2, to enable the impact of development to be properly assessed.

### **Policy ENV 15: Historic parks and gardens**

Proposals that affect the significance of a Historic Park or Garden will not be permitted where they would have a detrimental impact on its character, amenity or setting.

As part of any permission, the Council may seek the agreement of a management plan to secure the long-term preservation of the asset promote good land management and encourage best use of resources.

## **6.18 Enabling development associated with heritage assets**

6.18.1 Enabling development is a development proposal that is contrary to established planning policy and in its own right would not be permitted. Such a proposal may however be allowed where it would secure a proposal for the long-term future of a heritage asset.

6.18.2 At the heart of enabling development is an 'exchange' whereby the community accepts some disbenefit, as a result of permission being granted for development which would otherwise be unacceptable, in return for the long-term conservation of the heritage asset.

6.18.3 The policy will only be used where the public benefit of securing the future of a significant heritage asset through enabling development decisively outweighs the disadvantages of breaching normal policy presumptions. In considering enabling development proposals, developers are encouraged to enter into pre-application discussions with the Council.

### **Policy ENV 16: Enabling development associated with heritage assets**

Enabling development will only be permitted when all of the following conditions are met:

- The enabling development takes the opportunity to enhance the heritage asset and its setting and will not materially harm the heritage value of the asset or its setting.
- The public benefit of the survival or enhancement of the heritage asset outweighs the disbenefits of providing the enabling development.
- The impacts of the enabling development are precisely defined at the outset.
- The proposal avoids detrimental fragmentation of management of the heritage asset and where

**Part One: Spatial strategy and policies**

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applicable, its continued use for a sympathetic purpose.

- The scale of the enabling development is the minimum necessary to secure the future of the heritage asset and all aspects of design and layout minimise disbenefits.
- The heritage objective can be securely linked to the enabling development through a planning agreement.
- Financial assistance to secure the long-term future of the heritage asset is not available from any other source.
- It is necessary to resolve problems arising from the inherent needs of the heritage asset rather than the circumstances of the present owner or the purchase price paid.
- The heritage asset will be repaired or enhanced to an agreed standard at an agreed stage in the course of the enabling development, preferably at the outset and certainly before completion; and
- There will be no adverse impact on sites of biodiversity or geological importance (see Policy ENV 7).



## **7 Community services and infrastructure**

### **7.1 Introduction**

7.1.1 In order for communities to be successful, it is vital that they are well served by a full range of services and infrastructure which are appropriate to people's needs, affordable, and accessible to all.

7.1.2 Community services and facilities include schools and other education provision, social services, libraries, shops, pubs, open space, sports facilities, healthcare, places of worship, parish and village halls, police and emergency services, transport, public utilities and other infrastructure. Services and facilities are particularly important in rural areas. Many communities have experienced losses of important local services such as shops, post offices and primary schools in recent years. Support will be given to community-based initiatives that result in improvements to the local service and facility delivery and make those settlements more sustainable.

### **7.2 Retail and town centre development**

7.2.1 Town and village centres are at the heart of our community, and provide a focus for retail and other town centre uses, including, leisure, commercial, office, tourism, cultural and community facilities. The Government is committed to sustaining and enhancing the vitality and viability of these centres, and making town centres a particular focus for development.

7.2.2 The policy approach seeks to focus main town centre uses within the identified town centres in the district, wherever possible. The town centre boundaries are shown in the maps below. Edge of centre and out of centre locations may be appropriate in exceptional circumstances, according to the sequential approach and other tests in the NPPF and referred to in Policy COM 1. The sequential approach involves looking at sites in the town centre first, then edge of centre locations – and only considering out of centre locations where suitable sites are not available in more central locations.

7.2.3 A Retail Impact Assessment will be required for retail schemes outside town centres which propose 280m<sup>2</sup> or more of net retail floorspace. Impact assessments can help to establish if retail development proposals will have an adverse effect or not on town centres. Developers planning schemes which incorporate 280m<sup>2</sup> or more of net floorspace will need to agree the scope of any impact assessment with the Council in advance of submitting a planning application. As a minimum, all retail assessments should include information on the following:

- Appropriate data and catchment (including assumptions made).
- Sequential approach.
- Qualitative and quantitative need for the proposed development.
- Turnover of proposed store/centre (based on net floorspace and an appropriate turnover ratio).
- Turnover of competing stores/centres.
- Direct or cumulative impact/trade diversion from each competing store/centre to the proposed development (including sensitivity testing of best and worst case scenarios).
- Impact on committed or emerging development proposals.

## **East Cambridgeshire Local Plan Adopted April 2015**

### **Part One: Spatial strategy and policies**

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- Impact on local linked trips, town centre objectives and the vitality and viability of town centres.
- Impact of any proposed mitigation proposals; and
- Scale and accessibility.

7.2.4 It is recognised that small-scale local facilities such as corner shops, food and drink outlets or localised leisure/community facilities are vital for the sustainability of many rural communities within the district, and neighbourhood areas within towns. As such, Policy COM 1 supports the development of such uses. It is also recognised that farm shops may be appropriate, where these accord with the criteria in Policy COM 1.

7.2.5 In addition, although many tourist facilities and attractions (particularly those attracting significant numbers of people) should be located within settlements, there may be circumstances where tourist facilities/attractions require a rural location (for example, picnic sites, or wildlife centres), or where expansion is proposed in connection with existing tourist facilities or attractions in the countryside. Proposals will need to accord with the policy below and with Policy EMP 7.

#### **Policy COM 1: Location of retail and town centre uses**

Within the defined town centres, proposals for retail and other ‘town centre uses’ will be supported where:

- The scale and type of development is directly related to the role and function of the centre, in accordance with the hierarchy identified in Policy GROWTH 2.
- There would be no adverse effect on the vitality and viability of the centre, or on any other centres.
- The development would enhance the character and attractiveness of the centre and its locality, and not adversely affect residential amenity.
- The local transport system is capable of accommodating the potential traffic implications, and necessary mitigation measures are provided to make the development viable in transport terms; and
- Proposals on allocation sites accord with relevant site policies in Part 2 of the Local Plan.

Outside the town centres of Ely, Soham and Littleport, proposals for retail and ‘town centre uses’ may be permitted under the following circumstances:

- The sequential approach has been followed and there are no suitable sequentially preferable sites available.
- The site is suitable for the proposed use and the building form and design is appropriate in the local context.
- The scale and type of development is directly related to the role and function of the centre or its locality, in accordance with the hierarchy in Policy GROWTH 2.
- For retail developments of 280m<sup>2</sup> net floorspace or larger, there would be no adverse effect on the vitality and viability of the nearest town centre, or on any other centres, as demonstrated in a Retail Impact Assessment.
- The development would enhance the character and attractiveness of the centre and its locality, and not adversely affect residential amenity; and
- The development would be accessible by a choice of means of transport (including public

**Part One: Spatial strategy and policies**

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transport, walking and cycling), and the local transport system is capable of accommodating the potential traffic implications.

As an exception to this approach, support may be given to:

- The provision of small-scale localised facilities in villages and neighbourhoods outside town centres (such as corner shops, food and drink outlets and small-scale leisure facilities), where it can be demonstrated that:
  - The development would meet a clear localised neighbourhood need.
  - The development is not of a scale and type which should be located within identified town centres; and
  - Other relevant criteria in this policy are met.
- Farm shops, where these are of an appropriate scale and would not detract from the character and appearance of the area, and it can be demonstrated they would make an on-going contribution to sustaining the agricultural enterprise as a whole.
- Proposals for tourist facilities and attractions which require a rural location, or are associated with the expansion of existing tourist facilities/attractions in the countryside – and which accord with criteria in Policy EMP 7; and
- Proposals for hotel development in the Station Gateway area of Ely.

### **7.3 Retail uses in town centres**

7.3.1 The health, vitality and viability of town centres depends upon their accessibility, attractiveness and ability to retain and develop a wide range of facilities and attract continued investment. The Council intends to develop key local indicators relating to the vitality and viability of the district's town centres – this data will then be reported in the Annual Monitoring Report. Retaining a significant proportion of A1 retail units in town centres is key in achieving this vision. Non-retail uses such as financial services, cafés, restaurants and public houses can also play a role in the viability of town centres and may be appropriate complementary uses, provided that the retail function of the centre is not undermined..

7.3.2 The town centres of Ely, Soham and Littleport are key areas for shopping, leisure and business activity in the district. The boundaries of the town centres are shown in the maps below. A 'primary shopping frontage' (as well as 'secondary shopping frontage') has been defined for the larger centre of Ely, where the retail shops are concentrated. The extent of the town centre boundaries and the primary shopping frontage may be subject to change over the Plan period, and the Council will review this through regular town centre 'health check' surveys.

#### Ely

7.3.3 New areas of primary shopping frontage have been designated in Ely city centre, recognising the importance of existing links between key retail areas and the opportunity to create a more extensive retail circuit. Policy COM 2 is designed to maintain a predominance of retailing within the primary shopping frontage area. The Council will resist the loss of A1 shop units within these areas but allow a more flexible approach within the secondary shopping frontages. Over time, it is hoped that this approach will strengthen the function of the core shopping area and allow non-A1 uses to relocate towards the more peripheral areas.

## **East Cambridgeshire Local Plan Adopted April 2015**

### **Part One: Spatial strategy and policies**

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7.3.4 Vacancy rates for shop units constantly vary within Ely city centre. During more challenging economic times when retail vacancy rates can be higher, it may be preferable for the premises to be occupied by a community use instead of the unit remaining unoccupied. Retail economy is related to environmental quality and the Council is aware of the risk that premises which are not being utilised may degrade the wider environment. In order to prevent the gradual erosion of vitality and environmental quality in such situations, a temporary community use may be allowed in such circumstances. Developers should seek advice from the District Council in such cases.

#### Soham and Littleport

7.3.5 In the town centres of Soham and Littleport, a slightly more flexible approach is proposed. It is recognised that these areas play a different role to the core of Ely, and the provision of a wider range of services in these areas can encourage the enhanced sustainability of these settlements. Retail units are desirable but other uses may include professional and financial services, restaurants/café's, pubs and takeaways, and cultural/community services. Nevertheless, the approach also recognises the importance of having a mix of sizes of shop units, in order to attract a range of uses and types of retailers, and the fact that there are only a small number of larger shop units in the town centres. The Council therefore seeks to protect against the loss of larger A1 retail units, which are defined as those measuring 200m<sup>2</sup> or larger (gross retail floorspace). There are also specific sites which are afforded additional protection under policies in the Town Visions in Part 2 of this Local Plan.

#### Residential uses in town centres

7.3.6 The loss of ground floor town centre units to housing can have an adverse impact on the health, vitality and vibrancy of town centres, and it is often hard to reverse as it normally involves a significant physical change to the frontage. Where planning applications are required, within the Ely Primary Shopping Frontage change of use to residential at ground floor level will not be acceptable. Within the remainder of Ely city centre, and in the town centres of Soham and Littleport, the Council will seek to avoid the change of use to residential units at ground floor level, unless it can be demonstrated that an alternative town centre use, relating to retail, leisure, business and cultural activities, is not reasonable and/or viable. As part of this, applicants submitting planning applications will be expected to demonstrate evidence that efforts have been made to find alternative uses, including marketing of a unit for sale or let at an appropriate price for at least 12 months.

### **Policy COM 2: Retail uses in town centres**

#### *Ely Primary Shopping Frontage*

Within Ely Primary Shopping Frontage, as defined on Map 7.1, the development of A1 retail uses will be encouraged where this does not conflict with other policies of the Local Plan. Where planning applications are required, the loss of A1 retail uses will generally be resisted – but may be permitted in exceptional circumstances where the following criteria are satisfied:

- The proposal would not result in a concentration of non-A1 retail uses in the immediate street frontage.
- The proposal would not detract from the dominant retail appearance of the street frontage, and where appropriate, positive measures to enhance or restore the character of the site or its immediate area have been incorporated.

**Part One: Spatial strategy and policies**

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- The proposal would generate significant pedestrian visits during shopping hours.
- The proposal would complement the existing mix of uses/retailers and the shopping function of the city centre.
- The proposal does not involve the loss of a shop unit measuring 200m<sup>2</sup> or larger (gross retail floorspace).
- The proposal does not involve ground floor residential development; and
- The proposal has been marketed for A1 retail at an appropriate price for a minimum of 3 months.

If the unit has remained vacant for a minimum period of six months, a temporary change of use from A1 retail to community use may be acceptable.

*Ely Secondary Shopping Frontage*

Within Ely Secondary Shopping Frontage, as defined on Map 7.1, planning applications for changes of use from A1 retail to other uses may be permitted provided that:

- The proposed use provides a service that complements the shopping function of the city centre.
- There is no adverse impact on residential amenity; and
- The proposal does not involve ground floor residential development.

*Soham and Littleport town centres*

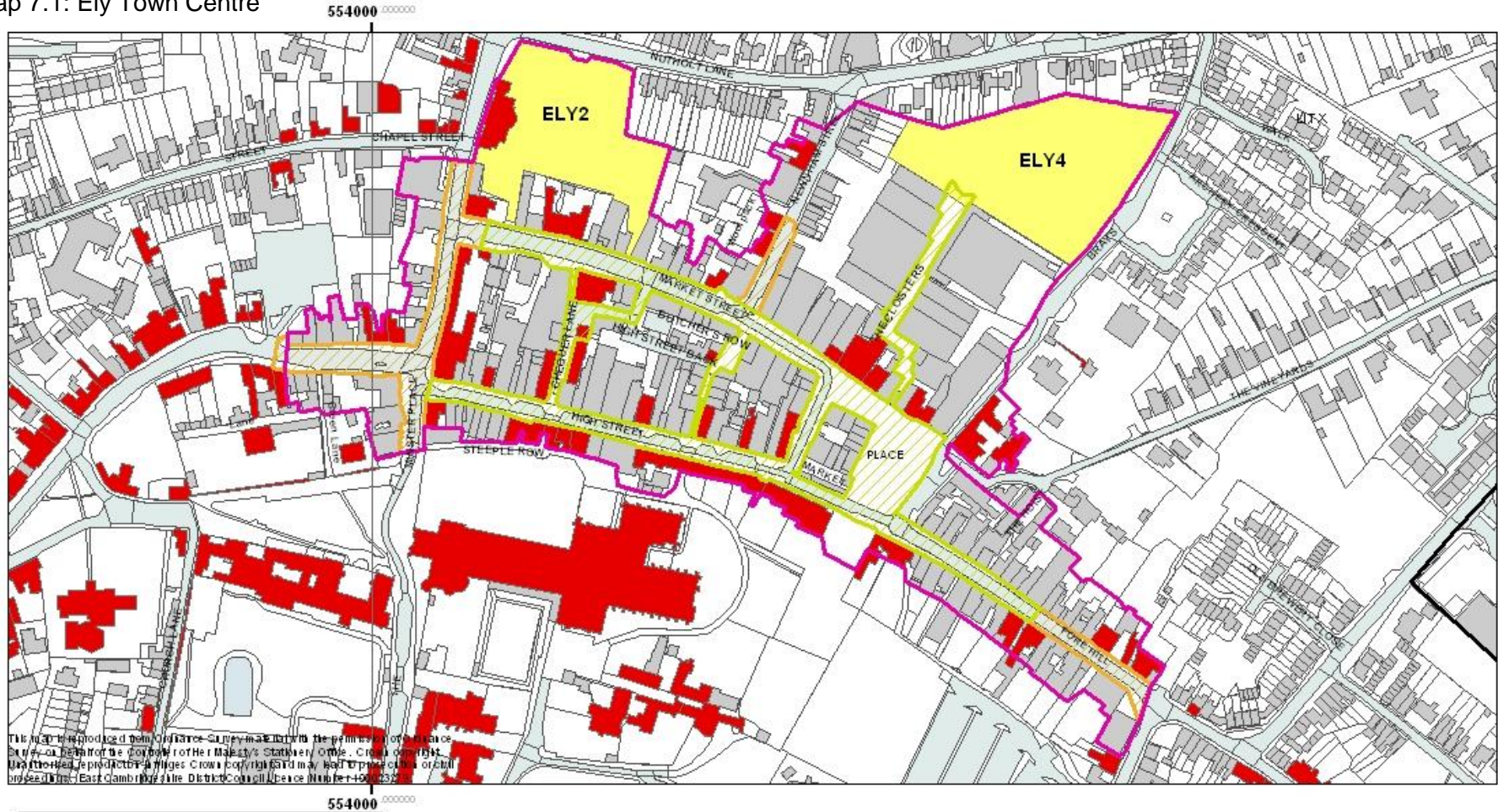
Within Soham and Littleport town centres, as defined on Maps 7.2 and 7.3, planning applications from changes of use from A1 retail to other uses may be permitted provided that:

- The proposed use provides a service that complements the shopping function of the centre.
- There is no adverse impact on residential amenity.
- The proposal does not involve the loss of a shop unit measuring 200m<sup>2</sup> or larger (gross retail floorspace).
- The proposal accords with any relevant policies contained within the Town Visions in Part 2 of the Local Plan; and
- If residential development is proposed, that clear evidence has been submitted to demonstrate that alternative town centre uses are not viable.

# East Cambridgeshire Local Plan Adopted April 2015

## Part One: Spatial strategy and policies

Map 7.1: Ely Town Centre



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**Key**

-  Development Envelope
-  Town centre boundary
-  Town centre opportunity sites
- ELYX Local Plan Policy
-  Primary shopping frontage
-  Secondary shopping frontage
-  Listed Building



Map 7.1  
Ely  
Town Centre

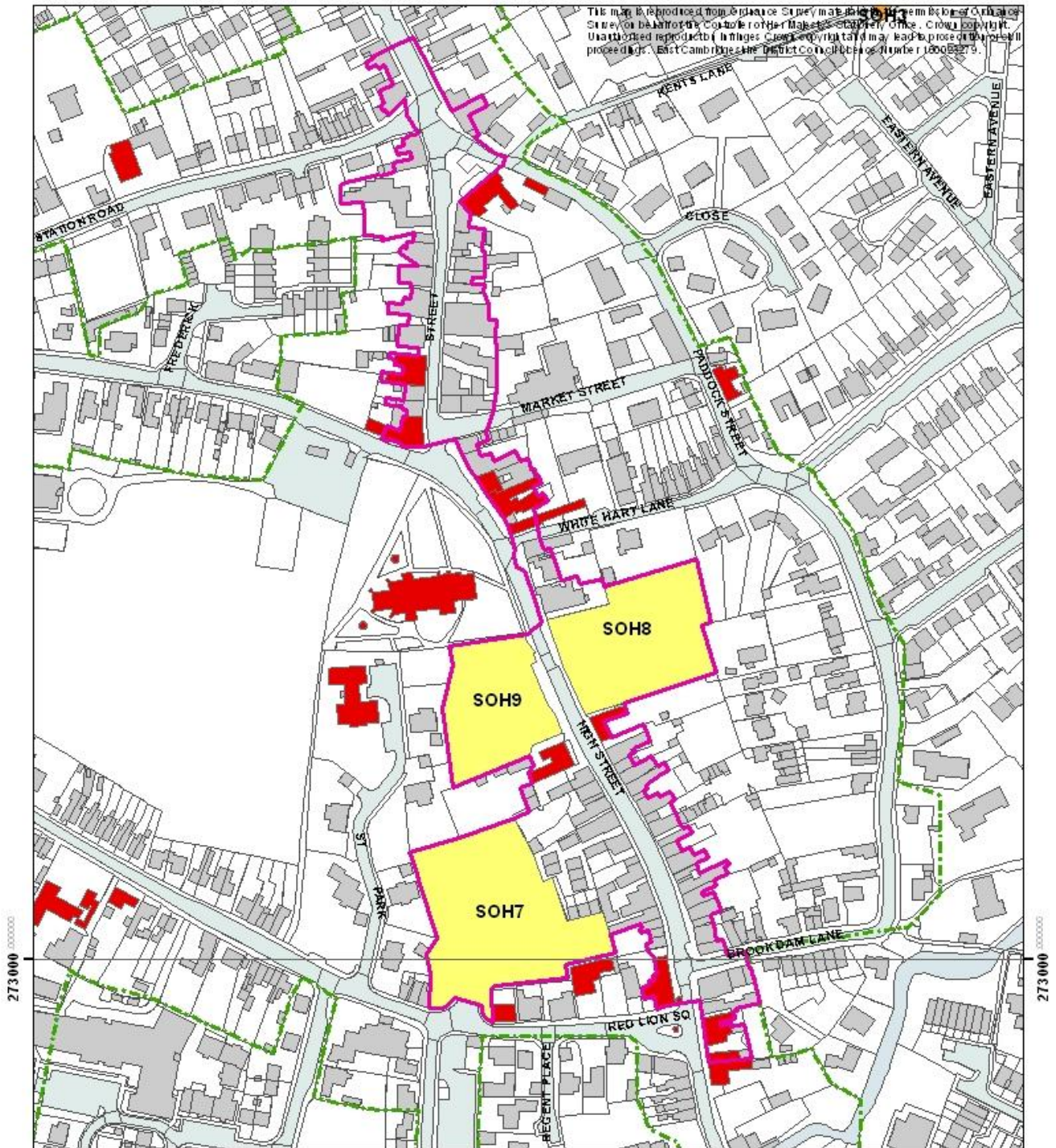
N



1:3,000



Map 7.2: Soham Town Centre



**Key**

-  Development Envelope
-  Town centre boundary
-  Town centre opportunity site
- SOHX Local Plan Policy
-  Conservation Area
-  Listed Building



Map 7.2  
Soham  
Town Centre

N



1:2,500



Part One: Spatial strategy and policies

Map 7.3: Littleport Town Centre



**Key**

- Development Envelope
- Town centre boundary
- Conservation Area
- Listed Building

Map 7.3  
Littleport  
Town Centre

N

1:1,500



## **7.4 Retaining community facilities**

- 7.4.1 The provision of community facilities is vital to maintaining the quality of life in local centres and boosting the social and economic vitality of the community as a whole. Community facilities include local shops, Post Offices, pubs, community meeting places, schools, health care facilities, open spaces, allotments, cultural facilities and sport and recreational facilities. The NPPF sees good community facilities as important, and presses strongly for the retention of existing open space, sports and recreational buildings and land, including playing fields.
- 7.4.2 Looking at recent trends and the issues facing the economy and the public sector over the Plan period, a concern for the district will be the loss of existing facilities. Although any loss of community facilities is more likely to be an issue in the villages (where there is a limited range of shops and services), the loss of facilities in market towns can also have an adverse effect on the local community, even where the facility is not the last one in the settlement. The impact on people without access to a car and in areas served poorly by public transport can be particularly acute. In support of the strategic policies, the Plan seeks to prevent the loss of services and facilities unless there are exceptional reasons to justify it.
- 7.4.3 In the case of commercial community facilities such as shops and pubs, permission may be granted for change of use to residential or other non-community use if the applicant can demonstrate the facility is neither viable nor likely to become viable for that use or an alternative community use. Applicants will need to provide evidence that premises have been marketed locally and nationally for 12 months for the current use or an alternative local commercial or community facility, free of ties and restrictive covenants, at a price agreed with the Council following an independent professional valuation - and that there has been no interest in continued use as a community facility. Applicants should also provide evidence that all reasonable efforts have been made to preserve the facility including all diversification options.
- 7.4.4 In the case of non-commercial community facilities such as community halls, open spaces and healthcare facilities, where market testing may not be applicable, permission involving loss may be granted if the applicant can demonstrate there is no community need for the facility, and that the site is not needed for an alternative community facility. The local community should also be consulted regarding the relative importance of the facility in terms of its social role, and the need for other community facilities. This should take the form of proper documented evidence and should be agreed with the Council prior to the submission of a formal application for alternative development. In the case of open space and recreational facilities (including parks, village greens, other amenity areas, allotments, play areas, playing fields), the Council will also require applicants to demonstrate that the land affected does not make an important contribution to biodiversity, the landscape and visual qualities of the area. Where proposals result in the loss of open space provision, the relevant community and statutory stakeholders (including Sport England) will need to be consulted.
- 7.4.5 The loss of a community facility (commercial or non-commercial) may also exceptionally be justified where it involves a proposal to make alternative provision to that facility, which is of equal or greater quality, and in an equally or more accessible location to the original. Or alternatively where a different community facility is to be provided which brings demonstrable greater benefits for the local community. However, it should be noted that proposals involving the provision of different community facilities will not be appropriate in

### Part One: Spatial strategy and policies

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relation to open space and recreational facilities. As set out in paragraph 74 of the National Planning Policy Framework it is important to retain existing open spaces, sport and recreational facilities for these particular uses.

- 7.4.6 In all cases, applicants are advised to have regard to the local list of Assets of Community Value, which local authorities are required to maintain under the Localism Act. When listed assets are to be sold or change ownership, community groups have the opportunity to submit a 'first' bid for the asset when it comes on the open market.

#### **Policy COM 3: Retaining community facilities**

##### *Commercial community facilities*

Proposals that would lead to the loss of commercial community facilities (existing sites or sites last used for this purpose) will only be permitted if:

- It can be demonstrated that the current use or an alternative community use is not financially viable and that all reasonable efforts have been made to sell or let the property for community purposes at a realistic price for at least twelve months; or
- Development would involve the provision of an equivalent or better replacement community facility (either on-site or in an appropriately accessible alternative location); or
- Development would involve the provision of an alternative community facility which brings demonstrable greater benefits to the settlement or neighbourhood - except in the case of open space, sports and recreational facilities which should be retained where possible in accordance with paragraph 74 of the National Planning Policy Framework.

##### *Non-commercial community facilities*

Proposals that would lead to the loss of non-commercial community facilities (existing sites or sites last used for this purpose) will only be permitted if:

- It can be demonstrated there is a lack of community need for the facility, and that the building or site is not needed for any alternative community use – and in the case of open space, that the site does not make an important contribution in amenity, visual or nature conservation terms; or
- Development would involve the provision of an equivalent or better replacement community facility (either on-site or in an appropriately accessible alternative location); or
- Development would involve the provision of an alternative community facility which brings demonstrable greater benefits to the settlement or neighbourhood - except in the case of open space, sports and recreational facilities which should be retained where possible in accordance with paragraph 74 of the National Planning Policy Framework.

## **7.5 New community facilities**

- 7.5.1 Community facilities are essential to the social well-being of communities, and there is likely to be a need for new facilities over the Plan period as the population expands. The Council will support improvements to existing facilities and the development of new ones where there is a local need. Such facilities will be directed towards existing town and village centres, depending on their scale and the area served, and to new residential developments. New facilities in the countryside will require special justification, but may be justified where there is lack of suitable land within a settlement, or where a rural location is required (for example, a Country Park). Such developments should be well related to

### Part One: Spatial strategy and policies

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existing settlements in order to minimise impact on the countryside and provide good accessibility for local users (particularly by foot or cycle). Where new buildings are proposed, applicants will be expected to demonstrate that options to re-use existing rural buildings in the area have been explored (in line with Policy EMP 4).

- 7.5.2 The design of new facilities should have regard to the desirability of having shared usage, and allowing easy future adaptation to alternative community uses. Multi-functional buildings make economic sense, but can also help increase social interaction between different community groups.
- 7.5.3 New and/or improved community facilities will need to be provided as part of major residential development, and will also be facilitated through developer contributions in connection with other schemes. Policy GROWTH 3 deals with the role of developer contributions in providing and supporting services.

#### **Policy COM 4: New community facilities**

Proposals for new or improved community facilities should be located within settlement boundaries wherever possible. In exceptional circumstances facilities may be permitted in the countryside, where there is a lack of suitable and available land within settlements, or where a rural location is required.

Proposals for all new or improved community facilities should:

- Be well located and accessible to its catchment population (including by foot and cycle).
- Not have a significant adverse impact (itself or cumulatively) in terms of the scale or nature of traffic generated.
- Not have a significant adverse impact on the character of the locality, or the amenity of nearby properties.
- Demonstrate that opportunities to maximise shared use have been explored; and
- Be designed to facilitate future adaptation for alternative community uses or shared use.

## **7.6 Strategic green infrastructure**

- 7.6.1 The NPPF requires local planning authorities to plan positively for the creation, protection, enhancement and management of 'networks of biodiversity and green infrastructure'. Whilst Policies COM 3 and 4 cover more localised types of open space (such as allotments, parks and village greens), this policy focuses on strategic networks and sites of a strategic nature. Such areas offer opportunities for extensive walking, cycling and other forms of recreation, but are also important in terms of their landscape and biodiversity value (including the provision of ecological networks) and in helping to mitigate the effects of climate change. The cross boundary nature of many of these projects means that the District Council will need to work closely with neighbouring authorities to bring forward these schemes.
- 7.6.2 The Cambridgeshire Green Infrastructure Strategy (2011) provides a valuable framework for considering strategic green infrastructure in East Cambridgeshire. A map showing strategic green infrastructure is included as Appendix 4 in this Local Plan. The Strategy identifies a number of key strategic area projects, including:

### Part One: Spatial strategy and policies

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- Ely Country Park
- Ely Ouse corridor
- Soham Town Commons
- Littleport Urban Greenway
- Ouse Washes improvement and habitat creation
- Wicken Fen Vision
- Green Fen Way (Fens Adventurers Partnership)
- Fens Waterways Link
- Block Fen Nature Reserve

7.6.3 Development proposals which harm these and other strategic sites and networks will be resisted. Permission will only be granted in exceptional circumstances, where it can be demonstrated that the need for and benefits of development outweigh adverse impacts. Development proposals relating to the creation or enhancement of strategic sites/networks will generally be supported, providing they are consistent with the objectives of the Cambridgeshire Green Infrastructure Study, help to achieve Natural England's Accessible Natural Greenspace Standards (ANGSt)<sup>30</sup>, and do not have significant adverse impacts in terms of landscape character or traffic generation.

#### **Policy COM 5: Strategic green infrastructure**

Proposals which would cause loss of or harm to existing strategic green infrastructure will not be permitted, unless the need for and benefits of the development demonstrably and substantially outweigh any adverse impacts on the green infrastructure.

The Council will support proposals for new and improved strategic green infrastructure where these:

- Are consistent with the objectives of the Cambridgeshire Green Infrastructure Strategy (2011).
- Provide increased public access for quiet recreation and/or increased provision for biodiversity.
- Do not harm the character and appearance of any existing buildings or the locality.
- Will have no adverse effects on any existing designated sites of conservation or biological importance and impacts will be monitored to ensure the effectiveness of alternative provision away from more sensitive sites.
- Would not (by itself or cumulatively) have a significant adverse impact in terms of the amount or nature of traffic generated.
- Will not detract from residential amenity; and
- Will aim to achieve Natural England's Accessible Natural Greenspace Standards (ANGSt) through improving accessibility, naturalness and connectivity of greenspaces, which are appropriate in scale and location to the needs of the local community.

New development will be expected to contribute towards the establishment, enhancement and on-going management of strategic green infrastructure by contributing to the development of strategic green infrastructure network within the district, in accordance with Policy GROWTH 3.

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<sup>30</sup> 'Nature Nearby – Accessible Natural Greenspace Guidance' Natural England (2010)

## **7.7 Telecommunications**

- 7.7.1 Telecommunications is the general term for the transfer of information over varying distances through an array of technologies such as telephone, television, mobile phones and the Internet. High quality communications infrastructure includes the recent advances in broadband and wireless technologies. Broadband networks are being developed with the Coalition Government's vision for the UK to have the best superfast broadband network in Europe by 2015. The mobile phone industry has also rapidly progressed in recent years, with the use of 3G (3rd Generation) technology. Technology relating to 4G is due to be rolled out across the UK over the next few years.
- 7.7.2 High quality telecommunications are becoming increasingly important for economic growth, attracting new business and allowing existing businesses to remain competitive. Telecommunications also have social benefits, increasing social inclusion through better access to services that are web-based. Advanced infrastructure such as superfast broadband can also encourage homeworking and reduce car journeys.
- 7.7.3 The Council supports the expansion and provision of high-speed broadband technology in all parts of the district. 'Connecting Cambridgeshire' was launched in 2012 with the aim of providing access to superfast broadband to at least 90% of homes and businesses across Cambridgeshire and Peterborough, and better broadband connections for all other premises, by 2015. To enable this, it will be important for all new residential, employment and commercial developments to be future proofed by providing on-site infrastructure for broadband and other utility needs. This can be facilitated by providing ducting. For further details see Policy ENV 2 on design.
- 7.7.4 The Council supports the development and provision of telecommunication infrastructures throughout the district. At the same time the Council is keen to minimise any adverse impact on the character of the locality and the environment. Applicants will need to have regard to issues of design and siting, and demonstrate that opportunities to share existing telecom sites or existing buildings have been fully explored. Proposals must comply with the criteria in Policy COM 6 below.
- 7.7.5 As directed by Government, the planning system is not the place for determining health safeguards. If a proposal regarding a new or existing mast or base station meets ICNIRP (International Commission on Non-Ionizing Radiation Protection) guidelines for public exposure then the planning authority should not need to consider the health aspects or any related concerns.

### **Policy COM 6: Telecommunications**

The Council will permit the development of new telecommunications equipment, provided that:

- The applicant has demonstrated that alternatives have been investigated to share existing telecommunication facilities or site equipment on or within existing structures or buildings.
- Proposed development will not cause significant or irremediable interference with other electronic equipment, air traffic services or instrumentation operated in the national interest.
- Proposals are sited and designed to minimise impact on the character and appearance of the area, using innovative design and/or camouflaging where necessary.
- The proposal will not have an unacceptable impact on the appearance of the locality, sites protected for nature conservation or heritage assets.

**Part One: Spatial strategy and policies**

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- If approved, provision is made for the removal of the facilities and reinstatement of the site to its former condition should it cease to be operational; and
- The application is accompanied by necessary evidence to support the proposal, including the outcome of consultation with key organisations, and a statement that ICNIRP guidelines on non-ionising radiation protection will be met.

It is important for new development to have ease of access for future installation, maintenance and updating of technology. Conditions will also be applied to permissions requiring the removal of any mast/apparatus and reinstatement of the site to its former condition if the equipment becomes redundant.

## **7.8 Transport impact**

- 7.8.1 The transport impact of new development is a key planning issue, which needs to be fully assessed in order to ensure that development proposals are safe, well connected and do not damage residential amenity. The NPPF supports the need to avoid adverse impacts through development and to mitigate them where they may occur. However, it requires the response to be proportionate and says that development should be refused on transport grounds only where the residual cumulative impacts are severe.
- 7.8.2 The planning and design process should ensure access to a site is safe and convenient, and the needs of all users, including pedestrians, cyclists, bus and rail passengers, people with disabilities and occupants of vehicles, are taken into account. This should include provision of routes for walking and cycling in order to encourage sustainable forms of movement as an alternative to the car. Further guidance in terms of travel routes and vehicular access is set out in Policy ENV 2, and in more detail in the Council's Design Guide Supplementary Planning Document.
- 7.8.3 The volume and type of traffic generated by a development is a key consideration and the Council needs to ensure that road safety is not jeopardised by allowing proposals that would generate levels of traffic beyond the capacity of the surrounding road network. Traffic generation can also impact on the quality of people's lives, the character of an area and the environment. Particular attention should be paid to proposals that generate a large net increase in trips, involve heavy lorry movements, or result in high levels of on-street parking nearby. This policy approach should be read in conjunction with Policy COM 8 on parking provision.
- 7.8.4 Planning applications need to address the transport implications of the proposed development. Many schemes will need to include the submission of a Transport Statement, setting out potential trip levels and any local transport issues. This will depend principally on size and location and will be required for all major applications. Schemes which create significant transport implications will require the submission of a detailed Transport Assessment with the planning application. This should set out in full the impacts and potential mitigation measures, to illustrate how the volume of trips generated will be accommodated and how accessibility to the site by all modes of transport will be achieved. Construction traffic should be considered in the Assessment. Developers should seek advice from the District Council and County Council prior to submission of an application as to whether a Transport Statement or Transport Assessment will be required. Applicants are advised to discuss the content of Transport Assessments with the County Council to ensure that they are agreed to the satisfaction of the Council as Highway Authority.

**Part One: Spatial strategy and policies**

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7.8.5 Proposals that are likely to have significant transport implications also need to be accompanied by a Travel Plan.<sup>31</sup> Applicants should seek advice from the Council prior to submission of an application as to whether a Travel Plan will be required, and if so, to agree its scope.

**Policy COM 7: Transport impact**

Development should be designed to reduce the need to travel, particularly by car, and should promote sustainable forms of transport appropriate to its particular location. Opportunities should be maximised for increased permeability and connectivity to existing networks.

Development proposals shall:

- a. Provide safe and convenient access to the highway network.
- b. Provide a comprehensive network of routes giving priority for walking and cycling.
- c. Protect existing rights of way or allow for agreed diversions in exceptional circumstances.
- d. Consider the travel and transport needs of people with disabilities.
- e. Accommodate the efficient delivery of goods, supplies and services.
- f. Be capable of accommodating the level/type of traffic generated without detriment to the local highway network and the amenity, character or appearance of the locality.
- g. Be accompanied by a Transport Statement where appropriate; or if the proposals are likely to result in significant transport implications, be accompanied by a Transport Assessment. The coverage and detail of this should reflect the scale of development and the extent of the transport implications.
- h. Be accompanied by a Travel Plan for residential and non-residential developments that are likely to generate significant amounts of traffic; and
- i. Within (g) and (h) indicate any steps to mitigate impacts relating to noise, pollution, amenity, health, safety and traffic.

**7.9 Parking provision**

7.9.1 East Cambridgeshire is a mainly rural area, with limited public transport, and car parking has a role in improving access to local services and facilities. The under-provision of parking on-site in new developments may lead to on-street parking, creating potential problems of highway safety and efficiency as well as unsightly street environments. It is therefore considered that development schemes should generally meet the car and cycle parking standards set out below. However, some flexibility is also required to take account of different circumstances, such as the accessibility of the site or the historic nature of the site or streetscape. In relation to accessibility, applicants proposing lower standards will need to demonstrate the existence of sustainable high quality and frequent public transport services and high quality pedestrian and cycle links. In relation to the historic environment/streetscape, there may be some circumstances where lower levels of parking provision would help to protect/enhance local character. Applicants will be required to submit justification for proposed parking levels as part of the planning application.

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<sup>31</sup> Travel Plans enable options for sustainable travel and reductions in car use to be explored.

**Part One: Spatial strategy and policies**

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- 7.9.2 The Council will encourage business and mixed use development schemes to provide shared car parking facilities as this can help to reduce the overall number of parking spaces required and make better use of land. This may involve visitor parking, shared public car parking spaces, or provision for grouped private car parking within commercial schemes. Where large developments are proposed (residential and non-residential) consideration should be given to the allocation of spaces for car clubs.
- 7.9.3 Good cycle parking will be required within residential and non-residential development to encourage the use of more sustainable forms of transport. Standards are set out below. These are set as a minimum, as the availability of secure cycle parking is a key factor in determining whether people choose to cycle or not. Cycle parking for employees should, wherever practicable, be covered in a convenient and secure location. Individual secure covered cycle storage should be provided for dwellings.
- 7.9.4 Consideration also needs to be given to motorcycle, moped and scooter parking. This should be negotiated on a case-by-case basis depending on the results of the Transport Statement and Transport Assessment.
- 7.9.5 Car parking should be sensitively designed in order to not be obtrusive or damaging to the character of an area. This may involve incorporating landscaping, concealing or breaking up parking areas in order to reduce their impact. Garages should be large enough for comfortable and convenient use by modern cars and bicycles (where storage provision is not provided separately); and car parking areas should be well designed and contribute to an attractive environment. Consideration should be given to providing charging points for electric vehicles in public and private parking areas. Further advice on parking is included in the Council's Design Guide Supplementary Planning Document.

**Policy COM 8: Parking provision**

Development proposals should provide adequate levels of car and cycle parking, and make provision for parking broadly in accordance with the Council's parking standards (including parking for people with impaired mobility).

In appropriate circumstances, parking standards may be relaxed in order to reflect accessibility of by non-car modes, and/or if lower levels of provision would protect or enhance the character of Conservation Areas or other sensitive locations.

Car free development may be considered acceptable where there is clear justification having regard to the location and the current and proposed availability of alternative transport modes.

Where opportunities arise, for example, on large single business use and mixed-use sites, shared use parking and car sharing will be encouraged as part of an agreed Travel Plan to minimise provision where the location and patterns of use allow.



## East Cambridgeshire Local Plan Adopted April 2015

### Part One: Spatial strategy and policies

Table 7.1: Parking provision

Parking provision (Measurements of floor space refer to gross areas, unless otherwise stated)				
Use class and nature of activity	Staff/residents cars	Public/visitors cars	Minimum cycle parking provision	Notes
<b>Retail &amp; Financial services</b>				
A1:Retail (food)	Allowance included in standard for public and visitors	Up to 1 car space per 14m <sup>2</sup>	1 cycle space per 25m <sup>2</sup>	
A1:Retail (non food)	Allowance included in standard for public and visitors	Up to 1 car space per 20m <sup>2</sup>	1 cycle space per 50m <sup>2</sup>	
A2:Financial and professional services	Allowance included in standard for public and visitors	Up to 1 car space per 25m <sup>2</sup>	1 cycle space per 30m <sup>2</sup>	
<b>Food and Drink</b>				
A3, A4, A5: Restaurants & cafes, pubs/bars & hot food takeaways	Allowance included in standard for public and visitors	Up to 1 car space per 5m <sup>2</sup>	1 cycle space per 20m <sup>2</sup>	Road side restaurants/transport cafes will require lorry parking provision on merit.
A: Sui Generis (including, retail warehouse clubs, laundrettes, taxi/ vehicle hire premises amusement centres)	Up to 7 spaces per 10 staff members	On merit	On merit	
A;Sui Generis (including motor vehicle sales, motor repair garages, petrol filling stations)	Up to 1 car space per staff member	Up to 1 car space per 45m <sup>2</sup> of display area, 1 per 35m <sup>2</sup> for motor service centre, 1 per 20m <sup>2</sup> retail floor area (at petrol filling stations)	On merit	
<b>Business</b>				
B1:Business	Up to 1 car space per 30m <sup>2</sup>	Allowance included in standard for staff	1 cycle space per 30m <sup>2</sup>	
B2:General industrial	Up to 1 car space per 50m <sup>2</sup>	Allowance included in standard for staff	1 cycle space per 50m <sup>2</sup>	
B8:Storage and Distribution	Up to 1 car space per 100m <sup>2</sup>	Allowance included in standard for staff	On merit	

## East Cambridgeshire Local Plan Adopted April 2015

### Part One: Spatial strategy and policies

Parking provision (Measurements of floor space refer to gross areas, unless otherwise stated)				
Use class and nature of activity	Staff/residents cars	Public/visitors cars	Minimum cycle parking provision	Notes
<b>Communal accommodation</b>				
C1:Hotels	Up to 1 car space per staff bedroom, <u>plus</u> up to 1 space for every 2 non-resident staff members	Up to 1 car space per guest bedroom	1 cycle space per 3 staff members working at the same time	Additional car parking can be provided for bars, restaurants and other facilities available to the public, using the relevant standards for those uses.  Staff car and cycle parking relates to the total number of workers required on staff at particular times (including overlapping shifts)
C2:Residential Institutions	Up to 1 car space per for each resident staff member, <u>plus</u> up to 1 space for every 2 non-resident staff members	Up to 1 car space per 4 residents	1 cycle space per 3 members of staff	
<b>Dwellings</b>				
C3:Dwellings (town centres as defined on the Policies Map)	1 car space per dwelling (average per development)	Up to 1 car space per 6 units	1 cycle space per bedroom	Cycle parking for dwellings can be accommodated within garages, provided there is room for both car and cycle parking
C3:Dwellings (other locations)	2 car spaces per dwelling (average per development)	Up to 1 car space per 4 units	1 cycle space per dwelling	
<b>Community facilities</b>				
D1:Non-residential Institutions (museums, libraries, galleries, exhibition halls)	Up to 1 car space for each staff member	Up to 1 car space per 30m <sup>2</sup>	1 cycle space per 5 staff members, <u>plus</u> at least 1 space per 35m <sup>2</sup>	
D1:Non-residential Institutions (public halls and places of worship)	Allowance included in standard for public/visitors	Up to 1 car space per 4 seats, <u>or</u> up to 1 space per 15m <sup>2</sup>	1 cycle space per 8 seats <u>or</u> at least 1 space per 20m <sup>2</sup>	
D1:Non-residential Institutions (schools, crèches/ nurseries)	Up to 1 car space for each member of staff	Up to 1 car space per class, up to a limit of 8 spaces	Creche/nurseries: 1 space per 2 staff members working at the same time. Primary schools: 6 cycle spaces per class; Secondary schools: 12 spaces per class	
D1:Non-residential Institutions (clinics, health centres, surgeries)	Allowance included in standard for public/visitors	Up to 5 car spaces per consulting room	2 cycle spaces per consulting room	

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### Part One: Spatial strategy and policies

<b>Parking provision</b>				
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D2:Assembly and Leisure (cinemas, and conference facilities)	Allowance included in standard for public/visitors	Up to 1 car space per 5 seats	1 cycle space per 50m <sup>2</sup> , or at least 1 space per 8 seats	
D2:Assembly and Leisure (other uses)	Allowance included in standard for public/visitors	Up to 1 car space per 22m <sup>2</sup>	1 cycle space per 30m <sup>2</sup> of net floor area and 1 space per 15 spectator seats	

<b>Minimum disabled parking provision</b>			
Nature of activity	Staff	Public/visitors	Notes
Existing business premises	At least 1 space for each disabled employee	At least 2% of car park capacity (minimum of 1 space)	Additional spaces may be required for hotels and other places that cater for large numbers of disabled people
New business premises	At least 5% of car park capacity (minimum of 1 space)	Allowance included in standard for staff	
Shopping areas; leisure and recreational facilities; other places open to the public	At least 1 space for each disabled employee	At least 6% of car park capacity (minimum of 1 space)	