
MAIN CASE

Reference No: 16/01501/FUL

Proposal: Demolish the existing commercial Priory Garage and the erection of four new dwellings

Site Address: 8 Church Street Isleham Ely Cambridgeshire CB7 5RX

Applicant: Mr Robert Manchett

Case Officer: Julie Barrow, Senior Planning Officer

Parish: Isleham

Ward: Isleham
Ward Councillor/s: Councillor Derrick Beckett

Date Received: 1 November 2016 **Expiry Date:** 3 February 2017
[R196]

1.0 **RECOMMENDATION**

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

- 1 Approved plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Site Characterisation
- 4 Reporting of unexpected contamination
- 5 Surface water drainage
- 6 Parking & turning
- 7 Restriction on gates
- 8 Materials
- 9 Sample panel
- 10 Detailed design
- 11 Archaeological Investigation
- 12 Soft landscaping scheme
- 13 Boundary treatments
- 14 Construction times
- 15 Permitted development - ext and outbldg
- 16 Permitted Dev - fences, gates and walls
- 17 Permitted Dev - windows and openings
- 18 Window on Plot 4
- 19 Workshop restriction
- 20 Lighting

21 Ecology

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks consent for the demolition of the existing garage premises and the construction of 4 dwellings. A terrace of three dwellings is proposed to front the eastern boundary of the site with a detached dwelling and its curtilage located in the western portion of the site. An existing flat-roof workshop is to be refurbished with a replacement pitched roof and will remain in the control of the applicant.
- 2.2 The terrace of three dwellings is set back approximately 0.6m from the back edge of the eastern boundary of the site and has an approximate width of 22m. It has a depth of 8.1m, a ridge height of 7.8m and an eaves height of 5m. All three dwellings will have an amenity space to the rear and will utilise the existing shared access immediately to the south of Plot 3. Two parking spaces per dwelling are proposed within the centre of the site, with two spaces accommodated in an open-fronted cartlodge.
- 2.3 Plot 4 is L-shaped with a footprint of 8.2m by 10m (maximum), a ridge height of 8.8m and an eaves height of 5.4m. This dwelling will be accessed by a public right of way to the south-west of the site. Two parking spaces together with amenity space are proposed immediately to the west of the dwelling.
- 2.4 During the course of the application amended plans have been received revising the layout and design of the dwellings.
- 2.5 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**
- 2.6 The application has been called-in to Planning Committee by Cllr Beckett due to public concern over the height of the development and its proximity to Priory Barn.

3.0 PLANNING HISTORY

3.1

99/00269/FUL	Two storey extension	Approved	14.05.1999
04/01063/ADI	Site signage	Approved	15.10.2004
05/00722/FUL	First floor front extension	Approved	05.09.2005
05/01336/ADN	Fascia Sign	Approved	28.02.2006
06/00637/ADN	Fascia letters	Approved	11.07.2006

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located within the established development framework of Isleham and comprises a former sales and repair business. The site is also located within Isleham Conservation Area and is adjacent to Isleham Priory, a Scheduled Ancient Monument. The site lies within the centre of the village with a mixture of residential, retail and community facilities close by. There are a number of listed buildings close-by and the area to the east of the site is registered as a village green and is used as a public car park with the consent of the Parish Council.

5.0 RESPONSES FROM CONSULTEES

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

Isleham Parish Council – Objections on grounds:

- Plots 1, 2, 3 are immediately adjacent to the footpath/car park, which are owned by IPC. It is suggested that these need setting back by a minimum of 2m.
- This is not the proposal made to councillors during a previous site visit. It is believed that more productive use could be made of land by returning to the original 6 properties and not be dominated by the house intended for plot 4.
- The house proposed for plot 4 is not shown on front elevation. This masks the scale of the property, the height of which would dominate views of the Priory, particularly from the footpath which runs behind the Co-op. The views of English Heritage would be particularly welcomed on this issue.
- The houses intended for plot 4 backs directly onto the industrial (backing, A/C etc.) machinery used by the Co-op.

Isleham Parish Council (on amended plans) – Object on the grounds that previously raised representations have not been addressed. Specifically:

- The distance between the edge of the footpath / car park and the front of the proposed development is significant less than the suggested 2m (estimate this to be just 0.5m).
- The height of the buildings, particularly that proposed for plot 4 would continue to completely dominate the skyline. (the front elevation drawing continues to omit the house on plot 4!).
- The proposed design of the houses, particularly those adjacent to the Priory car park appear 'characterless'. Believe that at the very least these should be more in keeping with its historic location.

Ward Councillor - Asks that the application for the priory garage site in Isleham be called into Committee due to public concern. There is a feeling that the height of the development is over bearing in a very prominent position in the village, in close proximity to the Priory barn which is a listed building and would spoil the more open aspect of this part of the village.

Historic England (on original plans) – The proposed development is a prominent frontage location, within the historic core of the village and immediately adjacent to the twelfth century priory church. The priory church is in the care of English Heritage and is designated a scheduled monument. Both the development and scheduled monument are within the Isleham Conservation Area. The current proposals for a row of three terraced cottages on the frontage, with a further

detached house and garaging to the rear, follows on from the pre-application discussions with the applicant and ECDC. The form, scale and massing of the proposed frontage development is an acceptable response to this sensitive location, as is the proposed use of traditional materials. Historic England therefore advise that, subject to any detailed amendments advised by officers, the proposals have the potential to meet the aims and objectives of the National Planning Policy Framework.

Historic England (on amended plans) – Specialist staff have considered the information received and do not wish to offer any comments on this occasion.

Local Highway Authority – No objections subject to conditions in relation to gates and turning & parking. The development's main access is via the old Priory Garage's vehicle storage yard. This is an existing access which is proposed to be widened to allow two vehicles to pass unobstructed and be free from the highway when egressing the site. The number of vehicles using this access will therefore decrease and as such there is no objection to this aspect of the proposal.

The access to the parking for Plot 4 is from a track at the rear and over public footpath 9. Therefore it is recommended that the Cambridgeshire County Council Rights of Way team are consulted prior to the determination of this application. The vehicle access with the highway at this point is existing.

Asset Information Definitive Map Officer (CCC) – Public Footpath No. 9 Isleham would form part of the vehicle access to Plot 4. It is not envisaged that the vehicle movements resulting from one dwelling will have a detrimental impact on the safe passage of users along Public Footpath No. 9 Isleham. There are no objections to the proposals but a number of informatives are drawn to the Council's attention.

Historic Environment Team (CCC) – Records indicate that the site lies in an area of high archaeological potential. There is no objection to development proceeding in this location but it is considered that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition.

CCC Growth & Development - No comments received.

Ramblers Association South - No comments received.

Cambridge Ramblers Association - No comments received.

Conservation Officer – The application site is located within Isleham Conservation area and within close proximity to several listed buildings and the scheduled ancient monument at The Priory. Therefore any proposal should take care to preserve or enhance the character and appearance of the area and not have a detrimental impact.

The proposal seeks consent for the demolition of the existing garage buildings which is welcomed. These buildings are of a modern construction and do little to enhance this part of the conservation area or the setting of the scheduled ancient monument and listed building nearby.

The proposal seeks consent for the construction of a terrace of three traditional style cottages on the back edge of the public footpath facing the Village Green and the construction of a single detached dwelling to the rear of the site.

The overall design of plots 1-3 is relatively simple and traditionally proportioned. It was discussed during initial discussion that the properties could possibly be pushed back slightly from the back edge of the footpath in order to give a small front area, similar to those found within close proximity to the application site. It is disappointing that this hasn't been acted upon as this could have added a nice feature to the streetscene. It didn't have to be much, just enough to provide some separation from the dwellings at the street.

Overall the gardens to the terraces are relatively small; this is partially due to the fact that it is proposed to provide rear access to the garage to the north of the proposed terrace. This is limiting the space to the rear of the properties in terms of amenity space.

In regard to the proposed sash windows, the proportions are not acceptable. These are overly wide and not tall enough. This needs to be looked at and amended so they are of traditional proportions. For the ground floor the windows need to either be 2-over-2 or 4-over-4, it may be possible to do 6-over-6 but they would need to be taller to ensure the proportions are correct. Again, the first floor windows are too squat.

Plot 4 needs to be drastically altered in terms of design. The use of what is effectively a two storey gable on the side is not acceptable and does little to improve the overall quality of the proposal. This should be removed. If an entrance porch is desired then this should be redesigned to be proportionate to the house and should be single storey.

The creation of a third floor in the attic doesn't work and the dormer shown is not appropriate. It appears to be positioned over the stairs and does not show any windows so it is assumed it is required to provide adequate head height going up the stairs. This is not acceptable and is a way of achieving additional floor space in an already large dwelling. The top floor should be removed if it cannot be provided without this feature.

Generally, the above amendments should be made to the scheme prior to consent being granted.

Conservation Officer (on amended plans) – The amended plans have addressed the concerns raised previously in regards to the design, position and scale of the proposed development.

The setting back of the terrace to provide a small area to the front of the properties is welcomed and this is in keeping with other properties in the area. The changes to the design of Plot 4 have improved the overall appearance and relationship with the site and other properties.

Satisfied that the proposal would not cause harm to the significance of the conservation area or nearby heritage assets. No objections subject to any necessary conditions.

Environmental Health (Technical Officer) – Due to the proposed number of dwellings it is advised that construction times and deliveries during the construction and demolition phase are restricted.

Environmental Health (Scientific Officer) – The Phase I Desk Study and Preliminary Risk Assessment report prepared by Geosphere Environmental dated 28 October 2016 has been considered and the findings are accepted. The report has identified the possible presence of contamination at the site due to previous use as a commercial garage and recommends a Phase II site investigation. It is recommended that standard contaminated land conditions are attached to any grant of permission.

ECDC Waste Strategy – Whilst an area for the storage of bins has been shown for each property it would be extremely dangerous for a waste freighter to attempt to reverse into the site (assuming the area is made up to adoptable standards) therefore bins and bags would need to be presented at the boundary of the public highway. Also for Plot 4 the bins would need to be presented at the bottom of the shared access on West Street. The RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30m (assuming a level smooth surface).

ECDC as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles. This contribution is currently set at £43 per property.

Trees Officer - This application is to develop a commercial site to a residential site. The only trees of importance appear on the Northern boundary. It is not envisaged that this proposal will affect these trees. No objections.

As there are trees adjacent the site an informative is recommended advising the applicant to refer to *BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations*, for information upon affective site management practices to ensure trees are not damaged during the construction process.

- 5.2 Neighbours – Site notice posted, advertisement placed in the Cambridge Evening News and 5 nearby addresses notified – One response from the occupier of 6 West Street:

- Concerned that the dwellings, if two storey, will overlook our back garden and adversely affect privacy we currently enjoy.

A full copy of the response is available on the Council's website.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2 Locational strategy

GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
EMP 1	Retention of existing employment sites and allocations
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 11	Conservation Areas
ENV 12	Listed Buildings
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations

Design Guide

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

Cambridgeshire

6.3 National Planning Policy Framework 2012

6 Delivering a wide choice of high quality homes

7 Requiring good design

11 Conserving and enhancing the natural environment

12 Conserving and enhancing the historic environment

7.0 PLANNING COMMENTS

7.1 The main issues to consider in the determination of this application are the principle of development, visual amenity and cultural heritage, residential amenity, highway safety, drainage and flood risk, and biodiversity and ecology.

Principle of development

7.2 The Local Planning Authority is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all Local Planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits.

7.3 The site is located within the established development framework of Isleham, close to the centre of the village and the goods and services on offer. The District of East Cambridgeshire is predominantly rural, with many residents reliant on a private

motor vehicle. However, given the fact that the site is located within the development envelope it is considered that the site is in a sustainable location.

- 7.4 The site has historically been in use as a vehicle sales and repair business, with a number of redundant buildings still in place, the majority of which are in poor condition. The site has not however been actively used for some years. Given that the site could be brought back into use in connection with car sales and repairs it is considered to be an employment site and therefore protected by Local Plan Policy EMP1 – Retention of existing employment sites and allocations. The policy states that the Council will seek to retain land or premises currently or last used for employment purposes. Applications for mixed-use redevelopment of such sites may be supported where the 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 where the redevelopment of the site would bring significant environmental or community benefits which outweigh the partial loss of employment uses. Applications for redevelopment/development for other purposes, such as housing, must be assessed on their merits, taking account of the criteria referred to above and other policies in the Local Plan.
- 7.5 A Structural Engineers Report has been submitted with the application, which states that the main garage building is beginning to show signs of warranting necessary building maintenance to the main fabric and that the restricted nature of the potential market place for such a building given its current condition must be appreciated. The report also states that given the construction materials and exposed functional timber framing of the building that it may prove difficult to find alternative building insurers. The report concludes that this building has a very limited time existence. It is the opinion of the structural engineer that the collection of outbuildings on the site is beyond economic salvage and have no structural importance. These buildings would need to be replaced with modern sectional buildings.
- 7.6 In accordance with Policy EMP1 the applicant has also submitted a letter from a firm of Chartered Surveyors and Commercial Property Consultants in which it is confirmed that the premises were marketed for sale from 2012 to 2014 with four enquiries being referred to the applicant. The applicant has confirmed that these enquiries did not result in any realistic offers being made as the site was either deemed unsafe or suitable for the person's needs. The applicant has also confirmed that the business that operated from the site was relocated to Newmarket, where it has expanded due to being in a better location.
- 7.7 On balance it is considered that the applicant has demonstrated that the continued use of the site for employment purposes is not economically viable. It must all be considered that the construction of four dwellings would add to the District's housing stock and make a contribution towards the shortfall in housing land supply. This attracts significant weight in the planning balance and is in addition to the economic benefits of construction and additional population to support local businesses.

Visual amenity and cultural heritage

- 7.8 The site is located within a prominent position within the centre of the village and is also within Isleham Conservation Area. Isleham Priory, a scheduled ancient

monument is located adjacent to the site and Historic England's website also makes reference to the Grade I listed Priory Church of St Margaret of Antioch on the same site. 1 Mill Street, on the opposite side of Church Street to the site is Grade II listed.

- 7.9 Local Plan Policy ENV11 requires development proposals within or affecting a conservation area to be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area. The demolition of buildings within a conservation area is only permitted in certain circumstances including where they have little or no architectural, historical or visual significance. Local Plan Policy ENV12 requires development proposals to preserve or enhance the setting of listed buildings and not materially harm the immediate or wider setting of the buildings.
- 7.10 Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the same Act requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 7.11 The applicant has engaged with Historic England prior to submitting the application and a number of different proposals have been considered. Historic England has responded to a formal consultation on this application and has confirmed that the form, scale and massing of the proposed frontage development, that will directly face Isleham Priory and church, is an acceptable response to this sensitive location.
- 7.12 The Council's Conservation Officer has stated that the demolition of the existing garage buildings is welcomed and that the current buildings do little to enhance this part of the conservation area or the setting of the scheduled ancient monument and listed building nearby. The Conservation Officer did request a number of changes to the scheme, including the movement back of the terrace to create a frontage, revisions to the proportions of the front windows on the terrace and significant design changes to the detached dwelling at the rear. The applicant has made all of the changes requested and Historic England has confirmed that it has no further comments to make on the application.
- 7.13 Plot 4 will not feature prominently in either the streetscene or conservation area and the reduction in the scale of this dwelling greatly improves its appearance as part of a comprehensive scheme. The use of appropriate materials across the development can be secured by condition and the applicant can be required to submit detailed drawings in relation to matters such as windows, doors and rainwater goods by condition.
- 7.14 It is considered that the scheme, as amended, is of a sufficiently high standard to preserve and enhance the conservation area and will not result in any harm being caused to the setting of the nearby listed buildings and scheduled ancient monument. The proposal therefore complies with policies ENV11 and ENV12. Through the assessment of the proposal and the changes that have been made to the scheme it is considered that the local planning authority has had special regard to the desirability of preserving and enhancing the setting of the listed buildings and the conservation area in accordance with the Planning (Listed Buildings and

Conservation Area) Act 1990. The proposal will enhance the visual amenity of the area through the demolition of the redundant garage buildings and it is considered that the scale, massing and materials proposed are both sympathetic to the area and preserve the settlement character. The proposal therefore complies with Policies ENV1 and ENV2 in this regard.

Residential amenity

- 7.15 Local Plan Policy ENV2 requires development proposals to ensure that they do not have a significantly detrimental effect on the residential amenity of nearby occupiers and future occupiers of the development.
- 7.16 The terrace of three dwellings do not strictly comply with the East Cambridgeshire Design Guide SPD, which states that in most cases building plots should be approximately 300 square metres and that the footprint of any proposed development should be no more than approximately one third of the plot size. In addition, in most cases rear private amenity space should be a minimum of 50 square metres.
- 7.17 The footprints of Plots 1, 2 and 3 equate to more than a third of each plot and, with the exception of Plot 1, the rear amenity space is below 50 square metres. The site is however constrained by the access point and the fact that it would be extremely difficult to locate this elsewhere. By compromising on the amenity space being provided additional space for access and parking has been provided and this has to be balanced with the requirements of the Design Guide SPD. The dwellings themselves are simple in design and with two three bedroom dwellings and one two bedroom dwelling being provided, offer a mix of housing in this central Isleham location. Despite the fact that limited amenity space is available for these plots it is considered that future occupiers will enjoy a satisfactory level of residential amenity.
- 7.18 Plot 4 is located 20m from the rear of Plots 1-3, ensuring that the distance between inter-visible windows complies with the Design Guide SPD distance. Plot 4 is a larger, detached dwelling, which benefits from a larger amenity space, although the total plot size falls some 47 square metres below the Design Guide SPD level. This shortfall is not considered to be significant enough to warrant the refusal of the application.
- 7.19 Plot 4 will be located to the north of the existing Co-op building and concerns have been raised by The Parish Council that future occupiers may be adversely affected by the presence of plant located to the rear of the Co-op. The Council's Environmental Health team has considered this and has confirmed that a noise assessment is not required in this case. The Team has confirmed that no complaints have been received in connection with the plant from close neighbours. In addition, Plot 4 has been designed so that there are no window openings on the side elevation facing the Co-op, helping to alleviate any noise. It is recommended that a solid boundary fence be constructed on this boundary and that the window to bedroom 3 should open outward toward the noise source so that the glazing acts as a barrier to the room when open.
- 7.20 Concerns have also been raised by the occupiers of 6 West Street that there may be overlooking from the first floor windows on Plot 4 over their rear private amenity

space. The only window likely to give rise to any level of overlooking serves a bedroom and this will be located 12.4m from the boundary of No. 6. The application site is separated from No. 6 by an access track and at this distance it is not considered that there would be any significant loss of privacy, such that would warrant the refusal of the application. The Design Guide SPD refers to a minimum distance of 10m to a boundary and this scheme exceeds this by 2.4m.

- 7.21 No. 6 Church Street adjoins the northern boundary of the site. No comments have been received from the occupiers of this property and it is understood by the case officer that a relative of the applicant resides here. At present the garage buildings will dominate views from parts of No. 6 and the demolition of the main garage building will reduce the amount of the site covered in built form and create a gap across the site. The terrace of dwellings will be higher than the existing garage buildings but there is sufficient separation distance to ensure the dwellings will not be overbearing. A first floor bedroom window on Plot 1 will face to the rear, however, this is located over 5m from the boundary and any views will be oblique and will not result in an unacceptable loss of privacy.
- 7.22 The proposed cart-lodge will be located on the northern boundary, on the site of existing outbuildings. Its presence is not therefore likely to have any detrimental effect on the amenity of occupiers to the north.
- 7.23 The applicant intends to retain control of the single storey workshop in the northern corner of the site. This will be fitted with a pitched roof and used for storage purposes. In order to protect the amenity of future residents the use of this building can be restricted by condition.
- 7.24 On balance it is considered that the proposal will not have a significantly detrimental effect on the residential amenity of future and nearby residents and that the proposal complies with Policy ENV2 in this regard.

Highway safety

- 7.25 Occupiers of Plots 1-3 will use the existing access off Church Street that has served the vehicles sales and repairs premises for a number of years. The access will be widened to allow two vehicles to pass and on this basis the Local Highway Authority has states that it has no objections to the continued use of this access.
- 7.26 Occupiers of Plot 4 will gain access to the dwelling via Public Footpath No. 9. It is apparent from the case officer's site visit that other properties in the vicinity also use the footpath in the same way. Neither the Local Highway Authority or the Rights of Way Team have any objection to this arrangement, subject to a number of informatives being attached to any decision notice issued reminding the developer that the footpath cannot be obstructed or altered in any way and that vehicular traffic must give way to pedestrians.
- 7.27 The scheme provides for two car parking spaces per dwelling in accordance with the Council's adopted parking standards.
- 7.28 Based on the above the proposal complies with Policies COM7 and COM 8 in relation to highway safety and parking provision.

Drainage and flood risk

- 7.29 The site is located within Flood Zone 1, where the majority of development should be directed. The site is currently laid to hardstanding where there are no buildings present and it is considered that this proposal is an opportunity to improve surface water drainage on the site. A condition can be imposed requiring a detailed surface water drainage scheme to be submitted and implemented prior to first occupation.

Biodiversity and ecology

- 7.30 A Preliminary Ecological Appraisal and Bat Survey has been submitted with the application. Despite having a low potential for bats the office building was surveyed on two occasions with a single Common Pipistrelle observed. This may indicate that the building is used as a small day roost. The area to the north of the site may provide some commuting and foraging habitat for bats but in general the development can proceed without causing significant harm to bats provided the demolition and construction is carried out in accordance with the avoidance/precautionary methods set out in the Appraisal. The same principle applies to minimising any disturbance to birds, hedgehogs, reptiles and amphibians and a number of enhancements in the form of bird and bat boxes and soft landscaping can be implemented as part of the scheme.
- 7.31 There are no significant trees within the site or any affected by the development.
- 7.32 The proposal is considered to comply with Local Plan Policy ENV7 in relation to biodiversity and ecology.

Other matters

- 7.33 A Phase I Contaminated Land Risk Assessment has been submitted with the application. Given the previous use of the site this recommends that further investigative work is carried out in the form of a Phase II Assessment. The Council's Scientific Officer is in agreement with this and is satisfied that this can be secured by condition.
- 7.34 The Council's Waste Strategy Team has commented on the application and has highlighted that waste would need to be brought to the public highway by residents on collection days. Plots 1-3 are sufficiently close to the highway so that this should not present any problems for residents. The occupiers of Plot 4 may need to take waste to the West Street if the collection vehicle does not enter the public footpath. Again, this is an acceptable distance although the surface of the footpath may not be smooth for the entire length. This would not however warrant the refusal of the application.

Planning balance

- 7.35 As stated above the proposal will add four dwellings to the council's housing stock and utilises a previously developed site. This attracts significant weight in favour of the proposal in the planning balance. There are also economic benefits from construction and the future occupiers of the scheme that attract weight in favour of the proposal. As detailed in this report, the scheme is considered to both preserve

and enhance the visual amenity of the area and the relevant heritage assets. Subject to suitable conditions matters in relation to residential amenity, highway safety, drainage and flood risk and ecology are all satisfactorily addressed. On balance therefore the benefits of the scheme are considered to outweigh any minor adverse effects and the application is recommended for approval.

8.0 APPENDICES

8.1 Appendix 1 – Planning Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
16/01501/FUL	Julie Barrow Room No. 011 The Grange Ely	Julie Barrow Senior Planning Officer 01353 665555 julie.barrow@eastca mbs.gov.uk
99/00269/FUL		
04/01063/ADI		
05/00722/FUL		
05/01336/ADN		
06/00637/ADN		

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

APPENDIX 1 - 16/01501/FUL Conditions

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

Plan Reference	Version No	Date Received
TAB161 01	A	14th December 2016
TAB161 02	A	14th December 2016
TAB161 03	B	14th December 2016
TAB161 04	A	14th December 2016
TAB161 05	A	14th December 2016
TAB161 06	A	14th December 2016
ECOLOGICAL APPRAISAL		1st November 2016

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
 - (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s).This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.
- 3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 4 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning

Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.

- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 5 No development shall take place until a scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation.
- 5 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 6 Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved accesses.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 8 No above ground construction shall take place on site until details of the materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 8 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Building and Scheduled Ancient Monument, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.

- 9 No above ground construction shall take place until a sample panel measuring no less than 1 meter square has been constructed on site showing details of the proposed brickwork; including colour, texture, bond, pointing and mortar mix to enable a site inspection and agreement in writing by the relevant officer. The panel shall remain on site for the duration of the development and once the development is completed the sample panel shall be removed. All works shall be carried out in accordance with the approved details.
- 9 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Building and Scheduled Ancient Monument, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.
- 10 No above ground construction shall take place on site until details of the doors, windows and their surrounds and rainwater goods to be used in the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.
- 10 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Building and Scheduled Ancient Monument, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.
- 11 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 11 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 12 Prior to first occupation or commencement of use a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 12 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Building and Scheduled Ancient Monument, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.

- 13 No above ground construction shall commence until details of the boundary treatments, including the boundary railings, have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to first occupation.
- 13 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 14 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 08:00 - 18:00 each day Monday-Friday, 08:00 - 13:00 Saturdays and none on Sundays, Public Holidays or Bank Holidays.
- 14 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order), the dwelling shall not be extended in any way, and no structures shall be erected within the curtilage of the dwelling.
- 15 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Building and Scheduled Ancient Monument, and to safeguard the residential amenity of neighbouring occupiers in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.
- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking or re-enacting that Order), no fences, gates or walls shall be erected within the curtilage of the dwellinghouse in front of any wall of the dwellinghouse which fronts onto a road.
- 16 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Building and Scheduled Ancient Monument, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.
- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking or re-enacting that Order), no windows, dormer windows, rooflights or openings of any other kind, other than those expressly authorised by this permission shall be constructed.
- 17 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 18 The first floor windows on the west facing elevation of Plot 4 that serve the bedroom shall be fitted so that they open toward the commercial building to the south of the site and shall be retained as such in perpetuity.
- 18 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 19 The workshop shown on Drawing No. TAB161-02A shall be used for storage purposes only and shall not be used for any other purpose without the prior written consent of the Local Planning Authority.
- 19 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 20 Prior to first occupation details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority.
- 20 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Building and Scheduled Ancient Monument, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.
- 21 The development shall be carried out strictly in accordance with the 'Recommendations' chapter of the Preliminary Ecological Appraisal and Bat Survey prepared by Bright Green Ecology and dated September 2016. The 'Enhancement Recommendations' shall be installed prior to first occupation.
- 21 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.