
MAIN CASE

Reference No: 16/01567/FUL

Proposal: Residential development for three houses plus garages and change of use of existing agricultural barn along with new vehicular accesses to 21 High Street and plot 2

Site Address: Pond Farm 21 High Street Witcham CB6 2LQ

Applicant: Executor of Miss Gerda Canham

Case Officer: Tom O'Connor Planning Officer

Parish: Witcham

Ward: Downham Villages
Ward Councillor/s: Councillor Anna Bailey
Councillor Mike Bradley

Date Received: 11 November 2016 **Expiry Date:** 4th February 2017
[R200]

1.0 **RECOMMENDATION**

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

- 1 Approved Plans
- 2 Time period
- 3 Materials
- 4 Contamination 1
- 5 Contamination 2
- 6 Landscaping
- 7 Tree Protection
- 8 Wall Reinstatement
- 9 Surface and Foul Water Drainage
- 10 Traffic Management Plan
- 11 Construction times
- 12 Archaeology
- 13 Gates
- 14 Vehicle turning Areas
- 15 Biodiversity
- 16 CIL Phasing
- 17 Window and door details

2.0 SUMMARY OF APPLICATION

- 2.1 This application pertains to five (5) dwelling units in total in the form of a phased development of the site, including the existing dwelling unit. The following development is proposed and planning permission sought for:
- The creation of a new vehicular access from the existing dwelling at no 21 High Street onto the highway at High Street;
 - The erection of (3) x two storey new-build detached dwellings and;
 - The change of use of an existing agricultural barn located on the eastern boundary of the site facing onto Headly's Lane to residential.
 - Creation of a new vehicular access onto Headly's Lane
- 2.2 The majority of the overall site is located within the settlement envelope and the boundary of Witcham Conservation Area. Only the dwelling within Plot 5 and part of the rear curtilage to Plot 4 would be positioned to the north just outside of these boundaries and within open countryside.
- 2.3 As amended by drawings received by this Authority on 2nd December 2016, the development would consist of the following:
- Plot 1 – Phase 1. This is the 19th century existing dwelling facing directly onto the High Street. A garden curtilage of some 270sqm to the side and rear would be provided and a 3.3m wide permeable blockwork driveway and access formed directly onto the High Street.
 - Plot 2 – Phase 2. This would be located to the front of the site close to the boundary with High Street and consist of a 4 bedroom detached two storey dwelling with a footprint of some 125sqm with heights respectively of 4.2m to the eaves and 7.5m to the ridge line of the main roof. Window orientation would be primarily located to the front across the High Street and to the rear with external main finishes consisting of facing brick; roof tile and exterior boarding all to be agreed by condition. The dwelling would also be provided with a 28sqm footprint single carport/garage within its curtilage with a 2.8m wide dedicated driveway constructed of permeable block paving accessing directly onto the highway at High Street adjacent to that serving Plot 1. This building would also have a separate pedestrian access formed through the rebuilt wall onto the High Street.
 - Plot 3 – Phase 3. This would consist of the renovation and conversion of the 112sqm timber framed barn to a 4 bedroom dwelling with a 62sqm single storey side and rear addition to provide for a kitchen and utility area. Also attached to this addition would be a 44sqm double car port. New openings are proposed to facilitate the use of the existing main building as a dwelling with the existing large barn door positioned centrally on the outward facing east elevation onto Headly's Lane retained as a full length window with faux window shutters on either side. Five other secondary windows serving main living room windows on both the ground floor and at first floor level would also be located on this outward facing main elevation. However, the majority of the new fenestration

introduced to the building, including arrays of ground floor French windows would be positioned on the western elevation facing inward across the rear garden area which would be enclosed by a 1.8m high brickwork wall. Access to the highway network from the car-port would be via a shared access 5m wide for the majority of its width ending with a hammer-head in the interior of the site and accessing, via a new gated access, onto Headly's Lane. External finishes would consist of a timber boarding; roof tile or slate and windows and doors to be agreed by condition of any planning permission that may be granted. A single wood burning flue, stained back, would protrude some 700mm from the ridge of the main building

- Plots 4 and 5 – Phases 4 and 5. Two dwellings closely similar in their design and each being some 165sqm floor area, they would be located respectively at the western end of the site with the dwelling located inside the settlement envelope and conservation area but the rear part of the curtilage located outside (Plot 4) and wholly outside of the settlement envelope and boundary of the conservation area (Plot 5). Each would consist of a pair of two x four (4) bedroom dwellings with centrally positioned 1.5 storey rear additions & full length two storey gable windows facing northward onto open countryside and centrally positioned two storey windows with faux shuttering located on their respective eastern elevations. Main ground floor windows to the rear additions would be located facing over their respective rear gardens onto open countryside to the north and; a distance of some 27m separates the window to window interface distances between the two storey window on the eastern elevation of Plot four and the main rear elevation of Plot 3. Further separation is provided in this respect by the intervening driveway and 1.8m brick built boundary wall. Each of these dwellings would have curtilages in excess of 250sqm and have detached double car ports of some 42 sqm facing onto the common 5m deep driveway accessing onto Headly's Lane. External finishes would consist of a timber boarding roof tile or slate and windows and doors to be agreed by condition of any planning permission that may be granted A single wood burning flue, stained back, would protrude some 700mm from the ridge of the main building

- 2.4 The application has been called to Planning Committee by the Ward Councillor, Councillor Bradley. His full views are expressed below but in synopsis, he considers it to be an inappropriate form of development that would have an adverse impact on the character of the area located within the Witcham Conservation Area; is contrary to Council Policy and; that it would be detrimental to the residential amenity enjoyed by the nearby residents
- 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.**

3.0 PLANNING HISTORY

- 3.1 None Recorded

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site consists of a parcel of land, 0.3036ha in area located towards the eastern end of the village, the majority of which is located within the settlement envelope of the village and the boundary of Witcham Conservation Area.
- 4.2 The site itself forms part of the former agricultural holding at Pond Farm located close to the junction of High Street and Headly's Lane. The Existing 19th century farmhouse faces onto The High Street and remains as a habitable dwelling and would be retained as part of this development. Similarly, the barn facing onto Headly's Lane is identified as being a 'Building of Local Interest'; has been subject to a structural survey and this has been submitted as part of this application. There are other existing minor farm buildings and internal walls within the site but these are presently in a poor condition with the majority now in some form of dereliction. There is a small former orchard plantation adjacent to the curtilage of 21 the High Street and some self seeded trees, including a large Willow, in poor condition, are also located thin the site. There is a boundary wall to the site facing onto The High Street which would appear to be in poor condition.
- 4.3 Opposite the site are a number of both single storey vernacular dwellings and a small terrace of 19th century dwellings close up to the road as well as Witcham House at the junction with Headly's Lane. The wider character of the village, nearby to the east is informed by a mixture of more modern dwellings and older buildings some of which are listed.
- 4.4 Both the boundaries of the development envelope and the conservation areas are tightly drawn around the building envelope with the demarcation between village and countryside made clear.

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.

5.2 **Natural England** - No Comments

- 5.3 **Parish** – The Parish Council objects to the application on the following grounds and seeks for the District Council to refuse consent.

- Loss of amenity for neighbouring properties – the proposed development overlooks and overshadows, loss of privacy.
- Highway Issues: Access off Headley s Lane for plots 3, 4 and 5 – this is a narrow single track lane. Proposals will give rise to problems with traffic generation, vehicular access and highway safety. The entrance for Plot 1 and 2 (in High Street) is inadequate for housing.
- Ancient wall running between 19 and 21 High Street - the demolition of part, and reduction of another part. This ancient wall around the site, should be preserved and

maintained. (Council thought this would be protected as in Conservation Area?) In any case the access for plots 1 and 2 is too near the junction with Headly's Lane and is used as a turning area. A blind corner.

- Unacceptable loss and effect on trees and wildlife. We note known Great Crested Newt habitat nearby.
- The proposals represent overdevelopment of plot, there is insufficient infrastructure for 5 houses here, with water and sewage already existing problems (water pipes bursting and low pressure issues and sewage floods gardens at The Slade as the system leaves the village for the pumping station).
- Layout and density of building design: Too many houses proposed for this site. Object to plots 4 and 5. Note access off Headly's Lane and Plot 5 is outside the approved village envelope and contradicts and undermines the Parish's wishes in the Local Plan/Village Vision (infill only/no large developments). Object to small house on front as again overdevelopment at this corner and should stay a garden/orchard to preserve the rural and farming heritage in this section of the village. The footprint of the old barn proposed for conversion is now far exceeded by the proposed design and again not in-keeping with the existing street scene and rural heritage of the area.
- There may be archaeological interest in this area of the village.
- This proposed development is unnecessary and untenable, and part of which is backland development. The proposals do not reflect the long established pattern of development in this quarter of the village; the site will be cramped and at odds with the existing street scene.

5.4 **Ward Councillor** – Cllr Bradley fully supports the reasons for objection cited by the Parish Council and has called this matter in for determination by Planning Committee.

5.5 **Conservation Officer** - The amendment involves amended building types. The proposal seeks consent for the construction of 3 new dwellings, and the conversion of the existing barn on the site as well as garages for each new dwelling and the existing dwelling 21 High Street.

The proposal has been amended in regards to Plot 4 to replicate plot 5 in terms of design. This has a much better relationship with the surrounding properties and is more in keeping with the style of development being proposed.

The existing barn on the site was nominated as a Building of Local Interest, the draft register has been out to public consultation and no objections were received for the inclusion of this property on the register. The register is being presented to committee on the 23 January with a recommendation for adoption to be made to full council in February. Therefore its inclusion on the draft register is a material planning consideration in regards to this application.

The proposal seeks to retain the barn and convert it to residential use, incorporating an extension to the southeast. This barn is of historic and architectural interest and is likely to require significant repair works to facilitate the conversion. It is welcomed that it is proposed to retain the barn and that this has been used to guide the design solution for the rest of the application site.

The proposed development has been designed in a sensitive manner and there are examples of barn style development towards the rear of sites elsewhere in the vicinity. Two of the properties will front onto Headley's Lane, one on to High Street and only one dwelling is positioned behind the predominant building line.

The proposal will not result in harm being caused to the significance of the conservation area.

It is proposed as part of the scheme to remove a section of the wall along High Street to provide vehicular access for Plot 2. This wall is a feature within the street scene, however it is not of particular architectural or historic significance. It is in poor condition for most of the expanse along High Street with large areas of it having been repaired and replaced in the past. There is very little historic brickwork surviving in good condition. The proposal does state that extensive repairs will be carried out to the wall and a condition should be placed on any consent to ensure that this is carried out.

No objections from a conservation viewpoint.

- 5.6 **Senior Trees Officer** - This proposal is for dwellings upon an overgrown garden site. The only tree of significance to the landscape is a Walnut tree however the tree report submitted suggests this tree has a limited life expectancy and is to be removed. No objection is raised to this application and the information within the applicant's tree report that suggests the trees at the site are not worth of retention is supported.

- 5.7 **Cambridge CC Archaeologist:** Our records indicate that the site lies in an area of high archaeological potential, situated in the historic core of the village approximately 110m to the north east of 13th century Saint Martin's Church, which is the oldest building in the village (Historic Environment Record reference CB14993). Located 135m to the east of the application area are several extant medieval house platforms, driveway and village pond (09500), suggesting that Witcham is a shrunken medieval village. In addition, to the north east is cropmark enclosure complex (09499) and archaeological investigations to the south west along Silver Street have revealed evidence of medieval and post-medieval occupation (ECB1865). We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

Condition: No demolition/development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:

- 5.8 **Local Highways Authority** – No objection subject to a condition in respect of gates being set back 5m from the highway edge.
- 5.9 **CCC Growth & Development** - No comments
- 5.10 **Environmental Health** – Contamination conditions; hours of construction

5.11 **Waste Strategy (ECDC) – Informative**

5.12 **Cambs Wildlife Trust - No Comments Received**

5.13 Neighbours - The application was advertised by press notice as both a departure from policy and, a development affecting a conservation area in the Cambridge Evening News of 24th November 2016 with a site notice advertising the same placed on a pole in High Street close to the entrance to the site on 23rd November 2016

5.14 Nine (9) neighbouring properties were notified in writing and the responses received are summarised below:

- Adverse impact upon the setting and character of the conservation area;
- Adverse affect upon the street scene;
- Contrary to policy
- Adverse impact upon the form and character of the village;
- Landscape impact;
- Overbearing
- Overlooking – loss of privacy
- Inadequate parking and turning provision;
- Loss of residential amenity;
- Loss; and adverse impact upon trees;
- Overdevelopment of the site;
- Poor local infrastructure;
- Poor Access to the site via Headly's Lane
- Negative impact upon local wildlife;
- Part of development extends beyond the development envelope
- Loss of view
- Poor surface water drainage
- Lack of off-road parking; Loss of Walnut tree within site;
- Alleged presence of Great Crested Newts (GCN). Within the site

6.0 **The Planning Policy Context**

6.1 **East Cambridgeshire Local Plan 2015**

ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 11	Conservation Areas
ENV 13	Local register of buildings
HOU 2	Housing density
COM 7	Transport impact
COM 8	Parking provision

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations
Design Guide
Flood and Water
Contamination

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

Overview

- 7.1 The site itself forms part of the former agricultural holding at Pond Farm located close to the junction of High Street and Headly's Lane. The Existing 19th century farmhouse faces onto The High Street and remains as a habitable dwelling and would be retained as part of this development.
- 7.2 The majority of the site is located within both the settlement limit of the village and the conservation area with only Plot 5 and part of the curtilage of Plot 4 located adjacent to but beyond the settlement envelope.
- 7.3 The barn facing onto Headly's Lane is identified as being a 'Building of Local Interest' and has been subject to a structural survey and this has been submitted as part of this application. It is proposed to retain this building converting it to a residential use.
- 7.4 Other existing farm buildings and internal walls within the site are identified to be in a very poor or derelict state and they will be removed to allow for development. Similarly, most of the former orchard trees and some self seeded trees, including a large Willow, are considered to be in a poor condition and will be removed to allow for the development. However, any trees and hedges on the boundary, considered worthy of retention, would be protected during the period of construction.
- 7.5 Three new-build two storey dwellings would be located within the site within their own curtilages with one facing onto the High Street, and, a new access to the site formed onto Headly's Lane.
- 7.6 The boundary wall facing onto High Street is considered to have very little of the historic brickwork surviving in good condition and, it is therefore proposed to partially

demolish this wall, lowering its height, and forming both vehicular and pedestrian accesses onto High Street to serve the completed development.

Principle of development

- 7.7 Part Two of the 2015 Local Plan indicates that Witcham has no land allocations to allow for future residential development within the village but allowance is made for limited and appropriate infill, within the development envelope. The majority of the site would be located within the settlement envelope. However, a small part of the proposal would be located outside of the development envelope of the village. Local Plan Policy GROWTH 2 seeks to locate development within the larger population centres within defined development envelopes.
- 7.8 This Council is currently no longer 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 therefore 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.
- 7.9 Policy GROWTH2 requires that development be permitted only within defined development envelopes provided and restricted in terms of dwellings to affordable housing exception schemes and dwellings essential for rural workers. However, dwellings can be considered as an exception provided there is no significant adverse effect on the character and appearance of the area and that other Local Plan policies are satisfied. Given the absence of the 5 year housing land supply, the boundary limitation placed by the village development envelope would not apply. Instead, the presumption in favour of sustainable development contained within both Policy GROWTH 5 of the Local Plan and paragraph 14 of the NPPF would take precedence in respect of consideration of the small part of the development located outside of the settlement envelope of the village.
- 7.10 Location of the site is at the eastern end of the village at the junction between the High Street and Headly's Lane and the southern and eastern boundaries are defined by these roads. The majority of the development is located within the established development framework of Witcham with only Plot 5 and part of the curtilage area of Plot 4 being located to the north just beyond the development envelope. Also, there are a number of dwellings situated within close proximity to the site, to the east; west and to the south and as such, the development of the site for residential would be consistent with the residential character of the eastern part of the village. The use of the site as part of a smallholding has long ceased and with the exception of the dwelling at 21 The High Street, the farmstead has fallen into dereliction with most of the interior buildings now roofless and beyond use of repair. Only the substantial barn building facing onto Headly's Lane is intact and a recent structural survey of this building indicates that it is capable of conversion to a dwelling.
- 7.11 On balance, the site is both substantially located within or on land adjacent to the development envelope and therefore well connected to the village, is sited near to

other residential dwellings and is therefore considered to be acceptable location for development. The benefits of this application are considered to be the provision of an additional 4 dwellings (3 new-build and 1 barn conversion) which would be built to modern sustainable building standards; the positive contribution to the local and wider economy in the short term through construction work and a contribution, albeit small, towards this Council's five year land supply

Character and appearance of the development in the Conservation Area

- 7.12 The character of the central part of the village is informed by the designation of the Witcham Conservation Area that spans the central historic core of the village on either side of the High Street and is formed by a mixture of modern and traditional building types and a number of listed buildings around St Martins Church to the west of the site and closer to the centre of the village. As already indicated above, there is a cluster of traditional buildings located on the south side of the High Street as well as Witcham House located at the nearby junction with Headly's Lane which maintain a traditional character to the local street scene but this is interspersed by more modern dwellings such as No.32a. Residential development has also occurred on the northern side of the High Street with No.19, next to the site consisting of a modern 2 storey dwelling set back from the road and; a continuous line of dwellings westward along the northern side of the street (Nos 17 through to 9) consisting of a continuous mix of modern 2 storey and bungalow dwellings with most set back some distance from the street line. As such, the character of the built environment is formed by a mixture of older and more modern buildings.
- 7.13 The 1.5m high brick wall to the site together with the crowns of the orchard trees visible above the wall serve to hide the internal decay in the fabric of the farmstead with some of the agricultural buildings that are left; now roofless; the scrubland that has appeared on parts of the site and; the poor health and quality of the trees located within and; even the poor condition of considerable parts of the wall enclosing the site, all serving to reinforce the impression of neglect and dereliction.
- 7.14 Policy ENV11 of the Local Plan allows for the demolition of buildings within a conservation area where they are structurally unsound and beyond reasonable repair and have no architectural significance. In fact, it can be argued that the retention of these derelict buildings and the poor quality remaining trees within the site, including the heavily diseased mature Walnut would remove elements within the local landscape that have a negative impact upon the conservation area. As such, their removal would be compliant with the Council's Policy in this respect.
- 7.15 Two of the existing structures would be retained within the site by this development; the mainly 19th century dwelling at 21 The High Street and the barn located on the eastern side of the site. Retention of these buildings would serve as continuity markers, in terms of character, between the proposed development and the former agricultural use of the site. Though parts of the wall onto the street are in poor condition, most of it will be repaired and retained, though shortened to 0.6m in height to facilitate vehicular movement from the pair of accesses and footway to be created onto the High Street. This wall is a feature within the street scene. However it is not, in the opinion of the Council's Conservation Officer, of particular architectural or historic significance. It is in poor condition for most of the expanse along High Street with large

areas of it having been repaired and replaced in the past with very little historic brickwork surviving in good condition. The proposal does state that extensive repairs will be carried out to the wall and a condition should be placed on any consent to ensure that this is carried out.

- 7.16 The proposed dwellings, in terms of their design, form and scale, would all reflect the character and scale of both the smaller vernacular buildings located across the High Street, particularly Plot 2 which would be to a scale and design commensurate with No 21 and, also reflect the modest scale of the other traditional dwellings located across the street.
- 7.17 The barn conversion on Plot 3 allows for the creation of a substantial dwelling from an existing building on this part of the site. This barn is of historic and of architectural interest but requires significant repair works to facilitate the conversion. Given the importance of maintaining key elements within the built landscape of the conservation area, the retention of the barn has been used to provide for the design template for other parts of the development namely plots 4 and 5.
- 7.18 Though extended to the rear, this element of the barn conversion would be contained within site and not immediately apparent within the street scene. Main dimensions of the original building would be maintained with the two storey centrally positioned opening onto the street re-used as a feature shuttered window of the dwelling. Additional windows to this elevation would all be secondary serving main living room areas of the house and would not detract from the character of the timber boarded frontage to this building. Overall, the development would maintain the dimensions and traditional features of this building in compliance with Policy ENV11 whilst providing for an additional dwelling within the settlement.
- 7.19 Two other new build dwellings would be erected within the interior and northern boundary of the site occupying plots 4 and 5. Both of these 4 bedroom detached dwellings would be substantial in themselves, have a timber boarded external finish and have full length two storey windows positioned centrally on their front elevations and on their north facing gable elevations. Plot 5 would be located just beyond the settlement envelope of the village with the rear curtilage of plot 4 also be located beyond this development boundary. As already indicated in this report, Policy Growth 2 which underpins the settlement boundaries is not currently considered given the absence of a 5 year housing land supply within the district and, instead, the presumption in favour of sustainable development contained within both Policy GROWTH 5 of the Local Plan and paragraph 14 of the NPPF takes precedence in terms of the consideration of this part of the development. Linked intrinsically into the main part of the development within the village settlement limits, the proposal can therefore be considered to be part of an otherwise sustainable residential development. As with the development of Plot 3, the proposed dwellings would be both of a design and scale that would reflect the already existing built form within the vicinity in compliance with Policy ENV11
- 7.20 The proposed development has been designed in a sensitive manner and there are examples of barn style development towards the rear of sites elsewhere in the vicinity. Two of the properties will front onto Headley's Lane, one on to High Street and only one dwelling is positioned behind the predominant building line. On balance, it is considered that the current proposal would maintain the character and grain of the

village and be of a design and above all, scale, which maintains and respects the character and setting of the surrounding conservation area as well as the Witcham House and the small group of vernacular and Victorian terraced dwellings located across The High Street to the south. The council's Conservation Officer is of the opinion that the proposal would not result in harm being caused to the significance of the conservation area.

Trees

- 7.21 As already indicated, both the orchard trees, the Walnut Tree and most of the self seeded scrub is in poor condition and not worthy of retention. The applicant has indicated their intention maintain the remaining hedges and implement protection of these during the construction period. The site is amenable to some replacement tree planting this can be conditioned accordingly within the context of a landscaping scheme

Ecology

- 7.22 An Ecology Report dated September 2016 was submitted in respect of this application which identified no significant ecological constraints present on the site that would adversely affect the overall development of the site. With respect of Great Crested Newts (GCN) the pond within the site had dried out and was overgrown making it an unsuitable habitat for this species. Seven other ponds were identified within some 250m of the site but only one, the closest to the site, was assessed as having below average suitability for GCN with one newt reported in this pond, some 170m distant in 2015. The intervening terrain of dry ditches, scrub areas and rank vegetation is not suitable for GCN and it is considered unlikely that this species would move onto the application site
- 7.23 Mitigation measures to be applied for all protected species that may inhabit the site including species of bats and birds are contained within Section 8 of the Ecology Report dated 14th September 2016 by Greenlight Environmental consultancy and submitted in support of this application. Its recommendations and requirements can be conditioned to any planning permission granted.

Residential Amenity

- 7.24 Plot 2 would be located closest to any dwelling outside of the application site namely the dwelling at 36 High Street on the southern side of this road. Though the window to window interface at some 13 metres across the street would not be considered acceptable in terms of the Councils Design Standards in respect new residential developments; it is indicative of situation existing in the street and the historic relationships between dwellings across the High Street with dwellings located close to the highway edge and with little or no front curtilage. This is reflected in the existing interface relationship of the neighbouring dwellings at No12 and No.34 opposite which is also less than 13 metres in distance with the shortened distances reflect window to window relationship existing elsewhere within the street. This is an inherent constraint

within the local built environment and therefore should be considered as an acceptable relationship between buildings facing across the street in this location.

- 7.25 Elsewhere within the site, window to window interface distance in excess of 20 metres are maintained both between dwellings within the site and, with other dwellings in Headly's Lane
- 7.26 Given the inherent close relationship between existing dwellings across the street existing at the eastern end of the High Street, the shortened interface distance between the proposed dwelling at Plot 2 and the dwelling at 36 High Street, though not reflecting Design Guidance applied in respect of modern developments, is acceptable within the context and constraints by this particular historic environment.

Archaeology

- 7.27 The County Archaeologist has identified this site and the wider area surrounding as lying in an area of archaeological potential being located within the historic core of the village. No objection is raised in respect of the development but a condition would be required in respect of implementation of a programme of archaeological works in accordance with a written scheme to be approved in writing by the Local Planning Authority prior to the commencement of the development.

Planning Balance

- 7.28 The granting of a planning permission for the residential development, as proposed at this location is deemed compliant with the policies shown above, principally Local Plan Policies GROWTH2 and GROWTH 5. The development can be undertaken without detriment to the residential amenities of neighbouring occupiers and without having an adverse impact upon either the character of the village or surrounding local landscape. In terms of their design, the dwellings would continue to maintain and reflect the overall character of the built form of the village and maintain the character and setting of the nearby listed building. Adequate surface water drainage measures can be made subject to condition and, with minor amendments; access to the highways network has been made acceptable. The proposal is therefore recommended for approval.
- 7.29 On balance, it is considered that the benefits of the proposal would outweigh any adverse effects. The proposal is therefore recommended for approval in accord with the presumption in favour of sustainable development as set out within the National Planning Policy Framework.

8.0 APPENDICES

Appendix 1 - Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
16/01567/FUL	Tom O'Connor Room No. 011 The Grange Ely	Tom O'Connor Planning Officer 01353 665555 tom.oconnor@eastc ambs.gov.uk

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

APPENDIX 1 - 16/01567/FUL Conditions

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

Plan Reference	Version No	Date Received
ECOLOGY REPORT		15th December 2016
16:106-50	B	2nd December 2016
16:106-30	A	2nd December 2016
16:106-1	A	2nd December 2016
16:106-0		11th November 2016
16:106-20	B	11th November 2016
TIP 16191		11th 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 above ground construction shall take place on site until details of the walls; roof, windows and doors to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridge shire Local Plan 2015.
- 4 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 before any development takes place.

- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimized, 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.
- 5 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.
- 5 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimized, 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.
- 6 A Landscaping scheme that includes details of boundary treatment; trees to be retained, removed or planted on site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Landscaping of the site shall be undertaken wholly in accordance with the approved details within the first planting season following completion of the development or in accordance with the program of planting approved by the LPA. Any such trees or shrubs that are removed die or become, in the opinion of the LPA, seriously damaged or defective within a period of 5 years of planting shall be replaced with specimens of a similar size and species as originally required.
- 6 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 7 No development shall take place until a scheme for the protection, during construction, of boundary hedges to be retained on the site; in accordance with BS 5837:2012 have been submitted to and approved in writing by the Local Planning Authority. The scheme should follow guidance contained within the Tree Survey; Arboricultural Implications Assessment and accompanying drawing TIP 16191, dated June 2016, submitted in support of this application, in respect of the provision of protective fencing and shall show the extent of root protection areas and details of ground protection measures to be erected around the trees. The protective measures contained within the scheme shall be implemented prior to the commencement of any development. The site works and clearance shall be in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas; the existing ground level shall be neither raised nor lowered and no materials, temporary

buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any roots encountered with a diameter of 25mm or more shall be left unsevered.

- 7 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 8 Prior to the commencement of the development, details pertaining to the partial demolition and reinstatement of the existing brick wall facing onto High Street Witcham shall be submitted to and approved in writing by the Local Planning Authority. The reinstated wall shall be constructed, where practicable, of bricks sourced from the partial demolition of the existing wall and; details of its reconstruction, design, height and; formation openings necessary to facilitate both vehicular and pedestrian access and egress from the site shall be provided within the submitted details. The partial demolition of the wall and its reinstatement shall be undertaken only in strict accordance with the approved details provided to discharge this condition.
- 8 Reason: To safeguard the character and appearance of the development located within the Witcham Conservation Areas in accordance with policies ENV2 and ENV11 of the East Cambridge shire 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.
- 9 The development hereby permitted shall not be commenced until such time as schemes for the disposal of surface water and foul water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.
- 9 Reason: To ensure a satisfactory method of surface water drainage and to prevent pollution of the water environment in accordance with the requirements of policies ENV8 and 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.
- 10 No site preparation or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority. The principle areas of concern that should be addressed are:
 - i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
 - iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
 - iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway.

- 10 Reason: In the interests of highway safety in accordance with 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.
- 11 During the construction phase of the development construction work and deliveries to the site shall be restricted to the following times:

08:00 - 18:00 each day Monday - Friday
08:00 - 13:00 on Saturdays and
None on Sundays or Bank Holidays
- 11 Reason in the interests of protecting the amenities of nearby residents in accordance with the requirements of policy ENV2 of the East Cambridgeshire Local Plan
- 12 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.
- 12 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.
- 13 Prior to the first occupation of any property within the site, any gate or gates to the vehicular access shall be set back a minimum of 5m from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards. This style of access gate or gates shall be used at all times/thereafter be retained in perpetuity.
- 13 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 14 The vehicular turning areas for the dwellings, indicated in approved drawing 16:106-1 Rev.A shall be maintained so that they are free of any obstruction that would prevent a domestic vehicle from being able to manoeuvre with ease so that it may enter and leave the property in a forward gear.
- 14 Reason: To comply with the requirements of the County Council/Highways Authority Standards and, highway safety in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 15 The ecological mitigation measures as indicated in Section 8 of the Ecology Survey, prepared by Greenlight dated 14th September 2016, and submitted as part of this application shall be undertaken in accordance with that specified measures indicated in this document and in accordance with any site licence requirements that may be required
- 15 Reason To protect and enhance species in accordance with policies ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.

- 16 The development hereby permitted consists of five (5) phases as shown on Drawing No. 16:106-1 Rev.A and shall be completed in accordance with the phasing plan submitted.
- 16 Reason: The applicant has requested that the development be undertaken in a phased manner for the purposes of CIL.
- 17 No above ground construction shall take place on site until details of the window and door openings to be used in the principle elevations of 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.
- 17 Reason: To safeguard the character and appearance of the development located within the Witcham Conservation Area, in accordance with policies ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015.