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**MAIN CASE**

**Reference No:** 19/01439/FUL

**Proposal:** Construction of one and half storey detached dwelling with new access

**Site Address:** Land To East Of Orchard Cottage 11 Chapel Lane Reach  
Cambridge CB25 0JJ

**Applicant:** Mr & Mrs Blocksage

**Case Officer:** Toni Hylton, Senior Planning Officer

**Parish:** Reach

**Ward:** Bottisham  
Ward Councillor/s: Charlotte Cane  
John Trapp

**Date Received:** 9 October 2019      **Expiry Date:** 10<sup>th</sup> September 2020  
[V53]

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1.0 **RECOMMENDATION**

1.1 Members are recommended 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 Limit -FUL/FUM/LBC
- 3 Site Characterisation
- 4 Reporting of unexpected contamination
- 5 Archaeological Investigation
- 6 Foul and surface water details
- 7 Construction Environmental Management PI
- 8 Piling foundations
- 9 Construction times - Standard hours
- 10 Parking & turning
- 11 Sample panel
- 12 Sample materials
- 13 Details of windows and doors
- 14 Boundary Treatments
- 15 Soft landscaping scheme
- 16 Permitted development - ext and outbldg
- 17 Restrict windows
- 18 Rooflights to be obscured
- 19 Biodiversity Improvements

## 2.0 SUMMARY OF APPLICATION

- 2.1 The application proposes the erection of a dwelling to the rear of 11 Chapel Lane, fronting onto Hythe Lane. The application proposes a dwelling approximately 7.6 metres in height (24 foot) reducing to 3.10 metres (10 foot). The width of the dwelling is proposed at 10 metres (33 foot) and depth of 8.9 metres (29 foot). The dwelling comprises of 2 bedrooms with ensuite at first floor, open living at ground floor with utility, WC and study. 2 car parking spaces are proposed. The overall size of the plot is 336 square metres (1102 feet)
- 2.2 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file**
- 2.3 The application was called into Planning Committee at the request of Councillor Charlotte Cane, for the reasons shown below:
1. Impact on archaeology
  2. The access road is too narrow to accommodate more development
  3. The proposal would affect the setting of White Roses
  4. There are significant drainage issues in Reach.

## 3.0 PLANNING HISTORY

### 3.1

99/00245/OUT	Erection of single dwelling house, access arrangements and other associated site works	Withdrawn	07.04.2003
04/00230/FUL	Proposed single storey extension to rear of house forming study, lounge, kitchen and utility	Approved	21.04.2004
05/01358/FUL	Construction of a PVCU conservatory to the rear	Approved	06.02.2006
72/8105	Erection of a dwelling	Approved	24.05.1972

#### 4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is situated to the rear of 11 Chapel Lane and is within the Conservation Area and development envelope for Reach. Opposite the site is a Grade II Listed Building, White Roses formerly known as the Old Vicarage.
- 4.2 The site is accessed from The Hythe which leads to a public right of way and the sewage works beyond. The site sits approximately at 4.29 metres (ODN) with the road sitting at 4.05 metres (ODN).
- 4.3 The scheme has been amended 4 times, mainly changing elements of the external appearance of the proposed dwelling, as well as the removal of a car port and reducing the overall size of the dwelling. The site is within the rear garden of number 11 Chapel Lane and is currently lawn with trees to the boundary.

#### 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.

##### **Advertisement**

A site notice was displayed on a telegraph pole opposite the site on the 18<sup>th</sup> October 2019. A notice was also published in the Cambridge Evening News on 24<sup>th</sup> October 2019.

##### **Ward Member – 11<sup>th</sup> November 2019**

Cllr Charlotte Cane requested that should the application be recommended for approval by the case officer that the application is presented to the Planning Committee as there are concerns with the application:

1. Impact on archaeology
2. The access road is too narrow to accommodate more development
3. The proposal would affect the setting of White Roses
4. There are significant drainage issues in Reach.

##### **Reach Parish Council - 7 November 2019**

States

"Reach Parish Council objects to the above planning application and would like to make the following comments.

The Parish Council reserves the right to comment again should the application be updated or changed.

o Loss of Privacy - The plan shows that the build will be dug down by 1m, to reduce loss of privacy to surrounding properties. However, digging down will cause additional sewerage problems as there will not be enough fall in this area, as the pipes run very close to ground level. There is concern for rain water running down The Hythe into the new property. Digging down will also add to the concerns for the Archaeology.

o Highways issues - Parking is always a problem in the area. There is no provision for visitor parking, so the problem is likely to be increased. Curbs are high

to stop heavy vehicle going too close to houses, therefore parked cars make it impossible to pass. There have been incidents of emergency vehicle not being able to access The Hythe until parked vehicle have been moved. It is understood by residents that the road in this section of The Hythe is unadopted. It is badly maintained. Is it understood where the public highway ends and who owns the unadopted road? Has access been granted across the unadopted road?

Capacity of physical infrastructure - There have been problems with sewerage in Reach for many years, additional homes will add to this.

- o Effect on listed buildings & Conservation Area - the plot is opposite a Grade 2 listed building, the setting of which will be affected by a change in its surroundings.

- o Archaeology - The plot is at the centre of a very significant archaeological area, which will be reflected in the Neighbourhood plan is being prepared in Reach. The archaeological site could be of national importance and should be considered as such within this application.

Should you be minded to accept this application a plan of how the construction works will be managed, in particular vehicles and hours of work, will be required.”

#### **Reach Parish Council - 7 February 2020**

States “Reach Parish Council continues to objects to the above planning application and feels that the amendments are cosmetic and do not address the previous concerns.

The Parish Council would like to make the following comments and reserves the right to comment again should the application be updated or amended again.

The Parish Council acknowledges that during the 1970's planning permission had been granted on this site. The Parish Council believes that this is no longer relevant as there have been many changes in this area. The number of houses and the number of cars has significantly increase. Listed building protection has also changed. There is also greater knowledge now of the archaeological importance of the area.

- o Highways issues - Parking is always a problem in the area and the junction with Great Lane is dangerous. These issues have not been addressed in the amended plan.

- o Capacity of physical infrastructure - Reach Parish Council must continue to highlight the present, regular, sewage problem which will be increased with additional housing. Photographic evidence has been supplied by local residences. Reach does not have the sewage capacity.

- o Archaeology - The plot is at the centre of a very significant archaeological area, which will be reflected in the Neighbourhood plan is being prepared in Reach. The archaeological site could be of national importance and should be considered as such within this application. Again, this is a very import issue and has not been addressed in the amendment.

Should you be minded to accept this application the Parish Council would like it to be called before the Planning Committee.”

#### **Conservation Officer - 6 November 2019**

States “The application site is within the Reach conservation area and is the garden to the rear of No 11 Chapel Lane, although it is more properly considered as fronting The Hythe. The site frontage is currently bounded by a banked verge and hedge, and is in close proximity to a number of historic buildings including the C16 Grade II listed White Roses opposite (NHLE ref 1309612) and Nos 3, 4, 5 & 8 The Hythe.

There was an historic unimplemented permission on this site in the 1970s and pre-application discussions have affirmed that there is no in-principle objection to development in this location. Nevertheless The Hythe is a rural lane characterised by gardens and wooded verges and the application site is a benign feature of the conservation area as it stands. A new building in this location will profoundly alter this relationship and no information has been submitted to show how this impact has been addressed. Critically there is no depiction of how the proposed dwelling will fit into the streetscene: a contextual elevation is the minimum expected for development within a conservation area.

The pre-application contact was not on the basis of a worked-up design so only general advice around scale and design parameters could be given at that stage. The 1½ storey form accords with recommendations but there are some questions over the design approach taken here.

The Hythe benefits from a particular concentration of good quality traditional buildings so the shortcomings of a pastiche approach here will be especially exposed to direct comparisons with the genuine article. To succeed, this approach needs to be informed by a thorough understanding of the disciplines of the local vernacular and to abide by those constraints. The present scheme, like so much modern housing, reflects developers' self-perpetuating assumptions about tradition, rather than any close study of tradition itself.

This means for example that the asymmetrical outshot form should not be used to provide deep plan spaces as the lean-to should correspond to a structural division in the plan. The roof is also overloaded with dormers (the central landing one could easily be omitted), porch canopies were traditionally a separate structure rather than a projection of the roof plane and rooflights are not a substitute for the disciplines of space planning.

Modern pastiches rarely live up to past models and at worst they actively disparage tradition, so even without the environmental challenges which should be the determinant of building design in the C21, this begs the question as to whether a more flexible, contemporary approach might be a more fruitful avenue.

Recommendation: amendments recommended”

**Conservation Officer - 7 January 2020**

States “The cosmetic amendments have omitted some of the more egregious draughtsman's clichés but have not altered the design approach or addressed the previous point: 'A new building in this location will profoundly alter this relationship [between the site & The Hythe] and no information has been submitted to show how this impact has been addressed. Critically there is no depiction of how the proposed

dwelling will fit into the streetscene: a contextual elevation is the minimum expected for development within a conservation area.'

Recommendation: further information required”

**Conservation Officer - 20 April 2020**

States “The salient point of my 6/11/19 response still stands:

Modern pastiches rarely live up to past models and at worst they actively disparage tradition, so even without the environmental challenges which should be the determinant of building design in the C21, this begs the question as to whether a more flexible, contemporary approach might be a more fruitful avenue. The NPPF states 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Recommendation: objection”

**Conservation Officer - 13 August 2020**

States “The revision is anodyne but uninspired. As such it is perhaps the perfect metaphor for UK housing. I would note however that no dormer in the world is in advance of the wall plane it sits over.”

**Cambridgeshire Archaeology - 5 November 2019**

States “The Cambridgeshire Historic Environment Record indicates that this development area lies in a highly sensitive archaeological location within the Conservation Area of the village. Pertinent solely to the location of Hythe Lane, which lies adjacent to the proposed building, we understand that this location is the partly backfilled village Medieval wharf (Historic Environment Record reference MCB8330) connected to Reach Lode (MCB9521) and documented by the abbot of Ramsey as being in use by 1125 though it is likely to predate this. The date of Reach Lode has not been established and there is some indication that its origins were of Roman date. A Post-Medieval wharf is recorded immediately to the north of the application area (MSC8331) and is one of many port basins separated by a fan of hythes at the docking end of the lode where warehouses and other buildings would also have been located. To the south east is the shrunken medieval village (MCB7807) and medieval earthworks (MCB7809). All of these sites lie at the eastern, infilled end of the 7.5 mile long Anglo-Saxon defensive earthwork, Devil's Dyke or ditch, designated as a scheduled monument (National Heritage List for England ref: 1003262). The infilling of this eastern end is documented as having occurred in the later 13th century 'by the commune of Reach', probably to extend the commercial fairground to the hythe, who were fined for their desecration of the ditch (A F Wareham and A P M Wright, 'Reach', in A History of the County of Cambridge and the Isle of Ely: Volume 10, Cheveley, Flendish, Staine and Staploe Hundreds (North-Eastern Cambridgeshire) (London, 2002), pp. 224-225. British History Online <http://www.british-history.ac.uk/vch/cambs/vol10/pp224-225> [accessed 5 November 2019].

Owing to the principle of development already having been established in this location, we do not object to the application but advise the applicant to ensure that the substrate is suitably sound for the foundations on which they propose to erect the building, as there is a history of large open water bodies (infilled) in the area.

In addition, we consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition such as the model condition 'number 55' contained in DoE Planning Circular 11/95:

"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."

This will secure the preservation of the archaeological interest of the area either by record or in situ as appropriate.

The model condition also indicates:

Developers will wish to ensure that in drawing up their scheme, the timetable for the investigation is included within the details of the agreed scheme.

A brief for the archaeological work can be obtained from this office upon request."

**Cambridgeshire Archaeology - 11 February 2020**

States "Thank you for consulting us again with regard to the archaeological implications of this scheme following the provision of street scene details. I am writing to confirm that the additional submissions do not alter the advice previously issued by this department (see attached)."

**ECDC Trees Team - 29 December 2019**

States "To facilitate the proposed development one 'C' grade tree requires removal, this tree is in decline as shown in the photographs in the report, page 12. Also two hedges H1 and H3 both non-native 'domestic' hedges.

There are no arboricultural reasons to refuse the application, tree protection details as shown on the tree protection plan to be adhered to."

**ECDC Trees Team - 27 February 2020**

States "Previous comments made 19th Dec 2019 (no objections) still valid - no further comments"

**Local Highways Authority - 24 October 2019**

States "The highways authority has no objection in principal to this application"

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

**Waste Strategy (ECDC) - 8 November 2019**

States “o East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances and/or loose gravel/shingle driveways; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).

o Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.

o Each new property requires two bins; this contribution is currently set at £43 per property.

o Payment must be made in advance of bins being delivered; East Cambs District Council Account Number 43135897, Sort Code 52-41-19, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number.”

#### **Anglian Water Services Ltd - 19 November 2019**

##### States”Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developer's cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

#### **WASTEWATER SERVICES**

##### Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Burwell Water Recycling Centre that will have available capacity for these flows

##### Section 3 - Used Water Network

The sewerage system at present has available capacity for these flows via a gravity connection to the existing foul sewer. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1)  
INFORMATIVE -



Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

#### Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented.”

- 5.2 **Neighbours** – 4 neighbouring properties were notified and 17 responses were received these responses received are summarised below. A full copy of the responses are available on the Council’s website.

#### White Roses (21/10/19)

- Narrow lane cannot accept more development
- It will lead to additional traffic
- Sewage system is at capacity
- It will lead to high density housing
- Over development of the site

White Roses (20/01/20)

- Anglian Water has not addressed the sewage issue
- There are transport issues
- Overlooking from the proposal

White Roses (09/02/20)

- Amendments do not address the issues

3 The Hythe (29/10/19)

- Restricted access
- Potential for overlooking

3 The Hythe (11/01/20)

- Impact on highway safety
- Loss of privacy
- Lack of parking

3 The Hythe (17/02/20)

- Amendments do not address the concerns

15 Chapel Lane (30/10/19)

- The design is in keeping with the character of the area
- There are access issues in Hythe Lane
- There will be an increase in traffic

12a Hythe Lane (31/10/19)

- There are sewage issues in Hythe Lane
- 2 car parking spaces is not enough

12a Hythe Lane (13/01/20)

- Anglian Water fail to understand the issue
- Lack of parking

12a Hythe Lane (19/02/20)

- Amendments do not address concerns

8 The Hythe (04/11/19)

- Highway and parking safety issues
- The infrastructure cannot cope
- Noise and disturbance during construction
- Further development of the lane inappropriate
- Design is not in keeping
- Will affect the views of White Roses

8 The Hythe (05/11/19)

- Sewage system cannot cope
- The lane cannot support another dwelling

8 The Hythe 18/02/20

- Potential for overlooking
- Lack of capacity in sewerage system.

34 Swaffham Road (04/11/19)

- Threat to archaeology

34 Swaffham Road (27/02/20)

- Threat to archaeology

10 Chapel Lane (06/11/19)

- Highway safety impact
- Sewer system inadequate
- Density of development too high
- Impact on the Listed Building White Roses
- Impact on archaeology

14 The Hythe (05/11/19)

- Sewage system cannot cope
- Lane cannot sustain another dwelling.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
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 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

Flood and Water

6.3 National Planning Policy Framework 2019

- 2 Achieving sustainable development
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving & enhancing the historic environment

6.4 Other Material Documents

Reach Parish Design Guide 2020

7.0 PLANNING COMMENTS

**7.1 Principle of Development**

7.1.1 The proposed dwelling is within the development for Reach, where you would expect development of a single dwelling to be considered acceptable in principle, in accordance with policy Growth 2. However, there are other material considerations to be assessed as part of the proposal.

**7.2 Residential Amenity**

7.2.1 The main neighbours to be impacted by the proposal are the host dwelling number 11 Chapel Lane; Dolphin Cottage; 12a Hythe Lane; 15 Chapel Lane and White Roses.

7.2.2 11 Chapel Lane is a 2 storey detached dwelling which sits approximately 15 metres (49 feet) from the boundary with the proposed plot and sits approximately 0.50 metres ODN higher. There are windows on the rear elevation of the host dwelling, but here are none proposed on the proposed dwelling at first floor, other than those rooflights for the en suites which could be conditioned to be obscured glazed. It is considered given the distance and lack of windows on the proposed dwelling, the potential for overlooking is going to be limited. The host dwelling sits in excess of 10 metres (33 foot) from the boundary in accordance with the criteria within the Design Guide SPD 2012. It is considered that the proposed dwelling will not lead to a potential for overlooking, be over bearing or loss of light.

7.2.3 Dolphin Cottage is storey and half traditional white painted cottage, with no windows on the end elevations. Dolphin Cottage sits at the same level at the proposed dwelling and is approximately 15 metres (49 foot) from where the proposed dwelling will be located to its western boundary. It is considered the distance between the proposed and Dolphin Cottage will not lead to a potential for overlooking, be overbearing or loss of light.

7.2.4 12a Hythe Lane is a property built in the 1980's, it is 2 storey with rooms within the attic space. Parking is provided to the side of the property. 12a Hythe Lane sits approximately 12 metres (39 foot) from the proposed dwelling western boundary and does sit lower than the proposed dwelling. However due to the distance

between the dwellings it is not considered to cause the potential for overlooking, being overbearing or loss of light.

- 7.2.5 15 Chapel Lane is a 2 storey dwelling sitting higher than the proposed dwelling and approximately 10 metres (33 feet) at an angle to the north western boundary of the proposed dwelling. It is considered that given the positioning of the dwelling and distance the proposal is unlikely to cause the potential for overlooking, be overbearing or loss of light.
- 7.2.6 White Roses is a detached Grade II Listed Building which is on the opposite site of the road to the proposed site, with Hythe Lane being a barrier between the 2 sites. The proposed dwelling does sit marginally higher than White Roses but is in excess of 25 metres (82 feet) from the proposal with Hythe Lane between. It is considered that the distance between the dwellings is unlikely to lead to a potential for overlooking, be overbearing or loss of light.
- 7.2.7 On balance the proposal is considered to maintain the neighbours amenities by ensuring their privacy is maintained, will not be overbearing or lead to a loss of light.
- 7.2.8 The proposed dwelling sits on a site of approximately 336 square metres (1102 feet) which is above the 300 square metre (984 feet) threshold of the criteria given in the Design Guide SPD 2012. It also provides a garden area of 144 square metres (472 feet) 94 square metres in excess of the criteria within the Design Guide SPD 2012, which suggests 50 square metres. (164 feet).
- 7.2.9 In order to ensure the long term protection of the neighbours amenities it is suggested that a condition limiting any additional windows, outbuildings or extensions is attached to any planning permission issued. This is not only to protect the neighbours amenities but to ensure the design of the dwelling is not diluted by poor quality additions. It is considered that the proposal can maintain the neighbours amenities in accordance with policy ENV2 of the East Cambridgeshire District Local Plan 2015 and the Design Guide SPD 2012.

### **7.3 Visual Amenity**

- 7.3.1 The site occupies a village centre location with residential development on all boundaries. It is designed to be a simple cottage taking reference from its nearby neighbours and overall character of the village of Reach. Reach Parish Council have also recently adopted a Design Guide, which will inform the Neighbourhood Plan it is preparing. Whilst this has not gone through the rigorous public consultation as required with a neighbourhood plan, it is nonetheless a document to give little weight in the determination of an application. Dwellings are required to have front and rear gardens; direct access from the street; buildings should face onto the road; low density development; levels of privacy and light to be maintained; use of dormers to provide interest; scale of roof in proportion to the building; off street parking; and use of traditional materials.
- 7.3.2 Having reviewed Reach Design Guide, it is considered that this proposal does meet what is set out in the guidelines. The dwelling will have front and back garden and will meet the threshold set with the Design Guide SPD. The proposed dwelling will front onto the road having a visual connection with the street scene. It has already been established above that the impact on the neighbours is minimised. The

proposal incorporates dormers, in the Reach Design Guide it suggests 'shed dormer' however, there are example of pitched dormers within the village and shown within Design Guide and therefore is not a reason to exclude this form of dormer. The proportions are in keeping with each other and the site can provide 2 off street parking spaces. A condition can be attached requiring full details of the materials including a sample panel and exact details of windows and doors to ensure that the use of materials is to a high standard, which is what the Design Guide seeks to achieve.

7.3.3 On balance, whilst the design is simple and possibly uninspiring to the Conservation Officer, it does use examples of existing architecture within the village. Anything too different would be out of keeping in this location and would suggest it would cause harm to the character of the area, rather than achieving a status quo. It seeks to achieve the preservation of the character of the area. It is considered that the visual appearance of the dwelling is in keeping with the character of the area, complying with policies ENV1 and ENV2 of the East Cambridgeshire District Local Plan 2015.

7.3.4 Concerns have been raised with regard to the proposed development being a form of overdevelopment, increasing the density of the development in the area. The plot is approximately 336 square metres (1102 feet) in excess of the recommended plot size. In comparison with its adjoining neighbours, Dolphin Cottage has a site area of 275 square metres (902 feet) and number 12a has a site area of 209 square metres (685 feet). Taking these into consideration the plot size for the proposed dwelling it is in excess of the Design Guide, but also larger than its adjoining neighbours with which it shares a street scene. It is considered that the proposal does not lead to an over development of the plot. The host dwelling will still have a plot size of 750 square metres (2460 feet) and the siting of the proposed dwelling still enables gaps in development. On this basis the proposal is not considered to be overdevelopment nor lead to a higher density development and as such complies with policies ENV1, ENV2 of the East Cambridgeshire District Local Plan 2015 and The Design Guide SPD.

## **7.4 Historic Environment**

7.4.1 The site is within the Conservation Area, in close proximity to a Grade II Listed Building and expected to have archaeological importance. With regard to archaeological importance, this does not generally preclude development. However, it will require that the developer undertakes a Written Scheme of Investigation, which can be dealt with by way of condition. On this basis the proposal complies with policy ENV14 of the East Cambridgeshire District Local Plan 2015.

7.4.2 As the site is within the Conservation Area, the impact of the development needs to be assessed. The NPPF requires that Local Planning Authority consider the impact of the development on a heritage asset. Where the setting of an asset is affected the reasons for its approval should be exceptional and the Local Planning Authority should assess the harm of the proposal on the Conservation Area.

7.4.3 This area of Hythe Lane is characterised by small traditional dwellings, with the 1 exception White Roses, which was once the Old Vicarage. The proposed dwelling uses features from the surrounding buildings, such as render as on the dwellings 12a and 12b Hythe Lane, one and half storey as with Dolphin Cottage and simple design. It is considered that using these features are in keeping with the character

of the Conservation Area and as such there is no harm on the setting of said Conservation Area. On this basis the proposal complies with policy ENV11 of the East Cambridgeshire District Local Plan 2015.

- 7.4.4 Opposite the site is Grade II Listed Building, White Roses formally known as the Old Vicarage listed in 1951. Originally a building built in the 16<sup>th</sup> century with later additions in the 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> centuries, it is timber framed with red brick external appearance. It is important to consider the impact of this proposal on the setting of the Listed Building. White Roses is approximately 25 metres from the development site and sits slightly lower. Between the dwelling and the proposed site is Hythe Lane and an established hedge. White Roses is also set at an angle to the proposed dwelling so sits at a juxtaposition. It is considered that the distance from the proposed dwelling and different orientation of the buildings, there would be not be any harm caused to the setting of the Listed Building. On this basis the proposal is considered to comply with policy ENV12 of the East Cambridgeshire District Local Plan 2015.

## **7.5 Highways**

- 7.5.1 In consultation with the County Highway Officer, no objections to the scheme were raised. A number of residents have raised concerns with regard to the amount of parking and whether the Hythe can accommodate more growth. With regard to parking, the site can provide 2 off street parking spaces which is in accordance with policy COM8 of the East Cambridgeshire District Local Plan 2015.
- 7.5.2 Hythe Lane is accepted as an adopted narrow lane leading to a public right of way, and when visited by the case officer noted that there were cars parked along the road side. The lane at its narrowest point is 3.7metres, however there is still verge to the side of the made up part of the lane. At its widest point it is 4.9 metres again with verge either side of the made up part of the lane. Whilst in the rural area, these widths are quite common, a condition can be attached requiring a sprinkler system to be incorporated into the final built, in the event in the delay of emergency services getting to the property. It is important to determine whether this would be reasonable, as none of the other dwellings are known to have such safety measures. However, it would seem acceptable to have this should there be any delays in the fire service attending a fire at the proposed dwelling.
- 7.5.3 On balance the proposed dwelling can accommodate a minimum of 2 off road parking spaces, in line with the local plan. It is not considered that the lane cannot accommodate an additional dwelling without detriment to highway safety and additional measures in case of emergency can be applied by way of condition. On this basis the proposal complies with policy COM7 of the East Cambridgeshire District Local Plan 2015.

## **7.6 Ecology and trees**

- 7.6.1 The site is not known to have any protected species within the garden of the host dwelling. However all development must ensure a net biodiversity gain, this can be achieved by way of condition.

7.6.2 In consultation with the Council’s Tree Officer, no objections to the proposal were raised. The application was supported by an Arboricultural Impact Assessment, and following the protection of trees during construction no other concerns were raised. Any permission granted should ensure additional planting native to its area which also aids in the net biodiversity gain. On this basis the proposal is considered to comply with policy ENV1 and ENV7 of the East Cambridgeshire District Local Plan 2015.

**7.7 Flood Risk and Drainage**

7.7.1 The site is within flood zone 1 according to the Environment Agency Flood Map, and this is where you would expect vulnerable developments such as dwellings to be located. On this basis the proposal complies with policy ENV8 of the East Cambridgeshire District Local Plan 2015.

7.7.2 A number of residents have raised issues relating to sewage and the area not being able to cope with the number of dwellings it serves. On being made aware of these concerns from Local residents, consultation was undertaken with Anglian Water, who consider that there is adequate capacity for an additional dwelling. Any planning permission granted can attach a condition requiring details of how foul and surface water will be dealt with. On this basis the proposal is considered to comply with policy ENV8 of the East Cambridgeshire District Local Plan 2015.

**7.8 Planning Balance**

7.8.1 On balance the proposal is considered acceptable and recommended for approval. The design does share features from other buildings in the local area in keeping with the character of the area. It can provide adequate off street parking in compliance with the provisions of the local plan. The proposal provides a small dwelling utilising land, which leads to a form of sustainable development without harm to the setting of the Conservation Area and Listed Building. The site can address issues relating to archaeology and drainage by way of conditions and ensure the external appearance is preserved to maintain the character of the area.

**8.0 APPENDICES**

8.1 Appendix 1 – Recommended Conditions

<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
19/01439/FUL	Toni Hylton Room No. 011 The Grange Ely	Toni Hylton Senior Planning Officer 01353 665555 toni.hylton@eastca mbs.gov.uk
99/00245/OUT 04/00230/FUL 05/01358/FUL		



National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

## APPENDIX 1 - 19/01439/FUL Conditions

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

Plan Reference	Version No	Date Received
EDG/19/082 5	5	19th August 2020
EDG/19/082 4		9th October 2019
Design and Access Statement		9th October 2019
AIA Report	V1	9th October 2019

- 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 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.
- 5 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.
- 6 No development shall take place until a scheme to dispose of surface and foul has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation of the dwelling hereby approved.
- 6 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 7 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.
- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 8 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.

- 8 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 9 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 0730 to 1800 each day Monday - Friday, 0730 to 1300 Saturdays and none on Sundays, Bank Holidays and Public Holidays.
- 9 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 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.
- 10 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 11 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.
- 11 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, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.
- 12 No above ground construction shall take place on site until details of the external roofing 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.
- 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, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.
- 13 No above ground construction shall take place on site until details of the:
  - doors
  - windows,
  - rooflights
  - lintels/sills 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 detail

- 13 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, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.
- 14 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the first occupation of the dwelling hereby approved.
- 14 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, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.
- 15 Prior to first occupation or commencement of use a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant (including retained existing trees/hedgerows) is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 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, 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), the dwelling shall not be extended in any way, and no structures shall be erected within the curtilage of the dwelling, without the prior written consent of the Local Planning Authority.
- 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, 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 at first floor level or above in any of the elevation(s), without the prior written consent of the Local Planning Authority.

- 17 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, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.
- 18 The rooflights in the north east facing elevation shall be glazed using obscured glass. The windows shall be permanently retained in that condition thereafter.
- 18 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 19 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 19 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 20 The tree protection measures shown within the AIA shall be implemented prior to the commencement of development, site works, or clearance in accordance with the approved details and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised, nor lowered and no materials, temporary buildings, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced area they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.
- 20 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 District Local Plan 2015.
- 21 Prior to the first occupation of the dwelling hereby approved measures for the installation of a water sprinkler system shall be submitted and agreed in writing by the Local Planning Authority. The agreed system shall be in situ prior to first occupation and maintained in perpetuity.
- 21 Reason; To ensure the health and safety for the future occupants of the dwelling. This is supported by paragraph 95 of the NPPF