1.0 EXECUTIVE SUMMARY

1.1 Application brought to Planning Committee at request of Local Ward member. The applications propose the demolition of outbuildings and a wall to the rear of the existing dwelling, and the erection of two detached dwellings of modern, flat roofed design, together with cart shed parking and cart shed parking for the existing dwelling. A new driveway will be created through the site to serve all dwellings. The proposed materials are oak or cedar cladding, with sedum roofs and aluminium windows. The proposal involves the removal of some trees, and planting is proposed to the southern and western walled boundaries of Plot 2, and to the centre of the site between the existing dwelling and Plot 1. A new access from The Vineyards would serve the new and existing dwellings, and would create a public footpath in front of the site, with a 1.8m high boundary wall constructed in reclaimed bricks. Infrastructure contributions towards education, public open space and social infrastructure are proposed.

1.2 The demolition of the outbuildings to enable the construction of the proposed dwellings is not opposed by the Conservation Officer. The proposal complies, in the main with Core Strategy policies, and although contemporary in design, is considered to contrast appropriately with host listed building, complementing it due to their minimalist, low height form and use of appropriate materials. The proposal presents...
an exciting opportunity to add modern buildings to central location without detracting from surrounding area. The impact on neighbouring amenity has been minimised, highway safety improved, and Anglian Water have confirmed that remedial works have been carried out to the sewer, and do not object to the proposed development. Although there is loss of trees, which are enjoyed by neighbouring occupiers, they are not all visible to the wider public. The development does not propose a major adverse impact on the ecology of the site, which cannot be mitigated against. Comments are awaited from Anglian Water, but subject to satisfactory foul drainage disposal the scheme is recommended for approval.

2.0 THE APPLICATION

2.1 The applications propose the demolition of outbuildings and a wall to the rear of the existing dwelling, and the erection of two detached dwellings of modern, flat roofed design, together with cart shed parking and cart shed parking for the existing dwelling. A new driveway will be created through the site to serve all dwellings. Plot 1, being 17m at its widest point and between 8.5m and 12.5m deep, with a main roof height of 5.3m rising to 6.1m at the south west corner, would be positioned to the north east of the host dwelling, adjacent to the boundary with No 4 The Vineyards. This dwelling would have 5 bedrooms. Plot 2, which has been the subject of some amendment, would have 4 bedrooms and be sited within a walled garden to the south of the host dwelling. It would be 16.5m at its widest point and a maximum of 10.5m deep, 5.4m high in the main, with a tower rising to 6.3m. The proposed materials are oak or cedar cladding, with sedum roofs and aluminium windows. The proposal involves the removal of some trees, and planting is proposed to the southern and western walled boundaries of Plot 2, and to the centre of the site between the existing dwelling and Plot 1. A new access from The Vineyards would serve the new and existing dwellings, and would create a public footpath in front of the site, with a 1.8m high boundary wall constructed in reclaimed bricks.

2.2 Infrastructure contributions towards education, public open space and social infrastructure are proposed. The application is supported by a Tree Survey and Constraints Plan, and a Phase 1 and Protected Species Scoping Survey.

3.0 THE APPLICANT’S CASE

3.1 The applicant’s Design and Access Statement is attached as Appendix 1.

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is an area of 0.19ha, and is part of a large garden extending to 0.28ha on which a large detached early 19th century house, known as Vineyard House, stands. The site is in the centre of the city, close to shops and other facilities. It is within the development boundary and the Conservation Area. The site is surrounded by mature brick walls and fencing and contains a number of shrubs and trees. To the north east there is a bungalow and to the south west are the gardens of properties fronting Forehill, that immediately to the south is the garden of a Grade II listed building. The Vineyards is a narrow road leading from the city centre to residential properties. Vehicular access to the site is currently difficult due to the width of the road and poor visibility. The site slopes considerably from The Vineyards to the
lowest area by approximately 4.6m and is terraced, levelling out where the two plots are proposed. Plot 1 being higher than Plot 2. The proposed area for Plot 1 contains substantial trees and shrubs and a small summer house. A further slope down on land to the west leads to a walled garden containing an ‘ancient orchard’ of eight fruit trees, where Plot 2 is proposed. There is a historic access from the west side of Plot 2 to the adjacent garden to the south. The area is predominantly residential in character.

5.0 PLANNING HISTORY

5.1 None relevant.

6.0 REPLIES TO CONSULTATIONS

6.1 The comments relate to Site notice posted and 15 addresses notified. Comments received from 4 local residents raising the following concerns:
- Loss of privacy
- Possible loss of historic summer house
- Inappropriate design in conservation area
- Loss of ancient orchard
- Exacerbation of drainage problems in the area

6.2 City of Ely Council: Recommend refusal on the grounds that this is a brownfield site and should not be developed on. It is also over development of the site and members were concerned regarding the increased traffic these two houses would generate on this road. Re the CAC application – the plans do not identify which wall is to be removed. If the wall was demolished and application E/10/00348/FUL was refused, then the appearance of the site would be detrimental to the conservation area.

6.3 Conservation Officer: the proposals affect a site within Ely conservation area and therefore any development must be of sufficiently high standard to preserve or enhance the character and appearance of the conservation area. The existing outbuildings are to be demolished as part of this scheme. These look to be remnants of a series of buildings which appear on the 1883 OS map. They therefore have historic interest. The application does not provide adequate justification for their removal, or why they cannot be incorporated into the new scheme. Re Plot 1, I am happy with the siting and design of this dwelling. Re Plot 2, the changes made to the orientation makes better use of the space and it fits better on the plot. It is also moved further away from listed buildings on Forehill. I am not sure about the small ‘lid’ on the top as it does not appear to relate to the rest of the building. A condition should be placed on any consent to ensure the outbuildings are adequately recorded prior to demolition. A level 2 recording is sufficient. Materials should also be conditioned. Recommendation: Consent should be granted from a conservation viewpoint.

6.4 Trees Officer: The application proposes the removal of a number of trees and some replanting. None of the trees are subject to TPO, but they are protected as they are in the conservation area. I am concerned that the large cypress in the corner of proposed Plot 1 and a Horse Chestnut on the southern boundary may cause
overshadowing of that property. The loss of trees in the walled garden area, proposed as Plot 2 may impact on biodiversity, and there is not sufficient space to replant sizeable specimens. The proposal to retain the a Sycamore and Elder on the western boundary with Forehill is not sustainable, and the Yew tree in the walled garden to the north of this plot may overshadow the new dwelling. There will be an adverse impact on the long view from between The Hoist and Vineyard House, as the green vista will be lost.

6.5 **Environmental Health:** We request contamination conditions and the addition of the environmental notes to any approval.

6.6 **County Highways Authority:** The Highways Authority have concerns about the width, poor alignment and lack of forward visibility in the vicinity of The Vineyards. As the site is located close to the city centre, where many of the trips generated would be on foot, and cycling and public transport would be an option, I do not recommend refusal on the grounds of the inadequate approach road. A footway is required to the frontage of the site, with pedestrian visibility splays. Technical amendments, at the entrance and within the site layout, are required to the submitted plan. Conditions are proposed.

6.7 **County Archaeology Team:** The site lies in an area of high archaeological potential and should be subject to an investigation at the developers expense. Please impose a condition requiring an investigation prior to commencement of works. A brief of the required works can be obtained from the Team.

6.8 **Ely Society:** An interesting and imaginative scheme.

6.9 **Anglian Water:**

7.0 **THE PLANNING POLICY CONTEXT**

7.1 **East Cambridgeshire Core Strategy 2009**

- CS2 Housing
- CS9 Ely
- CS7 Infrastructure
- H2 Density
- S4 Developer contribution
- S7 Parking provision
- EN2 Design
- EN3 Sustainable construction and energy efficiency
- EN5 Historic conservation
- EN6 Biodiversity and geology
- EN8 Pollution

7.2 **National Planning Policy**

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPS5 Planning for the Historic Environment
8.0 **PLANNING COMMENTS**

8.1 As the site is in the conservation area and the grounds of an LB the main issues to consider are:
- Core Strategy Policies on the principle of development and recent changes in Government advice in respect of PPS3 (Housing);
and the impact of the proposal on:
- The setting of the existing building and whether the development preserves or enhances the conservation area;
- The ecology of the area;
- Residential amenity;
- Highway safety; and
- The existing foul drainage system

8.2 **Core Strategy Policies on the principle of development and PPS3 revisions:**
Policy CS1 sets out the Council’s development strategy, promoting the major part of future residential development in Ely as the largest and most sustainable settlement. Policy CS2 sets out the allocations strategy and future prediction for windfall sites. Policy CS9 expands on the development strategy for Ely, giving details of likely areas for allocation sites. The site is in the centre of the city, in very close proximity to shops and services and is therefore a particularly sustainable location. The above policies support the principle of development of the site, however, whilst the development is within the settlement boundary, the site is garden land and, therefore account must be taken of Government advice received on 6th June 2010. This advice amends PPS3 (Housing) to give Local Authorities the opportunity to prevent over-development of neighbourhoods and ‘garden grabbing’, by excluding private residential gardens from the definition of previously developed land (known as brownfield land) and deleting the national indicative minimum density of 30 dwellings per hectare.

8.3 In considering development of garden land, which constitutes the majority of windfall sites within the district, this authority has always taken care to ensure that the proposals accord with the scale, design and character of the surrounding area. There has never been a presumption that because the land was ‘brownfield’ it should automatically be developed. In this case the grounds of the host dwelling are very large and can easily accommodate the proposed dwellings. The density of the proposal would be 10.5 dwellings per hectare, and would accord with new government advice. This low density is particularly appropriate in view of the importance of the host building and the area in general. Impact on the character of the area is considered below, but in respect of the change in Government advice it is considered that the principle of development of the garden land is acceptable in this instance and would not result in over-development of the area.

8.4 **Impact of the proposal on the setting of the existing dwelling and whether the development preserves or enhances the conservation area:**
PPS5 and Policy EN5 seek to ensure that a high standard of design and materials are used in conservation areas to preserve or enhance their character and appearance. Demolition of buildings in a conservation area should be resisted if they are of architectural, historic or visual character. Policy EN2, similarly, requires that all developments are designed to a high quality, reinforcing local distinctiveness, making efficient use of land whilst respecting local character and, landscape and biodiversity,
retaining important landscaping, natural and historic features, and ensuring that scale, massing and materials are sympathetic to the surrounding area. Policy EN3 states that all developments should seek to maximise energy efficiency and minimise energy demand through sustainable design and construction.

8.5 Vineyard House is set down from The Vineyards and relatively hidden from main public views from that road. It is a substantial dwelling, and although not listed, has a significant presence in the area, particularly when viewed from the rear of Forehill. The grounds are extensive, and although mainly hidden from public view, they add considerably to the conservation area, due to the number of large trees. The site is unusual as it slopes considerably following the contours of Forehill, and is divided into three main areas, the house and a lower walled garden to the rear, a further walled garden to the south, and a large area to the east. The only significant view from the public domain, over the site is from between The Hoist and Vineyard House, which currently presents as a predominantly green vista looking down towards Lisle Lane. To the south, a wall forms the boundary with the garden of a Grade II listed building.

The proposed dwellings are of modern design, being flat roofed and covered in sedum, the walls being finished with either oak or cedar cladding. The design is minimalist and sustainable materials have been chosen to try to ensure that the buildings blend with the existing trees on site. Both dwellings have been designed to make the most of their southern aspect. The architect has explained that the intention was to create a contrast rather than a pastiche reflection of the existing dwelling. Plot 1 is set on the lower land to the east of the site and Plot 2 on the southern most ‘terrace’. The buildings have been designed to be low, and are set low in relation to the main house to minimise their impact upon it and the wider conservation area, but their modern design also makes a statement, which aims to enhance the character of the area. The dwelling on Plot 2 has been redesigned to minimise the impact on the listed building to the south, by moving it closer to the boundary wall to the north.

8.6 The outbuildings form a range of various storage/garage buildings to the south of the main house and are not widely viewed from the public domain. The Conservation Officer considers them to be of some historic interest, and their removal is regrettable, but it is proposed that they will be replaced with a wall to enclose the rest of the walled garden immediately to the south of Vineyard House. The architect has explained that in striving to create a contrast with the main house, the use of the outbuildings as garages or similar would not have blended with the modern design. The Conservation Officer accepts their removal but requested that they be recorded for posterity. It is considered that the loss of these buildings would not be of significant detriment to the character of the existing building or its setting. The proposed cart lodge parking sheds are of acceptable design, providing a slightly more traditional architectural element between the new dwellings and the existing house, will be clad to match the proposed dwellings and have slate roofs. The summerhouse to the north east of the site is unaffected by the proposals. It is considered that the dwellings have been designed to minimise the impact on the existing house, and the adjacent listed building, being set low, and relatively out of public view. Being a contrast to the prevalent architecture of the area, they make a modern, but subtle statement and will add to the character of the area. It is therefore considered that the proposals comply in the main with the above policies and will enhance the conservation area and have no detrimental impact on the host dwelling.
**Impact on the ecology of the area:** Policy EN6 and PPS9 seek to protect biodiversity and minimise harm to or loss of environmental features such as trees. Where they are lost, mitigation measures should be carried out and every opportunity should be taken to create or recreate habitats where possible. As previously stated, the site contains a number of trees, some of which are proposed for removal to accommodate the proposals. The tree survey advises that to accommodate Plot 1 and the access drive, a holly, ash, hazel, hawthorn, plum and pear tree are proposed for removal. However a significant number of trees will remain and additional planting is proposed. The Trees Officer does not raise objection to their removal, but has raised concerns about potential overshadowing from a cypress tree on the eastern boundary and Horse Chestnut on the southern boundary, which are proposed for retention. The tree survey recommends that the cypress be reduced in height. Careful construction methods will need to be used to retain the integrity of this tree. The main tree loss is proposed on the site for plot 2, where a large ash, seven apple trees and a sycamore are proposed for removal. The Tree Survey indicates that the ash tree is poorly formed and showing signs of decline and likely to cause damage to the adjacent wall. The sycamore is a self-sown tree and recommended for removal. However the fruit trees are significant in that they are within a walled garden and may be considered to form a ‘traditional orchard’ which has the potential for considerable ecological presence. Traditional orchards are designated as a UK Biodiversity Action Plan Priority Habitat. An ecological survey has therefore been undertaken to assess the flora and fauna of the site and this orchard in particular.

8.8 Traditional orchards are defined for priority habitat purposes as orchards managed in a low intensity way, and to a lesser extent by the spacing of trees and the spacing between them. The minimum size is defined as five trees with crown edges less than 20m apart, therefore the site does fit the definition in this respect. The ecology report states that the fruit trees are managed in a low intensity way, however the ‘orchard’ does not meet the definition of a prime Traditional Orchard as the site is not grazed and there is not an abundance of standing and fallen deadwood. Additionally the orchard does not contain many of the other habitats associated with Traditional Orchards, including hedgerows, scrub and watercourses. The report concludes that some compensatory fruit tree planting should be carried out along the boundary wall. The Trees Officer has concerns that there would be insufficient planting space for complete compensation. However, there is scope for planting in the south east corner and some form of planting, perhaps with trellising and climbing fruit varieties could provide an acceptable alternative.

8.9 The report states that the existing trees provide some nesting and foraging opportunities for birds, and trees bordering the site should be retained where possible, and that no tree works should be carried out in the bird-nesting season. The site is thought to be unsuitable for the majority of protected mammals, with the exception of bats. Their presence is evidenced by crevices in the boundary walls, but no indication of use of the outbuildings was found. The report recommends that the walls surrounding the site should be protected with appropriate fencing during development. It is therefore considered that significant damage to wildlife is not likely, and that the recommendations of the ecology report can be suitably conditioned. The loss of the orchard is a more material consideration, however it appears to have little ecological importance and can only be seen by the public from long views, therefore it is considered that some compensatory replacement planting will help mitigate its loss.
The Tees Officer does not consider the orchard worthy of a TPO. Other trees on the site are protected due to their location in the conservation area.

8.10 Impact on residential amenity: Policy EN2 states that there should be no detriment to the residential amenity of nearby occupiers from development proposals, and that occupiers of new dwellings should be provided with acceptable residential amenity. Residential amenity is affected, in the main, by increased noise and disturbance, overshadowing or loss of privacy. It must be remembered that this is a city centre location, where some overlooking is commonplace, however the proposals do seek to minimise this. With regard to both plots there will be some impact, as the use of the land is currently as gardens. Plot 1 is 1.5m away from the boundary with the adjacent property, No 4 The Vineyards, at its closest point. However it has been designed to be at an angle with the boundary to maximise the southern aspect, and therefore only one corner of the building as in such close proximity. The building is 5.3 m tall at this point, and has no overlooking windows. Given the existing boundary foliage and fence, and the orientation of the proposed dwelling it is not considered that it would cause material loss of light or any loss of privacy.

8.11 At the time of writing the report no adverse comments regarding the design and positioning of Plot 2 had been received, although comments are expected from the occupier of the listed building adjacent. This plot is on a higher terrace than the garden of the listed building to the south, and therefore has potential to overlook the site. To address this issue the design of Plot 2 has been revised to set it further back (now 11m at first floor, and 7.8m at ground floor levels) from the boundary with this property and first floor windows have been altered so that only a dressing room directly looks out over the property. It is considered that these measures are acceptable to minimise any adverse impact, especially given the height of the land above the neighbouring garden, the existing boundary wall and potential planting along it. The western boundary wall divides the site from other properties in Forehill, but existing foliage provides some screening. The Trees Officer has concerns about the longevity of the boundary trees and therefore the first floor windows to this side of the proposed dwelling are proposed to be opaque glazed to minimise the potential for overlooking. There would be no overshadowing due to the height of the proposed building and the distance from the boundary (5m).

8.12 With regard to the Vineyard House, there would be no adverse affect, other than a change of view, as both plots are some distance from the property and set down from it. The Trees Officer has raised concerns about the yew tree in the walled garden above Plot 2, which may cause loss of light to the proposed dwelling. However any overshadowing is minimised to an extent by the layout proposed, which provides for ground and first floor bedrooms and stairwell in the vicinity of the tree. It is therefore considered that the design of both dwellings has been carefully considered to minimise potential loss of amenity and the proposal complies with Policy EN2 in that respect.

8.13 Impact on highway safety: Policy S6 seeks to ensure that all developments provides safe access and reduce the need to travel by car. Policy S7 requires appropriate parking to be provided. The current access is difficult as The Vineyards is a narrow road with poor visibility at this point. The proposal provides for a new access and footpath cross the majority of the frontage. Appropriate visibility splays can be provided and a new wall will demark the boundary edge. Two parking spaces
are provided per dwelling and other space is available for parking and turning. Whilst the proposal could increase vehicular activity at the site, the improvements to the access and the provision of a foot path are acceptable to County Highways, particularly as the site is so close to the city centre where car usage can be minimised due to proximity of local services and the availability of public transport. It is therefore considered that the revised access will improve traffic movements on the highway and, with the imposition of the conditions requested by County Highways, the proposal will comply with Policies S6 and S7.

8.14 **Impact on the existing foul drainage system:** Residents in Forehill have raised concerns regarding the capacity of the foul drainage system in the area, as some have suffered from overflows in recent months. Policy EN8 minimise pollution of any kind, and ensure sufficient information is available to enable an assessment of potential hazards to be made. It is understood that work has been carried out to reline the sewer, but that problems may remain. The surface water from the site is proposed to be dealt with by soakaways so would not add capacity to the drainage system, however the applicant proposes to connect to the foul sewer. To address the concerns raised, Anglian Water services have been consulted. They have confirmed that the flooding arose due to a burst water main which flooded into the sewer. Work has been carried out to repair the main and the sewer and they have no concerns with the proposed dwellings connecting to the mains sewer.

8.15 The applicant has agreed to make the appropriate contributions towards public open space, social infrastructure and education as required under Policy S4 of the Core Strategy.

8.16 **Summary:** The demolition of the outbuildings to enable the construction of the proposed dwellings is not opposed by the Conservation Officer. The proposal complies, in the main with Core Strategy policies, and although contemporary in design, is considered to contrast appropriately with host listed building, complementing it due to their minimalist, low height form and use of appropriate materials. The proposal presents an exciting opportunity to add modern buildings to central location without detracting from surrounding area. The impact on neighbouring amenity has been minimised, highway safety improved, and Anglian Water Services have confirmed remedial works have been carried out to the sewer and they do not object to a connection to the foul sewer. Although there is loss of trees, which are enjoyed by neighbouring occupiers, they are not all visible to the wider public. The development does not propose a major adverse impact on the ecology of the site, which cannot be mitigated against. The scheme is therefore recommended for approval.

9.0 **RECOMMENDATION** Approve application E/10/00348/FUL subject to the following conditions:

1. The development hereby permitted shall be commenced within 3 years of the date of this permission.

   1. REASON: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and
approved in writing by the Local Planning Authority. All development shall be carried out in accordance with the approved details.

2 REASON: To safeguard the character and appearance of the Conservation Area, in accordance with policies EN2 and EN5 of the East Cambridgeshire Core Strategy 2009

3 No development shall begin until the applicant 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. The archaeological work shall be carried out in accordance with the approved details.

3 REASON: To ensure that any archaeological remains are suitably recorded in accordance with policy EN5 of the East Cambridgeshire Core Strategy 2009

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 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 EN8 of the East Cambridgeshire Core Strategy 2009.

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 in writing to the Local Planning Authority within 24 hours. An investigation and risk assessment must be undertaken 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 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 EN8 of the East Cambridgeshire Core Strategy 2009.
Prior to the commencement of development full details of the hard and soft landscaping proposed on the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:
- planting plans, a written specification, schedules of plants noting species, plant sizes, proposed numbers/densities, all in respect of the whole site;
- specific planting plans and specification to provide some mitigation for the loss of trees on Plot 2;
- boundary treatments;
- hard surfacing materials; and
- an implementation programme.
The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.

**REASON:** To safeguard the character and appearance of the Conservation Area, and residential amenity in accordance with policies EN 2 and EN5 of the East Cambridgeshire Core Strategy 2009

No development shall take place until a scheme for the maintenance of the soft landscaping for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the methods for the proposed maintenance regime, a detailed schedule, and details of who will be responsible for its continuing implementation. The soft landscaping shall be maintained in accordance with the agreed scheme.

**REASON:** To safeguard the character and appearance of the Conservation Area, in accordance with policies EN2 and EN5 of the East Cambridgeshire Core Strategy 2009

No development shall take place until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2005 - Trees in relation to construction - Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to the commencement of any 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, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

**REASON:** To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies EN1 and EN2 of the East Cambridgeshire Core Strategy 2009

The existing access(es) to The Vineyards shall be permanently and effectively closed and the footway / highway verge shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, within 28 days of the bringing into use of the new access.

**REASON:** In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009
Prior to occupation any gate or gates to the vehicular access shall be set back a minimum of 5 metres from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards.

REASON: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009

The gradient of the vehicular access shall not exceed 1:12 for a minimum distance of 5 metres into the site, and the access shall be a minimum width of 5 metres for a minimum distance of 10 metres. All measurements as measured from the near edge of the carriageway.

REASON: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009

Prior to first occupation:
- the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with Cambridgeshire County Council Construction specification; and
- 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; and
- visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan as shown on plan TB02-10C received 19.7.10. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway

REASON: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009

No part of any wall, including its foundation, shall overhang or encroach under or upon the public highway and no gate or door shall open outwards over the public highway.

REASON: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009

Prior to commencement of any works to the proposed new footway, the applicant shall enter into a legal agreement with the County Highways Authority based on detailed designs for the footway. Prior to first occupation of the development permitted the footway across the frontage shall be completed to the written satisfaction of the local planning authority in consultation with the Local Highways Authority.

REASON: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009

Prior to the commencement of the development of Plot 2 details of proposals to protect the boundary walls with appropriate fencing to ensure no damage to any bat roosts, and a scheme for the provision of bat boxes on the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the design and position of the boxes. The approved scheme for fencing shall be implemented prior to commencement of works and the approved scheme for provision of bat boxes shall be implemented prior to the occupation of the dwelling on Plot 2.

REASON: To safeguard and provide a habitat for bats in the locality in the interests of wildlife protection, in accordance with Policy EN6 of the East Cambridgeshire Core Strategy 2009.
Prior to commencement of development full details of the proposed boundary wall which will replace the outbuildings to the south of Vineyard Lodge, and the wall proposed to the frontage of the site, shall be submitted to and approved by the local planning authority. The approved scheme shall be implemented prior to occupation of the new dwellings approved on the site.

REASON: To safeguard the character and appearance of the Conservation Area, in accordance with Policies EN2 and EN5 of the East Cambridgeshire Core Strategy 2009.

The windows serving the first floor bedroom on the western side of plot 2 shall be opaque glazed to the satisfaction of the local planning authority and remain so in perpetuity, unless otherwise agreed in writing by the local planning authority.

REASON: To safeguard the residential amenity of adjoining occupiers, in accordance with Policy EN2 of the East Cambridgeshire Core Strategy 2009.

Approve application E/10/00349/CAC subject to the following conditions

1 The development hereby permitted shall be commenced within 3 years of the date of this permission.

REASON: To comply with Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.

No demolition shall take place before a contract for carrying out the redevelopment works has been made, the associated planning permission has been granted and a programme of demolition and construction has been agreed in writing with the Local Planning Authority. All works shall be carried out in accordance with the approved details.

REASON: To ensure that demolition is closely followed by redevelopment, to safeguard the character and appearance of the area, in accordance with policy EN5 of the East Cambridgeshire Core Strategy 2009.

Prior to any demolition works being carried out, full details of the outbuildings to be demolished shall be recorded to at least Level 2, by an appropriately qualified person, and the details shall be submitted to the local planning authority for verification and acceptance.

REASON: To ensure that the buildings are recorded for posterity due to their historic interest, in accordance with Policy EN5 of the East Cambridgeshire Core Strategy 2009.

APPENDICES

- Appendix 1 Applicant’s Design and Access Statement

<table>
<thead>
<tr>
<th>Background Documents</th>
<th>Location(s)</th>
<th>Contact Officer(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PPS1, PPS3, PPS5</td>
<td>Sue Finlayson</td>
<td>Sue Finlayson</td>
</tr>
<tr>
<td></td>
<td>Room No. 011</td>
<td>Team Leader, Development</td>
</tr>
</tbody>
</table>