
MAIN CASE

Reference No: 17/01055/OUT

Proposal: Outline application (with all matters reserved except access, layout and scale) for the demolition and reconstruction of 20 High Street and construction of 4 dwellings with associated gardens and parking.

Site Address: Ashfield House 20 High Street Stetchworth Newmarket Suffolk CB8 9TJ

Applicant: Mr & Mrs P Mahoney

Case Officer: Gareth Pritchard, Planning Officer

Parish: Stetchworth

Ward: Dullingham Villages

Ward Councillor/s: Councillor Chris Morris

Date Received: 16 June 2017

Expiry Date: 9 October 2017

[S124]

1.0 **RECOMMENDATION**

1.1 Members are recommended to **approve** this application subject to the recommended conditions below; the conditions can be read in full on the attached appendix 1.

- 1 – Approved Plans
- 2 – Time Limit
- 3 – Time Limit
- 4 – Construction Times
- 5 – Construction Management Plan
- 6 – Surface Water Scheme
- 7 – Biodiversity Enhancements
- 8 – Permitted Development Outbuildings
- 9 – Unexpected Contamination
- 10 – Soft and Hard Landscaping Scheme
- 11 – Soft Landscaping Maintenance
- 12 – Heights of buildings
- 13 – Closing of existing access to No.20
- 14 – Tree Protection Plan

2.0 **SUMMARY OF APPLICATION**

- 2.1 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.**
- 2.2 The application has been called into Planning Committee by Cllr Chris Morris for the following reason: *"I wish to call in the above application because it's outside the brown envelope, and more reasons will come direct from the Parish Clerk at Stetchworth. They being the Parish Council wish it to go to the Planning Committee for consideration."*
- 2.3 Outline planning permission is being sought for the demolition and reconstruction of 20 High Street, Stetchworth and the construction of four new dwellings and associated works. The outline is for principle, access, layout and scale. The application was originally for principle and access but has been altered to include layout and scale following comments from the Conservation Officer regarding heritage assets along High Street, Stetchworth.
- 2.4 The proposed layout and access would be as shown on drawing P02 Rev H. The proposal includes the demolition of No.20 and its replacement further south to provide space for an access that will lead to the four new dwellings. These dwellings will be located to the west of No.20 and arranged with plots 2, 3 and 4 in close proximity to one another with plot 1 set further into the site. All the dwellings would have a maximum ridge height of 8 metres.

3.0 PLANNING HISTORY

3.1

93/00682/FUL	2 Stables & Tack Room for Housing Own Horse	Approved	30.09.1993
01/00659/FUL	Existing wooden stable block (2 loose boxes and tack room) to be extended by a hay store in identical materials. Concrete base.	Approved	21.08.2001
11/00511/FUL	Construction of garage	Approved	08.09.2011
17/00602/TPO	- Ash (tree 602) - fell because of hazardous acute union with reaction wood ribs. - Replant nearby in the next planting season following removal - location, tree species and stock size to be		17.05.2017

agreed with ECDC.

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located outside of the established development framework for Stetchworth on the western edge of the village and beyond the High Street. To the west, the surroundings are primarily rural in character consisting of a network of paddocks and beyond this, worked agricultural land
- 4.2 To the east, beyond the High Street spur, lies the core of the village which is primarily residential in its character. Though some issues of localised flooding have been raised by residents, the land to the west, including the application site, is located within the Environment Agency's Flood Zone 1. To the south of the site is another spur from the High Street called The Beeches.
- 4.3 There are a number of listed buildings along the High Street in Stetchworth which typically follow the linear pattern of development along that road. With the closest being 32 High Street (Grade II listed), which would share a boundary with No.20 High Street and would see the change of use of an existing orchard to residential curtilage. The site slopes approximately 8 metres from south to north.

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.

Parish – Requested that the application be refused for the following reasons:

- Development is outside of the established development framework and goes against recommendations of the ECDC Further Draft Local Plan.
- The development would harm the linear character of the village, being back fill on a greenfield site.
- The development would be detrimental to the established character of the surrounding area.
- Could set precedence for further development beyond this paddock.
- A development has previously been turned down on this site.
- Loss of amenity for neighbouring properties due to issues with the access which is via an unadopted road maintained by residents.
- The access road is unsuitable for heavy construction traffic.
- Overlooking and loss of privacy to neighbouring properties resulting in a loss of outlook to the detriment of residential amenity.
- The area at the bottom of the access road is prone to infrequent flooding which could increase with surface water run-off from the development.
- Requested the application be heard at planning committee.

Ward Councillors – Cllr Chris Morris *"I wish to call in the above application because it's outside the brown envelope, and more reasons will come direct from*

the Parish Clerk at Stetchworth. They being the Parish Council wish it to go to the Planning Committee for consideration.”

Environmental Health – No concerns but recommended conditions relating to the application

Local Highways Authority – Does not object to the application but has noted that the development is accessed off a private road starting from No.14 High Street. Due to this and the proposed development not being to an adoptable standard they would not seek to or offer to adopt any part of this development access.

Trees Officer – Original comments stated: *“This proposal is for outline permission for demolition and reconstruction of the existing house, and the construction of 4 new dwellings with access via a private road. To achieve site access the proposal requires the removal of a number of trees (some subject to tree preservation order E/16/89) in the grounds of 20 High Street.*

These removals include trees of significant landscape value. The removal of the trees shown on plan drawing No.16.581/3 will have a significant impact on the local landscape.

The arboricultural report and impact assessment supporting the application, has considered the re-contouring of the front garden bank, as part of the construction of the new access driveway that requires the removal of the two TPO Ash trees T600 and T601. New tree planting is proposed to compensate for the loss of the trees and the removal of the two Ash trees will as the landscape consultant states, also allow a gentler S-profile slope to create a feeling of space on the street scene.

Whilst the consideration shown in this landscape proposal to include the enhancement of the visual layout and re-contouring of the front garden is welcomed, I would make the following comments on the development proposal:

- 1. The new tree planting proposed at the front of the site will be in a much smaller garden lawn space. There is not sufficient space for this number of new trees at their mature size, especially the group of 3 new trees set close to the current location of the 2 Ash trees T600 and T601.*
- 2. One of the new trees is located too close to the front boundary and will likely impede the driveway access into 18 High Street.*
- 3. The new tree shown close to the new dwelling on Plot 4 will be a new Field Maple tree that is a replacement for the Ash tree T602 which is permitted to be felled, subject of a separate tree work application reference 17/00601/TPO approved on 17/05/17, with the condition for the replacement planting in a location close to the existing Ash tree T602. This is not referred on the plan drawing No.16.581/3 of this planning application.*
- 4. The new drive layout proposed is not supported because of the impact of construction on Sycamore tree T603. Excavation will need to take place well within the root protection area of this tree. There is no information supplied of an assessment of this impact on adjacent trees in the submitted arboricultural reports. The new driveway also significantly reduces the front garden space for new tree planting that is proposed to compensate for the loss of some of the*

existing trees and mitigate the negative effect of the tree losses on the local landscape.

- 5. A plan showing a cross-section of the proposed new driveway in relation to the adjacent trees to be retained, especially Sycamore tree T603, would have been helpful. This would show clearly the gradation of the land, required to construct the new driveway, with reference to the position of adjacent tree(s).*
- 6. Plot 4 is too small for a dwelling, set very close to the boundary with the trees in the garden of 18 High Street. The new dwelling here will be very shaded by the adjacent neighbouring trees. This will likely lead to pressure for removal or great reduction of these neighbouring boundary trees.*

I therefore cannot support the site layout proposed in this application.”

Following amended plans from the applicant the following comments were received:

“The revised site layout proposed is welcomed as it now creates a much larger green space for the front garden area of the new house, which is replacing the original house 20 High Street. This will allow sufficient space to re-landscape the front garden, including the planting of new trees. It will also allow the retention of TPO Ash tree T600. The revised plan still shows Ash tree T600 to be removed, but this tree could now be retained, adding a mature landscape feature for the time being (even though this Ash tree was classified C2 in the arboricultural report) as the new front garden planting establishes. The 3 new trees to be planted in the front garden can now be spaced more widely, positioning the trees further from the road and new driveway edges.

The cross-sectional plans of the new driveway provided indicate there will be very little ground level difference for the construction of the drive near the edge of the root protection area of the Sycamore tree T603.

My previous comments on the new plot 4 remain unchanged.

If the planning proposal with this new revised layout is to be approved, please include planning conditions to provide the detailed landscape planting scheme and tree protection plan for the trees to be retained on the site.”

CCC Growth & Development - No Comments Received

Conservation Officer – Original comments based on an outline application for principle and scale raised concerns with the site being located to the rear of several listed buildings. It was considered given the detail submitted it would be difficult for officers to assess the potential harm caused to the significance and wider setting of the listed buildings. Due to insufficient information considered contrary to NPPF. Scale and layout were requested so an assessment could be made.

The comments received during the re-consultation stated:

“This application is on a site located to the rear of an existing modern development off Stetchworth High Street. There are several listed buildings; to the northeast and southwest.

The applicant has stated that they now wish the layout and scale to be determined as part of the outline application. They have therefore amended the proposed plan to state that the dwellings will be no more than 2 storeys with a maximum ridge height of 10m and maximum eaves height of 7m.

As noted previously, the character of Stetchworth is that of a linear development along the High Street with very few buildings located to the rear of the main road, particularly at this end of the village.

No. 20 High Street is a modern dwelling that is of no historic and little architectural value, therefore the demolition and reconstruction of the property does not overly concern me. However, the proposal also includes the provision of the existing orchard to become the garden to No.20 and I would have concerns in regards to the potential impact that this could have on the setting of No. 32. The change from orchard to garden land and the repositioning of the red line closer to the boundary of No.32, has the potential to result in the proliferation of residential paraphernalia that could result in harm being caused to the current rural setting of the heritage asset.

The depth of the proposed development appears to be a relatively inefficient use of land which is contrary to the Council's adopted Design Guide SPD and plot 1 in particular appears disjointed from the rest of the development and the settlement as a whole, whilst it is noted that it doesn't extend further than the development at The Beeches, the relationship between the proposed dwellings is not as well considered.

The proposed maximum heights of the development are of a concern as a ridge line of 10m seems to be excessively high for 2 storey buildings and no indication has been given by the applicant in terms of how this would actually work on the ground with existing site levels being taken into account."

Following a reduction in maximum height to 9 metres the Conservation Officer confirmed this small reduction was still inadequate.

Strategic Planning - No Comments Received

Waste Strategy (ECDC) – Originally provided general waste related comments but following further discussions confirmed the following:

"I can confirm that the waste team would be prepared to enter the site to empty the bins for the new properties provided that the new road was built to the correct standard and all parties that own part of the road are prepared to indemnify the Council against damage caused to any part of the roadway from where the adopted section ends on the High Street though to the turning head in the new site."

- 5.2 **Neighbours** – 14 neighbouring properties were notified, a site notice posted and advert placed in the Cambridge Evening News. The responses received are summarised below. A full copy of the responses are available on the Council's website.

- Demolishing existing dwelling will alter the appearance of the area.
- Object to the removal of the trees particularly those with TPO's and would make a mockery of why these trees were preserved in the first place.
- Make neighbour feel they have wasted time looking after their own trees
- Trees compliment the appearance of the rural area, and need to preserve rather than have concrete jungles.
- From rubble strip to the bottom of the cul-de-sac there are no pavements and as there are young children living in neighbouring properties causes safety concerns with increased vehicle movements.
- Vehicles often have to reverse out of the road onto main highway.
- When built in 1992-93 District Council insisted on a turning point at the bottom of the close for emergency vehicles and that this was kept clear at all times.
- Access would be opposite turning point.
- There would be consideration loss of parking for No.18 who would then park in this turning point.
- Concerns with surface water management which currently runs from the rumble strip to the bottom of the close to a soakaway. Have seen water up to 1 foot deep here.
- No.18 recently installed larger pipe or alleviate flooding issues currently experienced.
- Impact to residential amenity with vehicle movements.
- Past the rumble strip the road is privately owned.
- People parking on the road cause issues with highway safety due to close proximity of road to main junction with High Street.
- Previous applications refused.
- Backland development.
- Lack of details on the plans.
- Fails to address previous reasons for refusal
- Contrary to policy as outside of the established development framework.
- Noise from construction vehicles.
- Proposed dwellings directly impinge on the dwellings along The Beeches and will impact on privacy.
- Landscape pictures are misleading and development would detract from views of the meadow.
- Could be built in other sites in the village.
- Main junction with High Street has limited splays.
- Reliance on private motor vehicle due to lack of footpaths.
- Foul water drainage concerns.
- Current residents have to take rubbish a long distance to be collected.
- Height inappropriate.
- Letter in supporting advising no considered impact to neighbouring listed buildings.
- No objections but request no larger development and appropriate conditions put in place
- Separation distances between proposed and existing dwellings is unacceptable
- Planning approval should limit any further development
- Proposed dwellings are too tall

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
COM 7	Transport impact
COM 8	Parking provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 12	Listed Buildings

6.2 Supplementary Planning Documents

Design Guide
Flood and Water
Developer Contributions and Planning Obligations
Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 11 Conserving and enhancing the natural environment
- 12 Conserving and enhancing the historic environment

7.0 PLANNING COMMENTS

7.0.1 The main considerations of this application are: principle of development, visual amenity, impact on the historic environment, residential amenity, trees, highways safety, ecology and other matters.

7.1 Principle of Development

7.1.1 The application site lies outside of the defined settlement boundary. The development of the site for housing would therefore conflict with Policy GROWTH 2 of the East Cambridgeshire Local Plan which seeks to focus new housing development within defined settlement boundaries. However, as the council cannot currently demonstrate a five year land supply for housing, policy GROWTH 2 cannot be considered up to date in so far as it relates to supply of housing land.

- 7.1.2 In this situation the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts would significantly or demonstrably outweigh the benefits of the proposed dwelling.
- 7.1.3 At this point it is important to highlight that this site has been subject to a recent planning application seeking outline planning permission with access for three dwellings. This application was refused by the Local Planning Authority in December 2016 due to the principle of development on the site, impact to trees and impact on residential amenity.
- 7.1.4 This decision has subsequently been appealed (APP/V0510/W/17/3170400) by the applicant and the appeal dismissed. However, the Planning Inspector only dismissed the appeal on the grounds of the impact to the amenity of occupiers of No.20 due to the close proximity of the proposed access. Within the appeal the inspector considered the site and the principle of housing on it. The Inspector considered that as the development would extend no further than the dwellings along The Beeches, and given the enclosed nature of the site, that residential development on this site would extend an existing pattern of development and would not appear incongruous. It would therefore be an appropriate extension to the village. The inspector also commented that the location was sustainable.
- 7.1.5 As a result of this appeal the principle of residential development within this site is considered to be acceptable subject to satisfying all other material planning considerations. It is important to note that this application does differ from this appeal decision. This application would see an additional dwelling built and the existing No.20 demolished and re-built in a new location.
- 7.2 Visual Amenity and impact on the historic environment
- 7.2.1 Under Local Plan policy ENV1 this application should ensure that it provides a complementary relationship with existing development, and conserve, preserve and where possible enhance the distinctive and traditional landscapes, and key views in and out of settlements. Under Local Plan policy ENV2 this application should take care to ensure that the location, layout, form, scale, massing and materials are sympathetic to the surrounding area. Under Local Plan policy ENV12 a proposal that affects the setting of a listed building should not materially harm the immediate or wider setting of a listed building.
- 7.2.2 The application was originally submitted for outline planning permission with just access being fixed at this stage. However, due to the extent of changes, including the demolition of No.20 and its re-building, additional information was requested as the site shares a boundary with Grade II listed No.32 High Street. The applicant subsequently submitted details for layout and scale to be determined as part of the outline application.
- 7.2.3 The dwellings were originally proposed with a maximum height of 10 metres. This was requested to be reduced due to the edge of settlement location, and the applicant subsequently reduced this to 9 metres. Again amendments were requested and the maximum height was then reduced to 8 metres. For reference the applicant has confirmed the existing dwelling No.20 is 8.16 metres high.

- 7.2.4 As previously noted the Inspector, as part of the previous appeal, did not consider that the principle of residential development on this site would cause significant and demonstrable harm to the character of the area. She considered it to be an appropriate extension to the existing pattern of development due to the context of The Beeches to the south.
- 7.2.5 The footprints of the proposed dwellings are considered to be appropriate given the scale of dwellings along the High Street and The Beeches to the south, which again provide an appropriate context.
- 7.2.6 Following the lengthy discussion with the applicant around the height of the proposed dwellings the reduction to a maximum ridge height of 8 metres is considered to be acceptable. The High Street spur where No.20 is located is a mixture of two and one-and-a-half storey dwellings and the dwellings on The Beeches appear two storey in nature when viewed from the application site. The maximum ridge height proposed is slightly lower than the existing dwelling at No.20 which provides further context for a maximum ridge height of 8 metres. As a result the proposed height is considered to be acceptable in this edge of settlement location.
- 7.2.7 It should also be noted that the applicant will be re-grading some of the site including the proposed access road into the site, due to the large bank fronting existing highway. A detailed design of this re-grading can be secured by planning condition to ensure the changes as part of the landscaping is of a high quality.
- 7.2.8 Given the position of plot 1 within the site it is considered necessary to remove permitted development rights for outbuildings to prevent visual clutter and minimise the impact to the character and appearance of the area. The same rights are considered necessary to be removed from No.20 to be re-built due to the potential impact on the nearby listed building.
- 7.2.9 The nearest listed building is the Grade II listed 32 High Street which would share a boundary with the amenity space of the re-built No.20. The separation distance is approximately 45 metres between the two buildings and it is therefore considered that the proposed is not likely to significantly impact on the setting of this listed building. The planning inspector in the appeal did not consider the 3 previously submitted dwellings to impact on any listed buildings, and the addition of a further dwelling for this application is again considered to have no impact on these listed buildings. The Conservation Officer has raised concerns with the impact on nearby listed buildings due to the form of development into this site and the proposed height. The last comments received advised they considered the ridge height of 9 metres too high, and the applicant has subsequently reduced this to 8 metres.
- 7.2.10 As a result and subject to acceptable reserved matters the application is considered to be acceptable visually and is not considered to cause detrimental harm to the setting of nearby listed buildings. The application is therefore considered to comply with policies ENV1, ENV2 and ENV12 in this regard.

7.3 Residential amenity

- 7.3.1 Under Local Plan policy ENV2 this application should ensure that it does not result in a significantly detrimental harm to the residential amenity of future or neighbouring occupiers as a result of the proposed development.
- 7.3.2 Plots 1 and 2 would be located approximately 37 metres from the boundary with the dwellings on The Beeches. Given the separation distance between the proposed dwellings and these existing dwellings there is no significantly detrimental impact through loss of light, by being overbearing or loss of privacy. The separation distances comply with the guidelines set out in the East Cambs Design Guide SPD.
- 7.3.3 Plots 3 and 4 would be closest to No.18 High Street to the north of the site. The dwelling on plot 4 would be approximately 13 metres to the south-west of this dwelling, and plot 3 would be 38 metres away. Given their location to the side and rear of No.18 the dwellings are not considered to be significantly overbearing, cause significant loss of light, or loss of privacy which could not be dealt with at a reserved matters stage. The demolition and re-building of No.20 is also not considered to have a detrimental impact through overlooking, loss of light or loss of privacy.
- 7.3.4 As noted within the comments from Waste Strategy, access to the site would be via a private road, and then the proposed new estate road. The Waste Team have advised they would be happy to use the newly provided turning area within the site so that waste vehicles can enter and leave in a forward gear. However, all owners of the roads would need to indemnify the council against any future damage. Should occupiers not wish to do this the future occupiers would be required to take the bins up to 150 metres for collection which is contrary to RECAP guidelines.
- 7.3.5 Concerns have also been raised regarding noise and light from the additional vehicle movements. The vehicle movements from the additional 4 dwellings is not considered to have a detrimental impact on neighbouring occupiers. The layout is also considered to overcome the concerns raised by the Planning Inspector in the recent appeal. By demolishing No.20 and re-building it the proposed access road would be 7.5 metres from this dwelling. This would reduce the impact of vehicle movements to a less than significant extent.
- 7.3.6 As a result of the above the application is not considered to result in a significantly detrimental harm to the residential amenity of neighbouring or future occupiers as a result of the proposed that would not be dealt with at a reserved matters stage. Therefore it is considered to comply with policy ENV2 in this regard.

7.4 Trees

- 7.4.1 Local Plan policy ENV7 requires this application to protect biodiversity and geological value of land and buildings, and minimise harm to or loss of environmental features such as hedgerows and trees.
- 7.4.2 Due to the edge of settlement location there are a number of mature trees in particular to the north of No.20 and along the boundary with No.18. A number of these trees are covered by TPO's.

- 7.4.3 A number of concerns were originally raised by the Tree Officer in relation to the application and the impact on trees. Following the submission of additional information and amended plans it was confirmed that TPO Ash tree T600 can be retained. The proposal also now includes additional landscaping to the front of No.20. On this basis the Tree Officer no longer raises objections to this aspect of the application.
- 7.4.4 The applicant has worked with officers to secure a scheme that allows for the retention of the protected Ash Tree. The amendments made to the layout and the position of the access provides significant space to implement a high quality landscaping scheme. The applicant has been made aware that the loss of mature, high quality trees necessitates the implementation of a high quality landscaping scheme and this can be addressed at reserved matters stage.
- 7.4.5 The Tree Officer has raised concerns with regards to plot 4 with it being considered too small and with it being in close proximity to the TPO trees to the north it would likely lead to future pressures to remove the trees. However, the dwelling complies with the minimum plot sizes as required with the Design Guide, and, as the amenity space is relatively open to the south and west light into the plot would be reasonable. As a result the potential for future pressure to remove is not considered a significant enough reason to warrant refusal.
- 7.4.6 On balance it is considered that the application complies with policies ENV1 and ENV7 of the Local Plan in regards to trees and landscape character of the area.
- 7.5 Highways safety and parking provision
- 7.5.1 Under Local Plan policy COM7 this application should ensure that it can provide safe and convenient access to the highway network. The Local Highways Authority did not object to the principle of the application. It is noted that there have been concerns raised by local residents around highways safety. However, in the absence of an objection from the Local Highways Authority, and given the scale of development it is not considered this proposed would have a significant impact on the highways network. As a result the application is considered to comply with policy COM7 in relation to safe and convenient access.
- 7.5.2 It should however be noted that the development is accessed off an existing private road, which is not to an adoptable standard or layout and therefore the Local Highways Authority would not seek to offer to adopt any part of this development.
- 7.5.3 Local Plan policy COM8 requires new dwellings to provide a minimum of two parking spaces. The layout shows adequate parking at each plot to accommodate a minimum of two motor vehicles. As a result the application is considered to comply with policy COM8.
- 7.6 Ecology
- 7.6.1 Under Local Plan policy ENV7 this application is required to protect biodiversity and geological value of land and buildings, and minimise harm to or loss of environmental features such as hedgerows and trees.

- 7.6.2 The application submitted has been supported by a Preliminary Ecological Appraisal examining the wider site and the potential for roosting bats within No.20 proposed as being demolished and re-built. The ecology appraisal considered the site to be of relatively low ecological value, and recommends that clearance is done outside of nesting season, and that the site has potential for ecological enhancement which could be secured by way of planning condition.
- 7.6.3 As a result of the above the application is considered to comply with policy ENV7 in terms of biodiversity.
- 7.7 Other matters
- 7.7.1 The legal right over the road is a civil law matter which should be dealt as such between the applicant and other road owners.
- 7.7.2 The applicant has provided a flood risk assessment which is considered to demonstrate that surface water drainage can be dealt with via soakaways. A detailed design can be secured by way of planning condition.
- 7.7.3 Given the nature of the proposed and the proposed access a detailed construction management plan can be secured by way of condition.
- 7.8 Planning balance
- 7.8.1 The proposal would provide the following benefits:- the provision of four additional residential dwellings to the district's housing stock shortfall which would be built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work.
- 7.8.2 In-line with the recently appeal decision received from the Planning Inspector for the previous application for three dwellings the proposed is not considered to result in significant or demonstrable harm to the character and appearance of the area or trees. It is also not considered to have a detrimental impact to residential amenity or ecology.
- 7.8.3 In the absence of a significant harm the application is recommended for approval subject to the conditions contained within appendix 1.
- 8.0 APPENDICES
- 8.1 Draft conditions
- 8.2 16/01341/OUT – Officer Report
- 8.3 16/01314/OUT - Appeal Decision

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/01055/OUT	Gareth Pritchard Room No. 011	Gareth Pritchard Planning Officer

93/00682/FUL
01/00659/FUL
11/00511/FUL
17/00602/TPO

The Grange
Ely

01353 665555
gareth.pritchard@e
astcambs.gov.uk

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

APPENDIX 1 - 17/01055/OUT Conditions

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

Plan Reference	Version No	Date Received
17825EA-01		14th June 2017
17825EA-02		14th June 2017
P 01	C	27th July 2017
P 02	H	14th September 2017

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this permission.
- 2 Reason; The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 4 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 08:00 - 18:00 each day Monday-Friday, 08:00 - 13:00 Saturdays and none on Sundays, Public Holidays or Bank Holidays.
- 4 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.
- 5 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.
- 5 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 6 No development shall take place until a scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation.
- 6 Reason: To prevent flooding by ensuring the satisfactory storage/disposal of water from the site, 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.
- 7 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.
- 7 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 8 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 re-built for 20 High Street, Stetchworth and Plot 1 as shown on drawing P 02 Rev H shall not be extended in any way, and no structures shall be erected within the curtilage of the dwelling.
- 8 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 9 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.
- 9 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.
- 10 As part of the reserved matters applications a scheme for full schedule of all soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of

the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation. For the avoidance of doubt the landscaping shall include:

- Details of the re-grading works including in connection with the access road
- A scheme of landscaping for the site of the existing dwelling known as 20 High Street, Stetchworth and the existing access to be closed
- Hard surfacing materials
- Boundary treatments

- 10 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and 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.
- 11 As part of the reserved matters applications a scheme for the maintenance of the soft landscaping for a minimum period of 5 years from last occupation, shall be submitted to and agreed in writing by the Local Planning Authority. All works shall be maintained in accordance with the agreed scheme. The scheme shall include the following:
 - i) methods for the proposed maintenance regime;
 - ii) detailed schedule;
 - iii) details of who will be responsible for the continuing implementation
 - iv) details of any phasing arrangements
- 11 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 The proposed dwellings shall have a maximum height of 8 metres. The proposed garages shall be limited to single storey in height.
- 12 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 The existing access to 20 High Street 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, within 28 days of the bringing into use of the new access.
- 13 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 14 No development shall take place until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - 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.

- 14 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.



OFFICER REPORT

Application Number: 16/01341/OUT

Proposal: Outline application (with all matters reserved except access) for the erection of 3.no dwellings with associated access, parking and gardens.

Location: Land To The Rear Of Ashfield House 20 High Street Stetchworth Suffolk

Applicant: Mr & Mrs P Mahoney

Agent: Beacon Planning Ltd

Case Officer: Tom O'Connor

The Application:

This is an outline application to a establish the principle of the erection of three dwellings to be erected on land some 1.14ha in area to be formed from part of a paddock located to the west of the curtilage of No.20 High Street, the curtilage of which, also defines the boundary locally of the village development envelope. Though indicative footprints have been provided, access only is to be considered at this stage but with all other matters reserved.

Access to the site would be via a 5m wide driveway from a junction formed onto private spur road extension to the High Street. This would traverse across what is now the front curtilage of no.20 High Street onto the site

Relevant Plans:

Plan Reference	Version No	Date Received
ARBORICULTURAL REPORT	V2	23rd November 2016
PO4		23rd November 2016
PO2	A	23rd November 2016
TREE PROTECTION	V2	23rd November 2016
SKETCH IMAGES X2		23rd November 2016
P05	A	23rd November 2016
FLOOD RISK ASSESSMENT		7th October 2016

ECOLOGICAL APPRAISAL		7th October 2016
TRANSPORT STATEMENT		7th October 2016
PLANNING/DESIGN/ACCESS STATEMENT		7th October 2016
ENVIRONMENTAL STATEMENT		7th October 2016
P03		7th October 2016
PO1		7th October 2016
17825EA-01	1 of 2	7th October 2016
17826EA-02	2 of 2	7th October 2016

The Site and its Environment:

The site would be located outside of the settlement envelope on the western edge of the village and beyond the High Street. To the west, the surroundings are primarily rural in character consisting of a network of paddocks and beyond this, worked agricultural land

To the east, beyond the High Street spur, lies the core of the village which is primarily residential in its character. Though some issues of localised flooding have been raised by residents, the land to the west, including the application site, is located within the Environment Agency's Flood Zone 1.

Stetchworth benefits from some services available locally including a shop; a church and a recreation ground with a primary school shared with nearby Kettlefields. A railway station is also located some 1.5km distant at Dulingham. There are bus connections to nearby Newmarket and Cambridge. Housing growth is expected to be slow and centred on suitable infill sites to be considered on their merits and in compliance with Policy GROWTH 2 of the Local Plan.

Planning History:

None recorded

Replies to consultations:

A press notice was placed in the Cambridge Evening News on 27th October 2016 advertising the application as a departure from policy and a site notice was posted on a lamppost nearby on 26th October 2017. Five neighbor letters were sent on 18th October 2006. In response, a total of 8 Letters and emails objecting to the proposal and one letter of support were received from local residents. The main points of the objections are summarized below:

- Contrary to policy in that the development is located outside of the development envelope of the village;
- The street access and approach to the site is limited and in private ownership;
- The development would result in the loss of TPO protected trees;

- There would be overlooking of adjoining dwellings by the proposed development and a commensurate loss of privacy;
- The paddock provides for a safe environment for wildlife;
- Exacerbation of potential flood risk within the locality from the development;
- The proposal would not constitute a sustainable use of the land;
- Poor public transport services from the village, the development would be reliant on car borne journeys to access services;
- The development is backland and not infill;
- Lack of amenities locally;
- Loss of visual amenity.

Senior Tree Officer - Formally objects to this application. This proposal is for outline permission for 3 dwellings with access via a private road. To achieve site access the proposal requires the removal of a number of trees at the front of 20 High Street. These removals include trees of significant landscape value and two of these trees are covered by the Tree Preservation Order E/16/89. The removal of trees will have a significant impact to the local landscape. Many of the trees impacted have been considered for their preservation value and been deemed of sufficient quality to warrant a Tree Preservation Order. It is not considered that the benefits of this development would outweigh the purpose of the preservation of these trees, which is to maintain a pleasant natural environment for the public. Aside from the loss of trees it is considered that the character of this area will be negatively affected by this development in general.

Local Highways Authority - Have no objections in principal to this application. The development is not accessed directly off an adopted highway but a private road. The extent of adoption ceases adjacent to properties 14/22. The junction to the east of the site, with the main road, is adequate and the additional trips generated by this development will be negligible.

CCC Growth & Development - No Comments Received

Environmental Health – No objection – hours of operation

Waste Strategy (ECDC) - Informative

Natural England – No comments

Parish - Object to the proposal and requests that the application be refused for the following reasons:

- Development outside of the village development envelope;
- A precedent would be set for other similar development;
- A development for houses was previously turned down on this site;
- Adverse effect upon nature conservation;
- Loss of green space;
- Loss of amenity to neighbouring properties due to access via an unadopted main road;
- Access is unsuitable for heavy construction traffic;
- Issues of overlooking and loss of privacy
- Infrequent local flooding
- Loss of three significant trees protected by TPO

Ward Councillors – Object to the proposal and requires a Committee all-in if the Officers recommendation is for approval

The Planning Policy Context:

East Cambridgeshire Local Plan 2015

ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
HOU 2	Housing density
COM 7	Transport impact
COM 8	Parking provision
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development

Supplementary Planning Documents

Developer Contributions and Planning Obligations
Design Guide

National Planning Policy Framework 2012

6	Delivering a wide choice of high quality homes
7	Requiring good design

Planning Comments:

Part Two of the 2015 Local Plan makes allowance for limited and appropriate infill, including replacement dwellings, within the development envelope of villages with Local Plan Policy GROWTH 2 seeking to locate development within population centres, such as Stetchworth. As such, this application would therefore not comply with its requirements in proposing a development that is beyond the settlement limits of the village. Location of the development to the side and rear of the established built form of the High Street would constitute 'backland' development and such development is qualified by the requirements of the Council's Design Guide in respect of this form of development. However, this Authority is presently unable to demonstrate a 5 year housing land supply and, in its absence, the applicant has argued that there is a presumption in favour of sustainable development contained within both Policy GROWTH 5 of the Local Plan and paragraph 14 of the NPPF being a material consideration in this respect.

The site is located just beyond an extension spur to the High Street that contains a number of substantial late 20th century detached dwellings each located within their own curtilages and each with individual access onto a private shared ownership road. In effect, the dwellings at No. 18 and 24 serve to demarcate the boundary of the built environment with the land to the west, which includes the application site, located outside of the settlement and consisting of land in use for the keeping of horses and, beyond that, open countryside used for agriculture.

Other than the principle of the development, as already indicated above, access is the only matter to be considered at this stage with all other matters reserved. However, the application indicates an intention to provide for three detached dwellings with the plans submitted setting the context of a spread out linear development. Though purely indicative at this stage, footprints are shown on the

submitted site plan (P02A), no doubt to illustrate the physical capacity of the site to accommodate these dwellings.

In respect of justification for this development located outside of the settlement envelope of the village, the accompanying Planning, Design and Access Statement would appear to rely mainly on this Authority currently being unable to demonstrate that it has an adequate five year housing land supply. It is therefore maintained that the Councils policies on housing supply are not considered to be up to date and that the proposal should therefore be assessed solely in terms of the presumption in favour of sustainable development contained within paragraphs 14 and 49 of the NPPF.

Located behind the established settlement pattern and requiring the formation of an access through the curtilage of No.20 to effect access to the site, the site has many of the characteristics of a 'backland' development in which the Councils Design Guide requires justification by some form of contextual analysis of the development. In this respect some contextual analysis has been provided within the Planning, Design and Access Statement to support the application with an argument made that the location of the site would be sustainable in terms of the parameters set by the NPPF. However, the points made are either self evident at best or arguable. These are:

- **Economic Benefits:** Short term employment would be provided during the construction period of the house. This is self evident bordering on truism. Of course, short term employment is provided during construction of any dwelling which ends as soon as the works are complete. Because of this, the employment provided cannot be considered as being meaningfully sustainable;
- **Social Benefits:** The applicant maintains that the development would be a windfall site that would make a contribution towards the delivery of the housing land supply of the District. As an outline application with all matters reserved except access, the parameters of the proposal are to provide for three dwellings within a large 1.14ha site. With this paucity of detail, it is not possible to assess whether the social benefits of the provision of three dwellings on this site are sufficient to outweigh any disbenefits that may be inherent in the proposed development.
- **Environmental Benefits:** The application correctly maintains that the paddock itself, as worked grassland, has little ecological worth and the Ecological Survey indicates that there is no evidence of bat occupation in either the stable or sheds to be demolished. Though there is some potential for Great Crested Newts in ponds in excess of 500m from the site, the nearby ponds are all stocked with fish with therefore have no realistic possibility of being occupied by this species. Issues are raised however, in respect of the proposed removal of two trees protected by the Group TPO E/216/89 along the High Street in order to form a vehicle access onto the site. Notwithstanding that landscaping of the site would be a reserved matter, the formation of the access which is now being considered, would require the removal of two TPO protected Ash trees (602 and 603) as well as encroaching into the root protection area of another (601). Removal of these trees or damage to their root protection areas by the development would have the potential for significant adverse effects on the sites biodiversity as well as effecting a radical change to the character and appearance of the local landscape.
- **Connectivity:** Though there are some local shops and a pub within the village and a primary school some 1km distant from the site in Kettlefields, availability of services within the village remain limited with infrequent bus services to Newmarket and Cambridge. The railway station at Dulingham is located on a branch line little used during the day but with more frequent commuter services between Ipswich and Cambridge early mornings and evenings. It is therefore likely that any future occupiers of the site would be reliant on car borne transport to access even the most everyday services that are likely to be available at the major urban centres of Newmarket and Cambridge where a wide range of services are readily available

- Character of the Development: the applicant seeks to argue that the proposed development would have much in common with the existing well established 1990's development of mainly substantial development located along the High Street Spur. However, the majority of dwellings within this spur to the High Street were designed as an integral part of this cul-de-sac with orientation and accesses directly onto it with the upper part of the development framed within an avenue of mature Ash trees. In Contrast, the proposed development would be located to the rear of the established pattern of the development, forming a spur in itself, which would protrude into open countryside to the rear contrary to the established built pattern of this part of the High Street.

Location of the proposed development would occupy part of a paddock forward of the established building line which, even in outline, appears to be somewhat piecemeal in its indicative layout and character. For instance, it would be set in a loose linear pattern to the rear of and some distance from the established line of development in The High Street. Though the layout can change with a future submission of reserved matters it nonetheless displays no visual frame of reference in terms of the surrounding built form. In terms of further contextual analysis no assessment has been made in respect of any of the following:

- Potential for impacts upon the enjoyment of the residential amenities and privacy of other adjacent dwellings within The High Street, particularly No.20 High Street where the proposed access will pass within a few metres of main front elevation windows and the side elevation of the property;
- Any potential for overlooking of nearby dwellings at No. 18 and No.20 The High Street
- Any impacts that the proposed development might have upon the character and appearance; of the open countryside that it would adjoin.

With the submission of a partial contextual analysis of some issues and the avoidance of others; this Authority is unable to address certain a number of key requirements contained within the Councils Design Guide in respect of 'backland' development. For instance though issues of maintaining and protecting residential amenity may be difficult to address at outline stage the relationship of the site with nearby dwellings is given and it is therefore clear that a close relationship would exist between the existing and new dwellings. This would particularly be the case with the dwelling and curtilage of 20 The High Street where close proximity has the potential to raise issues of mutual visual intrusion and loss of privacy particularly in respect of the routing of the driveway. These issues should be at least acknowledged at the outline stage but none of the potential interrelationships of the dwellings, the access or, issues that may arise have been considered

Mature TPO protected trees are indicated to be removed in respect of the formation of the access from the High Street but the visual impacts that their removal might have, either the character of the local built environment or the character and setting of the adjacent countryside, are not satisfactorily addressed either in the main submission or the accompanying Arboricultural Impact Assessment. The removal of the Ash trees (602 and 603) protected under Group TPO E/216/89 would have a significant and detrimental impact upon the local landscape and it is the opinion of the Local Planning Authority that there is insufficient justification made in respect of the development to outweigh the removal of these protected trees. As such, the removal of protected trees from the site would be contrary to the requirements of Policy ENV1 of the Local plan in respect of failing to maintain and preserve or enhance the distinctive landscape features of the area.

Access to the site is the sole matter for consideration at this stage and this would be provided from the unadopted part of the highway at The High Street via a splayed junction be constructed to a 5m width for a distance of some 75m to accommodate vehicular movements generated by three dwellings. County Highways have indicated no objection in principle to this application and observes that the junction with the private road and the adopted highway is adequate for the additional trips

likely to be generated from the development. No indication of the method of construction or materials to be used for the access have been submitted and, the site. From the site dimensions given, the sizes of the curtilages are likely to be able to provide for sufficient and adequate off street parking for the dwellings

Amended drawing P05A (Proposed Site Plan and Section) indicates that the front curtilage of the dwelling at No.20 would be substantially curtailed to provide a path for the proposed access drive. This would pass some 3.3m distant from the main living room window of the dwelling and within 5 metres of the side curtilage/garden area of this dwelling before passing westward onto the application site. The plan indicates that the driveway would be constructed to be between some 100 – 200mm below the prevailing ground level of the dwelling. However, the driveway would nonetheless be of a level commensurate with the ground level of the dwelling that would allow vehicles to overlook in close proximity both a main living room to the dwelling and the side garden area. This level of close proximity would make any boundary screening impracticable due to the profound loss of amenity and aspect that would be experienced by the occupants of No.20. The proposed driveway would result in severe detriment of the residential amenities currently enjoyed by occupants to 20 High Street contrary to the requirements of Policy ENV2 of the Local Plan.

Though some attempt has been made, there remains insufficient contextual analysis of the development to indicate a full examination of the relationship with the proposed development, the site and its surroundings. The proposal therefore fails to provide sufficient information to support the principle of a 'backland' development of this site in terms of how such a development would relate to its surroundings, provide for a satisfactory access and avoid any adverse impact upon either the visual or residential amenity of the locality in accordance with Policies ENV1 and ENV2 of the Local Plan.

Policies GROWTH2 and GROWTH 5 both seek to comply with paragraph 14 of the NPPF in locating sustainable development within major population centres of the district such as Stetchworth. However, the applicant has failed to demonstrate in principle that the benefits of providing three dwellings within this inherently constrained backland site would outweigh the significant potential for adverse impacts in terms of location of the development.

RECOMMENDATION:

Refuse

- 1 This application is not fully supported by a contextual analysis of the site; its immediate environs and the wider locality as required by the East Cambridgeshire Design Guide SPD (2012). As such, this application is unable to demonstrate in principle that the benefits of providing three dwellings within this inherently constrained 'backland' site would outweigh the significant potential for adverse impacts in terms of location of the development. The development would therefore not comply with the requirements of Policies GROWTH2 & GROWTH 5 of the East Cambridgeshire Local Plan (2015) in failing to demonstrate a sustainable form of residential development of the site and, Policy ENV2 of the East Cambridgeshire Local Plan (2015) in terms of non-compliance with the East Cambridgeshire Design Guide SPD (2012).
- 2 The proposed driveway, would by reason of its length and its routing through the residential curtilage of 20 High Street close to the dwelling, form a cramped and constrained part of the

development that would also generate a significant material detriment to its residential amenities of this dwelling by reason of proximity contrary to the requirements of Policies ENV1 & ENV2 of the East Cambridgeshire Local Plan 2015.

3. The removal of the Ash Trees (602 and 603) protected under Group TPO E/216/89 would have a significant and detrimental impact upon the local landscape and it is the opinion of the Local Planning Authority that there is insufficient justification made in respect of the development to outweigh the removal of these protected trees. As such, the removal of the protected trees from the site would be contrary to the requirements of Policy ENV1 of the East Cambridgeshire Local Plan 2015 in respect of failing to maintain, preserve or enhance the distinctive landscape features of the area.

Signed and dated:

Case Officer

Planning Manager