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**MAIN CASE**

**Reference No:** 19/00100/FUM

**Proposal:** The erection of new accommodation and welfare facilities to extend the existing provision at Wings Hostel

**Site Address:** Site South Of Wings Hostel Station Drove Shippea Hill  
Cambridgeshire

**Applicant:** Barway Services Ltd

**Case Officer:** Richard Fitzjohn, Senior Planning Officer

**Parish:** Ely

**Ward:** Ely North  
Ward Councillor/s: Simon Harries  
Alison Whelan

**Date Received:** 27 February 2019      **Expiry Date:** 8  
November  
2019

[U132]

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**1.0      RECOMMENDATION**

1.1      Members are recommended to APPROVE the application subject to the signing of the S106 Agreement and the following recommended planning conditions, with authority delegated to the Planning Manager and Legal Services Manager to complete the S106 and to issue the planning permission. The recommend planning conditions can be read in full within the attached Appendix 1.

- 1      Approved plans
- 2      Time Limit - FUL/FUM - 2+ dwelling
- 3      Temporary permission
- 4      Agricultural occupancy of caravans
- 5      Caravan occupancy numbers
- 6      Office & welfare facilities restriction
- 7      Archaeological Investigation
- 8      Surface water drainage scheme
- 9      Surface water drainage maintenance
- 10     Finished floor level heights
- 11     Bus management plan
- 12     Soft landscaping scheme
- 13     Hard landscaping scheme

- 14 Car and bus parking
- 15 Biodiversity Improvements
- 16 Construction and delivery times
- 17 Foul water drainage scheme

## 2.0 **SUMMARY OF APPLICATION**

- 2.1 Planning permission is sought for the provision of additional temporary rural workers' accommodation and welfare facilities, to extend the existing provision, at Wings Hostel, Shippea Hill. The proposal would increase the amount of temporary rural workers' accommodation on the site from 71 portacabins to 148 caravans / cabins, in addition to providing an on-site shop, recreational and welfare facilities and additional parking. The proposal would increase the capacity of the accommodation on the site from 408 people to 592 people, between the period of 1<sup>st</sup> May to 31<sup>st</sup> October in any year.
- 2.2 Wings Hostel is an established temporary seasonal agricultural workers accommodation site associated with G's, a large local grower and producer of vegetables and salad in the area.
- 2.3 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

## 3.0 **PLANNING HISTORY**

- 3.1
- |              |   |          |            |
|--------------|---|----------|------------|
| 16/01478/VAR | Variation of condition 2 (Seasonal Occupancy Period) of previously approved 03/00978/ful for extension to seasonal stationing of portacabins for dormitory accommodation (inc. toilets, shower, mess room, and kitchen facilities) for seasonal agricultural student workers. | Approved | 11.08.2017 |
| 16/01476/VAR | Variation of condition 3 (Seasonal Occupancy Period) of previously approved 04/00048/FUL for Seasonal stationing of portacabins for dormitory accommodation (inc. toilets, showers, mess room & kitchen) for agricultural student workers.                                    | Approved | 06.01.2017 |

16/01475/VAR	Variation of condition 2 (Seasonal Occupancy period) of previously approved 13/00186/FUL	Approved	08.08.2017
16/01473/VAR	Variation of condition 3 (Seasonal employee use only) of previously approved 15/00221/FUL for Proposed social facility for Wings Hostel for the sole use as a social/recreational facility for temporary workforce as a non profit making facility	Approved	06.01.2017
16/00282/VAR	To vary condition 1 (Time Period) of previously approved 11/00165/FUL for Erection of a refurbished 9 bay modular unit (9.6m x 27m) for use as welfare facilities, change of use of existing amenity units to dormitory accommodation (Retrospective)	Approved	06.05.2016
15/00246/FUL	Additional accommodation for seasonal staff. Upgrade welfare and recreational facilities.	Approved	11.05.2015
15/00244/FUL	Continued siting of site accommodation units for seasonal workforce ( Previously approved planning application 04/00048/Ful)	Approved	13.05.2015
15/00221/FUL	Proposed social facility for Wings Hostel for the sole use as a social/recreational facility for temporary workforce as a non profit making facility	Approved	13.05.2015

13/00596/DISA	To discharge condition 2 (Surface & Foul Water Drainage) of decision notice dated 20/09/2013 for variation of condition No 3 of 03/00978/FUL to extend the permission for a further 5 years.		11.08.2017
13/00596/VAR	Variation of condition No 3 of 03/00978/FUL to extend the permission for a further 5 years.	Approved	19.09.2013
13/00186/DISA	To discharge Condition 4 (Planting) and Condition 5 (Foulwater) of decision dated 13 June 2013 of previously approved 13/00186/FUL for Phase 4-5 staffing facilities comprising 14 sleeping units & 7 welfare facilities (toilets showers & kitchens) - temp development		01.08.2017
13/00186/FUL	Phase 4-5 staffing facilities comprising 14 sleeping units & 7 welfare facilities (toilets showers & kitchens) - temp development	Approved	13.06.2013
11/00165/FUL	Erection of a refurbished 9 bay modular unit (9.6m x 27m) for use as welfare facilities, change of use of existing amenity units to dormitory accommodation (Retrospective).	Approved	25.05.2011
09/00260/FUL	Proposed new social facility	Approved	09.06.2009
09/00259/VAR	Variation of condition No. 3 of application 04/00048/FUL to extend time permission for a further 5 years	Approved	21.05.2009

08/00768/VAR	Variation of condition No 3 of E/03/00978/Ful to extend the permission to site 10 portacabins for a further 5 years.	Approved	01.09.2008
08/00660/VAR	Variation of Condition 3 - E/03/00518/FUL to be extend time limit for a further 5 years	Approved	22.07.2008
04/01180/FUM	Seasonal stationing of portacabins for dormitory accommodation for agricultural student workers.	Approved	17.11.2004
04/00048/FUL	Seasonal stationing of portacabins for dormitory accommodation (inc. toilets, showers, mess room & kitchen) for agricultural student workers (seasonal)	Approved	10.03.2004
03/00978/FUL	Extension to seasonal stationing of portacabins for dormitory accommodation (inc. toilets, shower, mess room, and kitchen facilities) for seasonal agricultural student workers.	Approved	12.11.2003
03/00518/FUL	Seasonal stationing of portacabins for dormitory accommodation (including toilet, shower, mess room & kitchen facilities) for seasonal agricultural student workers	Approved	03.07.2003

#### **4.0 THE SITE AND ITS ENVIRONMENT**

4.1 The site is located within the countryside, to the south west of the A1101 and Shippea Hill Station. The site is accessed from Station Drove, which is located off the A1101 and is also located adjacent a railway line. It is an established temporary seasonal agricultural workers accommodation site with associated ancillary buildings, located adjacent an existing farmhouse building. The existing portacabins are temporary structures (not permanent buildings) and the previously approved facilities are already existing. The site is located some distance from the A1101 and is well screened by established landscaping, comprising trees and hedging. The site

is operated by G's, a large local grower and producer of vegetables and salad in the area, whose head office is located at Barway.

## **5.0 RESPONSES FROM CONSULTEES**

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

### **5.2 City of Ely Council - 26 March 2019**

Although not against the use of the site to extend the existing provision, raised concerns that there was not enough parking for the number of proposed units.

### **5.3 Ward Councillors**

No Comments Received

### **5.4 Consultee For Other Wards In Parish**

No Comments Received

### **5.5 West Suffolk District Council**

No Comments Received

### **5.6 Cambridgeshire Archaeology - 12 March 2019**

The site lies in an area of high archaeological potential. Do not object, but request a planning condition requiring an archaeological investigation.

### **5.7 Local Highways Authority - 8 May 2019**

No objections. The junction layout and 10m wide access road for 15m in to the site is suitable for the increase in traffic. Note the following:

1. The 40 parking spaces are not shown.
2. There is no accessible bus stop.
3. There are no footways / cycleway in this area.
4. The 5m wide internal access road is not wide enough for two buses/coaches/HGVs to pass simultaneously.

### **5.8 County Highways Transport Team - 28 August 2019**

The site is in a rural location but given the shuttle bus service being provided the Highway Authority has no sound reason to object.

There are 40 existing spaces associated with the existing site and 70 proposed with the new development. The parking allocation is enough to support the 610 residents and 20 total staff.

The development will not have a severe impact on the highway network.

The additional shuttle bus information is acceptable for use.

No objection subject to the following condition:

- Prior to first occupation, a bus management plan is submitted to and approved in writing by the Local Planning Authority to manage the buses during the AM and PM shift changes.

#### **5.9 County Highways Transport Team - 20<sup>th</sup> March 2019**

- Raised concerns regarding parking provision.
- Notes that the applicant states the A1101 is not considered to be desirable or convenient for walking and cycling.
- Notes that the residents of Wings Hostel are seasonal agricultural workers and G's Fresh provides private bus transportation to transport staff to various farms as well as recreational and business trips.
- Requested further information about the private shuttle bus for recreational and business trips.
- There are no accidents clusters within the vicinity.
- Due to a potential impact on the highway network from private cars, requested that the applicant surveys the A1101 to gain an understanding of current vehicle flows and includes private cars within the trip generation.
- The site master plan states that there are 6 proposed coach parking bays. A bus management plan was requested to ensure the bays will be sufficient for the 40 two way bus trips during each peak.
- The application did not include sufficient information to properly determine the highway impact of the proposed development and requested further information prior to determination of the application.

*[The requested information has since been submitted and reviewed – see consultation response dated 28<sup>th</sup> August 2019].*

#### **5.10 Environmental Health – 3<sup>rd</sup> June 2019**

Happy with the information provided. However, raised that a shower or bath should be provided per 5 persons.

Re-iterates that minimum room sizes will need to be adhered to if caravan / cabin sizes are different, and re-iterates advice regarding fire safety measures and licensing requirements.

#### **5.11 Environmental Health - 9 May 2019**

No comments to make.

#### **5.12 Environmental Health - 7 May 2019**

Nothing to add to previous comments.

#### **5.13 Environmental Health - 5 March 2019**

Advise that construction times and deliveries during the construction phase are restricted to the following:

- 07:30 – 18:00 each day Monday – Friday
- 07:30 – 13:00 on Saturdays and
- None on Sundays or Bank Holidays

The appropriate methodology has been used in the Noise Impact Assessment and the findings demonstrate that internal levels will be achieved with a partially open window during the night. During the day, the report indicates that a worst case

scenario will lead to a exceedance of 2dB internally. Internal target levels may be relaxed by up to 5dB (as stipulated in BS8233) and reasonable internal conditions still achieved. It is a matter of planning judgement as to whether this proposal is considered necessary or desirable and whether the relaxation can therefore be justified. The report states that the part of the site predicted to have the slight exceedance is the existing site and not the extension.

**5.14 Environmental Health - 5 March 2019**

No objections, but due to a lack of information / floor plans raised concerns relating to layout and facilities within the caravans / cabins. Provided guidance on cabin sizes, fire safety measures and licensing requirements. Requested additional information in relation to the concerns raised.

*[The requested information has since been submitted and reviewed. Environmental Health's concerns have been addressed – see consultation response dated 3<sup>rd</sup> June 2019].*

**5.15 Lead Local Flood Authority - 28 March 2019**

No objection in principle. The drainage strategy demonstrates that surface water from the proposed development can be managed appropriately to allow the site to drain via infiltration at the source. The drainage strategy is subject to infiltration testing and, if this fails, the surface water will drain into an IDB watercourse.

The site currently lies within protected Flood Zone 3. The greatest flood level at the site has been modelled as 3.25 metres AOD during a 1 in 100 year event plus a 35% allowance for climate change. However, the lowest defence level is 3.672 metres, suggesting that the site is unlikely to experience fluvial flooding due to the level of protection provided by current defences. Nevertheless, the caravans / cabins will be secured to the ground by means of chains or similar to prevent buildings from becoming unstable and washing away during the unlikely event of a breach of defences. Surface water flooding is only expected to occur in minor isolated patches of low topography at a depth of less than 300mm across the site during a Low Risk scenario. This risk will be mitigated by raising caravan / cabin floor levels 0.5 metres above existing ground level *[as per the details proposed within the submitted Flood Risk Assessment and Drainage Strategy]*. However, the Lead Local Flood Authority's recommended condition relating to finished floor levels states that the finished floor levels of the caravans / cabins shall be set no lower than 150 mm above ground level, except in those areas of the site that are shown by the Environment Agency Risk of Flooding from Surface Water maps to be at medium/high risk of flooding from surface water where finished floor levels shall be set no lower than 300 mm above ground level.

Water quality has been adequately addressed.

Request conditions requiring a detailed surface water drainage scheme, long-term SuDS maintenance, finished floor levels and infiltration testing.

**5.16 Anglian Water Services Ltd - 8 March 2019**

No comments to make.



- 5.17 The Ely Group Of Internal Drainage Board - 15 March 2019**  
No objection. It is essential that soakaways do not cause flooding to neighbouring land. Consent from the IDB would be required to discharge into IDB watercourse.
- 5.18 Environment Agency - 20 March 2019**  
The NPPF states development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk.
- Have reviewed the submitted Flood Risk Assessment (FRA) with regard to tidal and designated main river flood risk sources only. Consider that the main source of flood risk at the site is associated with watercourses under the jurisdiction of the Internal Drainage Board (IDB). As such, has no objection on flood risk grounds. However, the IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals.
- 5.19 ECDC Trees Team – 26 September 2019**  
*[Following receipt of an amended plan retaining tree T13 as per ECDC Trees Team comments dated 19<sup>th</sup> June 2019]* The revised plan that includes the retention of the mature Horse Chestnut tree is an improvement. A high quality soft landscaping scheme will be required for this application which can be done by condition, this will aid the assimilation of the site into the wider landscape.
- 5.20 ECDC Trees Team - 19 June 2019**  
*[Following receipt of an arboricultural report with full appendices included]* Requested further thought given to the design as Category B T13 (mature Horse Chestnut) should be retained. Established large trees such as the Horse Chestnut aid the speed at which a new development can integrate into the wider landscape, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- Has concerns the proposal has a very dense layout and will have a negative impact upon the landscape character of the area, in conflict with policy ENV1 of the Local Plan. However, acknowledges there is existing habitation use which currently impacts views and therefore does not object.
- 5.21 ECDC Trees Team - 30 May 2019**  
Was not possible to fully assess the amendment as the appendices for the tree report were missing. *[The missing appendices of the arboricultural report have since been received by the LPA].*
- 5.22 ECDC Trees Team - 28 March 2019**  
An Arboricultural Method Statement and Arboricultural Impact Assessment was requested. A soft landscaping scheme would also aid consideration of the application as it will show what mitigation planting is proposed. *[An arboricultural report has since been received by the LPA].*
- 5.23 Design Out Crime Officers - 22 March 2019**  
No objection, comments or recommendations.

**5.24 Housing Section - 15 April 2019**

Supports the above application in principle as it will help to meet policy HOU 5; Dwellings for Rural workers, as it is an extension to an established seasonal, agricultural workers accommodation.

**5.25 Network Rail**

No Comments Received

**5.26 Economic Development**

No Comments Received

**5.27 Waste Strategy (ECDC)**

No Comments Received

**5.28 East Cambridgeshire Access Group - 27 March 2019**

All development should comply with BS8300:2009 and Building Regulations Part M. Concerns regarding accessible parking provision, access to caravans / cabins and community facilities not being step free, cramped accommodation / overcrowded, no lighting provision or signage. Disappointed by the accommodation.

**5.29 CCC Growth & Development**

No Comments Received

**5.3 Neighbours**

A site notice was displayed near the site on 15<sup>th</sup> April 2019, however no neighbouring properties were directly notified. A press advert was published in the Cambridge Evening News on 14<sup>th</sup> March 2019. No responses have been received.

**6.0 The Planning Policy Context**

**6.1 East Cambridgeshire Local Plan 2015**

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 5	Dwellings for rural workers
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 14	Sites of archaeological interest
COM 1	Location of retail and town centre uses
COM 7	Transport impact
COM 8	Parking provision
EMP 2	Extensions to existing businesses in the countryside

## 6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations

Design Guide

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

Flood and Water

## 6.3 National Planning Policy Framework 2019

2 Achieving sustainable development

4 Decision-making

5 Delivering a sufficient supply of homes

6 Building a strong competitive economy

9 Promoting sustainable transport

11 Making effective use of land

12 Achieving well-designed places

14 Meeting the challenge of climate change, flooding and coastal change

15 Conserving and enhancing the natural environment

16 Conserving and enhancing the historic environment

## 7.0 **PLANNING COMMENTS**

7.1 The main issues to consider in the determination of this planning application relate to the principle of development and the impacts on the character and appearance of the area, residential amenity, highway safety and transport impact, flood risk and drainage, ecology, archaeology and trees.

### 7.2 **Principle of Development**

7.2.1 Policy HOU5 of the Local Plan relates to '*permanent*' dwellings for rural workers. The proposal is for the stationing of '*temporary*' caravans / cabins to provide accommodation for seasonal workers, agreed by the applicant / agent to be for a period of 10 years. Therefore, policy HOU5 does not strictly apply to the proposal. However, the Local Plan does not include a policy relating to temporary accommodation for rural workers and therefore the proposal does not fall neatly into any Local Plan policy. Policy HOU5 is however considered to be one of the most relevant policies to the proposal and therefore significant weight should be given to this policy when assessing the application.

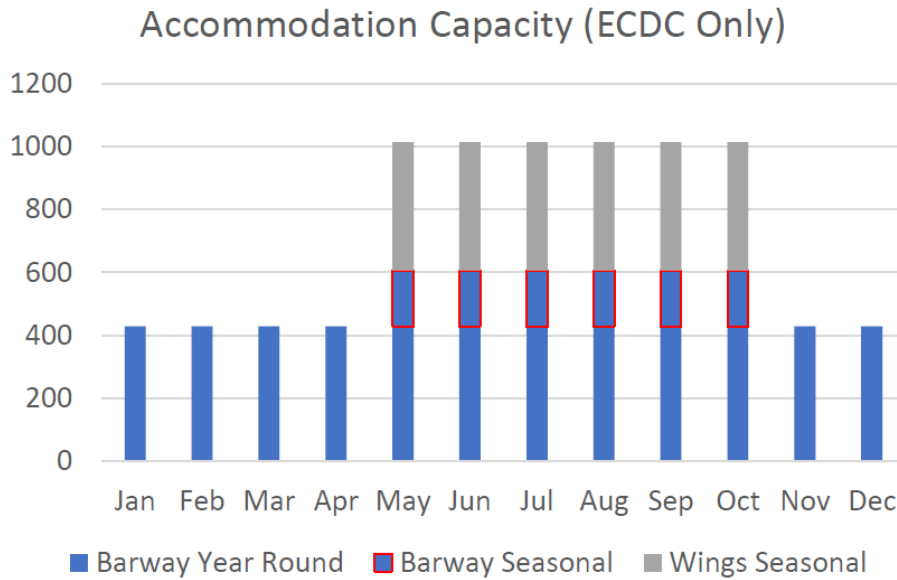
7.2.2 One of the key considerations when establishing whether the principle of development is acceptable for the proposal is whether or not there is sufficient justification for the increase in the number of temporary seasonal workers living on the site.

7.2.3 G's currently provide accommodation for seasonal workers at two sites within the district of East Cambridgeshire, Barway Hostel (Barway) and Wings Hostel (the application site at Shippea Hill). The existing capacity of this accommodation is:

- Wings Hostel Capacity of 408, occupied from 1st May to 31st October.
- Barway Hostel Capacity of 606 (428 in year round accommodation and 178 in seasonal cabins from 1st May to 31st October).

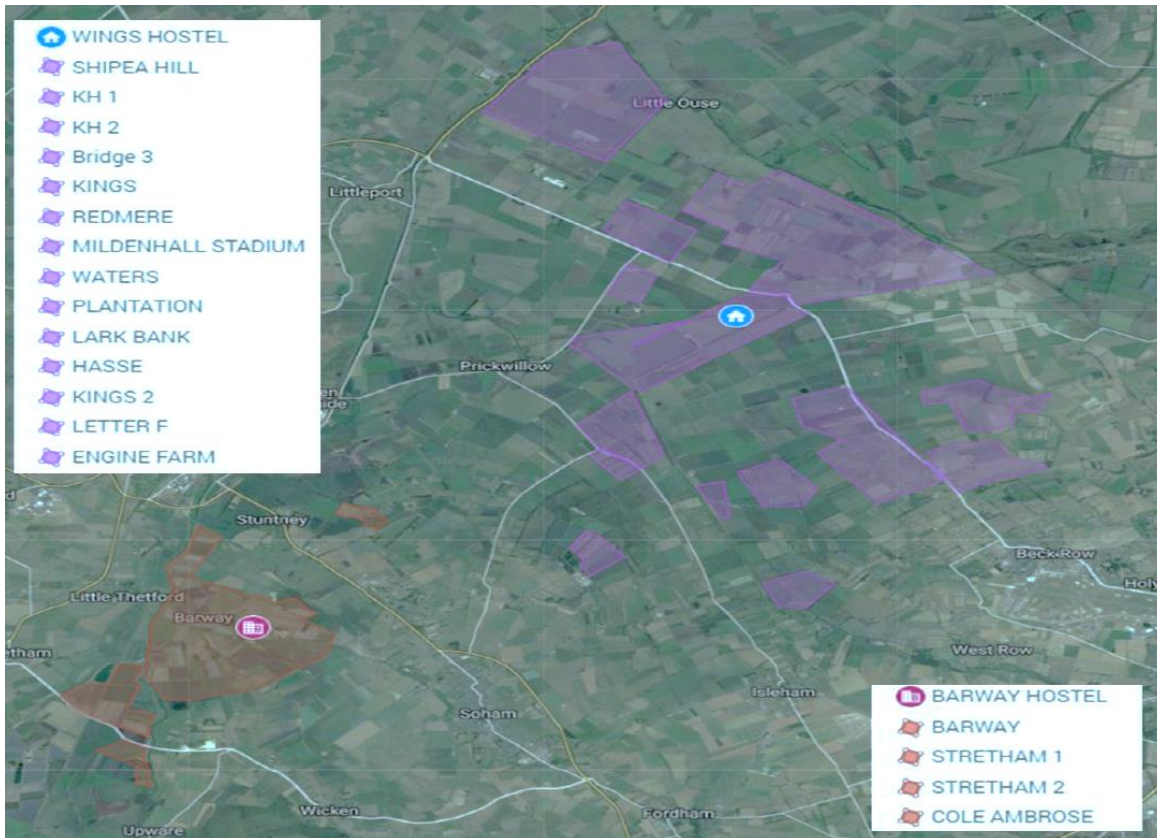
These figures are represented by the chart (Figure 1) below.

**Figure 1:**



7.2.4 G’s growing and harvesting plans for 2019 was heavily focused around the Wings Hostel (Shippea Hill application site) area. G’s 2020 plans are likely to increase harvesting operations in this area. This is represented in the aerial photography (Figure 2) below which shows the location of operations in purple and red and their proximity to the Wings Hostel and Barway Hostel sites. It is clear from this map that the majority of accommodation for G’s agricultural workers is better suited at Wings Hostel rather than Barway Hostel in regard to meeting the needs of the business.

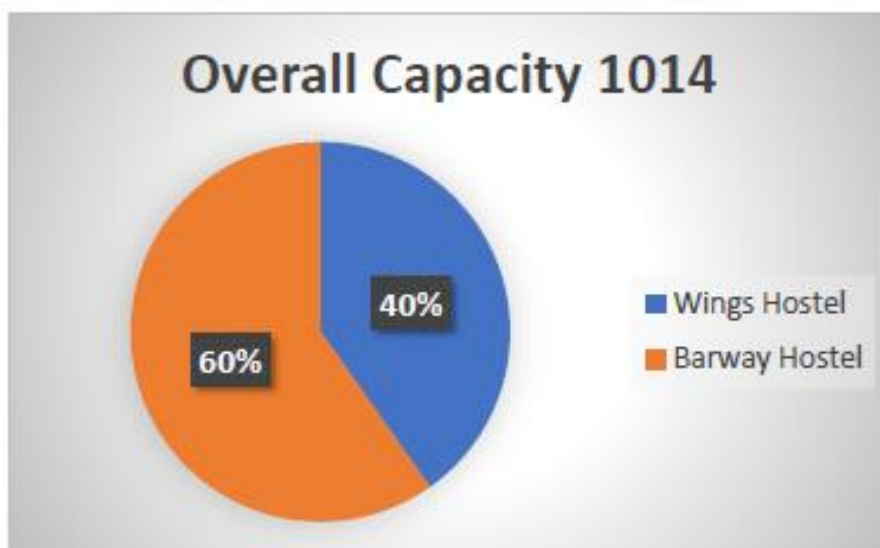
**Figure 2:**



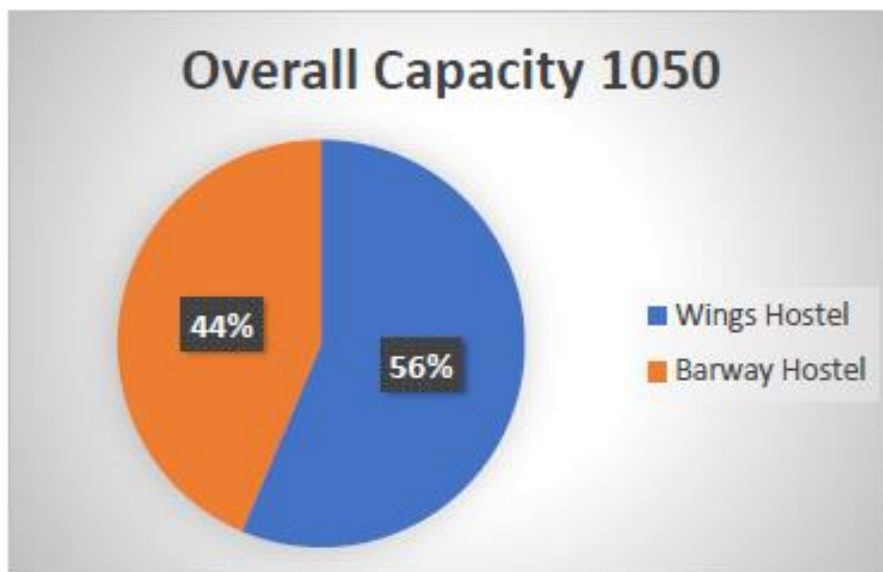
7.2.5 Although the proposal would increase the cabin accommodation at Wings Hostel by 184 people (from 408 to 592) between 1<sup>st</sup> May and 31<sup>st</sup> October in any year, this increase would be largely offset by a reduction in accommodation at Barway Hostel of 148 people (from 606 to 458). The reduction in accommodation at Barway Hostel could be secured by a Section 106 (S106) agreement, for which Heads and Terms (Appendix 2 of this report) has been submitted by the agent / applicant. The overall net gain in accommodation over the two sites would therefore be 36 spaces, increasing from 1014 to 1050 people, though these changes to the accommodation capacity would be phased over a 4 year period until 2023.

7.2.6 Figure 3 (below) shows the existing overall capacity of Barway Hostel and Wings Hostel. Figure 4 (below) shows the proposed overall capacity of Barway Hostel and Wings Hostel in 2022 once fully phased.

**Figure 3:**



**Figure 4:**



- 7.2.7 Subject to the S106 requiring the accommodation at Barway to be reduced in accordance with the agreed Heads and Terms, in order to establish whether the principle of development is acceptable for the proposal, the application must provide sufficient justification for the increase of 36 temporary seasonal workers living on the Wings Hostel site between 1<sup>st</sup> May and 31<sup>st</sup> October in any year. A net increase of temporary seasonal workers across the two sites equates to approximately a 3.5% net increase to the additional accommodation which is a very modest increase overall.
- 7.2.8 The Council's Housing department supports the application in principle, stating that it will help to meet policy HOU5 of the Local Plan, as it is an extension to an established seasonal, agricultural workers accommodation.
- 7.2.9 Due to the nature of G's operations and workforce, it is accepted that a proportionately modest increase in temporary rural workers dwellings is required between 1<sup>st</sup> May to 31<sup>st</sup> October in any year to support the viability and sustainability of the business which is a large, local, well-established employer and contributor to the local economy. The scale of the proposal is not considered to be larger than that required to meet the functional needs of the business.
- 7.2.10 The proposal would also provide sustainability benefits from locating workers closer to G's main areas for harvesting operations, by reducing the need for travel from Barway Hostel. The applicant has provided details of all other sites within East Anglia where they provide accommodation for their agricultural workers; none of which would be more suitable than the application site. Furthermore, the Local Planning Authority can find no evidence of any suitable agricultural workers' accommodation being sold by G's within the past 5 years.
- 7.2.11 In respect of the on-site shop, this is considered ancillary to the accommodation on the site and will only serve the rural workers occupying the site. This can be secured by a planning condition.
- 7.2.12 Subject to agreement of a S106 which is in general accordance with the agreed Heads and Terms, it is considered that the principle of development is acceptable for occupation between 1<sup>st</sup> May and 31<sup>st</sup> October in any year.
- 7.2.13 Prior to publication of this report, the applicant / agent has requested if the proposed accommodation can be occupied for a longer period from 1<sup>st</sup> February and 31<sup>st</sup> October in any year. However, no justified essential need has been demonstrated for rural workers to occupy the accommodation on the site for an additional 3 months of the year and therefore it has not been demonstrated that this extended period of occupation which has been requested complies with policy HOU5 of the Local Plan. The Local Planning Authority has therefore not accepted this request to extend the period of accommodation outside of the dates of 1<sup>st</sup> May to 31<sup>st</sup> October in any year and this recommendation for approval is on the basis of the information submitted within the essential need documents and Heads of Terms document submitted with the application.



### 7.3 Character and appearance of the area

- 7.3.1 The application site is located within the countryside. Policies ENV1 and ENV2 of the Local Plan seeks new development to protect, conserve and where possible enhance such rural landscapes. Any visual impacts of the proposed development on the character and appearance of the area should be assessed from public viewpoints in order to identify whether the impacts are harmful.
- 7.3.2 The Council's Trees Officer has raised concerns that the proposal has a very dense layout and will have a negative impact upon the landscape character of the area, in conflict with policy ENV1 of the Local Plan. However, he also acknowledges there is existing habitation use which currently impacts views and therefore does not object.
- 7.3.3 The application site is in a very isolated location, significantly distanced from any public highway. Views towards the site from the surrounding public highways are from the following approximate specified distances:
- 0.7km from the A1101 to the north
  - 1.1km from the A1101 to the east
  - 2.3km from Lark Bank to the west (the closest Public Right of Way)
  - Over 3.1km from Cook's Drove to the south
- 7.3.4 Examples of such views towards site, demonstrating the isolation and low visual impact of the site, are shown in Figure 5 below.

**Figure 5: Views towards the site from the A1101 looking south and west**





7.3.5 The existing site has a significant number of accommodation portacabins, offices and welfare facilities. However, due to the isolation of the site location and the existing landscaping around the site, these structures are barely visible from the nearest public highways and do not cause any significant harm to the character and appearance of the area from these public highways. Although the proposal would increase the size of the site and introduce additional structures within the countryside, the distance from the public highways would be similar and additional landscaping is proposed around the site to help assimilate the proposed development into the surrounding rural landscape. There is a railway line located immediately adjacent to the application site which would provide significant views of the proposed development, however these views would be limited to passengers on passing trains and would be very brief. Due to the isolated location of the site and the limited views achievable from the surrounding public highways and public rights of way, the proposed development would not create any significant harm to the character and appearance of the area to an extent which would outweigh the benefits of the proposal.

#### **7.4 Residential Amenity**

7.4.1 The nearest residential dwellings, No's 1 and 2 Willow Farm which are located along the access road leading to the main area of the site, are connected with the applicant's business. Due to the significant distance between the application site and any nearby residential dwellings unconnected with the business, the proposal would not result in any significant harm to residential amenity of existing occupiers of nearby properties.

7.4.2 In respect of residential amenity for the agricultural workers, the proposed development would improve the existing accommodation, recreation and welfare facilities available, whilst reducing the numbers of people per cabin.

7.4.3 There is a railway line adjacent to the application site. The Noise Impact Assessment demonstrates that acceptable internal noise levels will be achieved



with a partially open window during the night, but that a worst case scenario will lead to an exceedance of 2dB internally. The report states that the part of the site predicted to have the slight exceedance is the existing site and not the extension. Environmental Health has advised that internal target levels may be relaxed by up to 5dB (as stipulated in BS8233) and reasonable internal conditions still achieved. On the basis that the area of site being extended achieves appropriate internal noise limits, and that the slight exceedance of noise limits within the existing site area can be weighed against the benefits to the local business, local employment and local economy, the noise impacts are considered acceptable.

- 7.4.4 Environmental Health initially raised a number of concerns relating to layout and facilities within the caravans / cabins. Following this, the applicant's agent has submitted amended information and cabin capacities, with 4 persons per cabin now proposed. Environmental Health was re-consulted on the amended information and has confirmed they are happy with the information provided, though they have reiterated comments regarding shower / W.C. facilities, minimum room sizes, fire safety measures and licensing requirements. The accommodation, as proposed, is therefore considered acceptable in terms of residential amenity.
- 7.4.5 It is therefore considered that the proposed development would not create any significant harm in respect of residential amenity, in accordance with policy ENV2 of the Local Plan 2015.

## **7.5 Highway safety and transport impact**

- 7.5.1 The proposed development would be served by an existing access from the A1101 to the east, with a long private road leading from the public highway to the main area of the site where the accommodation is located.
- 7.5.2 The Local Highway Authority (LHA) Development Management team has no objections to the application in respect of highway safety, stating that the junction layout and 10m wide access road for 15m in to the site is suitable for the increase in traffic. However, they have raised the following:
1. The 40 parking spaces are not shown.
  2. There is no accessible bus stop.
  3. There are no footways / cycleway in this area.
  4. The 5m wide internal access road is not wide enough for two buses / coaches / HGVs to pass simultaneously.
- 7.5.3 Following the above comments from the LHA, amended plans have been received showing the areas of the existing 40 car parking spaces and the additional 70 car parking spaces which the LHA Transport team has stated is acceptable. In addition, it is acknowledged that there are no accessible bus stops, footways or cycle facilities in the area. However, this is to be expected in rural locations that are appropriate for rural workers accommodation. The applicant has stated that around 10% of the agricultural workers have private cars and the applicant also provides regular shuttle bus services ensuring that work, and recreation and business facilities and services can all be accessed safely. The development will not have a severe impact on the highway network and the LHA Transport team has no objections to the proposed development, subject to a condition requiring a bus

management plan to be agreed by the LPA to manage the buses during the AM and PM shift changes.

- 7.5.4 It is acknowledged that the 5m wide section of the internal access road is not sufficient in width for 2 buses to pass, however such occurrences will only result in an inconvenience to the private bus operations and will not impact the public highway or highway safety.
- 7.5.5 It is therefore considered that the proposed development would not create any significant harm in respect of highway safety or parking, in accordance with policies COM7 and COM8 of the Local Plan 2015.

## **7.6 Flood risk and drainage**

- 7.6.1 The application site is located within Flood Zone 3, however the principle of development is considered acceptable as the application is to expand an existing established temporary seasonal agricultural workers accommodation site and it is accepted that there is a business need for the additional accommodation within this location and it could not be reasonably placed elsewhere at a lower risk of flooding. Therefore the flood risk sequential test is passed.
- 7.6.2 The Environment Agency has no objection and has advised that the site is unlikely to experience fluvial flooding due to the level of protection provided by current defences. Nevertheless, the caravans / cabins will be secured to the ground by means of chains or similar to prevent buildings from becoming unstable and washing away during the unlikely event of a breach of defences. The Environment Agency has requested that the finished floor levels are set no lower than 150 mm above ground level, except in those areas of the site that are shown by the Environment Agency Risk of Flooding from Surface Water maps to be at medium/high risk of flooding from surface water where finished floor levels are to be set no lower than 300 mm above ground level. The submitted Flood Risk Assessment and Drainage Strategy states that finished floor levels of the caravans / cabins will be a minimum of 0.5m above ground level. Subject to the recommended drainage conditions, the flood risk exception test is satisfied.
- 7.6.3 The drainage strategy demonstrates that surface water from the proposed development can be managed appropriately to allow the site to drain via infiltration at the source. The drainage strategy is subject to infiltration testing and, if this fails, the surface water will drain into an IDB watercourse. The Lead Local Flood Authority are satisfied that satisfactory drainage can be achieved, subject to conditions requiring a detailed surface water drainage scheme, long-term SuDS maintenance, finished floor levels and infiltration testing.
- 7.6.4 The Internal Drainage Board has raised no objections, but advise their consent will be required to discharge into their watercourse.
- 7.6.5 Subject to the recommended conditions, it is considered that the flood risk and drainage impacts are acceptable.

## **7.7 Ecology**

- 7.7.1 The application is supported by an Ecological Impact Assessment which identifies no significant impacts on protected species or habitats with the implementation of mitigation and compensation measures. The Assessment recommends biodiversity enhancement measures which are likely to result in a biodiversity net gain and these could be secured by a planning condition requiring the development to accord with the Ecological Impact Assessment. Subject to this condition, the ecological impacts of the proposed development are considered acceptable, in accordance with policy ENV7 of the Local Plan 2015.

## **7.8 Archaeology**

- 7.8.1 Cambridgeshire County Council Archaeology has advised that the site lies in an area of high archaeological potential. They do not object to the development proceeding, but request a planning condition requiring an archaeological investigation is carried out prior to the development commencing. Due to the high potential for archaeological finds on the site, it is considered reasonable to append the recommended condition requiring an archaeological investigation. This condition has been agreed by the applicant and the application therefore accords with policy ENV14 of the Local Plan 2015.

## **7.9 Trees**

- 7.9.1 An arboricultural report was received by the Local Planning Authority during the course of the application. After a review of the arboricultural report, the Trees Officer stated that Tree T13 (a Category B mature Horse Chestnut) should be retained. The applicant's agent has since amended the plan to include the retention of tree T13. The arboricultural report identifies 5 Category C (low quality) trees to be removed and the Trees Officer has raised no objection to this.
- 7.9.2 The Trees Officer has also stated that a soft landscaping scheme would also aid consideration of the application as it will show what mitigation planting is proposed and that established large trees such as the Horse Chestnut aid the speed at which a new development can integrate into the wider landscape.
- 7.9.3 As the proposed development would remove only 5 category C trees and a condition could be appended requiring new trees to be planted in accordance with a soft landscaping scheme to be agreed with the LPA, the impacts on trees are considered to be acceptable, in accordance with policies ENV1 and ENV7 of the Local Plan.

## **7.10 Other Material Matters**

- 7.10.1 The East Cambridgeshire Access Group has raised concerns regarding disabled accessibility. However, it would be a matter for the employer to ensure that they do not discriminate against any employees with disabilities and provide suitable modifications where necessary.

## **7.11 Planning Balance**

- 7.11.1 Due to the nature of G's operations and workforce, it is accepted that a proportionately modest overall increase in temporary rural workers dwellings is required to support the viability and sustainability of the business.
- 7.11.2 The proposal would support the business operations of a large local employer and provide a positive contribution to the local economy.
- 7.11.3 The proposal would also provide sustainability benefits from locating workers closer to G's main areas for harvesting operations, by reducing the need for travel from Barway Hostel.
- 7.11.4 The proposal would likely provide a biodiversity net gain which also weighs in favour of the application.
- 7.11.5 The proposal would result in additional structures and development within the countryside, however their visual impact from public highways or viewpoints will be very limited. The proposal will also result in additional traffic movements within the nearby vicinity of the application site, however on a wider scale traffic movements originating from Barway Hostel should be significantly reduced and the Local Highway Authority Transport team do not consider there will be a detrimental impact on the highway network.
- 7.11.6 On balance, it is considered that the adverse impacts of approving the proposed development would not significantly and demonstrably outweigh the benefits and therefore the proposed development accords with presumption in favour of sustainable development set out within the NPPF. In addition, the proposal broadly accords with Policy HOU5 which is the most relatable policy in the Local Plan.

## **8 COSTS**

- 8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.
- 8.2 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.
- 8.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.
- 8.4 In this case Members' attention is particularly drawn to the following point:

- There are no outstanding objections to the application from statutory consultees.

## 9 **APPENDICES**

- 9.1 Appendix 1 – Approved Plans.
- 9.2 Appendix 2 – Heads of Terms

<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
19/00100/FUM	Richard Fitzjohn Room No. 011 The Grange Ely	Richard Fitzjohn Senior Planning Officer 01353 665555 richard.fitzjohn@ea stcambs.gov.uk
16/01478/VAR		
16/01476/VAR		
16/01475/VAR		
16/01473/VAR		
16/00282/VAR		
15/00246/FUL		
15/00244/FUL		
15/00221/FUL		
13/00596/DISA		
13/00596/VAR		
13/00186/DISA		
13/00186/FUL		
11/00165/FUL		
09/00260/FUL		
09/00259/VAR		
08/00768/VAR		
08/00660/VAR		
04/01180/FUM		
04/00048/FUL		
03/00978/FUL		
03/00518/FUL		

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

## APPENDIX 1 - 19/00100/FUM Conditions

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

Plan Reference	Version No	Date Received
Arboricultural Report	v1.2	18th July 2019
010	D	18th July 2019
Flood Risk Assessment		
and Drainage Strategy	B	16th January 2019
005	A	19th November 2019
Ecological Impact Assessment		
021		16th January 2019
024		8th February 2019
023		8th February 2019
022		8th February 2019
020		8th February 2019

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 2 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 This permission is for a limited period only, expiring on 4th December 2029. After this date, the site shall be reinstated in accordance with a scheme to be submitted and agreed in writing by the Local Planning Authority prior to the expiration of this permission.
- 3 Reason: To ensure that the caravans / cabins are screened as fully as possible in the interests of retaining the appearance and character of this rural area in compliance with policies ENV1 and ENV2 of the East Cambridgeshire District Council Local Plan 2015.
- 4 The occupation of the caravans / cabins shall be limited to persons solely employed seasonally, in the locality in agriculture, and for a period from 1st May to 31st October only in any calendar year. The caravans / cabins shall not be occupied during any other period unless previously agreed in writing by the Local Planning Authority.
- 4 Reason: The development hereby permitted, is situated in a rural area outside any established settlement where the Local Planning Authority would not normally grant permission for such development and this permission is granted solely in order to fulfill an essential agricultural need to satisfy the requirements of policy HOU5 of the East Cambridgeshire District Council Local Plan 2015.
- 5 Any individual caravan / cabin shall not be occupied as living accommodation for more than 5 persons.
- 5 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 6 The office and welfare facilities, including new office, recreation area, shop and washing/drying facilities, shall only be used ancillary to the development hereby approved, and for a period from 1<sup>st</sup> May to 31<sup>st</sup> October only in any calendar year. These facilities shall not be occupied during any other period unless previously agreed in writing by the Local Planning Authority.
- 6 Reason: The development hereby permitted relates to an existing seasonal workers accommodation site, it is situated in a rural area outside any established settlement where the Local Planning Authority would normally grant planning permission for such development and this permission is granted solely to fulfil an essential agricultural need to satisfy the requirements of the approved East Cambridgeshire Local Plan 2015.
- 7 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 7 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 8 No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Drainage Strategy, prepared by E A S Transport Planning Limited (ref: 1904/2018) and dated 19<sup>th</sup> December 2018, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to first occupation of any caravan / cabin hereby approved.
- 8 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 9 Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) shall be submitted to, and approved in writing by, the Local Planning Authority, prior to the first occupation of any building. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.
- 9 Reason: To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.
- 10 The finished floor levels of the caravans / cabins shall be set no lower than 150 mm above ground level except in those areas of the site that are shown by the Environment Agency Risk of Flooding from Surface Water maps to be at medium/high risk of flooding

from surface water where finished floor levels shall be set no lower than 300 mm above ground level.

- 10 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 11 Prior to first occupation of the caravans / cabins hereby approved, a bus management plan shall be submitted to, and approved in writing by, the Local Planning Authority, to manage the buses during the AM and PM shift changes. The buses shall operate in accordance with the bus management plan thereafter.
- 11 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 12 Prior to first occupation or commencement of use a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant (including retained existing trees/hedgerows) is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 12 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 No development shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include surfacing materials for internal roads, footpaths and car parking areas. 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.
- 13 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 14 Prior to first occupation of the caravans / cabins hereby approved, the proposed on-site car and bus parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with drawing no. 010 Rev D and thereafter retained for that specific use in perpetuity.
- 14 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.



- 15 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.
- 15 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 16 Construction / demolition times and deliveries, with the exception of fit-out, shall be limited to the following hours: 07:30-18:00 each day Monday-Friday, 07:30-13:00 on Saturdays and none on Sundays or Bank / Public Holidays.
- 16 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 17 Prior to first occupation of any caravan / cabin, a scheme to dispose of foul water shall be submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation of any caravan / cabin hereby approved.
- 17 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.