

MAIN CASE

Reference No: 17/00960/FUL

Proposal: Erection of two semi detached dwellings and associated works.

Site Address: Site Adjacent To No. 8 The Firs Wilburton Ely Cambridgeshire
CB6 3FL

Applicant: B Hughes

Case Officer: Richard Fitzjohn, Planning Officer

Parish: Wilburton

Ward: Stretham
Ward Councillor/s: Councillor Bill Hunt
Councillor Charles Roberts

Date Received: 31 May 2017 **Expiry Date:** 8 December 2017

[S185]

1.0 **RECOMMENDATION**

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

- 1 Approved plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Materials
- 4 Site Characterisation
- 5 Reporting of unexpected contamination
- 6 Foul and Surface water drainage
- 7 Soft landscaping scheme
- 8 Hard landscaping scheme
- 9 Boundary Treatments
- 10 Tree Protection Measures
- 11 Biodiversity Improvements
- 12 Parking Layout
- 13 Pedestrian Visibility
- 14 Access Drainage
- 15 Construction hours
- 16 Obscure-glazed windows
- 17 Permitted Dev - windows and openings
- 18 Permitted development - ext and outbldg

2.0 SUMMARY OF APPLICATION

2.1 Planning permission is being sought for the erection of two semi-detached dwellings and associated works. The pair of dwellings would measure 13m wide and 8.5m deep, with a ridge height of 7.5m and an eaves height of 5m. The external surfaces of the proposed dwellings would predominantly be finished with red facing brick and a natural slate roof. The proposed dwellings would each be served by individual vehicular accesses and parking areas. The application was amended on the 23rd October 2017.

2.2 This application has been submitted following 2 previous refusals of planning permission for 2 semi-detached dwellings on the site. The previous refusal reasons are shown below:

Planning refusal reference: 15/00453/FUL

The two dwellings are located in a traditional streetscene within the Conservation Area and located at the rear of a Grade II Listed Building. The proposal by virtue of its design does not take into account the traditional setting in order to preserve the streetscene nor does it seek a strong high quality contemporary design that would enhance the character of the local area. Instead its mixture of styles makes the proposal look incoherent. The harm to the setting of the Grade II Listed Building (38 High Street) is not outweighed by the public benefit by virtue of the poor design of the proposed two dwellings. In addition the siting of the dwellings in front of the building line of The Firs, further harms the visual character of this streetscene. The proposal, therefore, does not comply with policies ENV2, ENV11 and ENV 12 of the East Cambridgeshire Local Plan Adopted April 2015.

Planning refusal reference: 16/01654/FUL

In addition the siting of the dwellings in front of the building line of The Firs, further harms the visual character of the streetscene. The two dwellings as proposed are located in a traditional streetscene within the Conservation Area and to the rear of a Grade II Listed Building. Despite the previous refusal the amended design does not go far enough to take into account the traditional setting in order to preserve the streetscene nor does it seek a strong high quality contemporary design that would enhance the character of the local area. Instead the mixture of styles makes the proposal look incoherent. The harm to the setting of the Listed Building (38 High Street) is not outweighed by any public benefit arising from a higher quality design. In addition the siting of the dwellings in front of the building line of The Firs, further harms the visual character of the streetscene. The proposal therefore does not comply with policies ENV2, ENV 11 and ENV 12 of the East Cambridgeshire Local Plan Adopted May 2015

2.3 This application has been called in by Councillor Bill Hunt who believes it is one of those cases which would benefit from full and comprehensive debate as is afforded by the Planning Committee and believes that both the applicants and the objectors should have the facility to be heard.

2.4 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**

3.0 PLANNING HISTORY

3.1

16/01654/FUL	Construction of 2no. two bedroom semi-detached dwellings	Refused	24.01.2017
15/00453/FUL	Construction of two 2 bed semi detached dwellings	Refused	09.11.2015

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located within the established development framework and conservation area for Haddenham. It is also located to the rear of a thatched Grade II Listed Building (38 High Street). The remainder of The Firs comprises a modern residential cul-de-sac development with a traditional style.

5.0 RESPONSES FROM CONSULTEES

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

Wilburton Parish Council – Object to this development because of:-

- a) Overdevelopment of site - this is too small for two semidetached buildings
- b) Overshadows the listed cottage at the front. Views from all sides are outstanding
- c) No parking for visitors
- d) Juliette balcony is unnecessary and overlooks the next door garden
- e) Too close to the buildings to the south
- f) There are severe traffic issues in the entrance to the Firs and the lane adjoining - Carpond Lane - this two dwelling development will only exacerbate an existing situation.

Recommend that a plan for one single storey dwelling with adequate parking would be far more acceptable.

Ward Councillor Bill Hunt - Has and keeps an open mind in this matter but is aware of the extensive planning history reference this site, the views of local residents and also the views of the Parish Council. Believes the application is one of those cases which would benefit from full and comprehensive debate as is afforded by the Planning Committee. Also believes that both the applicants and the objectors should have the facility to be heard. With these thoughts in mind, requested the application is called-in to the Planning Committee.

Conservation Officer - No objections to the amendments from a conservation viewpoint and the proposed changes have overcome previous officer concerns.

Local Highways Authority - After a review of the amended drawing, no further objections. The vehicle access is on to an adopted shared use area and the correct

pedestrians visibility splays have now been provided. Recommend conditions in relation to access layout, pedestrian visibility splays and access drainage.

Trees Officer – Originally requested an updated arboricultural report, however has since stated that a condition requiring a Tree Protection Plan would be sufficient.

Environmental Health – Recommend conditions are attached to any planning permission requiring appropriate contaminated land assessments. In addition, due to the proposed number of dwellings and the close proximity of existing residential properties, advise that construction times and deliveries during the construction phase are restricted to the following:

- 08:00 – 18:00 each day Monday – Friday
- 08:00 – 13:00 on Saturdays and
- None on Sundays or Bank Holidays

Waste Strategy (ECDC) - No Comments Received.

5.2 Neighbours – 8 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website. A site notice was displayed on 18th July 2017 and an advert was published in the Cambridge Evening News on 22nd June 2017.

Objections and concerns have been raised by occupiers of 6 neighbouring properties regarding the following summarised issues:

- Highway safety
- Parking and access/right of way issues.
- Congestion during building period.
- Over development of small plot.
- Visual amenity / landscape impact
- Impact upon the nearby Listed Building
- Loss of privacy to neighbouring properties
- Over bearing to neighbouring properties
- Overshadowing to neighbouring properties
- Over looking to neighbouring properties
 - Inaccuracies in the Design, Access and Supporting Statement.

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
HOU 2	Housing density
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 11 Conservation Areas
 ENV 12 Listed Buildings
 COM 7 Transport impact
 COM 8 Parking provision

6.2 Supplementary Planning Documents

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

6.3 National Planning Policy Framework 2012

6 Delivering a wide choice of high quality homes
 7 Requiring good design
 10 Meeting the challenge of climate change, flooding and coastal change
 12 Conserving and enhancing the historic environment

6.4 Proposed Submission Local Plan 2017

LP1A presumption in Favour of Sustainable Development
 LP3 The Settlement Hierarchy and the Countryside
 LP16 Infrastructure to Support Growth
 LP17 Creating a Sustainable, Efficient and Resilient Transport Network
 LP22 Achieving Design Excellence
 LP23 Water Efficiency
 LP24 Renewable and Low Carbon Energy Development
 LP25 Managing Water Resources and Flood Risk
 LP26 Pollution and Land Contamination
 LP27 Conserving and Enhancing Heritage Assets
 LP28 Landscape, Treescape and Built Environment Character, including Cathedral Views
 LP30 Conserving and Enhancing Biodiversity and Geodiversity

7.0 PLANNING COMMENTS

7.1 The main issues to consider when assessing this application relate to the principle of development, in addition to the impacts upon the character and appearance of the conservation area and the setting of the nearby listed building, residential amenity, trees and highway safety and parking.

7.2 Principle of development

7.2.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990. Section 38(6) requires the local planning authority to determine planning applications in

accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the adopted East Cambridgeshire Local Plan (2015) and related Supplementary Planning Documents.

- 7.2.2 The Council is currently preparing a replacement Local Plan covering the period from 2016 to 2036. At a meeting of Full Council held on 5th October 2017, Members considered an updated report on the latest draft of the emerging replacement Local Plan (the 'Proposed Submission Local Plan') accompanied by a Five Year Housing Land Supply Report. This report was agreed by Council, which has established that East Cambridgeshire District now has a five year housing land supply; currently calculated to be 6.94 years. Consequently, Paragraphs 14 and 49 of the Framework are not engaged and the housing supply policies contained in the Local Plan are no longer considered to be out of date. Paragraph 11 of the Framework makes it clear that the Framework does not change the statutory status of the development plan as the starting point for decision making. This states that "proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise". The Framework is one such material consideration and should be taken into account.
- 7.2.3 Adopted policy GROWTH 2 and emerging policies LP1 and LP3 all seek to manage new development so that it takes place in sustainable locations. In respect of open market housing, these are considered to be within defined settlements where there is ready access to shops, services and facilities that meet the day to day needs of those communities. Policy GROWTH 2 states that the majority of development will be focused on the market towns of Ely, Soham and Littleport with more limited development taking place in villages which have a defined development envelope, thereby helping to support local services, shops and community needs.
- 7.2.4 The proposal site is located within the established development framework for Wilburton where the principle of development is considered to be acceptable in locational terms, provided that all other material planning considerations are satisfied.
- 7.3 Character and appearance of the conservation area and the setting of the nearby listed building
 - 7.3.1 The Firs is a recent development with a fairly traditional style of mainly detached dwellings but with a couple of semi-detached properties. To the rear of the site is a Grade II Listed thatched barn. The area is, therefore, considered to be traditional in appearance.
 - 7.3.2 With the proposed dwellings partially blocking the rear elevation of the Grade II Listed Building from a public view point it is considered that the level of harm is less than substantial. The public benefits would need to outweigh the harm in order to be able to grant planning permission. The public benefits in this case are considered to be the provision of two new dwellings.

- 7.3.3 The proposed side and rear of the dwellings will be visible from Carpond Lane, though views are currently obscured by existing planting.
- 7.3.4 The siting of the proposed dwellings has been set back further from the public highway along The Firs than was the case in the previous planning applications which were refused planning permission, attempting to retain the building line of the dwellings located to the east and prevent creating a sense of enclosure within the street scene. The proposed dwellings are of a simple, traditional form, appearing in keeping with the appearances of the existing two-storey dwellings located along The Firs. The height and scale of the dwellings are also similar to those dwellings already present along The Firs. The external surfaces of the proposed dwelling would predominantly be comprised of red facing brickwork and a natural slate roof which is sympathetic to surrounding materials within the street scene. Although the materials have been specified on the application, due to the sensitive location of the site within the Wilburton conservation area and within close proximity to a listed building, it is considered reasonable for a condition to be appended to any grant of planning permission requiring samples of materials to be submitted to and agreed with the Local Planning Authority.
- 7.3.5 The Conservation Officer has been consulted on the application and following the receipt of amended plans by the Local Planning Authority has no objections to the application. The Conservation Officer and Case Officer are in agreement that the current application has overcome the previous reasons for refusal of planning applications 15/00453/FUL and 16/01654/FUL.
- 7.3.6 It is considered that the proposed development would preserve the character and appearance of the conservation area and the setting of the nearby listed building, by virtue of its traditional design and materials which are in keeping with nearby dwellings within the street scene. It is considered that the proposed development would not cause any significant harm to the thatched Grade II Listed Building and the public benefit of 2 additional dwellings would outweigh the insignificant level of harm to the heritage asset.
- 7.3.7 It is therefore considered that the proposed development accords with policies ENV2, ENV 11 and ENV12 of the East Cambridgeshire Local Plan 2015 and policies LP22, LP27 and LP28 of the Proposed Submission Local Plan 2017.
- 7.4 Residential amenity
- 7.4.1 The proposed dwellings would be sited approximately 10m to the west of the blank side elevation of No.8 The Firs and a minimum of 16.5m from the rear elevations of the neighbouring dwellings located to the south of the site. In addition, the proposed dwellings would be located 8m from the rear garden of No.8 The Firs and a minimum of 10m from the rear garden of the located to the south of the application site. Due to the siting and separation distance of the proposed dwellings from the neighbouring dwellings, it is considered that the proposed dwellings would not create any significant overbearing, overshadowing or loss of light to the nearby neighbouring properties.
- 7.4.2 The proposed dwellings would create a first-floor bedroom window within the east side elevation facing No.10, however this is a secondary window to the bedroom

and therefore could be obscure-glazed and non-opening below 1.7m. The first-floor windows within the rear elevations of the dwellings serve bathroom an en-suites and therefore could also be obscure-glazed and non-opening below 1.7m. The proposed dwellings do not include any other first-floor windows which would create significant overlooking of any neighbouring properties. Due to the proximity of the first-floor windows to neighbouring properties to the east and south, it is considered reasonable that conditions are appended to any grant of planning permission requiring those windows to be obscure-glazed and fixed shut below 1.7m, and also to removed permitted development rights for the creation of any additional new windows.

7.4.3 The plots for the proposed dwellings are relatively small in size and do not provide 50 square metres of private amenity space as set out in the Design Guide SPD. Due to the limited amenity space within the site for future occupiers of the proposed dwellings and to prevent any detrimental impacts being created to adjacent neighbouring properties, it is considered reasonable to append a condition to any grant of planning permission removing permitted development rights for any extensions and outbuildings within the site.

7.4.4 It is therefore considered that the proposed development would not create any significant detrimental impacts upon the residential amenity of neighbouring occupiers, in accordance with policies ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Proposed Submission Local Plan 2017.

7.5 Trees

7.5.1 There is a large tree located outside of the application, adjacent to the west boundary of the site. An arboricultural report has been submitted with the application which concludes that the use of protective fencing will prevent damage occurring to the roots of this tree within the site boundary. The Council's Tree Officer originally requested an updated arboricultural report, however has since stated that a condition requiring a Tree Protection Plan would be sufficient to ensure protection of the tree. A condition requiring an up-to-date Tree Protection Plan could be appended to any grant of planning permission. It is therefore considered that the proposed development would not create any significant adverse impact upon the adjacent tree, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 and LP28 of the Proposed Submission Local Plan 2017.

7.6 Highway safety and parking

7.6.1 A number of concerns have been raised by Wilburton Parish Council and neighbouring occupiers regarding the impact of the proposed development on parking, congestion, access to properties and highway safety. This includes concerns regarding short-term impacts of construction traffic parking. A number of representations have highlighted existing parking and congestions issues along The Firs and Carpond Lane, generally associated with the nearby school.

7.6.2 The proposed development would provide 2 car parking spaces per dwelling in accordance with the Council's adopted parking standards and there is no policy requirement for visitor parking to be provided for a development of this size.

Therefore, it is considered that the proposed development would not cause a significant increase in on-street parking. The Firs comprises a small cul-de-sac where on street-parking is limited and it is acknowledged that there is likely to be some impacts to nearby residential properties during the construction phase in regards to parking and movements of construction traffic. However, these impacts would be temporary during the construction period and are not a reason for which the application should be refused.

7.6.3 The Local Highway Authority has been consulted on the application and has stated that they have no objections to the application following amended plans being received by the Local Planning Authority.

7.6.4 It is therefore considered that the proposal would not create a detrimental impact upon highway safety or parking, in accordance with Policies COM7 and COM8 of the Local Plan 2015 and LP17 of the Proposed Submission Local Plan 2017.

7.7 Other Material Matters

7.7.1 The application site is located within Flood Zone 1. The application proposes to dispose of surface water via soakaways within the site and a condition could be appended to the planning permission ensuring that a surface water disposal scheme be agreed with the Local Planning Authority. Foul water drainage is proposed to be disposed of into the main sewer system which is acceptable.

7.8 Planning Balance

7.8.1 Policy GROWTH 2 of the adopted Local Plan seeks to focus the majority of new development to locations within the defined settlements where there is likely to be greater access to services and facilities, in the interests of securing more sustainable patterns of development. This has been reaffirmed in Policies LP1 and LP3 of the Proposed Submission Local Plan. The application site lies within the defined settlement boundary for Wilburton where the principle of development is considered to be acceptable in locational terms, provided that all other material planning considerations are satisfied.

7.8.2 The proposed development will deliver a small number of economic and social benefits, whilst there would not be any significant environmental harm created. Although the footprint of the pair of semi-detached dwellings will cover a relatively large proportion of the application site, it is considered that the proposed development would not create any significant adverse impacts in respect of the character and appearance of the conservation area and the setting of the nearby listed building, residential amenity, trees, highway safety and parking or drainage. The proposal accords with the relevant policies within the East Cambridgeshire Local Plan 2015 and the Proposed Submission Local Plan. The application is therefore recommended for approval.

8.0 APPENDICES

8.1 Appendix A – Recommend conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/00960/FUL	Richard Fitzjohn Room No. 011	Richard Fitzjohn Planning Officer 01353 665555
16/01654/FUL	The Grange	richard.fitzjohn@ea
15/00453/FUL	Ely	stcambs.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 - 17/00960/FUL Conditions

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

Plan Reference	Version No	Date Received
BH01-17		3rd July 2017
ARBORICULTURAL IMPACT ASSESSMENT		31st May 2017
LOCATION PLAN		31st May 2017
BH03-17		23rd October 2017
BH01-17		23rd October 2017
BH02-17		23rd October 2017
DESIGN & ACCESS STATEMENT		23rd October 2017
HERITAGE STATEMENT		23rd October 2017

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No above ground construction shall take place on site until details of the external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 3 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Building, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015 and LP22, LP27 and LP28 of the Proposed Submission Local Plan 2017.
- 4 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
 - (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s).This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.

- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 and LP26 of the Proposed Submission Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 5 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are 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 and LP26 of the Proposed Submission Local Plan 2017.
- 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 of the hereby approved dwellings.
- 6 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Proposed Submission Local Plan 2017. 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 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 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.

- 7 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 and LP27 of the Proposed Submission Local Plan 2017.
- 8 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: driveway and hardstanding materials. 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.
- 8 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and in the interests of highway safety, in accordance with policies ENV2, ENV11, COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and policies LP17, LP22, LP27 and LP28 of the Proposed Submission Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 9 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the first occupation of the hereby approved dwellings..
- 9 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Building, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015 and LP22, LP27 and LP28 of the Proposed Submission Local Plan 2017.
- 10 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.
- 10 Reason: To ensure that the tree adjacent to the site is 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 and LP22 and LP28 of the Proposed Submission Local Plan 2017. 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 tree to be retained adjacent to the site.

- 11 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.
- 11 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and policies LP22 and LP30 of the Proposed Submission Local Plan 2017.
- 12 Prior to first occupation of the hereby approved dwellings, space shall be laid out within the site for 2 cars to park in accordance with drawing no. BH01-17. This area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- 12 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Proposed Submission Local Plan 2017.
- 13 Prior to the commencement of the use hereby permitted visibility splays of 1.5m x 1.5m shall be provided each side of the vehicular accesses measured from and along the back edge of the adjacent footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adjacent footway in perpetuity.
- 13 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Proposed Submission Local Plan 2017.
- 14 The vehicular accesses and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 14 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Proposed Submission Local Plan 2017.
- 15 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 08:00am-18:00pm each day Monday-Friday, 08:00-13:00pm Saturdays and none on Sundays or Bank/Public Holidays.
- 15 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Proposed Submission Local Plan 2017.
- 16 The first floor windows in the east and south elevations of the hereby approved dwellings shall be glazed using obscured glass and any part of the windows that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.
- 16 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Proposed Submission Local Plan 2017.

- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking or re-enacting that Order), no windows, dormer windows, rooflights or openings of any other kind, other than those expressly authorised by this permission shall be constructed at first floor level or above in the east and south elevations of the hereby approved dwellings.
- 17 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Proposed Submission Local Plan 2017.
- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order), the dwelling shall not be extended in any way, and no structures shall be erected within the curtilage of the dwelling.
- 18 Reason: To safeguard the residential amenity of future occupiers of the hereby approved dwellings and neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Proposed Submission Local Plan 2017.