

88. 17/01231/FUM – FORMER HILLSIDE QUARRY, CORNER OF QUARRY LANE AND HEATH ROAD, SWAFFHAM BULBECK, CB25 0LU

Andrew Phillips, Senior Planning Officer, presented a report (S126, previously circulated) which sought permission for the construction of 19 dwellings with associated parking and amenity space and the retention of existing offices on site.

The application was originally for 20 dwellings but had been amended to lose one dwelling in order to overcome the highway concerns of the Highways Authority and the Case Officer. The proposal would include 8 affordable dwellings

The site was partially within the Cambridge Green Belt, adjacent to the T-junction of Quarry Lane and Swaffham Heath Road. It was located approximately half way between two sections of the village that were within the village framework. The proposed dwellings were all outside of the Green Belt, although the garden of Plot No. 19 was partially within.

It was noted that the application had been called in to Planning Committee by the Ward Member, Councillor Allen Alderson; his comments were set out on page 3 of the Officer's report.

A number of illustrations were displayed at the meeting. They included a map, an aerial image, the layout of the proposal, elevations and the street scenes.

Members were reminded that the key issues for consideration in the determination of this application were:

- Principle of Development;
- Visual Amenity and Heritage;
- Residential Amenity;
- Highways and Parking;
- Affordable Housing and Housing Mix; and
- Education Requirement.

The Senior Planning Officer reiterated that as the Council was currently unable to demonstrate an adequate 5 year supply of land for housing, the presumption should be in favour of sustainable development. If granted approval, the site would partially infill a gap between two different elements of the village. The site was considered to be in a sustainable location with relative ease of access into the main part of the village.

Only a parking area, boundary fencing and part of the existing office building would be located within the Green Belt and considering the existing brownfield nature of the site, it was not considered that the scheme would significantly impact on the Green Belt.

In terms of visual amenity, it was considered that the proposal was a good example of contemporary design with changes in form, design flourishes and materials providing visual interest. This created a very high quality design and was backed up by the material selection, which weighed heavily in favour of the application. However, the density of the site was considered to weigh against the proposal as it was significantly denser than the nearby dwellings, as terraces and semi-detached dwellings were proposed.

Gaps between the dwellings would help to retain the countryside views and landscaping could be used to soften the development. It was considered that the urban built frontage of the proposed development would be at odds with the existing village edge site, but Officers believed that the benefits of the design would outweigh the concerns.

With the siting of the proposed dwellings it was considered that there would be no detrimental impact to the residential amenity from the completed dwelling units. The design and proposed fenestration pattern would ensure that there was no unacceptable overlooking or overbearing impact.

The existing office building on site was not expected to create any undue disturbance to the future potential residents due to its B1 use and any unexpected noise issues could still be covered under Environmental Health legislation. Any permitted change of use could be restricted by condition.

The Conservation Officer had not objected to the scheme as it was not considered to cause any noticeable harm to the historic quality of the area. Whilst the loss of the two clunch buildings on site weighed against the application, minimal weight was placed on this as they were not protected under any planning legislation.

It was noted that the amendments to the proposal had overcome the Local Highways Authority's objection and the requested conditions could be duly added to any consent. The scheme would provide 2 car parking spaces per dwelling and adequate turning.

The visitor parking would provide 19 office parking spaces that could be used for anyone although this was likely to be outside of office hours. A condition would be added to remove boundary rights in order to ensure that gates could not be erected.

Speaking next of affordable housing and the housing mix, the Senior Planning Officer stated that the developer would provide 8 affordable dwellings out of 19, which equated to 42%; this exceeded policy requirements. While the proposal was not a 70/30% mix between rented and shared ownership, it was considered that the provision of 8 affordable dwellings outweighed this on this occasion.

The housing mix was 8 two beds, 8 three beds and 3 four beds. While there were no 1 bed properties, it was considered that on a scheme of this size the developer had provided a good mix of housing types to cover the range of people who would wish to live on the site. It was also to be noted that there would be no difference in design between the affordable and market housing.

Members noted that the proposal for 19 dwellings was unlikely to put a large burden on the local schools. The requirement to pay for the provision of 3 secondary school children spaces is potentially on the high side and a contribution of £69,999 might impact on affordable housing provision. This would be the subject of ongoing discussions with the developer.

At this point the Chairman said he had just become aware of a potential conflict of interest and he would therefore leave the Chamber before the discussion and voting took place on this item.

*Councillor Schumann left the Chamber at 12.15pm and Councillor Rouse assumed the Chair.*

At the invitation of the Chairman, Mr Edward Bidwell, agent addressed the Committee and made the following points:

- He was representing De Sangosse, the owners of the site;
- This brownfield site was a former quarry;
- At the pre-application meeting in April 2017 he had responded to comments and recommendations, and as a result the proposal had now been amended to 19 units;
- The development would be a modern contemporary design with more than 40% affordable housing;
- The office building and employment on site would be retained;
- Swaffham Bulbeck was fully sustainable and the site had good connectivity with the village;
- At present the area of the site was unkempt and vacant, but after it had been developed, there would be a strong frontage to enhance the gateway to the village;
- The Parish Council had been consulted;
- This scheme was developable and deliverable.

In response to a query from Councillor Beckett, the Senior Planning Officer clarified that there would be gables to gables rearwards with others being more horizontal.

Councillor Edwards was concerned about the lack of parking and that visitors would have to rely on the business being closed, so that those parking spaces could be used. The Senior Planning Officer replied that a balanced view had been taken and it was expected that most visitors would be outside of office hours.

At the invitation of the Chairman, the Ward Member, Councillor Allen Alderson, addressed the Committee and made the following comments:

- This was overdevelopment of the site and it would not accord with the existing street scene. The development would be better suited elsewhere;

- There were too many houses on the site and no variety of design;
- There was no parking provision for visitors;
- It would be out of keeping with the density and character of the area;
- The emerging Local Plan stated that the design of the houses should be in keeping with their rural location and the remains of clunch buildings should, if possible, be incorporated into the overall design of the development;
- The Trees Officer said the development was too dense and the overall character of the area would be impacted. A less urban design should be sought;
- The Conservation Officer said the current proposal was overdevelopment of the site and the loss of the clunch buildings was disappointing.

Councillor Ambrose Smith felt that views on design were a very personal thing and she personally liked modern designs. At the moment the site was scruffy little corner, but the proposal would enhance it. The scheme would provide affordable homes and she was pleased to see that they would be of a similar standard and design to the other dwellings on the site. Whilst parking could be an issue she believed it was an attractive proposal.

Councillor Edwards disagreed, saying that the development was too dense and in a prominent position; she believed the scheme would be better placed lower down the road.

Councillor Hunt thought this to be an exciting proposal. Taking into account the extensive road frontage, there would be a lot less pressure on the site and it would avoid tandem parking. The access would be good, the site would not be cramped and there would be a mix of house sizes in the affordable section.

Councillor Goldsack said that if Members had not visited the site, there might be a different outcome to this application. He could see no positive or negative comments from the Parish Council and he was minded to agree with the views expressed by Councillors Ambrose Smith and Hunt. He thought this was a good development and he was in favour of approval.

Councillor Alderson interjected to say that it was a matter of record that the Parish Council had responded negatively and the comments were on the website.

Councillor Beckett thought there were some negatives as well as positives to this application. However, the site was on a back road and it was accepted that density became higher as one got closer to Cambridge. On balance he believed there was a need for this development and he would therefore support approval.

There being no further comments or questions, it was proposed by Councillor Hunt and seconded by Councillor Ambrose Smith that the Officer's recommendation for the Planning Manager to be given delegated authority to approve the application be supported.

When put to the vote, the motion was declared carried, there being 7 votes for and 3 votes against.

It was resolved:

That approval of planning application reference 17/01231/FUM be delegated to the Planning Manager, subject to the completion of a S106 (affordable housing and potential education requirement) and the conditions as set out in the Officer's report (with any minor changes to the conditions delegated to the Planning Manager).

*Councillor Schumann returned to the Chamber and reassumed the Chair at 12.39pm.*

**89. 17/01239/FUL – LAND OPPOSITE 5 MOOR ROAD, FORDHAM**

Gareth Pritchard, Planning Officer, presented a report (S127, previously circulated) which sought outline permission for a single storey residential dwelling, garage and storage barn with some matters reserved except access and scale.

The site was located outside of the established development framework for Fordham, approximately 850 metres to the north of the development framework when accessed via Moor Road. The area was characterised as being primarily countryside in nature with agricultural fields either side of the highway. The site itself appeared to be formally part of an agricultural field but it had been cleared to delineate the plot in question.

It was noted that the application had been called in to Planning Committee by Councillor Derrick Beckett; the reason was set out in paragraph 2.2 of the Officer's report.

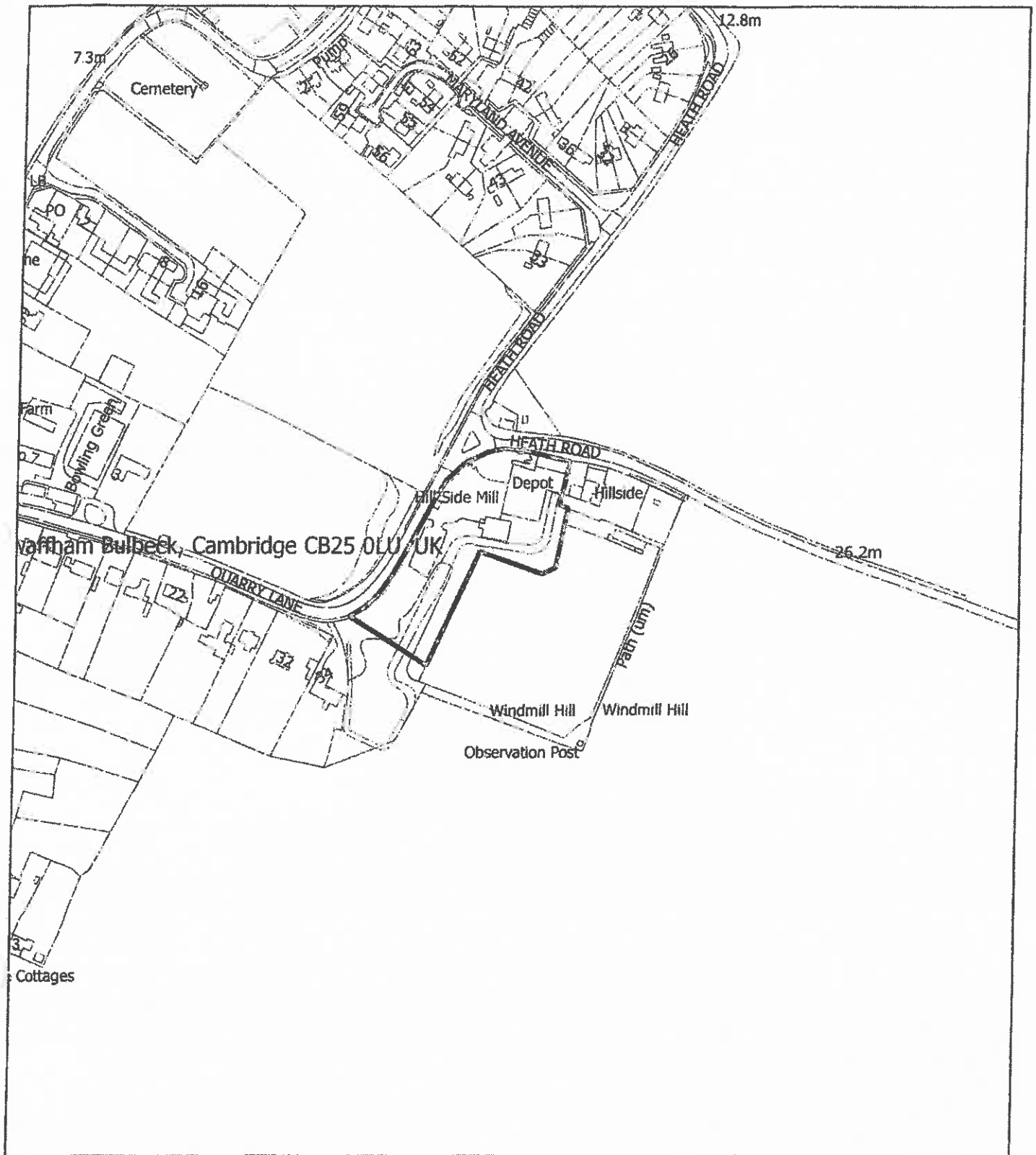
A number of illustrations were displayed at the meeting. They included a map, an aerial image and an outline indicative of the layout.

The Committee was reminded that the key considerations in the determination of this application were:

- Principle of Development;
- Visual Amenity;
- Residential Amenity; and
- Highway Safety.

The Planning Officer said that Members were well versed as to why such a site by virtue of its isolation and distance to main settlements was considered to be unsustainable and he would therefore not dwell on this.

It was noted that the application had not been made for an agricultural worker's dwelling. The applicant had submitted a statement advising that he would be happy to accept an agricultural tenancy condition. However, no supporting documentation had been provided and the application was being assessed purely as a market dwelling.



17/01231/FUM

Former Hillside Quarry  
 Corner of Quarry Lane and  
 Heath Road  
 Swaffham Bulbeck



East Cambridgeshire  
 District Council

Date: 21/09/2017  
 Scale: 1:3,405



© Crown copyright  
 All rights reserved 100023279 (2017)

**MAIN CASE**

**Reference No:** 17/01231/FUM

**Proposal:** Construction of 19 dwellings with associated parking and amenity space and retention of existing offices on site

**Site Address:** Former Hillside Quarry Corner Of Quarry Lane And Heath Road Swaffham Bulbeck CB25 0LU.

**Applicant:** Greensons Properties Ltd

**Case Officer:** Andrew Phillips, Senior Planning Officer

**Parish:** Swaffham Bulbeck

**Ward:** The Swaffhams  
Ward Councillor/s: Councillor Allen Alderson

**Date Received:** 10 July 2017 **Expiry Date:** 9 October 2017 [S126]

**1.0 RECOMMENDATION**

**1.1** Members are recommended to delegate approval of this application to the Planning Manager, subject to the completion of a S106 (affordable housing and potential education requirement) and the following conditions (with any minor changes to the conditions delegated to the Planning Manager). The full list of Planning Conditions can be read in the attached Appendix 1.

- 1 Approved Plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Car park lighting
- 4 Surface water drainage
- 5 Construction times
- 6 Potential contaminated land
- 7 Potential contamination
- 8 Fire hydrants
- 9 Tree protection
- 10 Soft landscaping
- 11 Hard landscaping
- 12 Boundary treatments
- 13 Car parking
- 14 Boundary wall permitted development rights
- 15 Close existing access
- 16 Highway drainage
- 17 Biodiversity protection

- 18 Biodiversity enhancement
- 19 Renewable energy
- 20 Brickwork to be agreed
- 21 Materials agreed
- 22 Office to remain as B1

## 2.0 SUMMARY OF APPLICATION

2.1 The application is for 19 dwellings following the amendment to lose one dwelling in order to overcome the highway concerns of the Highway Authority and Case Officer. The proposal is for two to four bedroom properties, with 8 dwellings being for affordable housing. The design of the dwellings is contemporary in style and surrounds the existing office building that will be retained as part of this application.

2.2 The mix of housing is:

- 8 Two bedroom properties
- 8 Three bedroom properties
- 3 Four bedroom properties

Of these 3 two bedroom properties and 2 three bedroom properties are for affordable rent; there is also 1 two bedroom property and 2 three bedroom properties for shared ownership.

2.3 The application has been called in by the Ward Councillor Allen Alderson, whose comments are detailed below.

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 District Council offices, in the application file.**

## 3.0 PLANNING HISTORY

3.1 None of specific note

## 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is partially within the Cambridge Green Belt, with the existing office building fully within the Green Belt. The proposed 19 dwellings are all outside of the Green Belt (though the garden of plot 19 is partially within). The land rises to the east of the site, which is where the most mature trees are located.

4.2 The site is located adjacent to the T-Junction of Quarry Lane and Swaffham Heath Road, which is located approximately half way between two sections of the village that are within the village framework. There is a public footpath that comes to the southwest corner of the site.



- 4.3 There is currently an outbuilding that is in a poor state of repair that is currently used for storage along Swaffham Heath Road.

## 5.0 RESPONSES FROM CONSULTEES

- 5.1 The full responses are available on the Council's web site.

Ward Councillors - (22 August 2017) Requests that the application is called in for the following reasons:

- Development is in conflict with planning policy ENV1. Twelve houses of a more sympathetic design would be more suitable.
- No parking appears to have been allowed for visitors. Any parking could only be along the main road, this causing a traffic hazard.
- The proposed housing does not match the existing streetscene of Quarry Lane.
- Parking bays of plots 1 and 2 are on a bend.

East Cambridgeshire Access Group – (26 July 2017) The group states that the layout seems very impractical and parking spaces have no pedestrian access or wheelie bin collection route.

In addition no internal doors are shown and step free access will be required.

Design Out Crime Officers – (25 July 2017) The area is a low risk to the vulnerability of crime.

There is no mention of crime prevention or security measures with the Design and Access Statement. Their only concern is that there should be good lighting over the car parking spaces to BS5489:1 2013, which could be dealt with by condition.

Cambridgeshire Fire and Rescue Service – (21 August 2017) It seeks a condition or S106 in regards to fire hydrants.

Local Highways Authority – (8 August 2017) It recommends refusal on this application in its current layout as it does not incorporate adequate on site vehicular parking and maneuvering facilities. Plots 1 – 3 would be required to reverse on to or from the highway, this is detrimental to highway safety as this takes place on a bend.

Other than this the proposal will have no significant impact on the public highway should this objection be addressed.

In addition provides some guidance.

(18 September 2017) It states:

“ After a review of drawing number PA003 Rev C the highways authority as no further objections

Recommended Conditions

Footways to be a min of 1.8m as located as shown on drawing number PA003 Rev C

HW7A – Closure of all and any existing access points with the highway and as per drawing number PA003 Rev C

HW14A – Turning & parking

HW22A – No private surface water to be discharged on to the highway”

Lead Local Flood Authority – (9 August 2017) It has no objection in principle to the proposed development but seeks a surface water drainage condition.

Anglian Water - (18 August 2017) States that it has assets close or within the development. The foul drainage from this development is in the catchment of Bottisham Water Recycling Centre that has capacity for these predicted flows.

The sewage system at present has available capacity for these flows via a gravity connection regime.

It is currently not proposed that Anglian Water deal with surface water drainage.

Environmental Health – (11 August 2017) No issues to rise but recommends construction hours condition. If the current building on site is B2 or B8 then would like to be reconsulted.

Environmental Health (Scientific) – (22 August 2017) Recommends standard contaminated land conditions.

Cambridgeshire County Council (Education, Waste and LLL) – Seeks contribution in regards to Secondary Education for the projected three pupils of £69,999.

Waste Strategy (ECDC) – (19 July 2017) With several properties directly on the road junction this would cause a very real danger to collections crews and motorists who may try to drive around without sight of on coming traffic.

Rear parking may also encourage people to park at the front.

Also provides standard guidance on collection and provision of bins.

Tree Officer – (31 August 2017) Does not object to the application although a number of significant trees are to be removed. Considers that the application allows enough tree retention and opportunity for re-planting.

Advises that the development is too dense and therefore gives little opportunity to soften views of the development from the highway with soft landscaping provision. Considers that the overall character of the area will be significantly impacted, with a reduction in the relatively rural feel of this location and seeks a less urban design.

If approved the Tree Protection Plan within the Arboricultural report should be conditioned.

Also recommends conditions in regards to landscaping.

Housing Strategy and Enabling Manager – (23 August 2017) Policy HOU3 requires 40% affordable housing and would expect provision of 8 affordable dwellings.

The Council's preferred tenure split is 70% rented and 30% shared ownership.

In accordance with Policy HOU3 a proportion of dwellings should be designed (or easily adaptable) for the elderly or those with disabilities.

Suggests some wording for the S106.

(18 September 2017) States:

"The applicant has proposed the following affordable housing mix:

1 x 2 bedroom house - shared ownership

2 x 3 bedroom house - shared ownership

3 x 2 bedroom house - rented

2 x 3 bedroom house - rented

Housing demand indicates that new housing schemes should provide 70% rented housing and 30% intermediate tenures. If rounding to the nearest whole dwelling, I would expect the provision of 6 rented homes and 2 shared ownership. Accordingly I would be grateful if you could explore with the applicant whether plot 13 could be changed from shared ownership to rented tenure."

Conservation Officer – (12 September 2017) States:

"Whilst the development of this site is welcomed, as it currently does little to preserve or enhance the street scene or the wider setting of the listed building I consider that the current proposal is overdevelopment of the site.

The loss of the two clunch buildings to the north of the site is disappointing as at least one of these could have been incorporated into the scheme to provide bin or cycle storage.

The design of the proposed dwellings is modern and as there is limited development within close proximity to the site the use of a contemporary design solution is not an issue. However, the materials are going to be key to making the scheme works and appear to be of a high quality once constructed."

Economic Development - No Comments Received

Minerals And Waste Development Control Team - No Comments Received

- 5.2 Neighbours –8 neighbouring properties were notified and the responses received are summarised below. A site notice was put up on the 17 August 2017 and a notice put in the press on the 24 August 2017. With the reconsultation period lasting till the 29 September 2017 any new comments will be as a way of an update to members on committee day. A full copy of the responses are available on the Council's website.

18 Mill Road, Cambridge – The objector and their wife have no objections but want to raise the following points:

- Believes the proposal should be only 16 dwellings in order to prevent the development being pushed up against their boundary and causing privacy issues.
- The clunch wall is retained on the old site sheds as they feel this is a feature and has been up for many years and is in keeping with their house.
- The speed sign is moved a good 100m further up the road as you come in from Swaffham Heath Road.
- Traffic calming islands are fitted on the slop and specialised non-skid tarmac as in the winter this gets very slipper any many cars slip and slide down there.

Hill Cottage, Heath Road – (1 August 2017) Is the owner of the Grade II Listed Clunch cottage adjacent to the site. Broadly supports the application as it will tidy up an unsightly predominantly brownfield site and brings much needed housing into the area.

However, makes the following observations:

- 20 dwellings, plus retention of office etc would be an overdevelopment of the site. 15 or 16 dwellings would be more suitable.
- Loss of the clunch buildings would damage the heritage of the area.
- Would add to highway safety issues.

32 Quarry Lane – (7 August 2017) Occupant is not opposed to the development as the village needs more housing but raises the following concerns:

- Highway safety issues.
- Loss of two very nice clunch buildings on Heath Road and wants to see this proposal incorporated into the scheme.
- Density too high, proposal should be 14 – 16 dwellings.

34 Quarry Lane – (17 September 2017) Occupant objects to the proposal on the grounds of:

- The design and density of the buildings is totally inappropriate for the village, there are very few 3 storey buildings in the village.
- The prominent, raised position of the site means that the development would be visible from many locations within the village.
- Highway Safety
- Lack of parking on site and need for double yellow lines on adjacent busy roads.
- Demolition of the existing clunch buildings shows a lack of imagination in the design and is disappointing as these materials are part of the village character.

7 Frank Turner Court, Quarry Lane – (8 August 2017) Accepts the principle of the development but has some serious concerns over the proposal. These concerns are:

- 16 dwellings would be a dramatic improvement for the proposal.
- Lack of on site private amenity space.

- Traffic flows to and from the site during and post construction.
- Highway safety concerns and seeks yellow lines on Heath Road and Quarry Lane.
- Lack of visitor spaces.
- Developer should provide renewable energy on site.

85 High Street – (11 August 2017) Objects to the proposal on the grounds design is not in keeping with surrounding area and will encourage on road parking.

## 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 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
EMP 1	Retention of existing employment sites and allocations
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
ENV10	Green Belt
ENV 12	Listed Buildings
COM 7	Transport impact
COM 8	Parking provision

### 6.2 Supplementary Planning Documents

Design Guide  
Contamination  
Developer Contributions  
Cambridgeshire Flood and Water

### 6.3 National Planning Policy Framework 2012

- 4 Promoting sustainable transport
- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 9 Protecting Green Belt land
- 11 Conserving and enhancing the natural environment
- 12 Conserving and enhancing the historic environment

## **7.0 PLANNING COMMENTS**

### **7.1 Principle of Development**

- 7.2 The local planning authority is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all Local Planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits.
- 7.3 The site is located in close proximity to the village framework and if approved would partially infill a gap between two different elements of the village. The proposal connects onto a highway footpath and continues this around the site. The site is considered to be in a sustainable location with relative ease of access into the main part of the village.
- 7.4 Policy ENV10 of the East Cambridgeshire Local Plan requires that development permitted adjacent to the Green Belt will ensure there will be no adverse impact on the purposes of Green Belt. Any development on the edges of settlements that are surrounded by the Green Belt must also include high quality landscape and design in order to protect the purposes of the Green Belt. The design and landscape are discussed within this section of the report.
- 7.5 The Town and Country Planning (Consultation) (England) Direction 2009 states that Green Belt development means development which consists of, or includes, inappropriate development on land allocated as Green Belt in an adopted Local Plan and which consists of the provision of a building or buildings where the floor space to be created by the development is 1,000sqm or more or any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.
- 7.6 In this case all the dwellings are outside of the Green Belt and the small amount of development (parking and boundary fence of Plot 19) that is within the Green Belt is a very minor change to the current surroundings of the office building. Due to the fact that only parking area/boundary fencing is located within the Green Belt and considering the existing use and brownfield nature of the site, this scheme is not considered to constitute development that would significantly impact on the openness of the Green Belt.
- 7.7 The proposal is considered to be acceptable in principle; all other material matters are covered below.
- ### **7.8 Visual Amenity**
- 7.9 Policy ENV2 states that: "The Council will encourage innovative, creative good modern architectural design that complies with the principles set out below".
- 7.10 The proposed dwellings are a mix of one and a half to two and a half storeys with a contemporary style. While the number of storeys change, the overall height

difference is minimal. The materials of the buildings are considered to be of very high quality with the use of slate and zinc roofs with hard timber being used on the walls. The proposed brick is currently not known at this stage, but this can be conditioned.

- 7.11 Old aerial photos show that the office building in the past had a connecting warehouse structure and some of the structure supports remained present when the case officer visited the site. This area of Quarry Lane is rural in nature with buildings sparsely spread out; any substantial development would change the character of the area. With the proposal not able to preserve the streetscene, the test is whether it will enhance.
- 7.12 The proposal is a good example of contemporary design with changes in form, design flourishes and materials providing visual interest. This creates a very high quality design and is backed up by the material selection. This weighs heavily in favour of the application.
- 7.13 The proposal creates a strong built frontage, though does leave good gaps between the dwelling blocks in order to keep views to the wider countryside. The overall density of the site would not provide an accurate reflection of the site, due to the existing office building being retained and an internal road to accommodate all the parking spaces. In addition density by itself does not define design quality. However, the site is significantly denser than the nearby dwellings, as terraces and semi-detached properties are proposed. The density is considered to weigh against the proposal, though the loss of a dwelling during the application process has helped open up the site.
- 7.14 With the gaps between the dwelling blocks it is considered that landscaping could be used to soften the development, but the main landscaping will always be the raising land to the rear that has both significant amount of trees currently and plenty of space for re-planting after the development. It is also considered reasonable to remove boundary permitted development rights in order to ensure that views between the highway and the rural countryside are not diminished in the future. The transition between built form and rural countryside is still possible if the development is approved.
- 7.15 It is considered that the proposed development will be of a very high quality but that the urban built frontage will be at odds with the existing village edge site. However, Officers believe that the benefits of the design outweigh the concerns.
- 7.16 **Residential Amenity**
- 7.17 With the siting of the proposed dwellings it is considered that there will be no detrimental impact to residential amenity from the completed dwelling units. The siting of the properties and the design and proposed fenestration pattern ensure no unacceptable overlooking or overbearing impact. The requested construction hours condition is considered reasonable in order to prevent detrimental noise pollution from the construction works. The requested potential contaminated land conditions can also be added.

- 7.18 With the amount of dwellings on site, many of the plots have a small amount of private amenity space (approx 36 square metres) while others have larger gardens (for example approx 56 square metres and 100 square metres). The range of garden sizes is considered to be acceptable, as not all people want a large garden and the houses are of varying sizes, but this does weigh slightly against the proposal as a village edge plot is expected to have a good garden size.
- 7.19 The existing office building on site is not expected to create any undue disturbance to the potential future residents due to its B1 use, unexpected noise issues could still be covered under Environmental Health legislation. Any permitted change of use could be restricted by condition.
- 7.20 Historic Environment**
- 7.21 The loss of the two clunch buildings on site weighs against the application. However, minimal weight is placed on this as they are not protected under any planning legislation.
- 7.22 It is noted that the Conservation Officer has not objected to the harm to the nearby Listed Building and this view is supported by the Case Officer. The requirement of high quality materials can be conditioned.
- 7.23 The proposal is not considered to cause any noticeable harm to the historic quality of the area.
- 7.24 Highways and Parking**
- 7.25 The Local Highways Authority has considered the amendments and considers that it overcomes their objection. The expertise of the Local Highways is supported and the requested conditions can be duly added to any consent. The painting of yellow lines raised by concerned neighbours is a County Council matter and not part of the determination of this application, and should be something they discuss with their Parish Council.
- 7.26 The comments of the Council's waste team are noted but the adjacent roads have a 30mph speed limit, which is no different to any other residential street where waste/recycling is collected. It is expected that any driver will drive safely and take into account a refuse lorry on collection day.
- 7.27 The proposal provides two parking spaces per dwelling with space for each dwelling able to enter and leave in a forward gear, which complies with Policy COM8. The visitor parking is slightly more complicated in that the 19 office parking spaces can be used for anyone, which will grant 1 visitor space per dwelling though this is likely only outside of office hours. A condition will be added to remove boundary rights in order to ensure gates cannot be erected.
- 7.28 The proposal is considered to comply with policies COM7 and 8 of the adopted Local Plan.



**7.29 Ecology**

- 7.30 The proposal if suitably controlled will have no detrimental impact upon biodiversity in the area and a condition can be added to ensure that the proposal enhances upon biodiversity within the local area; this can be achieved through conditions.

**7.31 Flood Risk and Drainage**

- 7.32 The site is located within Floodzone 1 and the request of the Lead Local Flood Authority to condition surface water is considered to be reasonable. The proposal will have no detrimental impact upon water flow in the local area.

**7.33 Affordable Housing and Housing Mix**

- 7.34 The developer is providing 8 affordable dwellings out of 19, which equates to 42% and exceeds policy requirements. However, 7 affordable dwellings would fall below the required 40% affordable housing (HOU3). While the proposal is not a 70/30% mix between rented and shared ownership exactly, it is considered that the provision of 8 affordable dwellings outweighs this on this occasion. The affordable housing being tenure blind on this scheme is a huge positive of the proposal.
- 7.35 Policy HOU1 only requires lifetime homes provision for schemes of above 50 units, so the requirement for elderly/disabled people easy convertible housing units is not considered to be reasonable in this case.
- 7.36 The housing mix is 8 two beds, 8 three beds and 3 four beds. While there is no one bedroom properties it is considered that on this size scheme the developer has provided a good mix of housing types to cover the range of people who would look to live on this site.

**7.37 Education Requirement**

- 7.38 The proposal for 19 dwellings is relatively minor and is unlikely to put a large burden on the local schools. The requirement of the developer to pay for the provision of three secondary school children spaces is potentially on the high side, which is agreed with by the developer.
- 7.39 The exact education contribution will be part of the S106 negotiation. A contribution of £69,999 this might impact on affordable housing provision. There will be ongoing discussion with the developer.

**7.40 Planning Balance**

- 7.41 Without a five year land supply any policies that prevent or limit housing have to be judged against paragraph 14 of the NPPF. The proposal will provide 19 dwellings (including 8 affordable units), that will help meet some of the shortfall in housing supply.
- 7.42 The contemporary design provides a strong architectural statement to the local area, which will dramatically change the current character. However, the overall design is considered to enhance the local area.

- 7.43 While the density is considered to weigh against the application it is not considered to be detrimental enough to warrant refusal on its own.
- 7.44 It is the view of officers that in regards to design the benefits outweigh the harm in regards to design that it will lead to an enhancement.
- 7.45 No other issue is considered to be of such weight either individually or together in order to consider the application for refusal, though this is based on the suggested conditions under Appendix 1.

## **8.0 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 points:
- The difference in design preference to design quality.

## **9.0 APPENDICES**

- 9.1 Appendix 1 - Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/01231/FUM	Andrew Phillips Room No. 011 The Grange Ely	Andrew Phillips Senior Planning Officer 01353 665555 andrew.phillips@ea stcambs.gov.uk

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)

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

Plan Reference	Version No	Date Received
01 EX		10th July 2017
07 TYPE D	B	18th September 2017
06 TYPE C	B	18th September 2017
04 TYPE A	B	18th September 2017
03 SITE LAYOUT	D	18th September 2017
05 TYPE B	A	1st September 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 Prior to first occupation a scheme of car parking lighting shall be submitted to agreed in writing by the Local Planning Authority. Development shall commence in accordance with the approved details.
- 3 Reason: To safeguard the residential amenity of neighbouring occupiers, the character of the area and ensure suitable security, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 4 No development shall take place until a scheme to dispose of surface water (including long term maintenance) has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation of any dwelling.
- 4 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.
- 5 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.
- 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 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.

6 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

7 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.

7 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.

8 Prior to occupation a scheme of fire hydrants shall be submitted to and approved in writing by the Local Planning Authority. Development shall commence in accordance with the approved details prior to any dwelling being occupied.

8 Reasons: In the interests of public safety.

9 The tree protection measures as shown on Arboricultural Impact Assessment shall be implemented prior to the commencement of development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the

development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, 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.

- 9 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.
- 10 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.
- 10 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 11 No above ground construction shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. 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.
- 11 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 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.
- 12 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

- 13 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 14 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 fences, gates or walls shall be erected within the curtilage of the dwelling houses or across any parking area for the offices.
- 14 Reason: In the interests of highway safety, in accordance with policies ENV2, COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 15 The existing access(es) shall be permanently and effectively closed and the footway / highway verge shall be reinstated in accordance with drawing number PA003 Rev D, within 28 days of the bringing into use of the new access.
- 15 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 16 The access 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.
- 16 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 17 Prior to any demolition, development or site clearance, the mitigation measures as detailed in the ecology report dated 7 July 2017 by agb Environmental shall be carried out in accordance with that strategy, or in accordance with any subsequent amendments made with the approval in writing of the Local Planning Authority. A copy of the ecology report mitigation measures shall be provided to all external contractors working on the site by the developer.
- 17 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 18 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.
- 18 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 19 Prior to the commencement of development, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.

- 19 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015. This condition is pre-commencement as some of the measures may be below ground level.
- 20 No above ground construction shall take place on site until details of the brickwork 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.
- 20 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 21 The materials to be used in the construction of the external surfaces, including roof, timber walls, rainwater goods and fenestration shall be as specified on the approved drawings. All works shall be carried out in accordance with the approved details.
- 21 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 22 The offices hereby retained shall be used for purposes within Class B1 of the Town and Country Planning (Use Classes) Order 2015 as amended, and for no other purpose or class usually permitted by the order
- 22 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

