
MAIN CASE

Reference No: 17/01914/FUL

Proposal: Erection of 3 flats.

Site Address: Land To Rear Of 1 Hempfield Road Littleport
Cambridgeshire CB6 1NW

Applicant: Mr Peter Audus

Case Officer: Richard Fitzjohn, Planning Officer

Parish: Littleport

Ward: Littleport East
Ward Councillor/s: Councillor David Ambrose-Smith
Councillor Jo Webber

Date Received: 27 October 2017 **Expiry Date:** 13th February 2018
[S234]

1.0 **RECOMMENDATION**

1.1 Members are recommended to REFUSE this application for the following reasons:

1. By virtue of the location of the site within the Littleport conservation area and within such close proximity to the adjacent Grade II listed barn, the height and scale of the proposed development would have a significantly detrimental impact on the setting of the adjacent designated heritage asset. Furthermore, the design of the proposed development is not considered to be of a sufficiently high quality or considered to be sympathetic to the character and appearance of the Littleport conservation area. The scale of the proposed development results in an overdevelopment of the site. It is therefore considered that the proposed development would create significant harm to the character and appearance of the conservation area and the setting of the nearby listed building, contrary to Policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP27 of the Proposed Submission Local Plan 2017.
2. An Arboricultural Method Statement was requested by the case officer following the submission of an amended site layout by the applicant's agent. At present, the application does not adequately demonstrate that the Category B Walnut tree adjacent to the site, which is afforded conservation area protection, can be successfully retained without damage, as part of the proposed development. The proposed development is therefore contrary to Policies ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP30 of the

Proposed Submission Local Plan 2017.

2.0 SUMMARY OF APPLICATION

2.1 Planning permission is being sought for the erection of a residential building comprising 3No. flats, with associated access, parking and landscaping. The proposed building would measure 12.8m wide and 8.8m deep, with a ridge height of 6m and an eaves height of 2.6m. The external surfaces of the proposed building would be finished with Bradgate Multi Cream facing brick, Sandtoft Double Roman roof tiles, timber windows and Velux conservation roof lights. The proposal includes the removal of part of the existing fence along the western boundary of the site, to provide a vehicular access from the existing shared access and parking area serving the existing residential development to the west. The proposal also includes 3 parking spaces to serve the 3 proposed flats and a small strip of landscaping along the southern boundary.

2.2 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.eastcambbs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

2.3 Amended plans with changes to the site layout and appearance of the proposed building, and additional information relating to trees, have been received during the course of this application. The additional information relating to trees was submitted to the Local Planning Authority on 23rd January 2018.

2.4 This application has been called in by Councillor Jo Webber for the following reason:

- *The applicant has resubmitted the scheme which was previously a double storey building consisting of four flats, and has reduced the height of the proposed development as requested, reducing the number of flats to three. The new proposed height is now the same as the listed Barn. There is a 1.5 metre gap between the Barn and the proposed development, and there is adequate parking available within the site for the three proposed flats. The applicant has received a further request to lower the roof line of the proposed development even further from 1.5 storey to single storey.*

The small development on the opposite side of the Barn was built by the same applicant, and is in fact slightly higher than the Barn. The site is overshadowed by the old Barclays bank building which is a three storey building.

3.0 PLANNING HISTORY

3.1 On-site planning history

17/01169/FUL	Erection of 4no. Flats	Withdrawn 04.09.2017
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Off-site planning history (Adam's Forge)

12/00460/FUL	Demolition of existing workshops, change of use of storage area above shop to 1 bedroom flat, construction of 2No. 1 bedroom flats and 4No. 2 bedroom terrace houses.	Approved	11.09.2012
12/00461/CAC	Demolish existing workshop, change of use of storage area above shop to 1 bedroom flat, construction of 2No. 1 bedroom flats and 4No. 2 bedroom terrace houses.	Approved	11.09.2012

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site is located to the rear of residential buildings that front Hempfield Road and to the rear of residential and commercial buildings that front Main Street. The application form states that the current use of the site is a garden area, however it currently appears as vacant land which is overgrown. The site is bordered by a 1.8m close-boarded fence and Grade II listed timber barn on the west side and a high level brick wall on the east side. There is a large brick barn to the north of the site, which otherwise has an open boundary adjoining the rear of No.11 Main Street. There is a residential rear garden of No.1 Hempfield Road adjacent to the south of the site. There is also other residential built form (understood to comprise 4No. terraced houses and 2No. flats) 10-13m to the west of the application site and associated parking reserved for those dwellings to the west.

5.0 RESPONSES FROM CONSULTEES

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

- 5.1.1 Littleport Parish Council –
- Original plans submitted with the application - Raised concerns regarding parking and believes that the proposed amenity space should be used as additional parking space for the development. Recommend amendments to the scheme.
 - Amended plans submitted with alterations to parking layout and reduction of amenity space – No comments received at the time of writing this report. (If additional comments are submitted from Littleport Parish Council prior to the Planning Committee meeting, the officer will provide these comments as an update to Members at the Planning Committee).
- 5.1.2 Ward Councillor Jo Webber - The applicant has resubmitted the scheme which was previously a double storey building consisting of four flats, and has reduced the height of the proposed development as requested, reducing the number of flats to

three. The new proposed height is now the same as the listed Barn. There is a 1.5 metre gap between the Barn and the proposed development, and there is adequate parking available within the site for the three proposed flats. The applicant has received a further request to lower the roof line of the proposed development even further from 1.5 storey to single storey. The small development on the opposite side of the Barn was built by the same applicant, and is in fact slightly higher than the Barn. The site is overshadowed by the old Barclays bank building which is a three storey building.

5.1.3 Consultee For Other Wards In Parish - No Comments Received.

5.1.4 Conservation Officer (response received on 5th December 2017 (relating to the original plans submitted) – The application is a resubmission of a previous scheme that was withdrawn. The current scheme has attempted to address the concerns raised previously in regards to the proposal. Whilst the scheme is of an improved design, the scale of the proposal and its relationship with the adjacent conservation area and listed buildings still causes concern. Whilst the height of the proposal has been reduced slightly, the length and width have been increased.

Heritage Statement

The heritage statement is wholly inadequate. Absolutely no attempt has been made to consider the impact of the proposals on the designated heritage assets as per the requirement of the NPPF. A single paragraph states “It is not thought that there are any requirements regarding Heritage to this site. The proposal is sited amongst many new builds with the only close Listed buildings sited on the High Street The proposed development will have a neutral impact on the heritage assets and should be supported”

The above does not constitute a heritage statement under the requirements set out in the NPPF which clearly puts the onus on the applicant to undertake the following:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. (paragraph 128).

Nowhere in the document submitted has the applicant undertaken an assessment of the designated heritage assets – conservation area and adjacent listed buildings – or shown how they have been considered in respect to the proposed development and its potential impact.

The Conservation Officers previous comments (from withdrawn planning application 17/01169/FUL) in regards to the impact on the heritage assets remain valid for the revised scheme.

Conservation area

The proposed building does not relate to the surrounding area in any way, creating an overly large building which dominates the site and appears to be overdevelopment in what is effectively an area of land effectively sandwiched between the existing built form.

Development in this area is already mixed and somewhat cramped with no particularly architectural form being dominant. However that does not make it acceptable to exacerbate this with further poor quality and inappropriate development. The creation of a 2 storey dwelling when the surrounding buildings to the south are predominantly 1.5 stories will create in a poor relationship with the surrounding buildings. This combined with a design that would be considered at best to be neutral in terms of quality would result in the proposal causing harm to the significance of the conservation area.

Listed Building

Immediately adjacent to the application site (to the east) is the Grade II listed barn which forms part of the Adams Forge site. This barn is of traditional construction and has a ridge height of approx. 5.8m.

The proposed development is positioned 1.6m from the rear elevation of the listed barn and has made no attempt to consider the significance or setting of the listed building. The cumulative impact of development around the listed barn has already resulted in harm being caused to its significance and setting.

It is accepted that the listed building is located within a town centre location, which is unusual. The barn was originally part of the old Forge that operated out of the retail unit to the front of No.13 (originally an iron mongers). The setting of the old Forge has already been somewhat compromised by the development to the west, however as part of this scheme the old retail unit was granted on a peppercorn rent to the local community and is occupied and used by the local community, containing archive materials and being the focus of numerous community events therefore providing substantial public benefits that outweighed the harm caused to the setting of the listed building, which was also to be repaired and maintained to provide parking provision for the new dwellings. There are no such benefits to this latest proposal and therefore in accordance with the requirements of the NPPF the scheme would result in substantial harm being caused to the significance of the listed building for which the public benefits of providing small housing units for rental would not justify this harm when weighed as part of the planning balance.

Subsequent response received on 23rd January 2018 (following amended plans being submitted) - The amendments received changing the material of the proposed dwellings do nothing to overcome my previous concerns relating to the principle of development of this scale on this site. Does not believe the proposal responds to its immediate or wider context with the village, nor does it respond to the designated heritage assets affected by it. The amended Heritage Statement simply now includes the list descriptions of the adjacent listed buildings, it still makes no attempt to assess the significance of the heritage assets, including the conservation area or the impact the proposal may have on their significance which is the requirement as set out in the NPPF. Consent should not be granted from a conservation viewpoint.

- 5.1.5 Cambridgeshire Fire And Rescue Service - From the information given, access for fire appliances may be considered inadequate. Access and facilities for the Fire Service should be provided in accordance with the Building Regulations Approved Document B5, Volume 1: Dwelling Houses, Section: 11 Vehicle Access. The responsibility for approving access and facilities for the Fire Service rests with the Building Control Department of the Local Authority and they should be consulted on any proposals. If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required.
- 5.1.6 Local Highways Authority – After a review of the amended plans, satisfied that with number of parking spaces shown the same number of vehicles can enter and leave in a forward gear.

Informatives

This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

- 5.1.7 CCC Archaeology – Do not object to the proposed development but considers that the site should be subject to a programme of archaeological investigation secured by planning condition due to a high probability of architectural finds in this location.
- 5.1.8 Trees Officer –
Original comments received on 23rd November 2017 (relating to original plans submitted) - This proposal is for a development to the rear of an existing property within an urban area of Littleport. There is a significant Walnut tree at the site potentially affected by the proposal. This tree is formally protected by the Littleport Conservation Area. An Arboricultural report has been submitted to support the application. Does not object to these proposals as the Walnut tree can be retained within the development by adopting the recommendations of the Arboricultural report. If the application is to be approved, the Tree Protection Plan within the Arboricultural report dated September 2017 will be required to be implemented under condition of planning approval, to ensure the successful retention of trees at the site (Condition TR9A).

Subsequent verbal response received on 3rd January 2018 (following amended plans being submitted) - An Arboricultural Method Statement will be required due to the parking area now encroaching into the root protection area of the category B tree which is proposed to be retained.

- 5.1.9 Environmental Health – Requests that conditions are appended to any grant of planning permission regarding contamination and construction times. No issues regarding room sizes and layout. Early consideration of isolation and insulation measures should be utilised to ensure there are not issues in the future as any mitigation measures fitted retrospectively could be more costly. As the property

consists of flats, advise the developer to gain advice from the Fire Authority to ensure the correct precautions are in place. Other than that, no issues, but requests environmental notes are sent out to applicant regarding statutory nuisances.

5.1.10 Waste Strategy (ECDC) –

- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances and/or loose gravel/shingle driveways; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).
- Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Act's of 1972, 2000, and 2003, as well as the Localism Act of 2011.
- Each new property requires two bins; this contribution is currently set at £43 per property.
- Payment must be made in advance of bins being delivered; East Cambs District Council Account Number **43135897**, Sort Code **52-41-19**, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number.

5.2 Neighbours – A site notice was displayed near the site on 10th November 2017 and an advert was published in the Cambridge Evening News on 9th November 2017. 13 neighbouring properties were notified and responses have been received from 1 neighbouring occupier, raising an objection. The response is summarised below. A full copy of the response is available on the Council's website.

Objections from occupier of No.6 Adam's Forge:

Objects to the application for the following summarised reasons:

- Effect on Conservation Area
- Affects a Right of Access
- Affects a Right of Way
- Affects public views
- Affects street scene
- Biodiversity
- Contrary to Policy
- Form and character
- Highway safety
- Impact on trees
- Landscape impact
- Listed Building

- Loss of privacy
- Noise sensitive
- Odour issues
- Over bearing
- Over looking
- Over shadowing
- Parking and Turning
- Pollution issues
- Residential amenity
- Setting of a Listed Building
- Visual amenity
- Adam's Forge was built on the understanding that the Adam's Shop would become a heritage centre for the community. There is no community benefit with this development.
- Legal/civil issue - Adam's Forge residents are required to pay for the upkeep of the site. The plan will place an additional burden on residents by creating more traffic through Adam's Forge.
- The plan is an over development on a small site.
- No consideration for the health of residents, e.g. car fumes into the windows and noise.
- Residents would have additional noise, pollution and lights shining into their windows.
- Issues relating to maintenance of the adjacent Adam's Forge development.
- There are already a large number of Council Tax Band A properties in the vicinity. Littleport centre does not need more of them.

Access/parking

- Difficulties of residents vehicles and construction vehicles accessing the site without driving across designated parking space for No.6 Adam's Forge.
- Fire safety implications, as raised by the Fire Authority.
- The access point removes the only spare car parking space on Adam's Forge, where there is only one parking space per property.
- Parking in the vicinity has already been radically reduced with the new housing development opposite which is currently being constructed on the site of the old Bingo Hall. Parking spaces there are no longer available.
- On street parking would be increased on Hempfield Road as a result of this proposal and the other housing developments in the vicinity.
- The application is incorrect. It states that there would be 4 parking spaces for the new site. The amended plan clearly shows only 3 and also shows how vehicles will reverse from these 3 spaces very close to the flats.
- There is inadequate space for vehicles to turn.
- The proposed access is through Adam's Forge from the highway. It has already been noted by the highway authority that in order to be safe the access will need to be widened. It is not possible to accommodate the width recommended.
- The access gravel driveway, leading from Hempfield Road, is in a very poor state of repair.

Waste

- The amended application continues not to mention or show any space for the storage of the wheelie bins for the new residents' refuse. Space for at least 6 wheelie bins is required, 2 per flat.
- These bins will further reduce the space available for turning and contribute to dangerous manoeuvring past them.
- The development is beyond the acceptable distance to drag bins up to the highway.
- There are already concerns about the storage of waste and the leaving of bins on Hempfield Road which have been reported.
- There are already rats on site feeding on waste.

Effects on Heritage Assets

- Hugely detrimental effects on the heart of historic Littleport.
- Harm to the setting of the listed barn and the setting of the conservation area.
- There are also archaeological remains of medieval Littleport which will be affected.
- The amended statement lists some of the historic assets, however it misses out that the whole site is also of archaeological interest.
- The effects to the historical setting are also ignored, e.g the barn has stood on this site for almost 400 years in an open setting.
- The planned development will put it in the middle of a car park with a block of flats right up against its elevation.

Call-in by Littleport Parish Councillor Jo Webber

The Council should ascertain if there is any pecuniary relationship involved between the Councillor that has called-in the application to Planning Committee and the applicant. Cannot understand why a local councillor would ignore an overwhelming number of concerns raised by authorities such as the fire brigade, highway authority, conservation officer and historic environment team as well as residents.

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
HOU1	Housing mix
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

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
- 11 Conserving and enhancing the natural environment
- 12 Conserving and enhancing the historic environment

6.4 Proposed Submission Local Plan 2017

- LP1 A 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 in the determination of this application are the principle of development and the impacts on visual amenity and the historic environment, trees, residential amenity, 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 Littleport 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 adjacent listed building
 - 7.3.1 Section 7 of the Framework is concerned with promoting good design and reaffirms previous national guidance that permission should be refused for development of poor design. It is necessary for new development to function well, establish a strong sense of place, have a suitable balance between built form and space, respond to local character and history, create a safe and accessible environment and be visually attractive. It also states, however, that permission should not be refused for development because of concerns about incompatibility with an existing townscape (notwithstanding effects on designated heritage assets, which may justify a refusal), especially where that development promotes high levels of sustainability. It requires that new developments make a positive contribution to their surroundings.
 - 7.3.2 Policy ENV2 the East Cambridgeshire Local Plan 2015 requires proposals for new development to be designed to a high quality that enhances and complements local distinctiveness and amenity by relating well to existing features and introducing appropriate new designs. In addition, Policy HOU2 the East Cambridgeshire Local Plan 2015 requires proposals for new development to have respect for, and be informed by, the character and density of the surrounding area. This includes taking account of on-site constraints, including landscape features, neighbouring properties and availability of car parking. Furthermore, Policy LP22 of the Proposed Submission Local Plan requires the design of development to complement and enhance local distinctiveness and character. Design which fails to have regard to

local context including architectural traditions and does not take advantage of opportunities to preserve, enhance or enrich the character, appearance and quality of an area will not be acceptable and planning applications will be refused.

- 7.3.3 In respect of heritage, Policy ENV11 of the adopted Local Plan requires development proposals within a Conservation Area to be of a particularly high standard of design in order to preserve or enhance the character or appearance of the area. In addition, Policy ENV12 of the adopted Local Plan states that proposals affecting the setting of a Listed Building will only be permitted where they would preserve or enhance those elements that make a positive contribution to or better reveal the significance of the heritage asset, and not materially harm the immediate or wider setting of the Listed Building, especially when the proposal is within a Conservation Area. Furthermore, Policy ENV2 of the adopted Local Plan requires that development proposals ensure the location, layout, scale, form and massing of buildings relate sympathetically to the surrounding area and each other.
- 7.3.4 The application site is located within the Littleport conservation area and immediately adjacent to a Grade II listed barn. The proposed building would measure 12.8m wide and 8.8m deep, with a ridge height of 6m and an eaves height of 2.7m.
- 7.3.5 Although the scale of the proposed dwelling has been reduced from that which was proposed by the recently withdrawn planning application for 4No. flats (reference: 17/01169/FUL), the scale and design of the proposed dwelling still appears cramped within the site and the proposal would appear as overdevelopment of the site.
- 7.3.6 The external surfaces of the proposed building would be finished with Bradgate Multi Cream facing brick and Sandtoft Double Roman roof tiles to match the adjacent development to the west. Amendments were received during the course of the application changing the external materials to these. However, the reason for refusal does not relate specifically to the external materials of the proposed building and therefore these amendments do not overcome the case officer concerns regarding design and heritage impacts.
- 7.3.7 The Conservation Officer has been consulted on the application and has states that the latest amendments received, changing the material of the proposed building, does nothing to overcome her previous concerns relating to the principle of development of this scale on this site. The Conservation Officer states that she does not believe the proposal responds to its immediate or wider context, nor does it respond to the designated heritage assets affected by it. This view is agreed with by the case officer.
- 7.3.8 The amended Heritage Statement simply now includes the list descriptions of the adjacent listed buildings, it still makes no attempt to assess the significance of the heritage assets, including the conservation area or the impact the proposal may have on their significance which is the requirement as set out in the NPPF. The Conservation Officer advises that consent should not be granted from a conservation viewpoint.

7.3.9 Considering the location of the site within the Littleport conservation area and within such close proximity to the adjacent Grade II listed barn, in addition to the height and scale of the proposed development which would be 0.1m taller in height than the adjacent listed barn, the proposed development would have a significantly detrimental impact on the setting of the adjacent listed barn. Furthermore, the design of the proposed development is not considered to be of a high quality or sympathetic to the character and appearance of the Littleport conservation area or the setting of the adjacent listed barn. The small cramped nature of the site contributes to this harm in respect of design and heritage impacts. It is therefore considered that the proposed development would create significant harm to the character and appearance of the conservation area and the setting of the nearby listed building, contrary to Policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP27 of the Proposed Submission Local Plan. The level of harm that the proposed development would have on the listed building is less than substantial, however it is considered that the level of public benefits provided by the proposal would not outweigh the harm to the listed building. The NPPF and local policies makes it clear that in these cases the application should be refused, due to the harm to the heritage asset.

7.4 Trees

7.4.1 There is a significant Category B Walnut tree located outside of, but adjacent to the south-east corner of, the application site. Due to the Walnut tree being located within the Littleport conservation area, this tree is afforded formal protection.

7.4.2 An Arboricultural report has been submitted which demonstrates that the Walnut tree can be retained within the development. The Trees Officer did not object to the original plans submitted on the basis of the trees retention and requested that the submitted Tree Protection Plan be implemented by condition of any planning approval, to ensure the successful retention. However, due to issues regarding parking, an amended site plan has since been received by the Local Planning Authority which moves the proposed car parking spaces closer to the Walnut tree.

7.4.3 This amended plan was re-consulted with the Trees Officer who subsequently advised that an Arboricultural Method Statement is required, due to the parking area now encroaching into the root protection area of the Walnut tree which is proposed to be retained. At present, the application therefore does not adequately demonstrate that the Category B Walnut tree adjacent to the site, which is afforded conservation area protection, can be successfully retained without damage. The proposed development is therefore contrary to Policies ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and Policies LP22 and LP30 of the Proposed Submission Local Plan.

7.4.4 Additional information relating to the impact of the proposed development on trees was provided by the agent on 23rd January 2018. The case officer has requested formal comments from the Trees Officer regarding the additional information on 23rd January 2018. The Tree Officer's comments on the additional tree information will be received prior to the Planning Committee meeting and, if his concerns have been addressed by the additional information, then the recommended refusal reason relating to insufficient tree information being provided will be removed as an update to Members at the Planning Committee meeting.

7.5 Residential Amenity

- 7.5.1 The ground floor windows within the proposed development would not create any significant overlooking of neighbouring properties. However, the proposed building includes first-floor windows serving the proposed flats which would create some degree of overlooking to neighbouring properties. The roof lights within the east and west side roof planes of the proposed building would mainly overlook parking areas. The west-facing roof lights would face towards residential windows in the front elevations of the dwellings at Adams Forge, however the window-to-window separation distances would be 14m which is considered acceptable given the town centre location of the site and the presence of the listed barn between them. The first-floor windows within the front elevation of the proposed building would face towards the rear garden of No.1 Hempfield Road, however these windows would be distanced approximately 12m from the rear boundary, and 22m from the rear windows, of this of this neighbouring property, which complies with separation distance guidance within the East Cambridgeshire Design Guide SPD. The rear elevation of the proposed building also includes a first-floor window and roof lights. However, these windows would face towards the rear of a commercial premises and a parking area to a recently approved residential property, not overlooking any private amenity space.
- 7.5.2 Due to the separation distance and physical relationships with nearby neighbouring residential dwellings, the proposed development would not create any significant overbearing impact, loss of light or loss of outlook to any neighbouring properties.
- 7.5.3 Residential amenity concerns have been raised by a neighbouring occupier regarding noise, light, odour and pollutions issues created by additional cars passing the dwellings at Adam's Forge. However, this is already a car park serving 6 residential properties and the additional impacts of 3 more cars would not be likely to create significant harm to residential amenity beyond the existing situation.
- 7.5.4 It is therefore considered that the proposed development would not create any significant detrimental impacts to the residential amenity of neighbouring properties, in accordance with Policy ENV2 of the East Cambridgeshire Local Plan 2015 and Policy LP22 of the Proposed Submission Local Plan.

7.5 Highway safety and parking

- 7.5.1 The proposed development would be accessed by an existing vehicular access to the north of Hempfield Road, which serves parking to the adjacent Adam's Forge development. No public rights of way would be affected by the proposed development. The Local Highway Authority originally raised a holding objection to the proposed development. However, after a review of the amended parking layout, they are now satisfied that vehicles can enter and leave the site in a forward gear. There would be sufficient space within the Adam's Forge car park for cars to access the application site. The proposed development provides 1 car parking space per flat. Due to the small size of the flats and the close proximity of the site to the town centre, in addition to the adjacent Adam's Forge development also providing 1 car

parking space per dwelling, it is considered that the level of parking proposed is adequate.

7.5.2 It is therefore considered that the proposed development would not create any significant harm to highway safety and would provide adequate parking provision, in accordance with Policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and Policies LP17 and LP22 of the Proposed Submission Local Plan.

7.6 Other Matters

7.6.1 Cambridgeshire County Council Archaeology department do not object to the proposed development, but considers that the site should be subject to a programme of archaeological investigation secured by planning condition due to a high probability of architectural finds in this location. An archaeological investigation could reasonably be secured by a planning condition.

7.6.2 The Fire Service has stated that, from the information given, access for fire appliances may be considered inadequate. However, the Fire Authority has not objected to the application and the access arrangements for fire appliances would be similar to that serving the Adam's Forge development. A condition could be appended to any grant of planning permission requiring that sprinklers are provided within the proposed building, in order to reduce risk to occupants.

7.6.3 The application site does not currently provide any significant biodiversity habitat. Biodiversity improvements could be secured by planning condition.

7.6.4 Details of waste storage and collection, drainage, biodiversity improvements and contamination investigation could all be secured by planning condition.

7.6.5 The Council's Monitoring Officer has confirmed that a pecuniary interest does not need to be declared due to Councillor Webber not being on the Planning Committee.

7.6.6 Management of the adjacent Adam's Forge development and Council Tax bandings of nearby dwellings are not a material planning consideration which this planning application can be assessed against. Policy HOU1 of the East Cambridgeshire Local Plan 2015 does not require a specific housing mix for developments of less than 10 dwellings.

7.7 Planning Balance

7.7.1 The site lies within the established development framework for Littleport, where the principle of development is broadly considered to be acceptable, subject to all material planning considerations and relevant development plan policies being satisfied. However, for the reasons set out in this report, the proposed development will cause significant detrimental impacts to the character and appearance of the Littleport conservation area and the setting of the adjacent Grade II listed barn. Furthermore, the application does not adequately demonstrate that harm would not be caused to the adjacent Category B Walnut tree which is afforded protection due to its location in a conservation area. The proposed development is therefore contrary to Policies ENV2, ENV7, ENV11 and ENV12 of the East Cambridgeshire

Local Plan 2015 and Policies LP22, LP27 and LP30 of the Proposed Submission Local Plan.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
17/01914/FUL	Richard Fitzjohn Room No. 011	Richard Fitzjohn Planning Officer 01353 665555
17/01169/FUL	The Grange Ely	richard.fitzjohn@ea 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>