
MAIN CASE

Reference No: 18/01704/FUM

Proposal: Demolition of existing dwelling (No.28 High Street) and construction of 10 dwellings together with vehicular access, surface water drainage, landscaping and associated infrastructure

Site Address: Site West Of 22 To 30 High Street Ashley Suffolk

Applicant: Arbora Homes Ltd

Case Officer: Richard Fitzjohn, Senior Planning Officer

Parish: Ashley

Ward: Woodditton
Ward Councillor/s: Alan Sharp
Amy Starkey

Date Received: 3 December 2018 **Expiry Date:** 12th June 2019

[U46]

1.0 **RECOMMENDATION**

- 1.1 Members are recommended to APPROVE the application, subject to the recommended conditions below. The conditions can be read in full on the attached appendix 1.
- 1 Approved plans
 - 2 Time Limit - FUL/FUM - 2+ dwelling
 - 3 Reporting of unexpected contamination
 - 4 Surface water drainage scheme
 - 5 Drainage maintenance
 - 6 Gates - restriction
 - 7 Access construction
 - 8 Internal road and footpath surfacing
 - 9 Access drainage
 - 10 Construction times
 - 11 Construction Environmental Management PI
 - 12 Soft landscaping and replacement trees
 - 13 Sustainable development -General Outline
 - 14 Open space
 - 15 Tree Protection Measures
 - 16 Ecological mitigation and enhancements
 - 17 Hard landscape details
 - 18 Fire hydrants

- 19 Remove PD rights for fences
- 20 Materials samples

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks full planning permission for demolition of the existing dwelling (No. 28 High Street, Ashley) and the erection of 10 dwellings on paddock land to the rear of this existing dwelling. The proposal includes the creation of a new access road off High Street and provision of an area of open space in the eastern part of the site.
- 2.2 The proposed dwellings would comprise the following heights:
 - Plot 1 - 2 storey (8.8m)
 - Plot 2 – 1.5 storey (6.5m)
 - Plot 3 – 1.5 storey (6.5m)
 - Plot 4 – 1.5 storey (7m)
 - Plot 5 – 1.5 storey (6.8m)
 - Plot 6 – 1.5 storey (6.7m)
 - Plot 7 – 1.5 storey (7m)
 - Plot 8 - 2 storey (8m)
 - Plot 9 - 2 storey (8.8m)
 - Plot 10 - 2 storey (8.8m)
- 2.3 There is an extant outline planning permission (ref: 17/01171/FUL) for 8 dwellings on the application site. The outline planning permission agreed matters of access, layout and scale, with matters of appearance and landscaping reserved.
- 2.4 Amended plans have been received during the course of the application making changes to the housing mix at the request of the Local Planning Authority. This also resulted in changes to certain house types being submitted.
- 2.5 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**
- 2.6 This application has been called-in to Planning Committee by [former] Councillor Peter Cresswell on 21st March 2019, in the interests of openness.

3.0 PLANNING HISTORY

- 3.1

17/01171/OUT	Outline permission for the demolition of 28 High Street and construction of 8 dwellings with some matters reserved except access, layout and scale	Approved	18.09.2017
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17/00910/TPO	T1 Sycamore -Fell due to the extent of the basal decay identified in arboricultural report of resistograph micro drill test results	CON - Consent (TPO)	23.06.2017
13/00668/TPO	T1 Sycamore - Remove three lowest branches overhanging the pub	CON - Consent (TPO)	16.08.2013

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site extends to approximately 0.8 hectares with the dwelling known as No. 28 and its immediate curtilage located within the established settlement boundary. The remainder of the site is located outside the established settlement boundary. No.28, its curtilage and the eastern half of the paddock land to the rear are located within the Ashley Conservation Area. The Old Plough, a grade II listed building is located to the north of No. 28. This building is currently in use as a restaurant with a car park to the side and rear where it adjoins the application site. The area is primarily residential in nature with Silverley Way, a modern residential development to the south. A public footpath, known as the Icknield Way (an ancient trackway that runs from Norfolk to Wiltshire), runs alongside the northern boundary of the site and is separated from the site by an existing hedgerow and post and rail fencing.

5.0 RESPONSES FROM CONSULTEES

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

5.2 **Ashley Parish Council (received 29th January 2019)**

- Significant increase in development
The Design and Access Statement (“D&AS”) indicates that this development “*is a refinement of the existing*” permission granted on this site and that the proposals are *marginally different to those approved*. (D&AS 6.3).

However a thorough examination of the accompanying documents shows that while the proposals amount to 2 more houses being built, change in the housing mix would see the total number of bedrooms accommodated growing from 27 to 40; a 48% increase. We do not believe that this is a ‘refinement’ or ‘marginally different’. We believe that this is a fundamental change from the earlier approved plans for this site resulting in a development of a quite different scale.

It was hard to find this information in the documents on the planning portal. The application form contains no information on the scale of development, the Supplementary Information Template is not on the portal and the D&AS is silent on the size of houses proposed and the mix of housing. Based on the D&AS we would have had no idea of the significant change this proposal represents. We understand there have been no pre application discussions with ECDC for this development.

We are disappointed that the Applicant and site owner has not been more transparent about the plans for this site, leaving us to work quite hard to find out what their intention actually is.

We note that in relation to the extant approval on this site (17/01171/OUT) the Officer's report (para 7.3.6) commented that: "*The Local planning authority concluded that 12 houses, as originally proposed would be overdevelopment of the site. It considered that the development of 8 dwellings is appropriate for the location and is representative of the lower density development on the High Street*"

In our view, a 48% increase in rooms, and therefore in occupants, from 27 to 40 would be overdevelopment of this site.

- Poor mix of housing type

We note that the mix of houses as proposed is as follows:

- 2 bed - zero
- 3 bed - two
- 4 bed - six
- 5 bed - two

We are disappointed that this development is proposed to be executive style homes with no provision for smaller units for single people; whether young people starting out or older people wanting to downsize. Small villages in rural areas are attractive to all categories of potential resident and we find this proposed development exclusive and not in keeping with rural living.

A village relies at its heart on individuals involved in the community. Building executive homes in a village with no school, such as Ashley, will do little to add to the vitality of the village. Adults and children will have to leave the village during the day, returning only at night. Experience suggests that such families make very little use of village facilities such as the shop and add little to the local economy.

A development only of large executive style homes provides nothing suitable for people wanting to downsize or starting out on the housing ladder. We urge ECDC to require the Applicant to come back with a proposal for an inclusive development which would enhance the community of this village.

- Style inconsistent with the village

Para 8.10 of the D&AS comments that the houses will be "built from a mixture of brick and timber boarding, reflecting the different character of Ashley."

We are puzzled by this statement and not sure that we understand it. Even a quick look around the village shows that there are very few properties of red brick and almost none of brick and timber construction.

What is apparent is that there are many different style of house in Ashley, reflecting its slow growth over time. The more modern houses in the village and along the High Street have a variety of styles and colours, often rendered and painted. Immediately to the East of the plot is The Old Plough restaurant which is an old thatched building, rendered and painted white. Facing the entrance to the development is a very attractive flint wall and flint features throughout the village

and is typical of the older houses in Ashley. What is apparent is that, with perhaps the exception of the social housing which was added in the late 20th Century and which has little to commend it in terms of appearance, all buildings in Ashley are individual. Each one is different.

What is needed in this development is a style which builds on this theme of individuality. We would like to see a variety of styles, colours and finishes which are sympathetic to the village.

We disagree with the statement (D&AS 10.34) that “the proposed development will not be visually intrusive on the character and appearance of the surrounding area..” Brick and timber will stand out in stark contrast to the rest of the village. It will provide a ‘hard edge’ to the village and do nothing to smooth the vista toward or looking away from the village.

- Western end of site

The landowner owns portion of land to the Western end which is not included in this application. In the extant planning permission, access to this Western end is blocked by gardens to two houses. However, in the new plan this has been reworked so that access is now over a strip of gravel.

The application is silent on what is likely to happen to this plot to the West but we are deeply concerned that the intention is to submit a further application in due course, for additional housing and by so doing, by-pass the requirement to provide social housing for developments of more than 10 houses. We have no doubt that the Planning department has also identified this risk.

In support of this concern, we understand that the Owner has also acquired another parcel of land which contiguous with the Western end of this site. A copy of the plan for this is attached. The new parcel of land is outlined in Blue on the attached plan, the proposed site in red and the portion of land owned by the Silverley Properties but falling outside this application is in yellow.

There can be no other reason for purchasing this additional plot than to create space for more building.

To support our concern, we see that a gravel driveway is proposed between plots 9 and 10 at the West end of the proposed development. Gravel of course, would be cheaper to lay and remove if the later intention is to put a proper extension to the road at the West end. What purpose does this gravel road serve? What are the applicant’s / owner’s intention for land to the West of the plot? What access rights to the land at the Western tip will there be across the gravel driveway?

If it is not to be developed in the future, how will this be landscaped and maintained so that it becomes an attractive extension to the site or is the intention simply to let it become overgrown and remain unmanaged? It is in the direct line of sight from The Old Plough so is an important part of this development.

Much is made in the D&AS of the need to be sympathetic and manage the landscaping of the site but those assertions are completely undermined if specific proposals for this western part of the site are not included here.

- Car parking

We note that the applicant indicates that 2 spaces per house have been provided either on the driveway or on driveway plus garage. While we are sure that this is in keeping with planning policy, there are numerous examples in East Cambs which demonstrate that in rural areas 2 spaces per house is not enough. Modern houses today provide a significant shortage of storage space and most families use their garages as an important extension of the house for storage. To meet the target of 2 spaces per house in this development, one car must be parked in a garage. We think it highly unlikely that the residents of this new development would be keeping one car in a garage. 5 of the 10 proposed houses would need to use their garage for a car to meet the requirement of 2 spaces per house.

We also note that 2 visitor spaces have been provided on the site and we believe that this is wholly inadequate for the number of houses and number of proposed residents. These are large houses, catering for families, in a village where it is acknowledged that there will be heavy reliance upon cars because public transport is not adequate. In the circumstances it is inconceivable that 2 visitor parking spaces will be sufficient.

With residents and visitor cars spilling on to the road and pavements we would like to see a thorough analysis of the access for emergency vehicles and refuse trucks. In case it is suggested, we would not accept that painting yellow lines on the roads would prevent illegal parking; with no one to police such parking restrictions, this would quickly fall into missuse.

- Icknield Way footpath

The D&AS is silent on what is proposed for the boundary with, and management of, the Icknield Way footpath which runs along the whole of the Northern boundary of the site.

The footpath is bounded on the North side by a very high, dense hedge. The South side of the path is currently bounded by a post and rail fence overlooking paddocks which gives the path an open feel. We believe that the Applicant should included details in this plan of how the open and safe feel of this important, and well used, footpath will be retained once a development is in place. High garden fences, walls or planting will leave the footpath being very enclosed for a distance of 100m or more. This will cause it to be dark, uninviting and potentially dangerous. It is also likely to mean that it is wet underfoot as natural sunlight and breeze will not get in to dry the ground.

- Management of the site

In our email to Arbora Homes of we expressed concern that the Parish Council would be required to take on responsibility for the public areas in this development; open spaces, water features (D&AS para 3.7). The applicant suggests that a management company might be required and we ask that more information is provided on this.

What surface water features are proposed (D&AS 3.7)? Who will manage these? What risk assessment has been carried out and how will that risk be managed?

5.3 Ashley Parish Council (*comments received 28th May 2019*)

Registers its continuing OBJECTION to the application.

A letter dated 29 April from Turley Associates deals with matters arising from the public consultation, comments from the Planning Officer and from Ashley Parish Council (APC). APC has previously submitted its objections under a number of headings, which have been addressed, but remains concerned on the following matters, following the paragraph headings in that letter.

- Housing Mix
The revised proposal is still for 10 units not 8 - a 25% increase. The number of bedrooms has, after discussion with the Planning Officer, been reduced from 40 to 33 - still a 22% increase in bedrooms over the Outline Approval for 27. APC is not persuaded that there is any justification for increasing these numbers above the approved level.
- Landscape
APC would prefer to see trees other than Beech located on the Eastern boundary, as these large trees will eventually cast a considerable shade onto neighbouring properties; something smaller but still native would be more appropriate. The planting of trees to the south of the entrance road was previously considered inappropriate by ECDC's Trees Officer, as being too close to the adjoining house and having insufficient space to develop; APC agrees.
- Public Right of Way
APC is in agreement with the proposal to plant a hedge with possibly a fence on the inside. Controls should be included to limit the height of both so as to ensure the PRoW is not unduly shaded. APC agrees that there should be no access to the PRoW from any part of the proposed development site.
- Waste
APC is concerned that an assumption is made that the estate road will be adopted, but that until then all waste containers from the dwellings will have to be brought to the edge of the High Street for collection. This would present a considerable risk to the adjoining Plough Restaurant and there does not appear on the drawings to be any facility other than the pavement for collection of the multitude of bins which will no doubt accumulate.
- Village Style
APC is most disappointed that no account has been taken of its comments regarding the style and appearance of the proposed dwellings. The attempt to offer an appearance of mixed materials and building heights on Drawing A-1002 at cross-section 3-3 (a view from the car park of The Plough) is acknowledged, but the exterior design and choice of materials for the individual units is limited. It bears little relation to surrounding buildings nor to the principles noted in the Ashley Conservation Area Document.

There is nowhere in the village any dwelling house (excepting single storey outbuildings) clad in black timber. Neither are there many unrelieved red brick elevations. Rather, as can be seen from illustrations in the Conservation Area Document, there is gault brick with red brick detail, there is painted brick, there is flint – either wholly or as a dressing – there is coloured painted render. Windows are rarely single-paned and are invariably coloured other than dark.

A key characteristic of the village is the prominence on the skyline of brick chimneys.

No attempt has been made to vary the location or building line of each unit in relation to its neighbour, to avoid the linear appearance to the street.

Whilst avoiding pastiche there are numerous examples nearby of modern buildings on a single and estate scale which adopt traditional local materials and design. A photomontage of examples within Ashley is attached to illustrate this.

The development at The Paddocks, High Street, Cheveley and Kings Mead, Park Road, Cheveley might also be referenced.

APC does not interpret the Conservation Officer's comments as enthusiastic for this design and hopes that ECDC will require that the homes will be more in keeping with the local tone.

- Western end of site
APC believes it is disingenuous to separate the applicant from the owner of the remaining parcel of land outside the application site; and hopes that, if permission is granted, ECDC will place a restriction on the development of that land (and any adjacent land in the same or related ownership) to either one dwelling of a size no greater than any on the current application site, or to a number of social housing units which would be required if the entire site was now being considered for the development of more than 10 units.
- Car Parking
Whilst two spaces per dwelling and two spaces for visitors may be to standard, there remain 3 dwellings without garages and 6 with tandem parking. APC regards this as insufficient and is additionally concerned about access for emergency and other service vehicles in the inevitable event of on-road parking.
- Management of the site
Some clarity is needed here regarding future management of the open spaces, whether or not the road and its associated drainage becomes the responsibility of the Highways department. And whilst not part of the application site it is crucial that arrangements are made for management of the strip of land to the north over which the Icknield Way PRow runs.

5.4 Ward Councillor - [Former] Ward Councillor Peter Cresswell (received 21st March 2019 when still an elected Councillor)

“You will have received various objections regarding this amended application. In the interests of openness I hereby request that it be determined by the Planning Committee at a future meeting.”

5.5 Cambridgeshire Fire And Rescue Service (received 20th February 2019)

Requests that adequate provision be made for fire hydrants, through Section 106 agreement or planning condition. Access and facilities for the Fire Service should be provided in accordance with Building Regulations.

5.6 Design Out Crime Officers (received 28th December 2018)

This area is currently medium to low in regards to vulnerability to crime. Would like to see this development built to the principles of Secured by Design to help that low level continue. Considers that the proposed design and layout is acceptable and would support it. Would like to be consulted in regards to boundary treatments and an external lighting plan. Would welcome a Secured by Design application if possible and would be happy to work with the developer in that regard.

5.7 Trees Officer (received 16th January 2019)

The Landscape Proposals should focus on additional ecological enhancement to increase the wildlife value and connectivity to the countryside, as suggested below.

Native hedging should be extended to the western boundary. The number of proposed trees should be increased and the percentage of native trees should be increased (70% min. of total trees). For example the Gleditsia could be replaced with Sorbus aucuparia and Acer palmatum with Acer Campestre or similar.

The beech (x2) on the Green Space adjacent to the infiltration basin should be replaced should be replaced with moisture loving species such as Willow.

Specimen dot plants e.g. amelanchier/lilac should be added to the large blocks of ground cover for height and variety.

Additional planting is required on the northern boundary, along the Public Right of Way.

The bottom of the basin could be seeded with wetland wild flower mix.

A formal footpath as shown on the plans for the permission for 8 dwellings 17/01171/OUT, crossing the Green Space is still required.

Trees Officer (received 5th June 2019)

The submitted landscaping plan is acceptable for the proposal. No other comments further to those expressed previously for this application and the previous outline application.

Senior Trees Officer (received 7th June 2019)

In addition to the previous comments made by the Trees Officer, the Senior Trees Officer has requested that, if the scheme is approved, it is ensured that there is clear legal responsibility for maintenance of the proposed open space.

The Senior Trees Officer remains very disappointed that the front of the site does not have sufficient room for significant tree planting and states that the loss of the two mature TPO Sycamore trees in the front garden of 28 High Street will have a significantly detrimental effect on the local street-scene.

5.8 Conservation Officer (*received 14th February 2019*)

The application site is a field to the west of the High Street, which is bisected by the Ashley conservation area boundary.

The only listed building in the immediate vicinity, the Grade II C17 Old Plough Inn (NHLE ref 1126329), is to the north of the proposed access (the site of No 28) and historic map evidence shows that it was the southern extremity of the village until well into the C20. This has since been extended by the postwar housing developments centred on Silverley Way and Silhalls Close.

The principle of development was established in the 2017 permission and although it represents an intensification, the present application retains many of the design parameters set out in that scheme. It incorporates open space on the east side of the site to act as a buffer to the Old Plough's curtilage and its linear layout preserves the glimpsed view westwards from the north of the listed building. Additionally the massing of units 5 & 6 has been broken down to a combination of 1½ and single storey ranges to ease the transition from the two storey units. In terms of design and materials, the allusions to agricultural buildings have some logic in a rural setting and the individual designs are not unconvincing in themselves, although the conventional street layout undermines their effect slightly as a whole.

In summary, the scheme does not diverge significantly from the principles set down at outline stage, and is therefore considered to satisfy local and national heritage protection objectives.

Recommendation: no objection subject to standard details and materials conditions.

5.9 Environmental Health Technical Officer (*received 18th December 2018*)

Due to the proposed number of dwellings and close proximity of existing properties, advise that construction times and deliveries during the construction and demolition phases are restricted to the following:

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

Advise that a Construction Environmental Management Plan, regarding mitigation measures for the control of pollution during the construction phase, is agreed with

the Local Planning Authority prior to development and adhered to during the construction phase.

Pleased to see an area of open space between the garden of the Plough and the proposed residential properties. Wish to ensure that a close-boarded fence is erected between the access road to the site and the residential property at No. 30 High Street.

5.10 Environmental Health Scientific Officer (received 21st January 2019)

Has reviewed the contamination report dated 16th June 2017. Although the majority of the site appears to be at low risk of contamination, due to its use as a paddock there are a small number of buildings labelled as stables in the south-east corner of the site. The possibility of former agricultural use cannot be discounted. Agricultural use has the potential to cause land contamination due to activities such as storage of fuel and agricultural chemicals, plant and vehicle storage and servicing, and the possible presence of asbestos in buildings. Recommends that further investigation is required to identify any risks. Therefore, recommends that standard contaminated land contamination conditions are attached to any approval due to the proposed sensitive end use (residential).

5.11 Environment Agency (received 28th May 2019)

Documents reviewed:

- ACSSIS (January 2019). Desk Study (Phase 1) Report. Ref: 18-566-DSI
- AFP (November 2018). Flood Risk Assessment and Drainage Strategy. Ref: 17/0255/RC

Environment Agency Position:

Believe that sufficient information has now been submitted and no longer have any objection to the proposed development.

Based on the information provided, do not need to add further detailed site specific advice or comments with regard to land contamination issues for this site.

The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency 'Guiding Principles for Land Contamination'.

If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

5.12 Environment Agency (received 20th December 2018)

Document reviewed:

- Andrew Firebrace Partnership Limited, Flood Risk assessment and drainage strategy, report reference 17/0255/RC, November 2018.

Environment Agency Position

Recommended that the application be deferred until additional information was submitted that demonstrates that the risk of pollution to controlled waters is acceptable. Without additional information, would object to the planning application in accordance with National Planning Policy Framework paragraphs 170, 178, 179 and 180, and with Environment Agency Groundwater Protection: Principles and Practice (formerly known as GP3) position statements A2 to A6, J5 to J7 and N7.

Objected to the proposed development as submitted because there was insufficient information to demonstrate that the risk of pollution to controlled waters is acceptable:

1. Consider the level of risk posed by this proposal to be unacceptable.
2. The application fails to provide assurance that the risks of pollution are understood.

Reason

To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and 180 and Environment Agency Groundwater Protection: Principles and Practice (formerly known as GP3).

Advice to LPA / Applicant

The site is located above the Lowestoft formation Secondary A aquifer, which in turn overlies the Ely Ouse chalk Principal aquifer, Source Protection Zone (SPZ2), and WFD groundwater body. The site is considered to be of high sensitivity and previous usage namely agricultural buildings presents potential pollutant linkages to controlled waters. Therefore an assessment of potential contamination found in the proposed development site, an assessment of the pollutant linkages that the development could introduce, and consideration for the risk posed by surface water drainage and foundations would need to be undertaken.

Overcoming objection

The applicant should provide a Preliminary Risk Assessment (PRA), including a Desk Study identifying all previous uses of the site as well as potential contaminants associated with these uses, Conceptual Site Model and initial assessment of risk, to satisfactorily demonstrate to the Local Planning Authority that the risk to controlled waters has been fully understood and can be addressed through appropriate measures.

5.13 Local Highways Authority (received 12th June 2019)

After a review of the amended plans, no objections.

Recommended Conditions:

- Prior to first occupation the internal estate roads and footways will be built at least binder course level.
- The junction with the High Street shall be laid out to drawing number 1202-003 Rev G and be constructed to CCC specifications.
- No private surface water shall be discharged on to the highway.

5.14 Local Highways Authority (received 20th May 2019)

The information and junction detail with the highway, previously requested [on 3rd January 2019], has not been submitted. As such, objected to the application and recommended refusal due to lack of information.

5.15 Local Highway Authority (received 3rd January 2019)

Requested a holding objection until the following information was submitted.

- Details showing the proposed junction with the highway

Additional Comments:

The planning, design and access statement includes a paragraph in section 10.62 that 5m radii are to be used. The CCC standards is 6m not 5m. Requested this detail was amended to 6m or evidence be provided to why this should be accepted, and also vehicle traffic diagrams to demonstrate this is appropriate in this location.

The internal layout shows the pedestrian crossing point to the shared use area at the bottom of the ramp. This is incorrect and would be detrimental to the safety of pedestrians. These should be positioned in the top of the ramp.

Shared use areas must be 6m wide with 2x 0.5m maintenance strips to be adoptable.

If the highways surface water is discharged in to areas of filtration, attenuation a swale or a ditch these must be adopted by the Local Authority or a governing body. Third party or private companies do not provide the necessary assurances that are required by the highways authority for adoption.

5.16 Lead Local Flood Authority (received 21st May 2019)

Having reviewed the revised documentation, can confirm that the LLFA has no further comments beyond those set down in our response of 3rd January 2019. LLFA position therefore remains supportive of the development subject to their suggested condition.

5.17 Lead Local Flood Authority (received 3rd January 2019)

Document reviewed:

- Flood Risk Assessment & Drainage Strategy prepared by Andrew Firebrace Partnership Ltd (RC/17/0255) dated 19/11/18

Based on these, as Lead Local Flood Authority (LLFA), has no objection in principle to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed through the use of infiltration with testing undertaken across the site to support the design.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

Requests the following conditions are imposed:

Condition:

Development shall not commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment & Drainage Strategy prepared by Andrew Firebrace Partnership Ltd (RC/17/0255) dated 19/11/18 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling.

Reason:

To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

Condition:

Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason:

To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.

5.18 Ramblers Association South (received 20th December 2018)

The Ramblers on this application affecting a public right of way, in this case Ashley Public Footpath 2, immediately to the north of the site. This footpath provides a well-used pedestrian link between Ashley and Cheveley villages and is also the route of the Icknield Way Path which, overall, links the Ridgeway and the Peddars Way National Trails.

Represents both the Ramblers and the Icknield Way Association locally and was rather perturbed to learn, in September 2017, that an outline application (ref: 17/01171/OUT) for the construction of 8 dwellings and ancillary works had already been approved. Unlikely to have objected to the application in principle.

Turning now to the current application, which now relates to 10 dwellings. The importance of Ashley Public Footpath 2, both locally and regionally, should not be underestimated and under no circumstances, should it be closed during the construction period, particularly as there is no reasonable alternative route.

Whilst there is mention of landscaping being carried out adjacent to the footpath, has been unable to deduce how the northern boundary to plots 1 to 5 and the proposed amenity area is to be formed. Often in circumstances when developments about a public right of way, gates appear in individual property boundaries or links from amenity areas are provided for the convenience of residents. Request clarification of this.

Surface water is often a problem and it is important that this should not be allowed to run from the site onto the footpath.

Subject to these matters being addressed, no objection is offered to the application.

5.19 Asset Information Definitive Map Team (received 28th May 2019)

Public Footpath 2 Ashley runs adjacent to the northern boundary of the application site. In the County Council's previous response, it was expected that surfacing works would be undertaken to the public footpath as a result of this development. It is acknowledged that the applicant does not propose to amend the surface as a result of this development. However, this path is of a free-draining, natural surface and its condition is, in part, due to its unhindered access to natural light and openness which aid the recovery of the surface following bad weather or during the winter months. The introduction of a southern boundary, as a result of this development, will decrease the amount of natural light able to reach the footpath. This will have a detrimental impact on the footpath surface over time, and without suitable mitigation would increase the liability placed upon the County Council, as Local Highway Authority and diminish user's enjoyment of this popular footpath.

It is not envisaged that the surface improvement works would need to be extensive, but for the reasons set out above, are considered necessary.

The County Council acknowledge the applicants willingness to comply with the requirement to limit planting of hedge planting as being not less than 2.5 metres from the right of way, but welcome further clarification that any hedge planting will be conveyed to plot-holders, or covered by a future maintenance company so that potential purchasers of properties are made aware of their legal requirement to ensure future maintenance of the hedge line. This is imperative if a boundary fence is erected within gardens, as noted in the amendments covering letter (dated 29th April), as without the liability being explicatively set out, future plot-holder may assume that the fence line represents their legal boundary.

The County Council notes the comments in relation to connections onto the rights of way as well as the views of Cambridgeshire Constabulary.

As the County Council would still consider surfacing improvements necessary, and the applicant is accepting of the requirement for hedge planting, the County Council would still request the three conditions included in their previous response dated 18th January.

5.20 Asset Information Definitive Map Team (received 18th January 2019)

Having reviewed the submitted documentation, it would appear that much thought has been given to lessen the impact of the proposal on the adjacent Public Footpath No. 2. This is welcomed, however it is disappointing that the applicant did not seek pre-application advice from the County Council's Rights of Way Team to give the relevant officers an earlier input into the proposal.

The footpath in question does not have a recorded width for this affected section. The County Council would however expect the existing width to be retained. The existing southern boundary of the Public Footpath should not be directly bounded by fence lines or landscaping features which will obstruct the path in the future. Any trees or hedgerows planted must be a minimum of 2.5 metres back from the edge of the path to allow for natural growth, whilst fences, if 6ft closed boarded, should be erected at least one metres from the boundary of the path.

The applicant should also consider whether the area of landscaping between the boundary of the Public Right of Way and the rear boundary fences of plots 1-5 will be conveyed to plot holders or retained with the landowner. If the latter, then the submitted block plan indicating the 'area to be managed by Management Company' will need to be amended to incorporate this landscaping. Request clarification on this point.

It is also not entirely clear from the block plan whether access to the Public Footpath will be possible from the parking area between plots 1 and 2. Request clarification on this point. It is the County Council's preference that access is permitted to increase accessibility and permeability of the development whilst also providing safety improvements to users on the footpath.

The County Council would also expect surfacing improvements to be undertaken to the Public Right of Way as a result of this development. These can be either directly implemented by the applicant or a suitable S106 contribution agreed. The applicant should discuss this further with the County Council.

The County Council also requires clarify on how the route will be managed during the construction phase. It is the County Council's expectation that the construction will be managed in such a manner that will ensure the route can remain open throughout. This information is currently lacking from this application. Therefore, although no objections to the application, require a number of points of clarification from the applicant and the following conditions to be applied to any permission given.

Conditions:

- 1) *Prior to the commencement of development, an access scheme shall be submitted to and approved by the LPA. Such scheme shall include provision for:*
 - i. *the design of public rights of way routes and their surfacing, widths, gradients, landscaping and structures;*
 - ii. *any proposals for diversion and closure of public rights of way and alternative route provision*

Reason: In the interests of the amenity and safety of the public.

2) *Prior to the commencement of development, the definitive line of the public right of way shall be marked out on site.*

Reason: In the interests of the amenity of the public.

3) *No planting will be placed within 2.5 metres of the southern boundary of Public Footpath No. 2, Ashley.*

Reason: In the interests of the amenity of the public.

Informatives:

Would be grateful for the following informatives to be included:

- *Public Footpath No. 2, Ashley must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).*
- *No alteration to the Footpath's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).*
- *Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).*
- *The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).*

5.21 Cambridgeshire Archaeology (received 19th December 2018)

This site has already been subject to an archaeological trial trench evaluation, carried out against condition 4 of permission 17/01171/OUT, for which a report of results has been received and approved by Cambridgeshire Archaeology. Although archaeological remains were encountered, it is not thought likely that a further phase of archaeological investigations would add significantly to understanding of the settlement and early land use in the area. No objections or requirements for development.

5.22 Anglian Water Services Ltd (received 16th January 2019)

Assets:

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991, or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Wastewater Treatment:

The foul drainage from this development is in the catchment of Newmarket Water Recycling Centre that will have available capacity for these flows.

Used Water Network:

The sewerage system at present has available capacity for these flows via a gravity discharge regime to manhole 5401 without further consultation with Anglian Water. If the developer wishes to connect to Anglian Water sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. Anglian Water will then advise them of the most suitable point of connection.

Surface Water Disposal:

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the investigations in to discharging to a watercourse. If these methods are deemed to be unfeasible for the site, Anglian Water requires confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted. Therefore, recommend that the applicant consults with Anglian Water and the Environment Agency. Requests that the agreed strategy is reflected in the planning approval.

Suggested Planning Condition:

Recommend a planning condition requiring a Surface Water Management Strategy to be agreed with the Local Planning Authority.

5.23 CCC Growth & Development

No Comments Received.

5.24 Waste Strategy (received 9th January 2019)

- 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).
- If a site is not adopted by County Highways then ECDC will not collect bins or bags from a site unless the developers are prepared to provide a full indemnity to ECDC, otherwise all bins & bags would need to be taken to the adopted highway for collection.

- 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 Acts 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.

5.3 Neighbours and public consultation

5.3.1 A site notice was displayed near the application site on 23rd January 2019 and a press advert was published in the Cambridge Evening News on 20th December 2018. 26 neighbouring properties were notified. 5 responses have been received and are summarised below. A full copy of the responses are available on the Council's website.

5.3.2 25 High St

- The demolition and construction phase will create significant disruption, danger and noise, and the proposal will result in additional traffic, which will endanger elderly people.

5.3.3 The Old Plough, 26 High St

- The proposal will impact the Conservation Area.
- The proposal will impact on The Old Plough, Grade II listed building.
- Visual impact of the development from the first-floor living accommodation of The Old Plough.
- Concerns regarding increase in traffic and refuse collection.
- The development has been designed in a way which could help to facilitate further expansion due to the area left between plots 1 and 10.
- Concerns that the proposed dwelling will be out of keeping with the village of Ashley. Development must be high quality and not compromise the integrity of the village.
- Property ownership concerns.
- Concerns regarding noise, dirt and vibrations to The Old Plough. Suggest brick wall boundary treatment as opposed to fencing.
- Loss of privacy, country views and conservation.
- Suggest additional tree planting.
- Concerns regarding damage to gas pipes and drains which could have financial implications for The Old Plough business.
- Suggests that the site foreman should maintain close and regular contact with the patrons of The Old Plough regarding construction activities as they could affect the business.

- Suggests all critical building works should be supervised by the buildings officer to ensure compliance with the planning permission.
- Due to the size and weight of vehicles travelling within close proximity to The Old Plough, suggests a strict speed limit is imposed within the site to restrict vibration, noise and dirt.
- There are old sewage pipes which may be dug up and may be contaminated.

32 High Street

- Lodges an objection.
- The current application is so materially different to the approval of the outline planning permission, in regard to access, layout and scale, that this should be treated as a fresh application and be completely re-scrutinised.
- The development has been designed in a way which could help to facilitate further expansion due to the area left between plots 1 and 10. This should be prevented. Future development of the adjacent land could thwart the ECDC policy for providing social housing where the units exceed 10 on a site.
- The current proposal of 10 dwellings would increase from 8 dwellings approved. The size of the individual units would increase and there would be a 48% increase in the proposed number of bedrooms (from 27 to 40).
- An agreement for 8 units was freely negotiated and agreed between the applicant and ECDC in order to secure Outline Consent, taking into account the sensitivity of the site, the available access, and the breach of the Conservation Area, among other matters. No justification exists to expand on that number.
- No provision is made for smaller units. The scheme will be marketed as an executive style development suitable for car-dependent commuters. No evidence has been offered to support the alleged demand for this type of property as an alternative to the approved Outline design.
- Concerns regarding foul sewer facilities and capacity. There is no written strategy for foul drainage beyond Anglian Water's assertion that there is capacity within the system.
- Design concerns. The pictures of redbrick and black boarding under red tiles is unimaginative and does nothing to suggest the site has developed over time. There is no reference to the vernacular materials found in the village; which although there is no distinctive style does offer multi-coloured brick and coloured plasterwork elevations, some dressed with flint, contrasting window reveals and quoins, and some slate roofs. Apart from the rear elevation to 22 High Street there is no boarded residential building nearby and the only wholly red-brick building is The Crown PH which is a commercial building.
- Plots 1,2,3 and 4 now show tandem parking which is to be avoided according to the ECDC Further Draft Plan.
- There are a number of other inconsistencies repeated from the Outline Application relating to public transport, schooling, footpaths and the grading of Ashley as a medium, not a small village.
- The above views are supported by neighbours at No's. 22, 30, 34 and 42 High Street whose properties abut the application site.

Additional comments following amendments:

- The explanatory letter from Turley Associates dated 29th April fails to address adequately the points raised in the neighbours' earlier letter of 6th January as to:
 - access
 - layout and scale
 - foul drainage
 - detailed design
 - parking
- It is a poorly-designed and exploitative scheme, simply attempting to take advantage of the failure of the planning system; which if it is to be built requires a great deal more effort in its design to be acceptable to the village and to be commercially viable.
- Query regarding application consultation with Ward and Parish Councillors.
- Can see no revised application nor any written submission to support the changes, only the plans, so it is difficult to see exactly what has changed and why.
- The sequence of drawings appears incomplete. There are no amended plans for Plots 1,5,7,10. Queries if this means they are not altered.
- The plan for Plot 4 shows a layout for the ground floor repeated - no first floor.
- There is no contamination report in latest documents.
- It isn't clear what alterations to the access have been made - to the site itself or to plots.
- Requests confirmation that the number of bedrooms has been reduced to 33 maximum.
- Neither the applicant nor its agent has made any attempt to discuss the alterations with the Parish Council.

25 Church St

- Can't understand what changes have come about that would make the authority adjust their decision that eight houses was the correct density in 2017.
- Traffic flow has increased which makes the site on such a busy road even more detrimental to the highway safety.
- Two more houses would put considerably more pressure on the very vulnerable conservation site, the Icknield Way.
- Totally opposed to the proposed increased development, that is merely a cynical money making exercise, demonstrated by the lack of any action by the developers.

Fairhaven Estate

- Has serious concerns about the proposed development off High Street, Ashley.
- Notes that the proposed development is located partly within the conservation area.
- The proposed development is also within very close proximity to The Old Plough, which is a Grade 2 listed building.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 11	Conservation Areas
ENV 12	Listed Buildings
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision
EMP6	Development affecting the horse racing industry

6.2 Supplementary Planning Documents

Ashley Conservation Area

Developer Contributions and Planning Obligations

Design Guide

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

Flood and Water

6.3 National Planning Policy Framework 2019

2 Achieving sustainable development

4 Decision-making

5 Delivering a sufficient supply of homes

11 Making effective use of land

12 Achieving well-designed places

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

15 Conserving and enhancing the natural environment

16 Conserving & enhancing the historic environment

7.0 PLANNING COMMENTS

7.1 The main issues to consider in the determination of this application are the principle of development, housing mix, visual amenity and heritage, residential amenity, highway safety and parking, flood risk and drainage, and ecology.

7.2 Principle of development

7.2.1 The existing dwelling at No. 28 High Street and its associated curtilage is located within the established development framework for Ashley. The paddock land to the

rear of No.28, where the new dwellings are proposed, is located outside of, but adjacent to, the defined development envelope for Ashley. There is an extant planning permission on the same application site for 8 dwellings (ref: 17/01171/OUT).

- 7.2.2 Policy GROWTH2 requires that development be permitted only within defined development envelopes provided and restricted in terms of dwellings to affordable housing exception schemes and dwellings essential for rural workers. However, 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, including policy GROWTH2, 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.
- 7.2.3 Given the absence of a 5 year housing land supply, the boundary limitation placed by the Ashley development envelope does not apply and development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits, as specified within Policy GROWTH5 of the Local Plan and paragraph 11 of the NPPF.
- 7.2.4 Ashley is described as a small village in the 2015 Local Plan with facilities including a post office, church public hall, public house and a sports field. There is also reference to the fact that the village has close ties with Newmarket, which lies approximately 4 miles to the west of Ashley.
- 7.2.5 As the site lies within and adjacent to the Ashley development envelope, it is considered that future residents would be able to access the limited goods and services and public transport on offer in the village both on foot and by bicycle. However, it is acknowledged that given the rural nature of the village that residents would, to a certain extent, be reliant upon the private motor vehicle to access places of work and schools. The proposal therefore conflicts with Policy COM7 in this regard.
- 7.2.6 The Planning, Design & Access Statement submitted with the application refers to the site as comprising a single detached house and domestic paddock. There is no evidence to suggest that the paddock land is in commercial use and no representations to this effect have been received. Policy EMP6 seeks to prevent development that is likely to have an adverse impact on the operational use of an existing site within the horse racing industry, or which would threaten the long term viability of the horse racing industry as a whole. The site appears to have been used on a domestic level for the keeping of horses and on this basis its loss is not considered to be contrary to Policy EMP6.
- 7.2.7 The proposal is effectively a form of backland development. The East Cambridgeshire Design Guide SPD refers to the fact that backland development will only be acceptable if supported by a contextual analysis of the locality. There is evidence of development in depth close by with the modern development at Silverley Way. Furthermore, this application is for a comprehensive development with its own access point. The proposal includes areas of open space to break up the built form and create a sense of community within the development. This

proposal is therefore considered to be in keeping with the form and pattern of development in this part of Ashley.

7.2.8 The proposal would provide an additional 9 dwellings to the District's housing stock, taking into account the demolition of No. 28 High Street. The proposal is therefore considered to make a moderate contribution towards the current housing shortfall and this attracts significant weight in the planning balance. The proposal would also offer some short and long term economic benefits in relation to the construction process and the purchase of local goods and services. This also attracts limited weight in favour of the proposal.

7.3 Housing mix

7.3.1 The preamble to Policy HOU1 of the Local Plan provides an indicative property size guide for open market housing which should inform the appropriate mix of housing on schemes of 10 or more dwellings. This is shown in the table 4.1 below.

Table 4.1 – Indicative property size guide for open market housing

	<i>Minimum %</i>	<i>Maximum %</i>
1 Bedroom	3	5
2 Bedroom	13	23
3 Bedroom	22	39
4 Bedroom	26	47
5+ Bedroom	7	14

7.3.2 The proposed development would provide the following housing mix:
2 x 2 bed = 20%
3 x 3 bed = 30%
4 x 4 bed = 40%
1 x 5 bed = 10%

7.3.3 Although no 1 bedroom properties are proposed, the above property size guide is only indicative and the overall housing mix does still broadly accord with it. It is considered that an acceptable housing mix is proposed.

7.3.4 No affordable housing provision is required as Policy HOU3 requires this for more than 10 dwellings. The Local Planning Authority did not consider that more than 10 dwellings should be provided on the site for planning application 17/01171/OUT which related to the same application site. It would therefore be unreasonable to require additional dwellings now and an increased density of development on this site would likely have an undesirable impact on the character and appearance of the area.

7.4 Visual amenity and heritage

7.4.1 Cultural heritage encompasses a wide range of features, both visible and buried, including archaeological remains, Scheduled Ancient Monuments, Listed Buildings and Conservation Areas.

- 7.4.2 The County Historic Environment Team has commented on the proposal with regards to archaeology. They advise that site has already been subject to an archaeological trial trench evaluation, carried out in relation to planning permission 17/01171/OUT, for which a report of results has been received and approved. Although archaeological remains were encountered, it is unlikely that a further phase of archaeological investigations would add significantly to understanding of the settlement and early land use in the area. The Historic Environment Team has no objections or requirements in relation to the proposal.
- 7.4.3 Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the same Act requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 7.4.4 Policy ENV11 of the Local Plan seeks to ensure that development proposals preserve or enhance the character or appearance of conservation areas and policy ENV12 aims to prevent detrimental impacts on the visual, architectural or historic setting of listed buildings. Additionally, policy ENV12 specifically deals with development proposals affecting sites of known or potential archaeological interest. These Development Plan policies reflect the aim to protect heritage assets as defined by the NPPF (Chapter 16). Policy ENV1 requires development proposals to create a positive, complementary relationship with existing development and protect, conserve and where possible enhance the settlement edge and landscape features.
- 7.4.5 A large proportion of the site is located within the Ashley conservation area. In addition, The Old Plough, a grade II listed building adjoins part of the eastern boundary. The Conservation Officer has commented that, although the current application (10 dwellings) represents an intensification of the previously approved development (8 dwellings) on the site, it retains many of the design parameters set out in the approved scheme. It incorporates open space on the east side of the site to act as a buffer to the Old Plough's curtilage and its linear layout preserves the glimpsed view westwards from the north of the listed building. Additionally the massing of units 5 & 6 has been broken down to a combination of 1½ and single storey ranges to ease the transition from the two storey units. In terms of design and materials, the allusions to agricultural buildings have some logic in a rural setting and the individual designs are not unconvincing in themselves, although the conventional street layout undermines their effect slightly as a whole. The Conservation Officer concludes that the scheme does not diverge significantly from the principles set down by the previous planning permission on the site satisfies local and national heritage protection objectives. The Conservation Officer has no objection, subject to standard details and materials conditions.
- 7.4.6 The layout has of the scheme has been informed by the need to consider the view of the site as viewed from the access to The Old Plough. The dwellings have been located around a central spine road with two areas of open space alongside the eastern boundary. This allows views through the site from the Old Plough and means that the built form does not lead to a sense of enclosure in the area immediately surrounding the building. The plots in the eastern half of the site are

1.5 storeys in height and do not compete with the Old Plough when viewed from High Street. It is considered that the development of ten dwellings is appropriate for this location and is representative of the lower density development on High Street and the higher density of Silverley Way.

- 7.4.7 Although the materials and appearance of the proposed development are not typical of those found within Ashley, new development does not have to be a pastiche. The proposed development comprises high quality building designs incorporating features of agricultural buildings which result in an appearance that is sympathetic to the semi-rural character of the area, whilst the external surfaces would be finished with brickwork and cladding to aid the developments rural design characteristics. Subject to a condition requiring samples of the proposed materials to be agreed with the Local Planning Authority, in order to ensure that the proposed development is built out to a high quality, it is considered that the impacts on the character and appearance of the area are acceptable.
- 7.4.8 The existing building is of little architectural or historic interest and the principle of demolition of No. 28 has already been established through approval of planning permission 17/01171/OUT.
- 7.4.9 For the above reasons, it is considered that the proposal causes no harm to heritage assets and accords with Policies ENV11 and ENV12.
- 7.4.10 The development will be highly visible to users of the public right of way to the north as they travel in both directions and the Ashley Conservation Area Appraisal SPD refers to paddocks and open stables flanking the 'tree lined track'. The proposal will have an urbanising effect, bringing the built form closer to the right of way. However, there is a precedent for development in depth in this part of the village and the dwellings will sit against the back drop of the dwellings on Silverley Way. A comprehensive landscaping scheme could be secured by way of a planning condition to ensure that the development is assimilated into its surroundings as far as possible. It is acknowledged that the proposal will alter the character of the area, however, this is a modest development that, subject to standard details and materials being secured by conditions as requested by the Conservation Officer, would be accommodated into the landscape without having a significant and demonstrable adverse effect. Any minor adverse effects on the landscape that may be contrary to Policy ENV1 will need to be balanced against the benefits of the scheme.

7.5 Residential amenity

- 7.5.1 Policy ENV2 requires development proposals to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers and that future occupiers enjoy high standards of amenity.
- 7.5.2 The proposed plot sizes all exceed 300 square metres and each garden comfortably exceeds 50 square metres, in accordance accord with the Council's Design Guide SPD. The siting and layout of the proposed dwellings, and their design and window positionings, ensure that there would be no significant overlooking between plots. In addition, there is a significant separation distance between the proposed dwellings and nearby existing dwellings which is sufficient to

prevent any significant impacts being created to the residential amenity of the existing dwellings in respect of overlooking/loss of privacy, overbearing impacts/loss of outlook or overshadowing/loss of light. The open space proposed adjacent to the eastern boundary of the site aids separation of the proposed dwellings from The Old Plough and existing dwellings situated along High Street, minimising the residential amenity impacts to them.

7.5.3 The access road will run alongside the boundary with The Old Plough and No. 30 High Street. It is likely that vehicle movements to and from the site will generate some noise and the Environmental Health team has recommended that a close boarded fence is constructed on the boundary to protect the amenity of adjacent occupiers. Environmental Health has also recommended conditions in relation to construction times and deliveries and the submission of a Construction Environmental Management Plan. Such conditions are considered reasonable in the interests of protecting the residential amenity of neighbouring properties to an acceptable level and could be appended to the planning permission.

7.5.4 It is therefore considered that the proposed development would not have a significantly detrimental effect on the residential amenity of nearby and future occupiers and it therefore complies with policy ENV2 in this regard.

7.6 Highway safety and parking

7.6.1 The Local Highway Authority originally requested a holding objection until details showing the proposed junction with the highway was submitted. The Local Highway Authority also requested that the junction detail was amended from the 5m radii specified within the Planning, Design and Access Statement, to 6m radii, or evidence be provided to justify why this should be accepted including vehicle traffic diagrams to demonstrate this is appropriate in this location.

7.6.2 Following amended plans being submitted to the Local Planning Authority which include the required 6m radii, the Local Highway Authority has no objections. The internal road layout is similar to that approved by planning permission 17/01171/OUT. The proposed internal road comprises a 5m wide carriageway with 1.8m footpath to either side, ramping up to a 6m wide shared surface road with 2x 0.5m maintenance strips, all designed to adoptable standards ensuring that it can be offered to the Local Highway Authority.

7.6.3 A Flood Risk Assessment & Drainage Strategy has been submitted with this application, however, a detailed surface water drainage scheme and future drainage maintenance strategy will need to be put into place should development proceed. If the highways surface water is discharged in to areas of filtration, attenuation a swale or a ditch these must be adopted by the Local Authority or a governing body. Third party or private companies do not provide the necessary assurances that are required by the highways authority for adoption. The applicant has confirmed their intention is to offer the road for adoption to the Local Highway Authority. As such, the Local Highway Authority would have the option to adopt the surface water features which receive water discharge from the public highway.

7.6.4 ECDC Waste Strategy has advised that, if a site is not adopted by the Local Highway Authority, then ECDC will not collect bins or bags from within the site

unless the developers are prepared to provide a full indemnity to ECDC. Otherwise, all bins and bags would need to be taken to the adopted highway for collection. The proposed access and internal road is designed to an adoptable standard and therefore waste collections should be carried out within the site.

- 7.6.5 The proposal includes a minimum of two parking spaces per dwelling, with 8 of the 10 dwellings providing 3+ spaces, exceeding the requirements for residents' car parking spaces set out within Policy COM8. The proposal also includes 2 visitor car parking spaces, resulting in a shortfall of 0.5 visitor spaces against the visitor spaces requirement of Policy COM8. However, given the exceedance of on-plot parking for 80% of the proposed dwellings, in addition to the location of the visitor car parking spaces next to the 2 plots which do not afford enough space for more than 2 car parking spaces (plots 2 and 3), the overall car parking provision is considered acceptable. Although there is no policy requirement relating to the provision of tandem parking, it is noted that only 50% of plots would not provide tandem parking which is likely to further discourage undesirable levels of on-street parking.
- 7.6.6 Subject to the recommended highway conditions, as requested by the Local Highway Authority, it is considered that the proposal complies with Policies COM7 and COM8 in respect of highway safety and parking provision.
- 7.6.7 The proposal includes gates along the western boundary of the site, providing access to the remaining paddock land to the west of the application site. This arrangement has not raised any highway safety concerns and gates in this location do not cause any adverse harm in relation to other material planning considerations.

7.7 Flood risk and drainage

- 7.7.1 The site is located within Flood Zone 1, where the majority of development should be directed. The site slopes from east to west and there are no watercourses in close proximity to the site. The site is classed as greenfield and a future developer will be required to maintain the existing run-off rate in relation to surface water.
- 7.7.2 A Flood Risk Assessment & Drainage Strategy has been submitted with this application and is considered acceptable by the Lead Local Flood Authority. However, a detailed surface water drainage scheme and future drainage maintenance strategy will need to be put into place should development proceed. The site is recorded as being in an area with freely draining soils and it is possible therefore infiltration rates may allow the use of soakaways.
- 7.7.3 On this basis, it is considered acceptable to secure details of the surface water drainage strategy and future maintenance by conditions. Foul drainage would be disposed of into the mains sewer which is acceptable; Anglian Water has confirmed there is available capacity. The proposal complies with Policy ENV8 in this regard.

7.8 Ecology

- 7.8.1 A Preliminary Ecological Appraisal has been submitted with the application. The buildings on the site have been inspected, searching for evidence of and potential to support roosting bats. The findings indicated that there may be a small and

intermittently used roost in the roofspace of the dwelling. A bat survey was therefore commissioned and a separate report submitted. The survey confirmed the fact that the roofspace is being used as a bat roost and that a mitigation licence from Natural England must be obtained prior to the demolition of the building. To replace the features that will be lost the report recommends the creation of similar roosting features in the internal roof space of at least one of the dwellings and the installation of 'bat tiles', which can be secured by condition.

- 7.8.2 One pond within 500m of the site has been assessed for its potential to support Great Crested Newts. It received a below average score against the Habitat Suitability Index and on this basis the proposal is not considered to have an adverse effect on this protected species.
- 7.8.3 The Ecological Appraisal makes reference to the use of the site by nesting house sparrows and swallow and the woody scrub and hedgerow on the boundaries of the offers potential to support nesting birds. The site does not have any other significant ecological value and the proposed development is likely to have no negative ecological impact. A biodiversity management plan can be secured by condition to ensure that future landscaping incorporates biodiversity areas, features and management. Subject to the recommended conditions, it is considered that the proposal complies with Policy ENV7.
- 7.8.4 The proposed soft landscaping scheme has been amended during the course of the application, incorporating the Trees Officers' recommendations regarding additional landscaping, changes to tree species and ecological enhancement. The soft landscaping proposal is considered to be of a high quality for the size of the development. The Trees Officer has since commented that the amended landscaping plan is acceptable. The Senior Trees Officer has provided separate comments and requested that, if the scheme is approved, it is ensured that there is clear legal responsibility for maintenance of the proposed open space. A condition is recommended regarding future maintenance and management of the area of open space in order to ensure the responsibilities for the open space is clear.
- 7.8.5 The Trees Officers' comment regarding a formal footpath crossing the green space being required as per the details approved by outline planning permission 17/01171/OUT, has not been included within the proposal. However, the footpath approved on the extant outline planning permission is not a requirement of the Local Planning Authority or County Council Definitive Map Team, nor has it been requested by the Ramblers Association. Furthermore, Ashley Parish Council is of the view that there should be no access to the Public Right of Way from any part of the proposed development site. The exclusion of a footpath crossing the green space is therefore considered acceptable.
- 7.8.6 A Tree Survey and Arboricultural Impact Assessment has been submitted with the application. A tree preservation order is currently in place in respect of two Sycamore trees located within the front garden of No. 28 High Street. Consent has already been given for one of these trees to be felled due to the extent of the basal decay, subject to a condition requiring a replacement Beech tree in a suitable location in the front garden. As was the case with the extant outline planning permission, in order to accommodate the proposed access and internal carriageway to an adoptable standard, there would be only narrow landscaping strips on either

side of the internal carriageway. The Senior Trees Officer is very disappointed that the front of the site does not have sufficient room for significant tree planting and states that the loss of the two mature TPO Sycamore trees in the front garden of 28 High Street will have a significantly detrimental effect on the local street-scene.

7.8.7 A Beech tree is proposed within the landscaping strip on the northern side of the proposed internal carriageway to compensate for the loss of one of the TPO trees in a similar position at the front of the site. This replacement tree would, over time, feature prominently within the street scene as a replacement for one of the TPO trees which would be lost. Additional feature trees would be planted within the areas of open space in order to compensate for the loss of the other TPO tree, however due to the location of them it is acknowledged that they would not feature prominently in the street scene in the same way as the existing TPO trees.

7.8.8 However, the extant outline planning permission 17/01171/OUT includes the loss of two protected trees at the front of the site; 1 of which had already been given separate consent to fell by the Trees Team. The principle has therefore been established for these trees to be removed by the outline planning permission. For this reason, the loss of these trees under the current application should be afforded only very minimal weight.

7.8.9 The proposed landscaping scheme includes a number of feature trees within the site, though it is acknowledged that the Senior Trees Officer does not agree with this approach. The proposal does not fully protect the existing landscape features on the site and therefore comes into conflict with Policy ENV1 in this regard which attracts some weight against the proposal. However, given the planning history of the site the level of weight this attracts against the proposal is very minimal.

7.9 Other matters

7.9.1 The proprietors of The Old Plough have raised concerns regarding the impact of the proposal on their business. As stated above, the scheme has been sensitively designed taking into account the location of the site in the conservation area and adjacent to a Grade II listed building. The area of open space on the eastern boundary ensures that there is no built form immediately adjacent to the restaurant, with the site boundary approximately 37 metres from the rear of The Old Plough, and views directly through the site to the fields beyond will in part be maintained. There will be some traffic movements and associated noise and disturbance from future occupiers of the development, but such impacts are not considered to be significant and no evidence has been submitted to suggest that this will deter customers from frequenting The Old Plough. Furthermore, the area immediately beyond The Old Plough's garden is already in use as a car park which reduces such impacts on the business.

7.9.2 Public Footpath 2 Ashley runs adjacent to the northern boundary of the application site. The County Council Asset Information Definitive Map Team consider that surfacing works to the public footpath should be undertaken by the developer as a result of this development. The reason that the Asset Information Definitive Map Team considers these works are necessary is that boundary treatments resulting from the proposed development would decrease the amount of natural light able to reach the footpath, which is a free-draining natural surface, and would have a

detrimental impact on the footpath surface over time, increasing the liability placed upon the County Council and diminishing users' enjoyment of the popular footpath. However, the case officer considers that it would be unreasonable to require the applicant to carry out surfacing works to the public footpath as these works were not requested by the Asset Information Definitive Map Team as part of planning application 17/01171/OUT and were not required by the Local Planning Authority's grant of planning permission.

7.9.3 The proposed landscaping includes a hedgerow along the northern boundary of the site, situated 2.5m from the edge of the public footpath to allow for natural growth without obstructing the footpath. The proposal also includes a post and rail fence along the northern extent of the hedgerow adjacent to the public footpath and the applicants' agent has stated that it is also intended for close boarded fencing to be erected along the southern extent of the hedgerow on the garden side of the proposed dwellings. The County Council acknowledge the applicants willingness to comply with the requirement to limit planting of hedge planting as being not less than 2.5 metres from the right of way, but welcome further clarification that any hedge planting will be conveyed to plot-holders, or covered by a future maintenance company so that potential purchasers of properties are made aware of their legal requirement to ensure future maintenance of the hedge line. The Asset Information Definitive Map Team considers this imperative if a boundary fencing is erected within gardens of the proposed dwellings as intended by the applicant, as without the liability being explicatively set out, future plot-holder may assume that the fence line represents their legal boundary.

7.9.4 The Asset Information Definitive Map Team maintain that surfacing improvements are necessary and still request the three conditions included in their consultation response of 18th January 2019. A planning condition could be appended requiring details of management and maintenance of landscaping to be agreed with the Local Planning Authority in order to ensure liability for maintenance of the proposed hedge planting. In addition, a planning condition could also be appended to the planning permission requiring a Construction Environment Management Plan to be agreed with the Local Planning Authority, which would include details of how the public footpath will be managed during the construction process. It is therefore considered that the public footpath will not be compromised to any extent beyond that which would be caused by development of planning permission 17/01171/OUT and the conditions requested by the Asset Information Definitive Map Team in respect of marking out the definitive line of the Public Right of Way on site and preventing planting within 2.5m of the southern boundary of the public footpath would not be necessary or reasonable.

7.10 Planning balance

7.10.1 The proposal is for the demolition of an existing dwelling and the construction of 10 dwellings. There would therefore be a net gain of 9 dwellings to add to the District's housing stock (or net gain of 2 dwellings more than that which has been secured in principle by the outline planning permission 17/01171/OUT). As stated above, this attracts significant weight in favour of the proposal. The development would also bring short and long term economic benefits that also attract weight, albeit limited, in favour of the proposal. The site is currently of limited ecological value and the

scheme provides an opportunity to incorporate a number of ecological and biodiversity enhancements and again, these carry some weight in favour.

- 7.10.2 It is acknowledged that given the rural nature of the District that there will be some reliance on the private motor vehicle, however, it is considered necessary to support small scale forms of development in the smaller villages in order to contribute to the economic and social elements of sustainability. Any conflict with Policy COM7 in relation to the promotion of sustainable forms of transport is in this case considered to carry very limited weight against the proposal.
- 7.10.3 The proposed development would have an impact on the character and appearance of the area, however it has been sensitively designed in a way which minimises this impact. Given that the dwellings will be viewed against the back drop of the development in depth at Silverley Way, it is considered that the proposal will not result in significant and demonstrable harm to the visual amenity of the area and any minor adverse impacts attract little weight. Given that the extant outline planning permission 17/01171/OUT includes the loss of two protected trees at the front of the site, the loss of these trees under the current application should be afforded only very minimal weight.
- 7.10.4 The proposed development would not cause any significant harm to the Ashley conservation area or the setting of the adjacent listed building, nor would it give rise to any detrimental impacts in respect of housing mix, residential amenity, highway safety and parking, flood risk and drainage, or ecology matters.
- 7.10.5 On balance, it is considered that the adverse effects of the development would not significantly and demonstrably outweigh the benefits, in accordance with Policy GROWTH5 of the Local Plan and paragraph 11 of the NPPF. The application is therefore recommended for approval.

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, i.e. relating to the way a matter has been dealt with; or substantive, i.e. relating to the previous planning history of the site 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.

9.0 APPENDICES

9.1 Appendix 1 – Recommended conditions.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/01704/FUM	Richard Fitzjohn Room No. 011	Richard Fitzjohn Senior Planning Officer
17/01171/OUT	The Grange	01353 665555
17/00910/TPO	Ely	richard.fitzjohn@ea
13/00668/TPO		stcambs.gov.uk

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

APPENDIX 1 - 18/01704/FUM Conditions

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

Plan Reference	Version No	Date Received
PRELIMINARY ECOCOLOGICAL APPRAISAL REPORT		29th May 2019
BAT SURVEY		29th May 2019
DR-A-1000	PA1.4	5th June 2019
DR-A-1001	PA1.4	5th June 2019
DR-A-1003	PA1.4	5th June 2019
DR-A-1040	PA1.2	17th May 2019
1202-003	G	24th May 2019
1202-005	C	24th May 2019
1202-006	C	24th May 2019
1202-007	D	24th May 2019
EX17_018_05/01	C	24th May 2019
DR-A-1002	PA 1	1st May 2019
DR_A_1020	PA 1.2	1st May 2019
DR_A_1030	PA 1.2	1st May 2019
DR_A_1050	PA. 1.2	1st May 2019
DR_A_1091	PA1	1st May 2019
DR_A_1090	PA1.2	1st May 2019
DR_A_1080	PA1.2	1st May 2019
DR_A_1060	PA 1.2	1st May 2019
7029-D-PS	C	1st May 2019
Topographical Survey		3rd December 2018
DR_A_1070	PA1	3rd December 2018
DR_A_1100	PA1	3rd December 2018
TREE SURVEY		3rd December 2018
ENERGY & SUSTAINABILITY STATEMENT		3rd December 2018
FLOOD RISK ASSESSMENT		3rd December 2018
7016-D-A1A	A	3rd December 2018
JW-1004ASH		3rd December 2018
DR_A_1010	PA1	3rd December 2018
DR_A_001	PA1	3rd December 2018

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 2 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 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.

- 3 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.
- 4 No development, except for demolition, shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment & Drainage Strategy prepared by Andrew Firebrace Partnership Ltd (RC/17/0255) dated 19/11/18, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first 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 and the details need to be agreed before construction begins.
- 5 Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.
- 5 Reason: To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.
- 6 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved access within 6 metres of the edge of the public highway.
- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 Prior to the first occupation of any dwelling hereby approved, the access shall be constructed in accordance with the details shown on drawing no. 1202-003 Rev G and thereafter retained in perpetuity in this form.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

- 8 Prior to the first occupation of any dwelling hereby approved, the roads and footways required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining public highway.
- 8 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 9 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.
- 9 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV8 and COM7 of the East Cambridgeshire Local Plan 2015.
- 10 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 07:30 - 18:00 each day Monday-Friday, 07:30 - 13:00 on Saturdays and none on Sundays, Public Holidays or Bank Holidays.
- 10 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 11 Prior to any work commencing on the site, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting, and management of impacts on the adjacent Public Right of Way, during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.
- 11 Reason: To safeguard the residential amenity of neighbouring occupiers, and in the interests of highway safety and access to the Public Right of Way, in accordance with policies ENV2 and COM7 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.
- 12 All soft landscaping works shall be carried out in accordance with the approved details, as shown on drawing no. 7029-D-PS Revision C. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. 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.
- 12 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 The development shall be carried out in accordance with the Energy and Sustainability Statement, prepared by EPS Group and dated 23/11/2018.

- 13 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015.
- 14 Prior to first occupation a scheme for the laying out and future management and maintenance of the open space and landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The open space shall thereafter be maintained in accordance with the agreed scheme. The scheme shall include the following:
 - i) methods for the proposed maintenance regime; and
 - ii) details of who will be responsible for the continuing implementation.
- 14 Reason: To ensure the longevity of the open space scheme and to safeguard the amenity of the adjacent Public Right of Way, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 15 The tree protection measures as shown on drawing no. 7016-D-AIA Rev A 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.
- 15 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 16 The development shall be carried out in accordance with the Conclusions of the Preliminary Ecological Appraisal Report and the Bat Survey, prepared by Denny Ecology and dated November 2018. The biodiversity improvements stated within the report shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 16 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 17 No hard landscaping works shall commence until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include samples of shared surface and driveway materials. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.
- 17 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 18 No above ground construction shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service or alternative scheme has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative scheme shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.
- 18 To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 95 of the NPPF.
- 19 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, other than those of the type specified on the approved plans, shall be erected within the application site without the prior written consent of the Local Planning Authority.
- 19 Reason: To safeguard the amenity of the adjacent Public Right of Way and the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 20 No above ground construction shall take place on site until details of the external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 20 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area, in accordance with policies ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015.