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**MAIN CASE**

**Reference No:** 18/00681/FUL

**Proposal:** New 5 bed Dwelling and associated vehicular access.

**Site Address:** Land Rear Of 92 Duchess Drive Newmarket Suffolk CB8 8AJ

**Applicant:** Mr Derek Bradley

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

**Parish:** Cheveley

**Ward:** Cheveley  
Ward Councillor/s: Councillor Peter Cresswell  
Councillor Mathew Shuter

**Date Received:** 4 June 2018      **Expiry Date:** 9<sup>th</sup> November 2018  
[T122]

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1.0 **RECOMMENDATION**

1.1 Members are recommended to APPROVE this 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/LBC
- 3 Site Characterisation
- 4 Reporting of unexpected contamination
- 5 Construction hours
- 6 Construction Environmental Management Plan
- 7 Biodiversity Improvements
- 8 Foul water disposal
- 9 Surface water disposal
- 10 External materials
- 11 Gates PD restriction
- 12 Access widening
- 13 Access and hardstanding drainage
- 14 Tree Protection Plan compliance
- 15 Additional Tree Protection Plan
- 16 Sprinkler provision.

## 2.0 SUMMARY OF APPLICATION

- 2.1 Full planning permission is sought for the erection of 1No. detached dwelling and associated vehicular access. The application site would be accessed via a Public Right of Way (Footpath No.11 Cheveley) which also forms the approved access for 3 dwellings (yet to be constructed) approved by planning permission 15/01102/OUT).
- 2.2 Amended plans have been received during the course of the application involving re-siting of the proposed dwelling, in addition to amendments to the required Public Right of Way access alteration details so that they match the details approved by planning permission 15/01102/OUT.
- 2.3 A draft Section 106 has been received by the Local Planning Authority for the provision of elephant gates to be erected along the Public Right of Way as a means of preventing through traffic down the lane to Duchess Drive. This is almost identical to the Section 106 agreed with planning permission 15/01102/OUT, though only 1 set of gates would be required depending on which development commences first.
- 2.4 This application has been called-in to Planning Committee by Councillor Peter Cresswell as he has serious concerns regarding the application, centring on the access to the site via Meadow Lane, which is a public footpath.
- 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.**

## 3.0 PLANNING HISTORY

### 3.1 Off-site planning history

16/00304/FUL	Construction of 1no for bedroom dwelling and 3 bay garage/cart lodge including new access for 92 Duchess Drive	Approved	25.10.2016
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Located to the rear of 92 Duchess Drive, adjacent to the south-west of the site.

15/01102/OUT	Erection of 3 detached dwellings, garages and parking along with improved access	Approved	17.07.2017
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Located to the opposite side of the Public Right of Way to the south-east of the site.

## 4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site comprises grassland to the rear of 92 Duchess Drive. There is a Public Right of Way (Footpath 11 Cheveley) located adjacent to the south-east boundary of the site. There are some protected (TPO) trees located along the north-

west edge of the Public Right of Way towards the end of Meadow Lane. The Public Right of Way connects Meadow Lane to Duchess Drive. There are existing dwellings located to the north-east of the site, a dwelling (yet to be constructed) has been approved by planning permission 16/00304/FUL within the rear garden of 92 Duchess Drive to the south-west of the site and 3 dwellings (yet to be constructed) have been approved by planning permission 15/01102/OUT to the south-east of the site.

## 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 Cheveley Parish Council (received 12th July 2018) - Objects for the following reasons:

- The PC concurs with the Highways Authority objection to this proposal dated 25th June 2018. The proposal does not provide sufficient highways information to demonstrate that the proposed development would not be prejudicial to highway safety.
- The location and type of bollards (Elephant Gates) must be as previously approved under application 15/01102/OUT. It is of major concern to the PC that if these bollards are not put in place, vehicles will use the track between the site and Meadow Lane west which is strictly prohibited.
- Meadow Lane is not wide enough to accommodate lorries and other vehicles associated with the delivery of building materials to the site. Concerns how this will be addressed.

Cheveley Parish Council (received 11th October 2018 regarding amended plan) - No comments to make regarding the amendment to the above-named application. The PC's previous comments on this application still stand.

5.3 Ward Councillor Peter Cresswell – Has serious concerns regarding the application and therefore formally requests that it be determined by the Planning Committee. Concern centres on the access to the site via Meadow Lane, which is a public footpath. This would outrage local residents and is totally unacceptable, particularly if construction vehicles were to use a public footpath to gain access to the site. It is essential that the public footpath linking Duchess Drive to Duchess Park is preserved in its entirety. It has been acknowledged that a condition would be that elephant gates would need to be installed in Meadow Lane, to prevent vehicular access. Consistency is therefore of paramount importance.

5.4 Trees Officer (received 28th June 2018) - There are protected trees close to this development which may be affected. Recommended a Tree Constraints Plan be sought to provide information upon the trees and the root protection areas, to ensure that the development can be successfully achieved without damage to the trees to be retained.

Trees Officer (received 24th October 2018 following submission of requested arboricultural information) - The Tree survey and Tree Protection Plan is acceptable. The soft landscaping shown on the Site Plan needs strengthening with some structure planting along the frontage. Suggests native hedge planting with some additional tree planting, which is typical of the area. Hedging as seen for the neighbouring property (no 39 Meadow Lane) can be extended along the frontage.

5.6 Local Highways Authority (received 25th June 2018) – Objected to the application and recommended refusal in its original form, for the following reasons:

The application was not supported by sufficient highways information to demonstrate that the proposed development would not be prejudicial to highway safety.

Planning permission was granted under application number 15/01102/OUT for a development opposite this site. Therefore this approval must be taking in to consideration when determining this application and any and all relevant highways requirements and conditions that were attached to that approval must be attached to this one. This is to overcome the existing and future highways issue and to facilitate this development in coordination with the other.

The previous approval is for multiple dwellings therefore a shared use access road is required which needs the widening of the junction with Meadow Lane west and Meadow Lane, up until the proposed permanent residential access. Vehicle bollards are required to be installed and a commuted sum paid for their future maintenance to stop vehicles using the Duchess Drive junction as this has sub-standard vehicle visibility.

The above information needs to be submitted and shown on layout drawings and within the red line boundary so that it can be determined and appropriately conditioned.

The proposed layout must be as per the approved application 15/01102/OUT or an alternative arrangement proposed to overcome the issues as listed below;

- Junction width at Meadow Lane west
- Duchess Drive vehicle visibility splays is sub-standard therefore intensification or permanent access use will not be permitted
- This is a public footpath and pedestrian safety must be considered
- This is an un-metalled track that is not suitable for permanent use by residents
- Meadow Lane is not wide enough for shared use access
- Opposite development approval and number of vehicles and pedestrians that will be using Meadow Lane
- Protected vegetation in the Meadow Lane

Objection must remain unless or until the following issues have been addressed:

1. The location and type of the shown bollards must be coordinated with the location and type of bollards (Elephant Gates) as per previously approved under application 15/01102/OUT. Should this application be approved it would conflict with the location of the other location.

2. The red line boundary of this application must meet with the highway and include any area that is to have attached conditions.

Note: Incremental development off a narrow track will lead to increase use and likely pedestrians – vehicle and vehicle - vehicle conflict due to demand of space.

Footpath 11 runs the length of Meadow Lane, therefore recommends that the CCC RoW team are consulted.

Requested the aforementioned information and drawings be submitted prior to the determination of this application. As unless or until these issues have been addressed and objections overcome, would recommend refusal of the application.

Local Highway Authority (received 26th October 2018 following submission of amended vehicular access details) – After a review of the amended drawing and access road arrangement, no further comments. Requests any highways related conditions and informatives are attached to any approvals the planning authority is minded to grant as per previous approved application number 15/01102/OUT.

#### Recommended Conditions

Prior to first occupation the access road as shown on the approved drawings shall be constructed

5.7 CCC Growth & Development - No Comments Received.

5.8 Waste Strategy (ECDC) –

- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances and/or loose gravel/shingle driveways; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).
- Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government 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.

5.9 Asset Information Definitive Map Team - No Comments Received.

5.10 Neighbours – Two site notices were displayed on 25th June 2018, one at each end of the Public Right of Way. 9 nearby properties were directly notified by letter. In addition, a press advert was published in the Cambridge Evening News on 28th June 2018. Two letter of objection have been received, both from the occupier of No.39 Meadow Lane (one prior to receipt of amended plans and one following receipt of amended plans). The concerns raised in this objection are summarised below:

**39 Meadow Lane - Concerns received 29th June 2018 (prior to receipt of amended plans)**

- No.39 currently enjoy open views from 3 aspects of the property. The proposed development and planning permission 15/01102/OUT would reduce this to 1 aspect.
- Significant reduction in privacy and outlook.
- Increase in noise and disturbance (including during construction phase which could be cumulative with construction of planning permission 15/01102/OUT).
- Negative impact on resale value of No.39.
- Proposed dwelling is very close to No.39. The house should be moved further away from this boundary, whilst maintaining the planned orientation, reducing overlooking and loss of light.
- Suggests boundary trees adjacent No.39 are retained or replaced with something of similar height.
- Construction hours.
- Access and parking for construction/delivery vehicles.
- Protection of TPO hedging.
- The proposed access road is a public footpath and totally unsuitable as an access road for 4 dwellings.
- Concerns regarding safety and obstructions to pedestrians along the public footpath caused by vehicle movements.
- Should be subject to Section 106 requiring gates as per 15/01102/OUT.
- The proposed development and other approved developments will add significantly to traffic around Meadow Lane. Suggests highway improvements to improve highway safety.
- Loss of biodiversity habitat and wildlife.
- Duchess Park comprises a significant amount of open space which residents pay to maintain and upkeep. The proposed dwellings should contribute to the upkeep to as they would enjoy the same facilities.
- Rumours have circulated regarding contamination of the site from previous use as a military storage and salvage facility many years ago.

**39 Meadow Lane - Concerns received 26th September 2018 (following receipt of amended plans)**

- Pleased that the revision takes account of earlier comments regarding proximity of proposed dwelling to boundary of No.39. However, other objections in previous letter still remain, including comments regarding shrubbery along boundary which now appears to be under threat from the proposed development and Hawthorn tree proposed to be removed.
- Concerns regarding widening of access road along the track at rear of No.35-39 Meadow Lane to 4.5m or more, along with disruption and vehicle access issues during construction.
- Still feels proposed development is inappropriate and should not proceed.

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
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

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

6.3 National Planning Policy Framework 2018

- 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
- 15 Conserving and enhancing the natural environment

6.4 Submitted Local Plan 2018

LP1A presumption in Favour of Sustainable Development  
LP3 The Settlement Hierarchy and the Countryside  
LP6 Meeting Local Housing Needs  
LP16 Infrastructure to Support Growth

LP17	Creating a Sustainable, Efficient and Resilient Transport Network
LP22	Achieving Design Excellence
LP23	Water Efficiency
LP24	Renewable and Low Carbon Energy Development
LP25	Managing Water Resources and Flood Risk
LP26	Pollution and Land Contamination
LP28	Landscape, Treescape and Built Environment Character, including Cathedral Views
LP30	Conserving and Enhancing Biodiversity and Geodiversity
LP31	Development in the Countryside

## 7.0 PLANNING COMMENTS

- 7.1 The main issues to consider when assessing this application relate to the principle of development and the impacts on the character and appearance of the area, residential amenity and highway/pedestrian safety and the Public Right of Way.
- 7.2 Principle of Development
- 7.2.1 The Council is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all Local Planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits.
- 7.2.2 The benefits of this application are considered to be: the positive contribution of the provision of an additional dwelling to the district's housing stock and the positive contribution to the local and wider economy in the short term through the construction of the new dwelling.
- 7.2.3 The application site is located within the established development framework where the principle of development is considered acceptable in locational terms. For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the site is considered to be in a sustainable location.
- 7.2.4 It should be noted that all other local plan policies and relevant material considerations remain relevant and form part of the planning balance for this application. The main considerations in determining this application are therefore; whether any adverse impacts would significantly and demonstrably outweigh the benefits of the development.
- 7.3 Character and appearance of the area
- 7.3.1 The application site is currently screened from the public highway by high level fencing and does not provide a positive contribution to visual amenity or views within the area. There are existing dwellings located to the north-east of the site, a dwelling (yet to be constructed) has been approved by planning permission 16/00304/FUL within the rear garden of 92 Duchess Drive to the south-west of the site and 3 dwellings (yet to be constructed) have been approved by planning permission 15/01102/OUT to the south-east of the site. Due to the existing appearance of the site and the existing and approved (but yet to be constructed) dwellings on neighbouring land, a single dwelling on the site would not cause any significant harm to the character and appearance of the area by itself, subject to its scale and appearance. Though it is likely that the provision of further incremental development within this area would cause harm by virtue of the loss of lane character.



- 7.3.2 The proposed dwelling would be in keeping with the scale of nearby dwellings and dwellings approved planning permission, whilst the appearance is of a simple and traditional design which would appear in keeping with the character and appearance of the area. The materials have not been agreed so this would need to be secured at a later date; this can be achieved by a condition.
- 7.3.3 Trees and hedges which are proposed to be retained within and adjacent to the site can be protected in accordance with the submitted tree protection drawing which can be conditioned to ensure they are successfully retained. The proposal includes the removal of a Hawthorn tree as shown on the submitted Tree Survey and Tree Protection Plan. The Council's Tree Officer has confirmed this is acceptable. It is considered that a separate Tree Protection Plan should be agreed with the Local Planning Authority prior to development to ensure protection during construction of the protected ancient hedgerow adjacent to the Public Right of Way, as was submitted with planning application 15/01102/OUT.
- 7.3.4 Additional landscaping could be secured by condition.
- 7.3.5 It is therefore considered that the proposed development would not cause any significant harm to the character and appearance of the area, in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and policies LP22, LP28 and LP30 of the Submitted Local Plan 2018.
- 7.4 Residential Amenity
- 7.4.1 An amended plan has been received during the course of the application which has moved the proposed dwelling further away from the neighbouring boundary with No.39 Meadow Lane which would be the most affected existing dwelling. The proposed dwelling would now be located almost 7m from this neighbouring boundary, providing a sufficient separation gap and layout to prevent it from being overbearing or causing a significant loss of light or loss of outlook to this neighbouring property.
- 7.4.2 The first-floor windows within the front and rear elevations of the proposed dwelling would not cause any significant overlooking of neighbouring properties due to their positioning and significant separation distances to neighbouring windows and amenity spaces. There is only one first-floor side elevation window proposed which would face towards No.39 Meadow Lane, however this window would serve an en-suite bathroom and would be high level and obscure glazed which would not cause any significant overlooking.
- 7.4.3 Conditions ensuring that the construction works take place in both a safe manner and ensuring that residential amenity and the amenity of the adjacent Public Right of Way is protected can be added to any consent.
- 7.4.4 Some noise and disturbance to neighbouring properties during the construction phase is inevitable. However, these impacts would be temporary and the final end use as residential would not cause significant noise and disturbance impacts. Conditions relating to construction hours and agreement of a Construction Environmental Management Plan would allow some of these impacts to be minimised.
- 7.4.5 It is therefore considered that the proposed development would not cause any significant harm to residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and policy LP22 of the Submitted Local Plan 2018.

- 7.5 Highway/pedestrian safety and the public right of way
- 7.5.1 The site would be accessed via the Public Right of Way from Meadow Lane. A disadvantage of this application is that it directly adds additional traffic travelling along the Public Right of Way. However, planning permission has previously been approved for 3 dwellings on land to the opposite side of the Public Right of Way by planning permission 15/01102/OUT. Planning permission 15/01102/OUT provided a benefit to the Public Right of Way through a Section 106 agreement which required elephant gates to be installed along the Public Right of Way (beyond the location of the site access) to provide a permanent barrier to prevent cars using the footpath as a shortcut to Duchess Drive. A draft Section 106 has been submitted with the current application which would also ensure elephant gates are installed along the Public Right of Way (only 1 set of gates would be required depending on which development commences first).
- 7.5.2 Although the current application would not provide further benefits to the Public Right of Way as the provision of elephant gates has already been secured through the Section 106 relating to planning permission 15/01102/OUT, it is considered that the additional traffic movements created by 1 additional dwelling would not cause any significant addition harm to the public amenity of the Public Right of Way.
- 7.5.3 The Local Highway Authority originally raised an objection to the proposed development due to highway/pedestrian safety concerns. However, these objections have been overcome through the submission of an amended plan which match the access details approved by planning permission 15/01102/OUT. The Local Highway Authority has stated that after a review of the amended drawing and access road arrangement, it has no further comments. The Local Highway Authority has requested any highways related conditions and informatives are attached to any approvals the planning authority is minded to grant as per previous approved application number 15/01102/OUT. This conditions could be appended to any grant of planning permission.
- 7.5.4 Additional traffic along the Public Right of Way weighs against the application, though the additional traffic movements created by 1 additional dwelling would not cause any significant addition harm to the public amenity of the Public Right of Way or highway/pedestrian safety. However, incremental development accessed off the Public Right of Way would gradually erode the amenity and safety of the public right of way due to increased use by vehicles and the 4.1m width.
- 7.5.5 It is therefore considered that the proposed development would not cause any significant detrimental impacts to highway/pedestrian safety or the amenity Public Right of Way beyond that which is already approved by planning permission 15/01102/OUT, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and policies LP17 and LP22 of the Submitted Local Plan 2018.
- 7.5.6 A condition could be appended to any grant of planning permission requiring a Construction Environmental Management Plan to be agreed with the Local Planning Authority to control how construction and delivery vehicles access the site.
- 7.6 Other matters
- 7.6.1 Impact on property prices is not a material planning consideration that this application can be assessed against.
- 7.6.2 The application site does not display characteristics which provide a significant ecological habitat. A condition could be appended to any grant of planning permission requiring the provision of biodiversity enhancements. Landscaping could provide further biodiversity

enhancements. It is therefore considered that the proposal accords with policy ENV7 of the Local Plan 2015 and policy LP30 of the Submitted Local Plan 2018.

- 7.6.3 The application is for 1 dwelling and there is no policy requirement for contributions towards maintenance of existing public open space.
- 7.6.4 Any site contamination can be dealt with by a planning condition.
- 7.6.5 A condition will also be placed to ensure that a fire sprinkler system is installed, due to the distance to an adopted road in the interests of public safety.
- 7.7 Planning balance
- 7.7.1 The proposed development is for 1 new dwelling in a sustainable location within the established development framework. The proposed development would provide the benefit of additional dwelling to the district housing stock without causing any significant and demonstrable harm to the character and appearance of the area, residential amenity or highway/pedestrian safety. The proposed development would result in some additional harm to the amenity of the Public Right of Way by adding additional traffic to it beyond that which would result from only planning permission 15/01102/OUT being implemented. However, on balance, the adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits. Therefore it is recommended that the application is approved.

## 8.0 APPENDICES

### 8.1 Appendix 1 - Recommended conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/00681/FUL	Richard Fitzjohn Room No. 011 The Grange	Richard Fitzjohn Senior Planning Officer
16/00304/FUL 15/01102/OUT	Ely	01353 665555 richard.fitzjohn@ea stcambs.gov.uk

National Planning Policy Framework -

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

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 - 18/00681/FUL Conditions

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

Plan Reference	Version No	Date Received
03A / 1896 / 17		31st August 2018
02B / 1896/17		23rd October 2018
05 / 1896 / 17		21st May 2018
6919-D-TPP		31st July 2018
01 / 1896 / 17		21st May 2018
04 / 1896 / 17		21st May 2018
06 / 1896 / 17		21st May 2018

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
  - (i) A survey of the extent, scale and nature of contamination;
  - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
  - (iii) An appraisal of remedial options, and proposal of the preferred option(s).This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.
- 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 and LP26 of the Submitted Local Plan 2018. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 4 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.

- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 and LP26 of the Submitted Local Plan 2018.
- 5 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours 08:00 - 18:00 each day Monday-Friday, 08:00 - 13:00 Saturdays and none on Sundays or Bank / Public Holidays.
- 5 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018.
- 6 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 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.
- 6 Reason: To safeguard the residential amenity of neighbouring occupiers and prevent obstruction of the adjacent public right of way, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 7 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 7 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and LP28, LP22 and LP30 of the Submitted Local Plan 2018.
- 8 No development shall take place until a scheme to dispose of foul water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation of the hereby approved dwelling.
- 8 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local

Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2018. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.

- 9 Prior to first occupation of the hereby approved dwelling, the surface water drainage scheme shall be implemented in accordance with the details shown on drawing no. 02b / 1896 / 17.
- 9 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2018.
- 10 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.
- 10 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2018.
- 11 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 private driveway access, as shown on drawing no. 03a / 1896 / 17.
- 11 Reason: In the interests of highway safety and prevent obstruction of the adjacent public right of way, in accordance with policies ENV2, COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 and LP22 of the Submitted Local Plan 2018.
- 12 The access widening to 5 metres for the first 10 metres from the edge of the public highway, as shown on drawing no. 02B / 1896/ 17 shall be completed prior to first occupation of the hereby approved dwelling.
- 12 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2018.
- 13 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 public right of way and retained in perpetuity.
- 13 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2018.
- 14 The tree protection measures, as shown on drawing number 6919-D-TTP, 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.

- 14 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 and LP22 and LP28 of the Submitted Local Plan 2018. 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.
- 15 No development shall take place until a scheme for the protection during construction of the protected ancient hedgerow, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained within the scheme shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.
- 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 and LP22 and LP28 of the Submitted Local Plan 2018. 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 Prior to first occupation or commencement of use a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 16 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 and LP28 of the Submitted Local Plan 2018.
- 17 The hereby approved dwelling shall be installed with a fire sprinkler system prior to first occupation.

- 17 Reason: In the interests of public safety, due to the distance between the dwelling and an adopted road.