
MAIN CASE

Reference No: 15/00216/FUL

Proposal: Erection of No2 dwellings with new vehicular access

Site Address: Hurst Croft 32 Market Street Fordham Ely Cambridgeshire
CB7 5LQ

Applicant: Ms Carey Beckett

Case Officer: Julie Barrow Planning Officer

Parish: Fordham

Ward: Fordham Villages

Ward Councillors: Councillor Julia Huffer
Councillor Joshua Schumann

Date Received: 23 February 2015 **Expiry Date:**

[Q8]

1.0 RECOMMENDATION

1.1 Members are requested 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
3. Contamination
4. Unexpected contamination
5. Materials
6. Visibility splays
7. Access drainage
8. Access width
9. Permission to remove/relocate speed cushions obtained
10. Works to remove/relocate speed cushions completed
11. Restriction of existing access to pedestrian only
12. Finish of shared drive
13. Soft and hard landscape works
14. Boundary treatments
15. No removal of trees/hedges
16. Compliance with tree survey and arboricultural implications assessment
17. Construction times
18. Avoidance of bird breeding season
19. Compliance with protected species survey

20.No additional openings

2.0 SUMMARY OF APPLICATION

- 2.1 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambbs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**
- 2.2 The application seeks consent for the construction of 2 dwellings within the rear garden of 32 Market Street and the construction of a new vehicular access to serve the host dwelling and the new dwellings. The new access will be located to the north of the existing access and will have a width of 5 metres where it adjoins the public highway. The access will reduce in width to 4.1 metres where it runs alongside the boundary with 34 Market Street and will lead to 2 carports serving the new dwellings and a turning and visitor parking area. The site extends to approximately 0.195 hectares and each dwelling will occupy a footprint of 11.5 metres by 10.5 metres. The dwellings have been designed with partially hipped gables to the main roof and a sloping catslide roof to the rear. Each dwelling will have a maximum ridge height of 7.7 metres. The dwellings are described by the applicant's agent as having an asymmetrical layout with a mix of casement windows and rooflights under a plain tiled roof. The elevations are to be finished in a stock facing brick with a first floor projecting bay in a rendered finish on a timber frame so as to create an architectural link to the appearance of the host dwelling.
- 2.3 The site is to be separated from the rear garden to be retained by the host dwelling by a 2 metre high close boarded fence. The applicant proposes to construct a 2 metre high brick wall forward of the host dwelling along the line of the new access together with a set of gates to demark the area to be retained at the front of the host dwelling for parking and turning.
- 2.4 During the course of the application an amend4ed site layout plan has been submitted by the applicant with the straight length of the new driveway which passes along the boundary with 34 Market Street being sited 1 metre further away.

3.0 PLANNING HISTORY

- 3.1 99/00193/FUL Two Storey Extension and Alterations Approved 16.04.1999

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located within the development envelope and forms part of the rear garden serving 32 Market Street, a detached, two-storey dwelling of traditional construction. A gravelled driveway provides access of Market Street with gated access to either side of the dwelling leading to the rear garden. A mature hedge runs along the north-western boundary with 34 Market Street, a two-storey detached dwelling. The remaining boundaries are marked by a mix of hedge and wooden fencing. At present the site is open to the remainder of the garden to be retained by 32 Market Street. 30 Market Street, a modern single storey detached

dwelling is located to the south-east of the site.

5.0 RESPONSES FROM CONSULTEES

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

Parish
Ward Councillors
Local Highways Authority
Natural England
Arboricultural Officer
Environmental Health

Waste Strategy (ECDC)

Fordham Parish Council –

- Prefer single storey buildings to avoid visual impact and total overlooking of private gardens
- Overdevelopment of site
- Reservations about access – revised access preferable
- Parish Council would like to see tree officers report

Ward Councillor – I would like the application to be called in to committee. I feel the impact on the host dwelling could be significant and if approved, this application would set a precedent for development in this area.

Local Highway Authority – It should be noted at this stage that the relocation of any speed cushions are subject to a statutory public consultation and therefore the Highways Authority are unable to approve or condition their relocation until such time as this process has been completed. The applicant will be responsible for all and any costs associated with this process and any alterations to the public highway.

The Highways Authority would like to add conditions on the following to any permission that is issued in relation to this application:

- Visibility splays
- Drainage
- Construction of driveway using a bound material
- Width of access
- Location plan for speed cushions
- Existing vehicular access to be changed to pedestrian access only
- Relocation of the fire hydrant sign post

Natural England – No comments to make regarding this application.

Arboricultural Officer – Following a site visit I did note evidence of the recent removal of two large trees which appear on the site plan. When considering this

with the loss of trees as proposed for the development it is clear this will have considerable impact upon the local landscape.

There is insufficient space within the design to mitigate the loss of these trees with a replanting scheme therefore the proposal is to create a more urbanized environment.

The trees to be removed as part of this proposal are varied and feature some interesting Apple trees. These are reaching the end of their useful lives and would require specialist knowledge regarding their rarity.

Taken as a whole the proposed tree removals are significant but none of the trees retained at the time of my visit are of greatest value alone. The application has an unmitigated impact upon the arboricultural landscape.

If the application is to be permitted I would expect a condition requiring the tree protection measures outline within the Arboricultural report submitted with the application to be implemented in full.

Arboricultural Officer (on amended layout plan) - I refer you to my previous comments regarding this application which still apply despite the amendment of this proposal.

Regarding those comments I would like to clarify the statement 'To surmise the application has an unmitigated impact upon the arboricultural landscape.'

I am aware of the intention to replant removed trees to which I am supportive however I still believe that the replanting proposed with the development will not fully mitigate the proposed loss of trees creating, as stated 'a more urbanised environment.'

Environmental Health – The applicant has indicated 'no' in the 'proposed use that would be particularly vulnerable to the presence of contamination' box. Any residential property is classed as vulnerable to the presence of contamination. I therefore advise contaminated land conditions, requiring an appropriate contamination assessment, to be attached to any planning permission granted.

I would also advise the access drive to be of solid construction – i.e. not loose gravel due to noise and a standard condition regarding construction times and deliveries.

Waste Strategy (ECDC) – East Cambs 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. ECDC as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles. This contribution is currently set at £43 per property.

5.2 Neighbours – 3 neighbouring properties were notified. Responses received on behalf of the occupiers of 34 Market Street, The Annexe at 34 Market Street and 30

Market Street are summarised below. A full copy of the responses are available on the Council's website.

- The application is contrary to local and national planning policy
- ECDC can demonstrate five year supply of housing land
- Site is insufficient in size to accommodate further 2 dwellings without impacting residential amenity of occupiers of No 30, there would be insufficient amenity space for the future occupiers of the dwellings and negatively impact the amenity of the occupiers of the host dwelling
- Detrimental to the setting and character of the area
- Proposal is contrary to Council's Policy EN2 and is at odds with the rural and open landscape
- The proposal would cause overlooking and overshadowing
- Loss of privacy to neighbouring garden
- Loss of habitat and mature and elderly garden fruit trees
- Contrary to paragraph 64 of NPPF and does not adhere to good design principles
- Backland development and must be considered in accordance with the Council's Design Guide SPD
- Note and support objections of the Parish Council and local highway authority
- Access cannot safely accommodate vehicle movements or allow sufficient turning area and unreasonably close to adjoining properties
- Concerned by level of construction traffic
- There are 2 dwellings at 34 Market Street
- The new entrance is located within close proximity to lounge windows
- Shared drive runs the length of No 34's garden. There are patio areas between the shared drive and No 34 creating an opportunity to cause disruption to amenity
- Layout plan is inaccurate – there are lounge and bedroom windows located at the closest point of No 34 to the shared driveway
- Block paviors are extremely noisy when car tyres run over them
- Vehicle movements from occupiers and deliveries could cause a bottle neck as no passing provision is provided
- Parking and turning are adjacent to garden to No 34 – noise and disturbance will be created and in the winter months headlights will be visible over the fence
- All four bedroom windows of Plot 1 will overlook No 34's garden
- The proposal does not integrate with the existing building or the adjoining houses
- The revised plans do not address our concerns and my strong objections remain

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 2	Housing density
ENV 1	Landscape and settlement character

- ENV 2 Design
- ENV 4 Energy efficiency and renewable energy in construction
- ENV 7 Biodiversity and geology
- COM 7 Transport impact
- COM 8 Parking provision

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations
Design Guide

6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 11 Conserving and enhancing the natural environment

7.0 PLANNING COMMENTS

7.1 Principle of Development

7.1.1 The site is located within the development envelope where the principle of development is generally supported, providing that all material planning conditions are satisfied. The proposal effectively constitutes backland development, which is discussed further in this report.

7.1.2 The main issues to consider in the determination of the application are visual amenity, the impact on the residential amenity of nearby occupiers and the future occupiers of the proposed dwellings, highway safety and the impact of the proposal on the trees situated on and close to the site.

7.2 Visual Amenity

7.2.1 Local Plan policy ENV2 states that development proposals should make efficient use of land while respecting the density, urban and village character, public spaces, landscape and biodiversity of the surrounding area. It is expected that all development is designed to a high quality which enhances and complements local distinctiveness. The site is located to the rear of No. 32 Market Street and the construction of two additional dwellings on the site will have a limited impact on the general appearance of the area when viewed from Market Street. However, this type of backland development does have the potential to influence the general character of the area. The East Cambridgeshire Design Guide SPD states that backland development will only be acceptable if supported by a contextual analysis of the locality, there is sufficient space to allow for an access road to the rear and adequate protection against noise and disturbance for the host dwelling. In addition, consideration would be given to the inclusion of adjacent land to avoid piecemeal development. However, the fact that there may be space within the curtilage is not, in itself, sufficient justification for this type of development and there is no presumption that large houses in extensive curtilages should be able to subdivide the garden ground into smaller plots.

- 7.2.2 The Planning, Design & Access Statement submitted by the applicant states that the existing development pattern in the area comprises a mixed character including single dwellings in larger plots but with numerous examples of development in depth. The applicant cites developments such as Abbey Place, Ironbridge Path and Feats Close as such examples. There is also evidence of development in depth with the adjacent dwellings at Nos. 30 and 28 Market Street. The applicant has demonstrated that there is sufficient space to allow for an access road to the rear and the proposal has been designed in such a way to protect against noise and disturbance to the occupiers of the host dwelling, which is addressed in further detail below.
- 7.2.3 The proposal represents a density of 13 dwellings per hectare, a similar density to the land to the south of the site. Taking into account the existing character of the locality and housing densities within the surrounding area it is considered that the proposal makes efficient use of the land whilst protecting residential amenity. The land to the northwest of the site is located outside the development envelope and does not belong to the applicant. It is therefore considered to offer little potential for a larger scheme to come forward at this stage. Whilst the Design Guide SPD states that where there may be space within the curtilage of a dwelling to construct a dwelling, this on its own, does not justify doing so, there may also be factors that would support such a proposal including the need for additional housing in the district. The proposal involves the retention of a substantial amount of garden land to the rear of the host dwelling as well as a large frontage as the dwelling is set back some distance from Market Street. The proposal does not therefore seek to unacceptably diminish the size of the plot on which host dwelling sits.
- 7.2.4 The proposed dwellings have been designed to complement the host dwelling. They are arranged in an asymmetrical layout with a mixture of casement windows and rooflights under a plain tiled roof. The partially hipped roof on each dwelling gives way to a sloping catslide roof to reduce the dwellings to single storey, minimising their visual impact. The applicant proposes to finish the external walls in a stock facing brick with first floor projecting bays in a rendered finish on a timber frame to create an architectural link to the host dwelling. There is no predominant form or character of dwellings in the locality with the host dwelling and the dwelling to the northwest being traditionally constructed two storey dwellings and the dwelling to the south east being a modern, single storey dwelling. The proposed dwellings appear well proportioned with simple, cart lodge style, carports to the front and the layout, scale, form and massing of the scheme is considered to relate well to the surrounding area in accordance with Local Plan policy ENV2.
- 7.2.5 The site lies adjacent to the edge of the development envelope but does not seek to extend the built form outside of the settlement boundary. The applicant intends to retain the existing boundary hedges together with a number of trees on the site and carry out a scheme of planting following construction of the dwellings. The retention of natural features on the site and the addition of new planting helps to assimilate the development into its surroundings and it is considered that these matters can be secured by planning condition. It is unusual to require the retention of a boundary hedge in perpetuity, however, it is considered reasonable in this case as the existing hedges play an important role in defining the character of the area and they are worthy of retention. However, some flexibility is required should the existing hedge die or become damaged and it is considered reasonable to allow future

occupiers to approach the local planning authority to discuss replacement planting should this situation arise.

7.2.6 The proposal includes the creation of a new access off Market Street to serve the host dwelling and the two new dwellings. At present there is an existing access which is flanked by high conifer hedging and wooden fencing which restrict views of the host dwelling. This existing access will be restricted to pedestrian access only. A 2 metre high brick wall is proposed alongside the area of front garden to be retained by the access which will be partially visible from Market Street. The changes proposed to the frontage will reduce the amount of high conifer hedging along the edge of the public highway, improving the appearance of the host dwelling in the street scene and enhancing the general character and appearance of the area.

7.2.7 Whilst the proposal does represent a form of backland development, it is considered that the layout, scale and appearance of the dwellings and the access to be created off Market Street will not harm the visual amenity of the area and that the proposal complies with Local Plan policy HOU2 in respect of the density of the development and Local Plan policy ENV2 and the East Cambridgeshire Design Guide SPD in respect of the impact of the proposal on the character and appearance of the area.

7.3 Residential Amenity

7.3.1 Local Plan policy ENV2 requires development proposals to ensure that there is no significantly detrimental impact on the residential amenity of nearby occupiers, and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity. There is potential for this form of backland development to have an impact on the amenity of the occupiers of the host dwelling and whilst consideration has to be given to the fact that it is the current occupier of the host dwelling making this application, the welfare of future occupiers of the dwelling should also be taken into account. The proposal involves the retention of a garden to the rear of the host dwelling with a depth of approximately 30 metres which is considered to provide ample amenity space and, coupled with the garden areas to the front and side, a sense of space is retained around the host dwelling, minimising the impact of the loss of a section of the rear garden. The side elevation of Plot 1 as it faces the host dwelling does not feature any windows at first floor level or above and the applicant proposes to construct a 2 metre high close boarded fence on the rear boundary of the garden. A 2 metre high fence is also proposed along the straight length of the newly created driveway leading to the plots and a 2 metre high brick wall screens the front garden and parking area from the newly created access. These features are considered sufficient to protect the occupiers of the host dwelling from any overlooking and from any noise created by the users of the shared access. The applicant also proposes to finish the shared driveway in block paviors which will limit the noise omitted from vehicles travelling along the length of the access. The applicant's agent has also confirmed that the windows serving the ground floor rooms on the side of the host dwelling closest to the access are the secondary window of a kitchen, a utility room and the secondary window of a playroom. The principle window of the playroom faces into the front garden which will be fully enclosed and screened from any noise and disturbance. The proposed scheme is not therefore considered to have a significantly detrimental impact on the residential amenity of the occupiers of the host dwelling.

- 7.3.2 The proposed dwellings will sit in plot sizes exceeding 500 square metres with amenity space to the rear far in excess of the 50 square metres suggested by the Design Guide SPD. The plots are therefore considered to be of a sufficient size to accommodate the dwellings proposed without comprising the amenity space retained by the host dwelling and provided for the occupiers of the proposed dwellings. There are no windows proposed at first floor level or above in the side elevations and the separation distance of 3 metres between the dwellings is considered sufficient to prevent either dwelling being overbearing on the occupiers of the other dwelling. Plot 1 is set approximately 4.5 metres further back than Plot 2 which prevents overlooking from the first floor bedroom windows in Plot 2 over the private amenity space immediately to the rear of Plot 1. The proposed scheme is not therefore considered to have a significantly detrimental impact on the residential amenity of the occupiers of the proposed dwellings.
- 7.3.3 Letters of objection have been received on behalf of the occupiers of No. 34 Market Street and No. 30 Market Street in relation to this application citing a number of concerns regarding the potential impact of the scheme and its compliance with local and national policy.
- 7.3.4 It has been noted that there is an annexe attached to the rear of No. 34 and the impact of the proposed scheme has been assessed on all of the occupiers at No 34. The proposed access runs alongside the boundary with No. 34 and an outdoor seating and patio area which is situated between the side of No. 34 and the existing boundary fence and hedge with No. 32. In order to minimise any noise and disturbance from users of the access, the applicant has agreed to move it further away from the boundary than originally proposed and the edge of the block paviors will be approximately 3.5 metres from the boundary. The applicant proposes to remove a number of elderly fruit trees currently on the site of the access, however, as detailed above, the applicant proposes to retain the existing boundary hedge between the two dwellings. The movement of the access away from the boundary provides additional space for planting along this boundary to minimise the visual impact of the new access and limit any noise and disturbance. The use of block paviors is not considered by the Council's Environmental Health department to create an unacceptable level of noise and disturbance in the same way that the use of a loose material such as gravel would. The rear section of No 34, including the annexe, is single storey and the position of the new access would therefore have a limited visual impact as it would be screened by the boundary treatment. A similar situation arises in respect of the lounge windows at ground floor level in the main section of No. 34. The occupiers of No. 34 and its annexe have additional amenity space immediately to the rear of the dwelling which could be utilised as a seating area, however, the position of the access is not considered to create an unacceptable level of noise and disturbance such that it would be considered to have a significantly detrimental impact on the occupiers of the neighbouring dwelling. Any disturbance from headlights in the winter months would be minimal and would not be significantly over and above any disturbance that may already arise from the existing gravelled turning and parking area to the front of the host dwelling.
- 7.3.5 The front (northwest) elevation of Plot 1 faces towards land to rear of No. 34 which is situated beyond the seating area and private amenity space immediately to the

rear of No. 34 referred to above. The window openings serving the bedrooms on Plot 1 will face towards the land at the rear of No. 34 however, they will be located 18 metres from the boundary with No. 34 with the detached carport serving Plot 1 intervening. The windows do not therefore overlook the private amenity space immediately to the rear of No. 34 and, in any event, any long distance views will be interrupted by the presence of the carport. The rear (northwest) elevation of Plot 2 features the catslide roof which reduces the dwelling to single storey where it is closest with the boundary with No. 34. A number of rooflights are proposed in the rear facing elevation, however, these are to serve a shower room, bathroom and en-suite and a landing area, none of which are considered to be habitable rooms from which a loss of privacy can be caused from overlooking.

- 7.3.6 The southeast boundary of the site adjoins No. 30 Market Street, a single storey dwelling with its rear elevation and garden area facing eastwards. At present a mature hedge marks the boundary with the application site. The outlook from the rear of No. 30 will be changed by the introduction of 2 dwellings to the rear of No. 32, however, the design and layout of the site produces a similar relationship between the new dwellings and No. 30 as it does with No. 34. Plot 1 is closest to the boundary with No. 30 but the rear wall will still be located approximately 13 metres from the boundary. The rear elevation of Plot 1 features the catslide roof, sloping to single storey where it is closest with the boundary. Rooflights serving two shower rooms and a bathroom face towards the garden serving No. 30 but as detailed above, these are not habitable rooms and do not introduce an unacceptable level of overlooking. Plot 2 is set back approximately 16 metres from the boundary with No. 30. This is considered to be sufficient distance to prevent a significant level of overlooking towards No. 30 and the position of Plot 1 will obscure any views directly towards the rear elevation of No. 30 itself. The applicant proposes to implement a planting scheme in respect of the whole site and the addition of new planting along the boundary with No. 30 can be addressed through the submission of a soft landscaping scheme. This can be secured by planning condition and will help to both assimilate the development into its surroundings and soften the view of the dwellings from No. 30.
- 7.3.7 The proposed dwellings are positioned sufficient distance from the boundaries with No. 34 and No. 30 so as not to appear overbearing or cause any significant loss of light or overshadowing. There would be some noise and disturbance during the construction process, however, this would be temporary and the permitted hours of construction and times of deliveries could be secured by planning conditions. On balance it is considered that the proposed scheme would not have a significantly detrimental impact on the residential amenity of the occupiers of the host dwelling, the neighbouring dwellings and the future occupiers of the proposed dwelling such that it would warrant the refusal of the application. The proposal therefore complies with Local Plan policy ENV2 in this regard.

7.4 Highways

- 7.4.1 An objection to the proposal was received from the Local Highway Authority at the start of the consultation period. However, the Highway Engineer concerned was unaware of pre-application discussions that had taken place between the applicant's agent and the Highway Authority and the comments received on this application were subsequently amended and are as set out earlier in this report.

- 7.4.2 As detailed above, the site is located within the development envelope, close to the range of local services available in Fordham and with good access to public transport. Local Plan policy COM7 also requires all development proposals to provide safe and convenient access to the highway network and be capable of accommodating the level/type of traffic generated without detriment to the local highway network and the amenity, character or appearance of the locality. The creation of a new access to serve the host dwelling and the two proposed dwellings is acceptable in principle to the Local Highway Authority and the original objection to the proposal has not been sustained. The applicant proposes to restrict the existing access to pedestrian use only and it is considered that this can be secured by condition. The applicant has demonstrated that sufficient visibility splays can be achieved and again, this can be secured by condition. In order to create a safe access it will be necessary to relocate two speed cushions on Market Street and the Local Highway Authority has highlighted that this work requires separate consent from the Local Highway Authority and will be subject to a statutory public consultation. It is possible to secure such works to third party land by way of a planning condition and the applicant will be required to submit details in relation to the new position of the speed cushions. There is a similar requirement in respect of the relocation of a fire hydrant sign post. The applicant's agent has confirmed that this has been explored with a Highways Consultant. As detailed earlier in this report, the creation of a new access is not considered to have any adverse impact on the amenity, character or appearance of the site in the street scene.
- 7.4.3 The Local Highway Authority is satisfied that an access built to a width of 4.1 metres is sufficient to accommodate the vehicular movements to the proposed dwellings. Where it adjoins Market Street the access will have a width of 5 metres and will remain so for a minimum of 10 metres into the site. This is sufficient to enable two vehicles to pass, minimising any potential for a 'bottleneck'. There is sufficient turning area within the site to enable vehicles to turn in front of the proposed dwellings. This area is adjacent to the land to the rear of No. 34, away from the amenity areas immediately to the rear and side of the dwelling.
- 7.4.4 Local Plan policy COM8 requires development proposals to provide adequate levels of car and cycle parking and make provision for parking broadly in accordance with the Council's parking standards. The Council's current adopted standard is 2 car spaces per dwelling. A detached carport is proposed for each dwelling that will provide parking for two vehicles. A further visitor parking space is shown on the layout plan submitted together with a bin and cycle store for each dwelling.
- 7.4.5 The proposal is therefore considered to be in accordance with Local Plan policies COM7 and COM8 in relation to highway safety and parking provision.

7.5 Ecology

- 7.5.1 There are a number of significant and matures trees on the site of the proposed access and to the rear of the site and a Tree Survey and Arboricultural Implications Assessment has been submitted as part of the application. At the time of the case officer's site visit it was noted that two significant trees had been removed from the area to be retained as garden by the host dwelling. The Trees Consultant employed by the applicant has stated that one of these trees had a significant cavity

which would have affected its long term retention and as the trees were located on land to be retained, the applicant had decided that she wanted smaller and more manageable trees on the boundary for the longer term. These trees were not subject to preservation orders and as the site is not designated as a conservation area, the trees could be removed without the consent of the Local Authority. The same can be said for all the trees on the site.

- 7.5.2 The majority of the trees to be removed as part of this scheme are mature fruit trees which the applicant's Trees Consultant has stated are past their prime and are in decline and do little for the visual arboricultural landscape. The Council's Trees Officer has stated that the proposed tree removals are significant but none of the trees retained at the time of his visit are of greatest value alone.
- 7.5.3 Local Plan policy ENV7 seeks to protect the biodiversity and geological value of land and buildings and minimise harm or loss to environmental features such as trees, hedges and woodland. A number of trees are to be retained and tree protection measures will be put in place to protect these specimens during the course of construction. In addition, the applicant has indicated a willingness to retain the existing hedges on the boundaries of the site. As detailed above, the applicant has agreed to implement a scheme of planting to mitigate the loss of the fruit trees. The Council's Trees Officer has concerns that new planting will not fully mitigate the fact that a more urban environment is being created, however, the existing trees on and close to the site are unprotected and could be removed at any time. The site, had it not come forward as part of this application could have been urbanised through the addition of domestic outbuildings and it is considered that the implementation of a soft landscaping scheme is sufficient to help to assimilate the development into its surroundings and minimise its impact on the immediate environment. The proposed scheme will not have an impact upon a woodland area to the north of No. 34 and on balance, the loss of the trees detailed in the Arboricultural Implications Assessment are considered to be acceptable.

7.6 Other Material Matters

- 7.6.1 Concerns have been raised that the approval of this application would lead to a precedent for further development in the area. All planning applications are assessed individually and should be determined in accordance with the development plan. The approval of an application can form a material planning consideration to be taken into account in assessing the planning balance, however, it does not dictate that further applications should be approved if there are material planning considerations that weigh against the proposal.
- 7.6.2 Local Plan policy ENV2 states that development proposals should comply with the RECAP Waste Management Design Guide Supplementary Planning Document. This recommends that residents should not have to move waste more than 30 metres to any designated storage area within the boundaries of a property and that any designated storage area within the boundaries of the property should not be more than 25 metres from the collection point. Residents are expected to take waste storage containers to the collection point for the purpose of emptying. In East Cambridgeshire the collection point is the edge of the public highway which in this case is approximately 90 metres from the bin store for Plot 2. The scheme cannot therefore comply with the RECAP Guide due to the length of the private access.

The applicant proposes to provide a refuse collection point adjacent to the entrance road on the back edge of the footway at the highway boundary to Market Street. This will facilitate collection by waste operatives without having to enter onto the private access road. The area will be paved and well screened and bins will be located away from the habitable areas of the host dwelling and neighbouring property whilst awaiting collection. Whilst the distance between the collection point and bin storage areas is above that recommended within the RECAP Guide it is considered that the proposed arrangements are the optimum solution available. Future occupiers of the proposed dwellings will be aware of the arrangements for the storage and collection of waste and it is considered that it would be unreasonable to refuse the application solely on the grounds that it does not strictly accord with the RECAP Guide.

- 7.6.3 The Council has recently adopted its Local Plan 2015 and currently has a five year housing land supply. The fact that a 5 year supply is in place does not prevent additional windfall sites from coming forward and the addition of two dwellings to the local housing stock carries some weight in the planning balance. The proposal does constitute a form of backland development and the reduction in size of the substantial curtilage of the host dwelling. However, the proposed dwellings have been designed to complement the host dwelling and the surrounding area and the layout of the site ensures that there is no significantly detrimental impact on the residential amenity of neighbouring and future occupiers. There are no issues of highway safety and subject to the implementation of a soft landscaping scheme, the loss of the trees on the access road can, in part, be mitigated against. On balance therefore the application is recommended for approval subject to appropriate planning conditions.

8.0 APPENDICES

8.1 Appendix 1 – Planning Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
Application File 15/00216/FUL	Julie Barrow Room No. 011 The Grange Ely	Julie Barrow Planning Officer 01353 665555 julie.barrow@eastcambs.gov.uk