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**MAIN CASE**

**Reference No:** 18/01375/FUL

**Proposal:** Proposed erection of six dwellings following the demolition of store building and outbuildings.

**Site Address:** **Pattersons Stores 11 Mill Street Isleham Ely  
Cambridgeshire CB7 5RY**

**Applicant:** **Mr Sleightholme**

**Case Officer:** **Toni Hylton, Planning Officer**

**Parish:** **Isleham**

**Ward:** **Fordham And Isleham**

Ward Councillor/s: Julia Huffer  
Joshua Schumann

**Date Received:** **2 October 2018**

**Expiry Date:**  
**14<sup>th</sup> June  
2019**

**[U10]**

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1.0 **RECOMMENDATION**

1.1 Members are recommended to APPROVE subject to the recommended conditions below and the full conditions are attached in Appendix 1:

- 1 Approved Plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Site Characterisation
- 4 Reporting of unexpected contamination
- 5 Foul and Surface water drainage
- 6 New access - width
- 7 Parking & turning
- 8 Visibility splays - plans
- 9 Soft landscaping scheme
- 10 Boundary Treatments
- 11 Details of materials
- 12 Detailed design
- 13 Construction and delivery times
- 14 Construction Environmental Management Plan
- 15 Piling foundations
- 16 Permitted development - ext and outbldg
- 17 Permitted Dev - windows and openings

- 18 Hard landscaping scheme
- 19 No pruning/cutting or felling/removal
- 20 Biodiversity Improvements
- 21 Demolition by hand
- 22 Sample panel
- 23 Written Scheme of Investigation
- 24 Sustainability Assessment

## 2.0 SUMMARY OF APPLICATION

- 2.1 The application proposes the demolition of the building to the front and 3 barns to the rear of the site and to replace the buildings with 6 dwellings with associated access.
- 2.2 The building to the front is a white rendered property which in the past has been a retail shop and was known as 'Pattersons'. The whole site was used by 'Pattersons' and included residential accommodation above the shop. This building has been vacant since 2008. The barns to the rear of which there are 3 are a mix of brick built and clunch barns. All of these buildings would be lost with the proposal.
- 2.3 In place of these buildings would be 6 dwellings. Three dwellings all two storey would front along Mill Street, with the remaining 3 to the rear. The dwellings to the rear are set to be a storey and half.
- 2.4 Plot 1 is part of a pair of semi detached two storey dwellings approximately 6.9 metres in height. At ground floor there is a kitchen/ diner, WC and lounge with 2 bedrooms (1 with en suite) and family bathroom at first floor. There is parking to the rear for 2 spaces, within a car port.
- 2.5 Plot 2 is the other part of the pair of semi detached two storey dwellings. At ground floor there is a kitchen/ diner, WC and lounge with 3 bedrooms and family bathroom at first floor. There is parking to the rear for 2 spaces, within a car port.
- 2.6 Plot 3 is a detached 2 storey dwelling approximately 6.5 metres in height. At ground floor there is an open plan living space, utility and WC and at first floor there are 4 bedrooms (1 with en suite) and family bathroom.
- 2.7 Plot 4 is a detached storey and half dwelling with a height of approximately 6.4 metres reducing to 5.8 metres. At ground floor there is an open plan living space, with utility and WC with attached garage and car port. At first floor there are 4 bedrooms (2 with ensuite) and a family bathroom. This is replicated in plot 5 but reversed.
- 2.8 Plot 6 is detached storey and half dwelling approximately 7.0 metres high reducing to 6.7 metres. At ground floor there is a kitchen/diner, lounge, WC and at first floor there are 3 bedrooms and family bathroom. Parking is provided to the front of the dwelling with 2 spaces.
- 2.9 The application has been amended and updated 5 times, and on 7<sup>th</sup> June 2019 the consultation period for the latest change will expire. However notification has

already been carried out but was repeated as the description had been missed from the consultation letter. The amendments were:

- Details of the existing buildings on the site
- Submission of an Ecology Report
- Submission of a Structural Report and marketing Report
- Alterations to layout and elevations
- Alterations to Plot 6

2.10 The application is brought to planning committee at the request of Councillor Beckett for the reason shown - "Due to the prominence of this site in a central village location, its impact on the street scene and public interest, I would like to call this application in to be considered by planning committee."

2.11 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

17/00217/FUL	Demolition of the former Patterson's store building and erection of 7 dwellings with associated works	Withdrawn 04.04.2017
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### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is within the development envelope for the village of Isleham. It is in a central location within Mill Street surrounded by residential uses. The site is also within the Conservation Area with a Listed Building opposite and views of the Listed Church.

4.2 The site itself is fairly level, however the adjoining residential development of Limestone Close is set approximately 4 metres lower. The dwellings on Mill Street are at a similar ground level.

4.3 The site is currently home to 4 vacant buildings, the main building sits to the front with the remaining set to the rear. The site has been vacant since 2008 according to the application. The site has not been maintained in that time and there has been some changes in ownership. The site has become overgrown and parts of the building is in a poor state of repair.

## 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.

CCC Growth & Development - No Comments Received

Environmental Health – NO objection subject to restricting hours of work, contamination report and Environmental notes to be issued.

Parish – Object to the proposal on the following grounds:

- The proposed development will not enhance the Conservation Area
- Impact on the neighbours in Limestone Close
- Potential highway safety impacts

Conservation Officer –

“ Following discussion of the issues raised in initial comments, revised proposals have been submitted which largely address these thereby resulting in a scheme appropriate to the Conservation Area and the setting of the nearby listed buildings and satisfying the provision of sec 66 and 72 of the Planning (Listed Building and Conservation Areas) 1990 as supported by the aims of section 16 of the NPPF.

The revisions include

- i) modifying the position of the dwellings fronting Mill Street to maintain the visual inter-relationship of the listed building opposite with St Andrews Church and the replication of an arch feature to the street frontage and aids in screening the refuse bins in a convenient pick up point for operatives.
- ii) amending the design and layout of the proposed rear dwellings so that a single storey element is adjacent to the nearest dwelling to the south and reducing the extent of unadopted road with consequent increase in amenity area to the dwellings.

The design of the dwellings are not a pastiche of existing styles but contemporary whilst using traditional materials further information on which should be subject of a standard condition.

There is an unlisted heritage asset to the rear of the site namely the remains of a clunch barn whose position does not enable incorporation into the scheme. Its loss is less than significant harm which is outweighed by the improvement to the streetscape of Mill Street and additional residential units provided.”

ECDC Trees Team -

“I have no objection to this application, but as it is sited in a location where it can be overlooked a high quality landscaping scheme will be imperative, in order to help it blend in with surrounding location. This may require the need to plant large high quality trees suitable for this application site.

Please condition LS1A Soft landscaping scheme, to assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.”

Ward Councillors –

Councillor Beckett requested that the application was presented to the Planning Committee for the reason below:

“Due to the prominence of this site in a central village location, its impact on the street scene and public interest, I would like to call this application in to be considered by planning committee.”

Waste Strategy (ECDC) –

No objection subject to the payment towards the provision of bins.

Local Highways Authority –

No objection subject to conditions relating to visibility, parking layout and width of access. The road that is proposed is not to adoptable standards and would therefore not be adopted by the Highways Authority.

Building Control - East Cambridgeshire District Council –

No adverse comments

Cambs Wildlife Trust –

“Further to my previous comments on the above application, I am pleased to see that further ecological information has been provided. I am satisfied that there is limited potential for protected species, and provided a precautionary approach is taken as outlined in section 4.5-4.6 of the Preliminary Ecological Appraisal report, there should be no significant negative impacts on protected species. I welcome the recommendation to include house sparrow boxes within the development.

The existing habitats on site are currently of limited interest, but as stated previously, in order to deliver a net gain in biodiversity, in line with national planning policy, the proposed landscaping should include native plant species.”

Historic Team (Archaeology) – No objection to the proposal subject to Written Scheme of Investigation.

5.2 A site notice was displayed at the site on the 18<sup>th</sup> October 2018 and a notice in the Cambridge Evening News was placed on 18<sup>th</sup> October 2018.

5.3 Neighbours – 22 neighbouring properties were notified and 10 responses (some have been duplicated with the amendments) received are summarised below. A full copy of the responses are available on the Council’s website.

- The potential impact on the adjoining neighbours amenity
- Noise from the development
- The proposal does not enhance the character of the Conservation Area
- The proposal is over development of the site
- The site has ecological value

- The scale of development
- Loss of a community facility
- Loss of historic building
- Potential impact on highway safety
- Fails to meet policy ENV11 and there has been deliberate attempt to neglect the building
- Loss of green space
- This is not an urban area
- Poor design
- Services within the village are over stretched
- Loss of the clunch barn
- Does not address the issue of intervisibility between the site and the church

A neighbour has stated that they would consider a legal challenge if the application were approved for the following reasons:

- The building has been deliberately neglected and the surveyors report is inadequate
- Fails to preserve or enhance the character of the area
- No evidence that they have tried to retain the buildings

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure Requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 11	Conservation Areas
ENV 14	Sites of archaeological interest
COM 3	Retaining community facilities
COM 7	Transport impact
COM 8	Parking provision
HOU 2	Housing density

### 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 2019

- 5 Delivering a sufficient supply of housing
- 9 Promoting sustainable transport
- 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
- 2 Achieving sustainable development

## 7.0 PLANNING COMMENTS

7.1 The main considerations in determining this application are the principle of development; residential amenity; visual amenity; impact on the nearby heritage assets; highway safety; ecology.

### 7.2. **Principle of Development**

7.2.1 The site is located within the defined settlement boundary of Isleham and therefore complies with Policy GROWTH 2 of the East Cambridgeshire Local Plan 2015, which seek to focus new development within the defined settlement boundaries.

7.2.2 The Local Planning Authority is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore any policies controlling 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.

7.2.3 This application is for 6 additional dwellings that would be added to the District's Housing Stock and make a contribution towards the shortfall in housing land supply. The provision of any additional dwellings attracts significant weight in the planning balance. The benefits of this development are therefore the contribution it would make in terms of housing supply within the District as a whole as well as the economic benefits of construction and additional population to support local businesses.

7.2.4 The fact that the Council cannot currently demonstrate that it has an adequate five year supply of housing does not remove development envelopes. It does however restrict the application of policy GROWTH 2 within the Local Plan, which states that outside defined development envelopes, development will be strictly controlled and restricted to the main categories set out within the policy.

7.2.5 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.

7.2.6 Policy COM3 of the East Cambridgeshire District Council Local Plan 2015 requires that any application for the loss of community facility, such as a retail unit should be supported by a marketing report and demonstrate why it is no longer required.

7.2.7 The application was supported by a marketing report and it identified that the site had been marketed for 12 months and had been empty for approximately 11 years. There are existing facilities within the village which have been meeting the needs of the local community. A number of concerns have been raised with regard to the loss of a retail outlet in the village. However there is already a Co Op immediately opposite the site and the application site has been marketed in 2012 for 12 months as a business and it did not attract any interest. For the most part a building such as this does not meet modern standards and therefore will have limited interest to most retailers. It is considered that the Marketing Report is acceptable and the loss of a retail outlet is accepted. It is considered that in principle the proposal meets the criteria of policy COM3.

### **7.3.1 Residential Amenity**

7.3.2 The main neighbours to be affected by this proposal are 6, 8, 7, 9, 13,17,19 Mill Street; 25, 29, 30, 28 Limestone Close, 23, 19 and 15a Church Street.

7.3.3 6 and 8 Mill Street are opposite the site and number 6 is a Listed Building. Both of these properties will have sight of the proposal. However they sit on the other side of the road to the proposed development. It is considered the impact will not be detrimental to their amenities, as it will have a similar relationship to other properties in Mill Street, having dwellings opposite each other with the street between them.

7.3.4 13, 17 and 19 Mill Street and 30 Limestone Close are to the south of the development site. These are traditional two storey buildings. The access to the development runs along the side of these properties immediately adjacent to their access. It is considered that the impact of the development will be limited and restricted to the use of the access.

7.3.5 19, 15a and 23 Church Street sit to the north of the site. It is considered that the potential for overlooking to number 19 will be limited as the windows on this elevation are rooflights, which will restrict overlooking. Number 15a the dwelling itself will be protected from overlooking due to the orientation of Plot 5. There may be some indirect overlooking of the garden to the rear, which has an outbuilding in this location, however this is not immediately adjacent to the main dwelling. Number 23 is protected from any overlooking by sharing a boundary with the rear garden of plot 6.

7.3.6 Numbers 7 and 9 Mill Street sit to the north of the site and do have side windows which currently overlook the whole of the plot due to a low height wall. The layout of the proposal ensures there is no direct overlooking between the proposed dwellings and the distance between the dwellings is considered to be adequate so as not to be overbearing.

7.3.7 Numbers 25 and 28 Limestone Close are to the south of the development site and sit at least 4 metres lower than the development site. Having visited number 28 Limestone Close it is understood there is potential for some overlooking from Plot 6, particularly from the original scheme where there were windows which overlooked and the original dwelling sat closer to the boundary of the site. The proposal has been amended to site plot 6, 2 metres away from the boundary with a single storey element as the closest part of the proposal. A high level window is in the single storey to provide light into the kitchen with no further windows at first floor. It is considered that



the concern with regard to overlooking has been addressed. There are changes in level but there is unlikely to be direct overlooking between the dwellings. Number 25 sits further away from Plot 6 and direct overlooking between the dwellings is unlikely to occur.

- 7.3.8 With regard to whether plot 6 would be overbearing. It is considered that having a change in levels between the application site and the 28 Limestone Close with a 2 metre gap is sufficient to reduce the impact of the proposal on this neighbour. The proposed dwelling is 7 metres in height although the closest element is single storey. Therefore the two storey element is in excess of 4 metres away from the boundary. It is considered that the proposal has addressed the issue of being overbearing by proposing a dwelling which is a storey and half set in from the boundary.
- 7.3.9 There would be during construction some disturbances such as noise, dust and the paraphernalia associated with development. It is considered that during construction this could be controlled by way of condition restricting working hours and required a Construction Environmental Management Plan (CEMP) which would include details of where materials would be stored; parking of vehicles; how dust would be dealt with for example.
- 7.3.10 The Design Guide SPD recommends that new dwellings should have a garden area of approximately 50 square metres. Each of the new plots has a minimum garden area of 50 square metres. There is adequate distances between the dwellings to restrict overlooking between the dwellings and to enable private amenity space.
- 7.3.11 It is considered that the proposal has addressed the concerns of the potential for overlooking and being overbearing and as such complies with policy ENV2 and the design Guide SPD of the East Cambridgeshire District Council Local Plan 2015.

#### 7.4.1 **Visual Amenity**

- 7.4.2 The site is in a central location in the village where there is a traditional form of development of simple designed dwellings with a mix of materials including brick and render. The main views will be of the 3 dwellings (plots 1 – 3) that face onto Mill Street. These dwellings have been designed to be simple in appearance with little detailing to be similar to the cottages found further along Mill Street. At the request of the Ward Member, a window in one of the front dwellings akin to a shop window that was present in the original building. This was agreed by the agent and subsequently submitted. However, concerns from the Conservation Officer were raised as to whether this was really necessary. The window has been proposed and I can see the value in having a reference to the previous use of the site as a shop and there are other examples of this in the village. Whilst I understand this may not be necessary it is not considered to be detrimental to the character and appearance of the area.
- 7.4.3 There will be views of Plot 6 from Mill Street and the character of this dwelling is not too dissimilar to the simple dwellings at the front of the site. It has simple elevations yet includes interest such as box dormers and different materials. It is considered that visually the proposal will not be intrusive on the character of the area. The design of the proposal has been kept simple with low roofs so as not to compete with adjoining properties or detract from the character of the area.

7.4.4 The proposal creates 6 dwellings on the application site which can easily accommodate this number of dwellings at a reasonable density. Each plot will have its own private amenity space within the standards set within the Design Guide SPD. Each plot has a minimum of 2 parking spaces and space around the dwellings so as not to appear cramped. The heights of the dwellings has been kept low to minimise the impact of the proposal on the locality. As such it is considered that the proposal complies with policies ENV1 and ENV2 of the East Cambridgeshire District Council Local Plan 2015.

#### 7.5.1 **Historic Environment**

7.5.2 The site is within the designated Conservation Area and in close proximity to Listed Buildings. In consultation with the Conservation Officer following submission of the amended plans it was considered that these addressed the original concerns raised. In shifting Plot 3 closer to plots 1 and 2, this enabled the retention of views from the Listed Building opposite to the Church beyond.

7.5.3 The design of the dwellings has been made simpler and they have been reduced in height. This aids in reducing the overall impact of development on the area.

7.5.4 In discussion with the Conservation Officer the loss of the buildings was not considered to be a reason to dismiss the application. The 4 buildings are all different in appearance, however their retention is not considered to be of historic importance. All of the buildings are not worthy of being Listed in their own right and for the most part are in a poor state of repair. The application is supported by a Structural Report which concludes that the main building to the front is virtually beyond repair and not financially viable. The building itself is not of an age that is worthy of being listed. On this a balanced view had to be taken and as such having seen the Structural Report it was considered that the loss of the buildings was considered to be acceptable, but only on the basis of a comprehensive and well-designed scheme.

7.5.5 The Conservation Officer comments the loss of the buildings is considered to be less than substantial harm and as such would not request their retention.

7.5.6 It is understood that there are concerns at the loss of the actual buildings, however it is considered their loss will enable the delivery of a comprehensive design and mix of dwellings. The buildings are not of good quality and whilst it is accepted these buildings have been neglected over the past 11 years and the site has been left vacant, this is not a reason to allow the loss of heritage assets as set out in the NPPF. However it is considered that the loss of the buildings with a complimentary re development scheme will not be detrimental to the overall character of the area and the scheme can deliver something that will preserve the Conservation Area into the future. As such the proposal is considered to comply with policies ENV11 and ENV12.

7.5.7 In consultation with the Historic Team (Archaeology) the scheme is considered acceptable however will require a pre commencement condition relating to a Written Scheme of Investigation. On this basis the proposal is considered comply with policy ENV14 of the East Cambridgeshire District Council Local Plan 2015.

7.5.8 It is considered that the proposal would cause less than substantial harm to the setting of the heritage assets this has to be weighed against the public benefits as set out in the NPPF. It is considered that the public benefits are the provision of additional

housing and the economic benefits during construction. As such the proposal is considered to meet the requirements of the NPPF and policies ENV12, ENV14 of the Local Plan

#### **7.6.1 Highways**

7.6.2 Access is from Mill Street and parking is provided for all of the dwellings to the rear of site. Each dwelling has a minimum of 2 parking spaces in accordance with the East Cambridgeshire District Council Local Plan 2015 and all can leave the site in forward gear. The access is required to be a minimum of 5 metres wide to ensure cars can pass each other and therefore not stopping up on the highway.

7.6.3 In consultation with the Highways Officer the proposal is considered to be acceptable on the basis of conditions are attached to ensure the provision visibility splays, access to be 5 metres wide for a minimum of 10 metres with turning and parking. The East Cambridgeshire District Council Local Plan 2015 requires a minimum of 2 spaces per dwelling with visitor and cycle parking. The site provides 18 car parking spaces overall, which equates to 3 spaces per dwelling and there is adequate space to provide cycle parking within the car ports and garages. On this basis the proposal is considered to comply with policies COM7 and COM8 of the Local Plan.

#### **7.7.1 Ecology**

7.7.2 The application was supported by an Ecological Report. Initially the report was not considered to address all of the issues and was updated. The report addressed the potential for bats and the existing overgrown area of what was garden. In consultation with the Wildlife Trust the details and conclusions of the updated report was considered acceptable and that there was limited scope for protected species. It was considered that as a site it had limited value but in order to have a net biodiversity gain there should be attempt in the landscaping to plant native species and include other measures such as sparrow boxes and this can be achieved by way of condition. On this basis the proposal was considered to comply with policy ENV7 of the East Cambridgeshire District Council Local Plan 2015.

#### **7.8.1 Flood Risk and Drainage**

7.8.2 The site is within Flood Zone 1 where you would expect vulnerable development such as dwellings to be located. It is considered that any drainage issues can be dealt with by way of condition. On this basis the proposal is considered to comply with policies ENV8 of the Local Plan.

#### **7.9.1 Energy and Sustainability**

7.9.2 Policy ENV4 of the East Cambridgeshire District Council Local Plan 2015 requires developments of 5 or more dwellings to for a reduced or zero carbon development. Whilst no measures have been proposed as part of the submitted application this can be dealt with by way of condition. On this basis it is considered that the proposal can meet the requirements of policy ENV4 of the East Cambridgeshire District Council Local Plan 2015.

### 7.10.1 Other Material Matters

7.10.2 A number of concerns raised the issue with the loss of green space. It is accepted that some of the garden will be lost. However it currently is not available to the public for use. It has limited ecological value and adds little to the historic character of the area. It is considered that this loss of open space is not to the detriment to the local resident's amenity.

7.10.3 As part of the recommendation and the suggested conditions, a condition to restrict extensions, outbuildings and another for windows is recommended. The site has been designed to consider the adjoining neighbours and it is considered that further extensions could be detrimental to their amenities and as such the Local Planning Authority would assume the responsibility for assessing the impact of such a proposal. A condition restricting any additional windows is also recommended in order to protect the neighbours' amenity from windows being inserted in locations that could potentially overlook the adjoining properties.

### 7.11.1 Planning Balance

7.11.2 The site can provide 6 new dwellings in the village on a site which has been left vacant for approximately 11 years. There has been some suggestion of deliberate neglect, however this is not something that the Local Planning Authority can substantiate. Whilst it is always preferred to retain buildings or convert them into other uses in Conservation Areas, this building has been proven that it is beyond repair and not financially viable to be able to do so. On this basis the loss of the buildings has been considered acceptable.

7.11.3 The proposal for the 6 dwellings has been designed to consider the location within the Conservation Area and the other heritage assets. The designs have been kept simple to suit the character of the area and to not detract from other heritage assets. The site can accommodate the number of dwellings with adequate parking and amenity space for all of the proposed dwellings.

7.11.4 The proposal will have an impact on the adjoining neighbours as any new development would, however it is considered that the proposal has been amended to ensure that there is no demonstrable harm to the neighbours' amenities.

7.11.5 On balance the proposal is considered to be acceptable and there is a presumption in favour of the development. The Design SPD requires that neighbours amenity is protected and it is considered that this proposal would protect the amenities of the neighbours. The proposal can meet the requirements of the Highways Authority, maintain the setting of the Conservation Area and deliver 6 new dwellings at a time when the Local Planning Authority cannot demonstrate a 5 year housing land supply. The proposal will create public benefits such as additional housing and contribution towards the economy and would result in less than substantial harm to the heritage assets.

8.1. Appendix 1 is attached giving details of all of the conditions.

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<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/01375/FUL	Toni Hylton	Toni Hylton

17/00217/FUL

Room No. 011  
The Grange  
Ely

Planning Officer  
01353 665555  
toni.hylton@eastca  
mbs.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

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

Plan Reference	Version no.	Date received
2018.05.100	E	25.04.19
2018.05.120	D	05.03.19
2018.05.109	C	25.04.19
2018.05.105		25.04.19
2018.05.106	E	21.03.19
2018.05.107	B	05.03.19
Location Plan		02.10.18
2018.05.SK		25.04.19
2018.05.102	A	02.10.18
2017-47-1		02.10.18
2018.05.108	B	05.03.19
2018.05.110		05.03.19

- 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 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. 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.
- 5 No development shall take place until a scheme to dispose of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to the first occupation of the dwellings hereby approved.
- 5 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.
- 6 The access shall be a minimum width of 5m, for a minimum distance of 10;m measured from the near edge of the highway carriageway and thereafter retained in perpetuity.
- 6 REASON: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway The area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- 7 REASON: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 8 Prior to first occupation of the dwellings hereby approved ; visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan 2018-05.100REV D; The splays shall thereafter be maintained free

from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

- 8 REASON: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 9 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.
- 9 REASON: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. This shall include specific details of location and land levels where they will be in situ. The boundary treatments shall be in situ in accordance with the approved details prior to the first occupation of the dwellings hereby approved.
- 10 REASON: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 11 No above ground construction shall take place on site until details of the bricks, roofing materials, fascias, and soffits 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.
- 11 REASON: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 No above ground construction shall take place on site until details of the doors, windows, their surrounds, garage doors, rainwater goods, rooflights, external joinery paint and architraves to be used in the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.
- 12 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.
- 13 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,  
08:00 - 13:00; Saturdays  
and none on Sundays or Bank Holidays or Public Holidays.

- 13 REASON; To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 14 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.
- 14 REASON: To safeguard the residential amenity of neighbouring occupiers, 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.
- 15 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.
- 15 REASON; To safeguard the residential amenity of neighbouring occupiers, 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.
- 16 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), the dwelling shall not be extended in any way, and no structures shall be erected within the curtilage of the dwelling, without the prior written consent of the Local Planning Authority.
- 16 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
- 17 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 windows, dormer windows, rooflights or openings of any other kind, other than those expressly authorised by this permission shall be constructed at first floor level or above in the any elevation(s), without the prior written consent of the Local Planning Authority.
- 17 REASON; To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 18 No above ground construction shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: finished floor levels, hard surfacing materials and street lighting. 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.
- 18 REASON: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 19 Except as detailed on the approved plans, no trees shall be pruned or removed/felled and no hedges shall be removed without the prior written approval of the Local Planning Authority.
- 19 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.
- 20 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.
- 20 REASON; To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 21 No above ground construction shall take place until a sample panel measuring no less than 1 meter square has been constructed on site showing details of the proposed brickwork; including colour, texture, bond, pointing and mortar mix to enable a site inspection and agreement in writing by the relevant officer. The panel shall remain on site for the duration of the development and once the development is completed the sample panel shall be removed. All works shall be carried out in accordance with the approved details.
- 21 REASON:To safeguard the special architectural or historic interest, character, appearance and integrity of the Conservation Area; in accordance with policies ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015.
- 22 The demolition hereby permitted shall be carried out by hand or using tools held in the hand other than power-driven tools. All materials arising from the demolition works shall be stored securely for reuse within the development or to be removed from the site.
- 22 REASON;To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 23 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has

been submitted by the applicant and approved in writing by the local planning authority.

- 23 REASON: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 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.
- 24 Prior to the commencement of development, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 24 REASON; To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015. This condition is pre-commencement as some of the measures may be below ground level.