

**21/01536/FUL**

Low Bank Farm

Low Bank

Mepal

Ely

Cambridgeshire

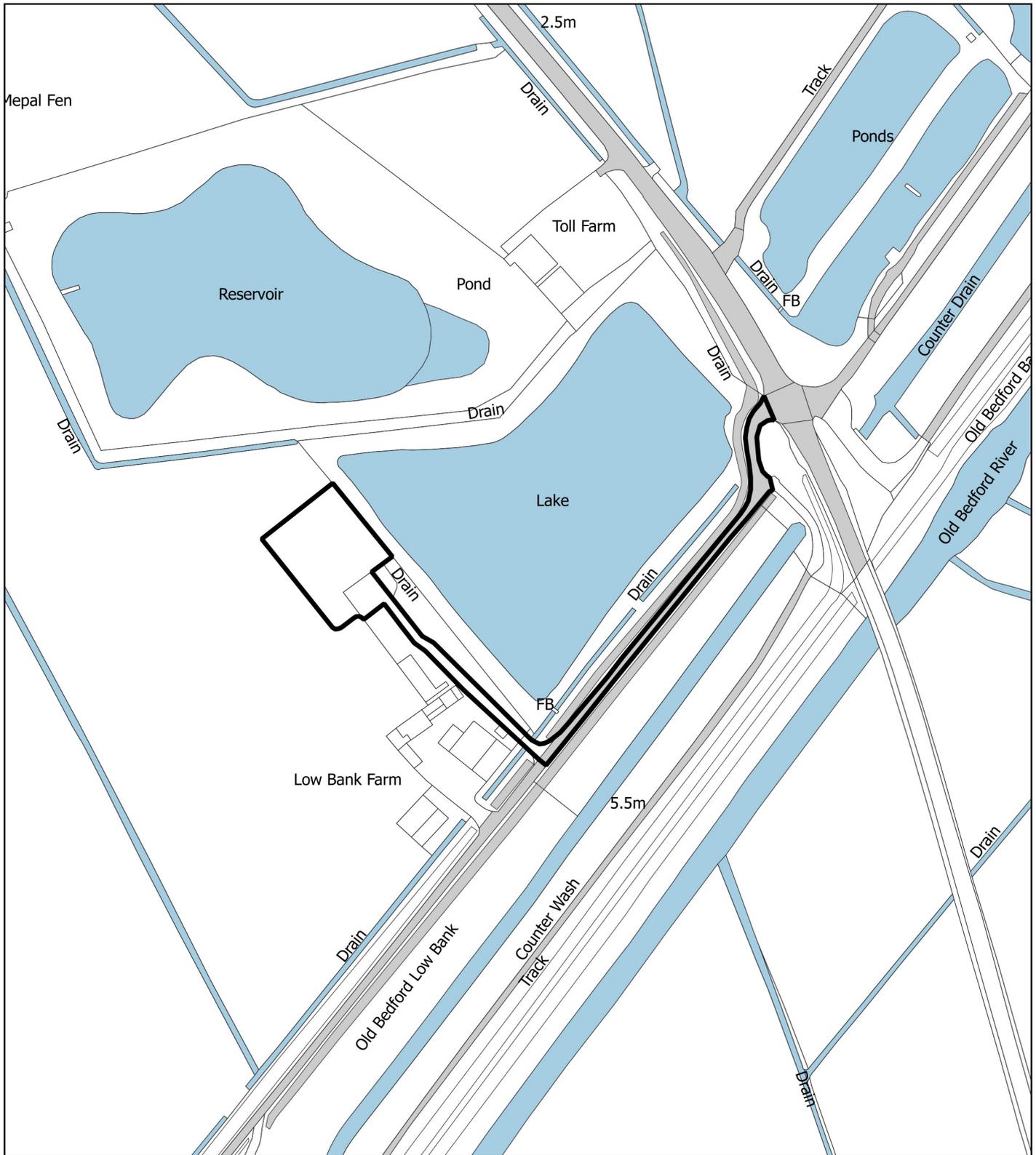
CB6 2AU

Construction of residential dwelling

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R19WWMGGH2500>





21/01536/FUL

Low Bank Farm  
Low Bank  
Mepal



East Cambridgeshire  
District Council

Date: 20/04/2022  
Scale: 1:2,500



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**MAIN CASE**

**Reference No:** 21/01536/FUL

**Proposal:** Construction of residential dwelling

**Site Address:** Low Bank Farm Low Bank Mepal Ely Cambridgeshire CB6 2AU

**Applicant:** Mr E Veal

**Case Officer:** Molly Hood Planning Officer

**Parish:** Mepal

**Ward:** Sutton  
Ward Councillor/s: Lorna Dupré  
Mark Inskip

**Date Received:** 20 October 2021      **Expiry Date:** 6<sup>th</sup> May 2022  
**Report Number W180**

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**1.0**      **RECOMMENDATION**

- 1.1 Members are recommended to REFUSE the application for the following reasons:
- 1 In accordance with policy GROWTH 2 of the East Cambridgeshire Local Plan 2015 development outside of defined development boundaries will be strictly controlled having regard to the need to protect the countryside. Development will be restricted to the main exception categories listed in policy GROWTH 2, providing there is no significant adverse impact on the character of the countryside. The proposal sits outside of the defined development envelope for Mepal and fails to meet the criteria of policy HOU 5. The application fails to demonstrate an essential need for a rural workers dwelling on the site with the justification of security, the existing fishing lake or loss of tenancy not suitable as essential need. Furthermore, it hasn't been demonstrated that the other requirements of policy HOU 5 have been met. Low Bank Farm has been in operation for a number of years providing the storage, arable operations and livestock aspects of the business without the onsite accommodation. Whilst it is understood the applicant has a pending tenancy expiry, there hasn't been the essential need demonstrated and the application fails to meet the requirements of policy HOU5 and consequently GROWTH 2 and the National Planning Policy Framework.
  - 2 The proposed dwelling, which is classified as a 'more vulnerable' development in Annex 3 of the NPPF, would be sited within Flood Zone 3 as identified by the

Environment Agency flood zone maps, where the Sequential Test must be passed for the development to be approved. The application fails to pass the Sequential Test as there are reasonably available sites elsewhere within the Parish of Mepal or Sutton with a lower probability of flooding. Therefore, the proposal is contrary to policy ENV 8 of the East Cambridgeshire Local Plan, the Cambridgeshire Flood and Water SPD, the provisions of the Planning Practice Guidance on Flooding and Coastal Change and the National Planning Policy Framework.

- 3 The proposal by virtue of the its design, layout and scale would introduce a visually dominant form of development. The design and layout of the dwelling is not sensitively designed to the rural surroundings as the set back location from the cluster of agricultural buildings (approx. 46m) separates the property and results in built form being extended further into the countryside. The dwelling will be very exposed to the countryside to the north and west, as such having a harmful prominence which also extends to Mepal Long Highway and the public footpath. The proposal is considered to be of a scale, design and includes minimal landscaping which will not result in positive, complementary relationships with existing development or the countryside. As such the proposal is considered to be contrary to policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and Chapter 12 of the National Planning Policy Framework.

## 2.0 SUMMARY OF APPLICATION

- 2.1 Permission is sought for the construction of an agricultural workers dwelling to the north-west of the existing agricultural buildings forming part of Low Bank Farm. The proposed dwelling will measure 19.1m (62.6ft) in length, 10.1m (33.1ft) in depth and will have a ridge height of 8m (26.2ft).
- 2.2 The application has been called into Planning Committee by Councillor Dupré as it was considered the development requested would re-establish a dwelling on Low Bank Farm which would have multiple benefits. A dwelling on this site, where the applicant has been farming for some time, will provide security not just for his own agricultural operations on this site, but also for the neighbours. No adverse environmental effects have been suggested, and the parish council has no objections to this completely proportionate, sympathetic, and sustainable application.
- 2.3 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/>.

## 3.0 PLANNING HISTORY

### 3.1

21/00417/FUL	Construction of 1no. four bedroom, two storey detached dwelling and garage	Withdrawn	18.06.2021
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#### 4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site is situated outside of the defined development envelope for Mepal and within an area of countryside. The site is situated within Flood Zone 3 and the access road to the site is situated within a SSSI. A public right of way runs along the south-east boundary of the site. Existing on the site is a collection of agricultural buildings, including a potato and a grain store. To the north-east of the site is a large fishing lake and to the north-west is an open agricultural field.

#### 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 - 5 November 2021**

Mepal Parish Council have no objection to the application.

**Ward Councillor Dupré – 20 February 2022**

The development requested would re-establish a dwelling on Low Bank Farm which would have multiple benefits. The applicant will shortly be required to move away from the holding outside the district on which he currently lives. A dwelling on this site, where the applicant has been farming for some time, will provide security not just for his own agricultural operations on this site, but also for the neighbours who positively welcome the reassurance of a new dwelling in this location. It will enable Low Bank Farm to continue to benefit the local community. No adverse environmental effects have been suggested, and the parish council has no objections to this completely proportionate, sympathetic, and sustainable application.

**Minerals And Waste Development Control Team - No Comments Received**

**ECDC Trees Team - 24 December 2021**

No tree related objections to the application but a detailed soft landscaping scheme will be required that should take into consideration the sites rural location and use appropriate plants such as including native species hedging for boundaries. The soft landscaping can be provided by condition and it must include the following information:

- 1) A scaled plan showing existing vegetation, tree trunks & canopy details of trees retained & tree protection fences shall be identified on all plans, in accordance with BS 5837:2012, extracted from the Arboricultural Implications Assessment (AIA), to include all trees located within 10m of site boundaries if relevant.
- 2) Location, type and materials to be used for hard landscaping including specifications, where applicable for:
  - a) permeable paving
  - b) tree pit design
  - c) Proposed hard standing and boundary treatments.
- 3) A schedule detailing sizes and numbers/densities of all proposed trees/plants;
- 4) Specifications for operations associated with plant establishment to include a programme for the timings of the landscape works and maintenance provided, to

ensure successful establishment and survival of new planting and having regard to the timing of the commencement of any development.

A mixed native species hedge would aid the integration of the site in to its surroundings as well as offering better biodiversity benefits and habitat creation, I would recommend a double staggered row with a 20% mix of five species the species I would recommend considering for the hedge are Wayfaring tree (*Viburnum lantana*), Guelder Rose (*Viburnum opulus*), Hazel (*Corylus avellane*), Hornbeam (*Carpinus betulus*), Hawthorn (*Crataegus monogyna*) or Field Maple (*Acer Campestre*).

### **Environment Agency – 21 April 2022**

In accordance with the National Planning Policy Framework (paragraph 158), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. Our flood risk standing advice reminds you of this and provides advice on how to apply the test.

By consulting us on this planning application we assume that your Authority has applied and deemed the site to have passed the Sequential Test.

### **FLOOD RISK**

We have no objection to the proposed development, providing that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) (ECL0326, October 2020) are adhered to. In particular, the FRA recommends that:

- Finished floor levels will set no lower than 1.9 mAOD.
- Flood resilient measures will be incorporated into the development up to 300 mm above finished floor levels.

### **Advice to LPA**

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The planning practice guidance to the National Planning Policy Framework states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you consult with your emergency planners and

the emergency services to determine whether the proposals are safe in accordance with the guiding principles of the Planning Practice Guidance (PPG).

We have considered the findings of the flood risk assessment in relation to the likely duration, depths, velocities, and flood hazard rating against the design flood for the proposal. We agree that this indicates that there will be

- A danger to most people (e.g., there will be danger of loss of life for the general public).

This does not mean we consider that the access is safe, or the proposals acceptable in this regard. We remind you to consult with your emergency planners and the emergency services to confirm the adequacy of the evacuation proposals.

#### Advice to applicant

Any proposed flood resilient measures should follow current Government Guidance. For more information on flood resilience techniques, please see the Department for Communities and Local Government (DCLG) guidance document "Improving the Flood Performance of New Buildings – Flood Resilient Construction, 2007

The Environment Agency operates a flood warning system for existing properties currently at risk of flooding to enable householders to protect life or take action to manage the effect of flooding on property. Receiving the flood warnings is free; you can choose to receive your flood warning as a telephone message, email, fax or text message. To register your contact details, please call Floodline on 0345 988 1188 or visit <https://www.gov.uk/sign-up-for-flood-warnings>.

Registration to receive flood warnings is not sufficient on its own to act as an evacuation plan. We are unable to comment on evacuation and rescue procedures for developments. Advice should be sought from the emergency services and the Local Authority's emergency planners when producing a flood evacuation plan.

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer. If soakaways are proposed for the disposal of uncontaminated surface water percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Building Control. The maximum acceptable depth for soakaways is 2 metres below existing ground level. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.

Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.

The applicant's attention is drawn to DETR Circular 03/99 which requires an applicant to demonstrate that a connection to the public foul sewer is not available. In the eventuality of a connection to the public foul water sewer not being available, the suitability of any non-mains sewerage systems, particularly those incorporating

septic tanks, must be effectively demonstrated by the applicant to the satisfaction of the Local Planning Authority.

**Waste Strategy (ECDC) - 11 November 2021**

The current arrangement for waste collection requires residents to present waste by the A142 and this would be applicable for the new property and this should be made clear to any prospective purchasers in advance.

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.

**CCC Growth & Development - No Comments Received**

**Local Highways Authority - 4 November 2021**

No objection to this application. The site benefits from an existing access to the A142 which will be capable of serving the new dwelling. There is also sufficient space on site for parking of two vehicle and turning.

To access the new dwelling, visitors will need to travel long distances along Mepal Long Highway which is single track width only with minimal passing opportunity. Due to the nature of road this is unlikely to be of concern.

I recommend consulting with East Cambridgeshire District Council waste team to confirm acceptability of waste collection arrangements as a refuse vehicle will not be able to serve the dwelling.

I also recommend consulting with the area's Definitive Map Officer at Cambridgeshire County Council to ensure that any potential impacts to Mepal Public Footpath no.4 along Mepal Long Highway are acceptable.

**Natural England - 8 November 2021**

Thank you for your consultation on the above dated 22 October 2021 which was received by Natural England on 22 October 2021.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**SUMMARY OF NATURAL ENGLAND'S ADVICE**

Please refer to Natural England's letter dated 12 July 2019 (copy attached) regarding appropriate consideration of recreational pressure impacts, through relevant residential development, to sensitive Sites of Special Scientific Interest (SSSI) Natural England's generic advice on other natural environment issues is set out at Annex A.

Ouse Washes Site of Special Scientific Interest (SSSI)

The IRZ for Ouse Washes SSSI has been triggered for discharges. The planning application indicates foul sewage will be disposed to a Package Treatment Plant. Please refer to the attached guidance note for potential impacts to the above site from discharges.

#### Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website. Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

#### **Cambridge Ramblers Association - No Comments Received**

##### **Asset Information Definitive Map Team - 4 November 2021**

The access road to the site runs along Public Footpath No. 4, Mepal. To view the location of the footpath please view our interactive mapping online which can be found at <http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>.

Whilst the Definitive Map Team has no objection to this proposal, the applicant should be aware of the presence of the public footpath, its legal alignment and width. If they require a copy of the Definitive Map & Statement, this can be requested online for a fee at [www.cambridgeshire.gov.uk/highwaysearches](http://www.cambridgeshire.gov.uk/highwaysearches).

The footpath must remain open and unobstructed at all times. Building materials must not be stored on the Public Right of Way and contractors' vehicles must not be parked on it. Should they need to temporarily close it for safe works, you should apply to the Streetworks Team online at <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highway-licences-and-permits>.

Recommended informative.

##### **Cambs Wildlife Trust - 15 November 2021**

This advice is provided in accordance with the Service Level Agreement between East Cambs District Council and the Wildlife Trust BCN, for the provision of ecological advice in relation to planning cases.

I have reviewed the HRA Screening and have no comments to make on this application.

- 5.2 A site notice was displayed near the site on 5 November 2021 and a press advert was published in the Cambridge Evening News on 28 October 2021.
- 5.3 Neighbours – One neighbouring property was notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

- We expressed support for the earlier application 21/00417/FUL and we similarly support the present one.
- Our property shares the same access drove from the application site and is about 200m from the application site.
- Positively welcome the re-establishment of a dwelling on Low Bank Farm and the added reassurance from an additional residential presence.
- Appears the proposal would be entirely appropriate to the need and fitting in the local landscape.
- Understand planning permission for an ordinary residential development would not normally be granted for a site outside the development envelope, however the circumstances here fully justify the grant of permission. As the applicant currently lives on a hold elsewhere, which he will in due course be obliged to vacate, but much of land he will continue to farm lies in this area.
- The application site as a lock-up is subject to severe and inherent security problems (which are indeed a concern to us also). These will be resolved if those who operate the holding are able to live on-site.
- We understand there were one or more dwellings there until some 50 years ago.
- The continuation of Low Bank Farm as an agricultural unit will help to maintain a healthy mix of sizes of holdings in the area which we believe is important for the local community.
- The site has ready access on foot to facilities in the centre of Mepal, a distance of about 1,300m by the nearest available pedestrian route, which we ourselves regularly use.
- The visible presence of a dwelling on the application site could also be a deterrent to fly-tipping and litter.
- Natural England's response to the present application appears to be more a check-list than a specific comment on the current proposal. The documents supporting the application appear to remove any possibility of detriment to wildlife from the proposed development. We understand that the Ouse Washes Site of Special Scientific Interest may formally extend to include the area of the Low Bank drove. It is hard to see how the proposed development could have any adverse impact whatsoever on the SSSI.
- Understand the need for local planning authorities to be cautious in permitting exceptions to the general prohibition of new dwellings in open countryside, especially on agricultural grounds. However, we believe that if councillors examine the full facts of the present proposal they will recognise that it fulfils a genuine agricultural need falling within the terms of the policies in the current development plan, and would be positively beneficial to the local community and economy.
- Once the applicant has been obliged to vacate his County Farm holding, including his present dwelling house, at Trinity Farm, March, his agricultural unit will then total 990 acres, partly owned and partly rented; the application site, Low Bank Farm, is only a small part of that unit. There is no existing dwelling at Low Bank Farm or on any of the applicant's other remaining land. There is no building capable of adaptation as a dwelling, either at Low Bank Farm or on any of the applicant's other remaining land. The settlement nearest to the major part of his holdings is the village of Mepal. Even if a dwelling were to become available there, it would be much too far

away from the applicant's holdings for surveillance of costly equipment to be exercised from that distance. No properties there are likely to have space for parking of such bulky equipment within the curtilage, and it would clearly be unacceptable for it to be parked on the adjoining highway.

- Present-day agriculture requires bulky, technologically sophisticated, costly equipment. Some of the most costly components are quite readily removable. It is therefore essential for a worker to be close at hand when the equipment is parked, to prevent theft. At present the applicant exercises this essential surveillance by parking the equipment at his dwelling at Trinity Farm. This is a matter of essential need, not mere business convenience.
- The dwelling is to be the sole farmhouse and headquarters of an agricultural business extending to 990 acres, and accordingly needs to be on the scale of a substantial family home, not just a basic dwelling for an agricultural worker. The building would be no more prominent in the landscape than our own dwelling of comparable size close nearby.

## 6.0 The Planning Policy Context

### 6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
HOU 5	Dwellings for rural workers
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
COM 7	Transport impact
COM 8	Parking provision

### 6.2 Supplementary Planning Documents

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

### 6.3 National Planning Policy Framework 2021

- 2 Achieving sustainable development
- 5 Delivering a sufficient supply of homes
- 9 Promoting sustainable transport
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment

### 6.4 Planning Practice Guidance

## 7.0 PLANNING COMMENTS

- 7.1 The main considerations of this application are: principle of development, the essential need for an agricultural workers dwelling, impact on highway safety, residential amenity, flood risk, biodiversity and the visual appearance and character of the wider area.
- 7.2 An application was previously submitted for an agricultural workers dwellings on the site for a similar design and for the same application, however this was withdrawn, (21/00417/FUL).
- 7.3 Principle of Development
- 7.3.1 Policy GROWTH 1 identifies the level of growth required within the district over the Local Plan Period. This includes the housing requirement for the district. Policy GROWTH 1 is accepted by the Council as being out-of-date as it uses an out of date housing requirement figure, and consequently this has triggered the preparation of the 'single issue review' of the Local Plan, in order to bring GROWTH 1 back in date. That updating of the policy remains at a relatively early stage, and therefore little weight should be given to its emerging content.
- 7.3.2 Policy GROWTH 2 of the Local Plan 2015 provides the locational strategy for development within the district and provides a hierarchy for the location of housing development. That hierarchy seeks to focus the majority of development on the market towns of Ely, Soham and Littleport. It provides for more limited development within villages with a defined development envelope. The policy states that outside defined development envelopes, development will be strictly controlled to protect the countryside and the setting of settlements and will be restricted to the exceptions listed within the policy.
- 7.3.3 The weight to be given to policy GROWTH 2 is a matter of judgement for the decision maker. An important factor is the consideration of whether the Policy is "out of date" and the allied question of whether the policy is consistent with NPPF for the purposes of NPPF 219. Applying national policy, there are three main reasons it could be out of date, as follows:
- (a) If the Council cannot demonstrate a Five Year Land Supply (NPPF 11d, footnote 8) This is not the case. The Council can demonstrate a healthy supply of deliverable homes, well in excess of five years' worth, and this position has persistently been agreed by recent Inspector appeal decisions;
  - (b) If the Council 'fails' the Housing Delivery Test. This is not the case. The Council presently sufficiently 'passes' the Test; or
  - (c) If the Policy is considered 'out of date' on a separate basis. This has been defined by the Courts as "have been overtaken by things that have happened since it was adopted, either on the ground or in some change in national policy, or for some other reason (*Bloor v SSCLG* [2014] EWHC 754 (Admin); [2017] PTSR 1283). However the courts have further noted "*The acid test in relation to whether or not a policy is out of date is, it will be recalled, the extent to which it*

*is consistent with the Framework.” (Gladman Developments Limited v SSHCLG and Central Bedfordshire [2019] EWHC 127 (Admin), [34]). Datedness will always be a “case-sensitive exercise” (Gladman, [36]) and will “encompass the manner in which a policy operates in relation to the determination of a particular application” (see *Ewans v Mid Suffolk District Council* [2021] EWHC 511, [47]).*

- 7.3.4 The Council has considered the approach taken in recent appeal decisions, noting that each case must always turn on its specific facts.
- 7.3.5 In APP/V0510/W/21/3282449 Land to the North East of Broad Piece, Soham (dated 11 February 2022), the Planning Inspector found that policy GROWTH 2 was out-of-date in respect of a proposal for housing on the edge of Soham, a market town identified as a location for growth. That site was also within a broad location for housing (identified in the supporting text to policy GROWTH 4), where housing was anticipated to come forward during the Local Plan period (2011-2031). He concluded that as the housing requirement in GROWTH 1 was out of date and therefore uncertain, it was not clear that adequate housing could be provided in settlements and via allocations. The Inspector found that general objectives of GROWTH 2 “to manage patterns of development and protect the setting of settlement were good ones” and consistent with the NPPF, however in the specific location of the Appeal Site he found that continued strict application of GROWTH 2 was not justified given that the Local Plan anticipated housing in that location and at the market towns. The Inspector also gave weight to the fact that, while outside the development envelope for Soham, the proposal was considered to comply with the development plan as a whole, including the location of the development at one of the three market towns, consistent with GROWTH 2. It is important to appreciate that this was a case where no other development plan conflicts were identified, including notable in respect of landscape. The Inspector therefore did not have to consider these specific wider considerations in assessing the datedness of the policy and its consequent consistency with NPPF.
- 7.3.6 Elsewhere recent Inspectors have found policy GROWTH 2 up-to-date, albeit in respect of proposals for housing on the edge of villages (i.e. not market towns) with such settlements falling lower down the locational strategy hierarchy detailed within GROWTH 2.
- 7.3.7 The application site is situated outside of the defend development envelope for Mepal. In accordance with GROWTH 2 areas outside development envelopes are strictly controlled having regard to the need to protect the countryside. Due to the application sites location and the proposal being for a rural worker dwelling it will need to meet the requirements of policy HOU 5 which forms one of the exemptions under policy GROWTH 2. Furthermore, the development must not result in adverse impacts on the character of the countryside. Therefore, the application is assessed under the policy ‘dwellings for rural workers’, which is considered to be one of the most important policies relevant to the assessment and determination of this application.
- 7.3.8 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.

## 7.4 Applying the Development Plan Policies

7.4.1 The Council considers the ‘basket’ of most important policies, all of which are not out of date, for determining this application are:

GROWTH 2	Locational strategy
HOU 5	Rural workers dwellings
ENV 1	Landscape and settlement character
ENV 2	Design

7.4.2 It is established nationally that one potential way for the tilted balance to apply under Paragraph 11(d) of the NPPF, is for the most important policies to be out of date. That does not mean one policy being out of date, but means the basket is out of date. It means the basket when taken as a whole, is out of date, likely on the basis that more than half of the policies are demonstrated to be out of date. Of the above listed policies, this is clearly not the case.

7.4.3 In relation to policy GROWTH 2 of the Local Plan, the Council considers that this policy is not out of date as explained in section 7.3 of this Committee Report. Policy HOU 5 remains in date and in accordance with the National Planning Policy Framework, in particular paragraph 80 which seeks for decisions to avoid the development of isolated homes in the countryside unless it meets the circumstances, namely a):

*a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*

7.4.4 In relation to policies ENV 1 and ENV 2 of the Local Plan, whilst these policies predate the current NPPF, the general principles of protecting the landscape and respecting context are consistent with the objectives of paragraph 130 of the NPPF, namely b) and c):

*“Planning policies and decisions should ensure that developments:*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including their surrounding built environment and landscape setting, while not preserving or discouraging appropriate innovation or change”.*

7.4.5 Furthermore, the general principle of policy ENV 8 seeking for placement of new development in areas of a low flood risk (Flood Zone 1) and the application of the sequential and exceptions tests is considered consistent with Chapter 14 of the NPPF. In accordance with footnote 7 from paragraph 11 d) of the NPPF the development would still be contrary to the policies of the Framework due to being located in an area at risk of flooding and as such the titled balance wouldn't apply.

7.4.6 It is therefore the Council's view that these policies are fully consistent with the NPPF and should be given full weight in the determination of this planning application and there is no reason to believe that these policies are out of date.

## 7.5 Rural Workers Dwellings

7.5.1 Policy HOU 5 advises that proposals for permanent dwellings in the countryside for full-time workers in agriculture, horticulture, forestry, stud and other rural activities will be permitted as an exception to the normal policies of control where:

- It can be demonstrated that the dwelling is essential to the needs of the business (i.e. there is a need for one or more workers to be readily available at most times).
- It can be demonstrated that the enterprise has been established for at least three years and is, and should remain financially viable.
- There is no other accommodation within the site/holding or nearby which is currently suitable and available, or could be made available.
- A dwelling or building suitable for conversion to a dwelling within the site/holding has not been sold on the open housing market without an agricultural or other occupancy conditions in the last five years.
- The proposed dwelling is no larger than that required to meet the functional needs of the enterprise, nor would it be unusually expensive to construct in relation to the income that the enterprise could sustain.
- The proposed dwelling is sensitively designed and in keeping with its rural surroundings and will not adversely affect the setting of any heritage asset.
- The proposed dwelling will have satisfactory access.
- The proposed dwelling is well landscaped, is sited to minimise visual intrusion and is in close proximity to existing buildings to meet the functional need of the business; and
- Where the proposal involves a new business that cannot yet demonstrate financial soundness, a temporary dwelling (in the form of a caravan, mobile home or wooden structure that can easily be dismantled and removed from the site) may be acceptable provided all the other criteria are met.

7.5.2 Neighbour comments have referenced the applicants need for the new dwelling, due to the ending of the current tenancy at the County Farm holding, the lack of existing dwelling at Low Bank Farm, no capable adaptation of an existing building and no suitable dwellings in the nearest settlement of Mepal. Furthermore, the comments refer to the costly equipment and the need for a worker to be closer to hand to prevent theft or fly tipping. The comments seek for it to be recognised that the proposal fulfils a genuine agricultural need falling within the terms of the policies in the current development plan, and would be positively beneficial to the local community and economy.

### 7.5.3 - Essential Need

The application seeks permission for a new agricultural workers dwellings on the site of an existing farmstead at Low Bank Farm. The site currently forms a collection of agricultural buildings and a fishing lake accessed off Mepal Long Highway. At present there is no dwelling or residential accommodation on the site and the applicant resides at Trinity Farm, March. The application advises that the need for the agricultural workers dwelling is to ensure that the farming business can continue and the businesses future is protected, as the County Council tenancy at Trinity Farm is coming to an end in October 2025.

- 7.5.4 Following review of the Planning Statement additional questions were raised and clarification sought from the applicant. An Addendum was provided and Appendix 2 states the essential need for a worker to be in close proximity to the business is due to loss of crops, produce, livestock emergencies and security. In accordance with policy HOU 5 an essential need has to be demonstrated (this being that one or more workers needs to be readily available at most times). The operations on Low Bank Farm include sheep grazing, arable crops and the commercial fishery, with all of these operations already in practice for a number of years and no one having an essential need to live at Low Bank Farm. In addition, as confirmed by the Planning Statement Low Bank Farm already includes all principle buildings and stores associated with the produce and machinery. Therefore, the site is already well-used for all operations which support the business, with no essential requirement for a dwelling in this location. Arable farming operations are currently across 1062 acres/429 hectares with the farm predominantly running as arable, with only 20 acres/8 hectares for livestock.
- 7.5.5 The scale of the livestock is not so significant that single or multiple members of staff are required to be on site and readily available for either the sheep or fishing lake. Arable operations do not require on site accommodation and can be managed off-site. Furthermore, the loss of tenancy or security do not form an essential need for a new permanent dwelling on the site, when the applicant has lived off site throughout their farming of the land. Surveillance of the site can be managed in other means and there are reservations as to whether the dwelling in its setback position away from the main access or buildings provides the best surveillance. No essential need has been demonstrated for one or more workers to be readily available at most times on the site and as the farm is predominantly arable with existing livestock operations on Low Bank Farm, which have been successfully running without a residence, the proposal is considered to not meet this requirements of policy HOU 5.
- 7.5.6 - Permeance of the Business  
Whilst the statement advises the intention is to increase the livestock numbers, the fundamentals of this application are not submitted on the basis of a new business or a temporary dwelling. Therefore, this would not form adequate justification to comply with HOU 5 or to accept a permanent dwelling in the countryside as this does not form part of the existing operation. The application is assessed on the basis of the existing business which has been in operation for at least 25 years and the Council accepts the business has been established for at least three years in accordance with policy HOU 5.
- 7.5.7 - Existing Buildings  
In Appendix 2 of the Addendum Supporting Document it states that no existing accommodation is present on the site. Neighbour comments have referenced previous properties which were present on the Low Bank Farm site. Appendix 2 also states there were two dwellings until the early twentieth century but these have long since been demolished. As these dwellings are no longer present on the site no weight can be given and the application cannot be assessed under the replacement dwelling policy. Appendix 2 advises that all existing agricultural buildings are used in connection with the applicants farming business and are not suitable for conversion with them likely to require considerable structural works. It has been confirmed in the statement that no building has been sold from the site. As such this detail is considered to fulfil the requirements of policy HOU 5.

#### 7.5.8 - Nearby Accommodation

There still remains minimal evidence that there is no other accommodation within the nearby area which is currently suitable and available or could be made available. Currently the applicant doesn't live at Low Bank Farm and as demonstrated previously the farm is predominantly an arable operation and has operated without anyone living at the application site. Whilst there is a small element of livestock this hasn't warranted on site residence up to this point. The nearest settlement of Mepal is approximately 1.2 miles from the farm and the settlements of Sutton and Chatteris are also within a 5 mile radius. However, no supporting evidence in the form of market research is presented to support this claim. Appendix 2 states that even if properties were available in the settlement they would not permit the surveillance of the agricultural holding. However, as addressed in paragraph 7.4.3 security and surveillance of the yard is not a reason which forms essential need.

#### 7.5.9 - Landscaping

In regards to the other matters of Policy HOU 5 a minimal landscaping scheme has been supplied with the application only demonstrating boundary hedging. The Planning Statement advises the position of the dwelling is to take advantage of existing landscaping features, ensure minimal intrusions and is situated close to the farm buildings. There is separation between the agricultural buildings and the location of the dwelling, with it being setback from the main farm yard, approximately 46m (150ft) back from the nearest building. Its location is of visual concern and this is addressed in section 7.5.

#### 7.5.10 - Financial Viability

The Planning Statement contains a letter from the accountant who confirms the funds are available to construct the dwelling. There are no concerns that the dwelling would be unusually expensive to construct in relation to the income that the enterprise could sustain, in accordance with policy HOU 5. The application has been supported by the business accounts, which demonstrate the business in its current form is financially viable. Clarification was sought to confirm the business will remain financially viable following the loss of County Council farm which comprises 180 acres/72 hectares. Following the end of the tenancy the applicant will have the remaining agricultural land, of 250 acres/101 hectares owned (Low Bank Farm and surrounding land around Mepal) and 740 acres/299 hectares rented. Low Bank Farm forms 83.5 acres/33.8 hectares of this. No information was supplied to illustrate the potential loss in income which the removal of 180 acres/72 hectares of County Council farm currently provides.

7.5.11 Furthermore, clarification was sought on the statement within the Addendum that 'the farm of this size has a requirement for in excess of 3 full time workers to be based on the holding' as the dwelling applied for is solely for Mr Veal. No further clarification was provided on the other two full-time employees and whether the intention is for them to reside in the property, if they are currently based at Trinity Farm or where they will reside at the end of the tenancy.

#### 7.5.12 - Tenancy

The applicant has an existing tenancy with Cambridgeshire County Council at Trinity Farm and the Planning Statement advises at paragraph 1.4 that the applicant's tenancy is due to expire on October 2025 by direction of the National County Farm Policy which requires tenants to surrender their tenancy at the age of 65. A copy of the Tenancy Agreement has been supplied and reviewed by the Planning Officer and

Legal Team. Upon review it appears that whilst the Tenancy Agreement is due to expire on October 2025 the tenancy can continue thereafter on a periodic basis. So, expiration of the Agreement doesn't automatically mean the tenant has to leave the holding and nothing has been submitted with the application to confirm that a notice to quit has been served by either party. As such it is understood that the applicant is not currently required to surrender the tenancy on expiration of the Tenancy Agreement. The agent has supplied the letting particulars from 1989 from Cambridgeshire County Council, however this has no weight as the terms of the applicant's tenancy is contained within the Tenancy Agreement.

7.5.13 In summary, the proposal has failed to demonstrate an essential need for an additional dwelling on the site to serve the business and the dominant operations of arable farming, the security, fishing lake or the loss of tenancy would not justify as essential need. Furthermore, it hasn't been demonstrated that the other requirements of policy HOU 5 have been met. Low Bank Farm has been in operation for a number of years providing the storage, arable operations and livestock aspects of the business without the onsite accommodation. Whilst it is understood the applicant has a pending tenancy expiry, there hasn't been the essential need demonstrated as part of the application and the application fails to meet the requirements of policy HOU5 and consequently GROWTH 2.

## 7.6 Visual Amenity

7.6.1 Paragraphs 126 and 130 of the NPPF seek to secure high quality, beautiful and sustainable buildings, visually attractive development which improves the overall quality of an area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Paragraph 134 advises that where development is not well designed it should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

7.6.2 Policy ENV2 requires all development proposal to be designed to a high quality, enhancing and complement the local distinctiveness and public amenity by relating well to existing features and introducing appropriate new designs. Development proposals which fail to have regard for local context or take advantage of opportunities to preserve, enhance or enrich the character, appearance and quality of an area will not be acceptable. Policy ENV 1 of the Local Plan 2015 requires proposals to ensure that location, layout, scale, form, massing, materials and colour create positive, complementary relationships with existing development and enhance where possible. In accordance with policy EMP 5 the proposal must be sensitively designed and in keeping with its rural surroundings and be no larger than that required to meet the functional needs of the enterprise.

7.6.3 The proposed dwelling is a four bedroom detached property, with an adjoining single garage which spans 19.1m (62.2ft) at its greatest length. With a ridge height of 8m (26.2ft) and a depth of 10.1m (33.1ft), there are concerns the massing of the proposal will be overly prominent in the rural landscape. Since the withdrawn application 21/00471/FUL the length has been reduced from 22m (72.1ft), however this has only accommodated the removal of a single garage. The ridge height has been reduced to 8m (26.2ft) and whilst this does make a contribution to lessening the visual impact, the

bulk and massing of the dwelling are still of significance. The location of the dwelling is within the open countryside and given it is set back from the cluster of agricultural buildings the dwelling will be very exposed in the surrounding landscape. The design and layout of the dwelling is not sensitively designed to the rural surroundings as the set back location from the cluster of agricultural buildings (approx. 46m (150ft)) separates the property and results in built form being extended further into the countryside. The dwelling will be very exposed to the countryside to the north and west and it will have a prominence in not only the landscape but from Mepal Long Highway and the public footpath.

- 7.6.4 Whilst the proposed property is a four bedroom dwelling, the scale of the accommodation is excessive, in particular at first floor. It is considered the dwellings footprint needs to be reduced or revisions to the design to minimise the volume of first floor bulk. It is considered an alternative design can be achieved which is sensitive to the rural character and minimises the massing, whilst still meeting the needs of the applicant. Neighbour comments refer to the scale of the dwelling needs to be a substantial family home, not just a basic dwelling for an agricultural worker. The building would be no more prominent in the landscape than our own dwelling of comparable size close nearby. The nearest neighbouring property to the south has been noted and whilst this is a two storey dwelling with a large detached outbuilding, the dwelling has little visual intrusion due to its location.
- 7.6.5 The dwelling is supported by minimal soft landscaping, in the form of boundary hedging up to 1.2m (3.9ft) in height. In accordance with policy HOU 5 the dwelling is not supported by adequate landscaping to soften the visual intrusion as the boundary hedge around the amenity space would do little to assimilate the development into the surroundings. Furthermore, the NPPF seeks for effective landscaping and whilst there are some existing trees to the east the density of this reduces in the area of the dwelling and nothing has been proposed to enhance or deliver a scheme to complement. The Trees Officer has requested a condition seeking a detailed soft landscaping scheme.
- 7.6.6 The dwelling does not form a visually attractive development and fails to preserve, enhance or enrich the character of the rural surroundings. As such the proposal fails to meet the requirements of Chapter 12 of the NPPF as well as policy ENV 1, ENV 2 and EMP 5 of the 2015 East Cambridgeshire Local Plan.

## 7.7 Flood Risk

- 7.7.1 Policy ENV 8 of the Local Plan 2015 sets out that all developments should contribute to an overall flood risk reduction and development should normally be located in Flood Zone 1. Furthermore, all applications are required under policy ENV 8 to demonstrate that appropriate surface water drainage arrangements for dealing with surface water run-off can be accommodated within the site. The development of a new dwelling is classified as 'more vulnerable' development in accordance with Annex 3: Flood Risk Vulnerability Classification of the NPPF.
- 7.7.2 The applicant has submitted an FRA as the site is located within Flood Zone 3 and in accordance with the Environment Agency mapping it is in an area benefiting from Flood Defences. The Flood Risk Assessment advises the sequential test has been passed, as:

*'The dwelling will provide accommodation for a Key Worker. The dwelling will meet the need to have a farm worker based at the site and therefore it is not possible to undertake the development at a location away from the site.'*

7.7.3 The Local Planning Authority have considered the requirements of the Sequential Test and in accordance with paragraph 162 development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The application is for an agricultural worker dwelling on the farmstead at Low Bank Farm, therefore in order to pass the sequential test the essential need must be met. As evidenced in section 7.4 the essential need for an agricultural workers dwelling has not been demonstrated. There are a number of other reasonably available sites for residential development within the Parish of Mepal or Sutton which are at a lower probability of flooding and are within reasonable distance of the farm. Furthermore, as the site is close to the district boundary, the applicant could explore other settlements outside of East Cambridgeshire which are in close proximity to the site and agricultural land forming part of the farm. Therefore, the proposed additional dwelling is not necessary in this location and the application fails the Sequential Test for this reason.

7.7.4 Had the Sequential Test been passed the Exception Test should then be applied, guided by a site specific Flood Risk Assessment. The exception test requires the development to demonstrate that it provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared. Additionally a site-specific flood risk assessment must also demonstrate that the development will be safe for its lifetime taking into account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce overall food risk. Both elements need to be passed for development to be allocated or permitted under the NPPF.

7.7.5 The Flood Risk Assessment considers the development to pass the exception test, advising:

*"The economic value of rural areas is dependent upon the success of the businesses within them. Provision of a Key Workers dwelling at the site will be a benefit to the rural economy. Section 5 of this Flood Risk Assessment describes the flood mitigation measures and the management of the residual risks, demonstrating that this development will be safe and not increase flood risk elsewhere. The development is considered to pass the Exception Test.'*

7.7.6 Whilst the farm supports the rural economy, a new dwelling on the site is considered to be a private benefit as Low Bank Farm has operated successfully and contributed to the rural economy without its onsite presence for many years. There are no wider sustainability benefits to the community from this proposal and therefore it fails part (a) of the exception test.

7.7.7 As for part (b) the Environment Agency have raised no objection to the proposal, as long as the mitigation measures outlined in in the FRA, are implemented. This includes finished floor levels to be raised 0.9m above existing ground level and flood resilient construction included 300m above finished floor levels. The Environment Agency comments address the safety of people, including those with restricted

mobility, and being able to reach places of safety, including safe refuges in buildings and emergency services to access those buildings. The dwelling proposed is a two storey property, offering a first floor for a refuge in the event of a flood. The FRA references the Environment Agency Flood Warning Service which includes Flood Warning Codes and uses direct warning methods where the risks and impacts of flooding are high. In addition to direct and indirect flood warnings, the Environment Agency operates a 24 hour a day Floodline Service providing advice and information on flooding. Furthermore, the FRA advises that in the event of flood it is anticipated that sufficient time would be available to take precautionary actions to limit the potential impact of flooding. In the event of a flood, safe egress would be in a north westerly direction on the A142 which is above the flood level during a breach, to the centre of Chatteris which is in Flood Zone 1. It is considered the FRA has considered the tools available to inform future occupiers, the routes to safety in the event of a flood and the dwelling offers a place of refuge in the building.

- 7.7.8 The application confirms foul water will be via a package treatment plant and for surface water drainage it has been indicated there will be a soakaway. Full details of the drainage system will be secured via an application for building regulations and it is considered this is sufficient to address drainage for the new dwelling, compliant with policy ENV8.
- 7.7.9 The Environment Agency advises the sequential and exception tests should be applied to the development. The proposal fails to pass the Sequential Test and to unnecessarily place a dwelling in an area at significant risk of flooding is contrary to Policy ENV8 of the East Cambridgeshire Local Plan 2015, the provisions of the PPG on Flooding and Coastal Change, the Cambridgeshire Flood and Water SPD, and the National Planning Policy Framework.

## 7.8 Residential Amenity

- 7.8.1 Policy ENV2 of the East Cambridgeshire Local Plan 2015 requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. Additionally, paragraph 130(f) of the NPPF requires proposals to ensure that they create safe, inclusive and accessible development which promotes health and wellbeing and provides a high standard of amenity for existing and future users.
- 7.8.2 The dwelling will be situated to the rear of the existing farmstead for Low Bank Farm and will not closely relate to any neighbouring properties. As demonstrated by the Location Plan the enclosing land to the site is within the same ownership of the applicant. Therefore, the location or scale of the property is not considered to result in detrimental harm to residential amenity of the neighbour to the south. Furthermore, the proposal ensures acceptable residential amenity levels are achieved for the future occupiers as all habitable rooms have suitable outlook and access to natural light. The private amenity space exceeds the Design Guide SPD 50m<sup>2</sup> and the dwelling exceeds the national space standards for four bedroom property, including storage area. As such the proposal complies with policy ENV 2 and paragraph 130(f) of the NPPF.

## 7.9 Highway Safety and Parking Provision

7.9.1 Paragraph 110 of the NPPF requires safe and suitable access to the site for all users. Local Plan policy COM7 requires proposals to provide a safe and convenient access to the public highway. Regarding parking provision, policy COM8 seeks for proposals to deliver adequate levels of car and cycle parking.

7.9.2 Access is off Mepal Long Highway which is a single track that currently serves the farm yard and fishing lake. The dwelling will have an access through the farm yard which will extend to the north-west up to a turning area and parking provision. It is accepted that the first section of the access point will be shared with farm machinery. The Local Highway Authority have raised no objection, as the site benefits from an existing access to the A142 and there is sufficient space for parking and turning of vehicles. The Officer did comment that residents will need to travel long distances along the single width Mepal Long Highway with minimal passing opportunities, however it was considered the nature of the road is unlikely to be concerning. The dwelling will have sufficient area to manoeuvre and good visibility down the access road to see vehicles coming, allowing for sufficient time to stop and pass. It is considered that safe, convenient and suitable access can be achieved for the dwelling, in accordance with the NPPF and policies COM7 and HOU5. Furthermore, adequate parking provision for cars is provided forward of the dwelling and the adjoining garages is suitable for cycle storage, complying with policy COM8.

#### 7.10 Ecology and Biodiversity Net Gain

7.10.1 The access route along Mepal Long Highway is situated within the SSSI of the Ouse Washes SPA, however the actual dwelling and associated infrastructure are situated outside of this designation.

7.10.2 The neighbour letter comments that Natural England's response appears to be more of a checklist than specific comments. However, the comments add that the documents supporting the application appear to remove any possibility of detriment to wildlife from the proposed development. It is understood that the Ouse Washes Site of Special Scientific Interest may formally extend to include the area of the Low Bank Drove. It is hard to see how the proposed development could have any adverse impact whatsoever on the SSSI.

7.10.3 Natural England refer to an earlier response for the site relating to appropriate consideration of recreational pressure impacts, through relevant residential development, to sensitive Sites of Special Scientific Interest (SSSI). The comments also refer to Natural England's generic advice on other natural environment issues is set out at Annex A, such as landscaping, protected species and environmental gains. Under application 21/00417/FUL Natural England previously raised no objection. The comments on the current application refer to the generic advice and no significant concerns have been raised. The application has been supported by a document containing information to support a Habitats Regulations Assessment (HRA). This document advises the foul water plant will meet the highest standard to prevent pollution to the nearby drains. Furthermore, the site itself is not directly connected to the Counter Drain and impacts on fish within it are not expected. The location of the dwelling is set back from Low Bank and between the SSSI is an active farm yard which has been in use for over 50 years.

7.10.4 An Environmental Impact Assessment Screening Matrix was carried out which determined that an Environmental Statement was not required, with the development not likely to have significant effects on the environment. Also, of relevance in determining the principle of this development is the impact it would have on the nearby Ouse Washes Special Protection Area, Ramsar and Site of Special Scientific Interest and functionally linked land as well as the Goose and Swan Impact Risk Zone (IRZ) implemented by Natural England. The applicant has submitted a Habitats Regulation Assessment (HRA) report by Green Environmental Consultants dated April 2021. This has formed the basis for the Local Planning Authority as the Competent Authority to undertake a Habitats Regulations Assessment (HRA), to assess any 'likely significant effect' on this internationally important site, as set out in Policies NE1 and NE2 of the Natural Environment SPD.

7.10.5 The site is not directly connected to the Counter Drain, via drains or other features and therefore no impacts are expected and the access road (which is the only part of the site located within the designation) is an existing arrangement which serves the fishing lake, farmstead and a residential property. The development is not proposed to construct a new access or alter the existing access arrangements and the roadside habitats, including reed beds are unlikely to hold large flocks of bird, as such no significant effect is considered to occur to the SSSI or the Goose and Swan IRZ. The documents have screened out the potential for likely significant effect on the Ouse Washes SPA including functionally linked land, either alone or in combination with other projects. The Wildlife Trust reviewed the document supplied to inform the HRA and had no comments to make and Natural England have raised no concerns. As the screening carried out has identified the development will not have the potential for significant adverse impacts, it is considered that an appropriate assessment under the Birds or Habitats Directives is not required.

7.10.6 The application is supported by a biodiversity checklist to confirm the consideration of protected species and this confirms none are present on the site. As such the proposal is considered to comply with policy ENV7 and Paragraph 180 of Chapter 15 of the NPPF.

7.10.7 In accordance Paragraph 174 (d) of the NPPF development should contribute and enhance the natural environment by minimising impacts and providing net gains for biodiversity. In addition, the Natural Environment SPD seeks to establish biodiversity net gain through policy NE6. The Local Plan 2015 includes policy ENV7 which seeks to deliver a net gain in biodiversity, proportionate to the scale of development proposed, by creating, restoring and enhancing habitats and enhancing them for the benefit of species. As this development is proposed on previously un-developed land there is potential for disturbance, however a suitable biodiversity enhancement scheme could overcome any concerns. The block plan demonstrates the inclusion of two varieties of bird boxes to be incorporated onto the property and the inclusion of a bat box to the side elevation. Furthermore, the proposal seeks to introduce an owl box to the rear northern corner of the site. With the inclusion of these measures the development would add further habitat's and complies with national and local policy.

## 7.11 Climate Change

7.11.1 The recently adopted Climate Change Supplementary Planning Document predominantly focusses on providing additional guidance to the implementation of

Local Plan Policy ENV 4 – Energy and water efficiency and renewable energy in construction. Policy ENV 4 states all proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable. The Planning Statement advises it is proposed where possible to use energy efficient technologies in the construction process to minimise the dwellings environmental impact. In accordance with policy ENV4 and the Climate Change SPD, the proposal address the uses of energy and efficiency in construction.

## 7.12 Waste

7.12.1 The Waste Team have advised that the current arrangement for waste collection requires residents to present waste by the A142 and this would be applicable for the new property. It should be made clear to any prospective purchasers in advance. It is considered there is sufficient area in proximity to the A142 to allow for waste bins to be stored there during collection day without compromising the access.

## 8.0 Conclusion

8.1 The proposal fails to meet the requirements of the most important policies as evidenced under section 7.4. In accordance with policy HOU 5 no essential need has been evidenced within the submission and other aspects of the policy, such as landscaping and assessment of nearby accommodation have not been met. The proposal fails to pass the sequential test in accordance with the National Planning Policy Framework and policy ENV 8. Furthermore, the design and location of the dwelling is considered to result in significant harm to the countryside, with no enhancement or preservation to the character of the area, contrary to policies ENV 1 and ENV 2. The proposal has been found to be contrary to the East Cambridgeshire Local Plan 2015 most important policies for the site and numerous paragraphs of the NPPF. Therefore, the application is recommended for refusal.

<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
21/01536/FUL	Molly Hood Room No. 011 The Grange	Molly Hood Planning Officer 01353 665555
21/00417/FUL	Ely	molly.hood@eastcambs.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>