

**TITLE: 24/00925/RMM**

Committee: Planning Committee

Date: 7 May 2025

Author: Planning Team Leader

Report No: Z170

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**Site Address: Millstone Park Burwell Newmarket Road CB25 0BA**

**Proposal: Reserved matters application of the approval of layout, scale, appearance and landscaping (Phase 4) in relation to the internal road layout and plot sub division of 18 development plots within a self-build zone, together with associated landscaping, drainage and ancillary infrastructure (including a substation), pursuant to 15/01175/OUM to provide up to 350 dwellings (including affordable housing provision) with associated open space, sports provision, access and infrastructure (as varied by 15/01175/NMAA and 15/01175/NMAB).**

**Applicant: This Land Limited**

**Parish: Burwell**

**Ward: Burwell**

Ward Councillor/s: David Brown  
Lavinia Edwards

**Date Received: 3 September 2024**

**Expiry Date: 9 May 2025 (by agreed extension of time)**

**1.0 RECOMMENDATION**

- 1.1** Members are recommended to APPROVE the application subject to the conditions set out in Appendix 1.
- 1.2** The application is being heard by committee because Committee resolved when it determined the outline permission to which this application relates that future reserved matters applications would be considered by Committee.

## **2.0 SUMMARY OF APPLICATION**

- 2.1 The application relates to part of the Millstone Park site in Burwell which benefits from an Outline permission for up to 350 dwellings as well as the approved main access. The part of the site to which the application relates is the parcel identified for the delivery of self-build plots which were required as part of the s106 agreement completed in respect of the Outline permission, as well as an area of the perimeter landscape belt for the wider site.
- 2.2 The application seeks approval of the reserved matters of layout, scale, appearance and landscaping which were reserved for future consideration as part of the approval of the outline planning permission for the wider site. The decision notice for the outline permission can be found at Appendix 2.
- 2.3 The application only seeks the approval of the reserved matters in respect of the infrastructure such as roads, pathways, green spaces and landscaped areas of the parcel and the sub-division of the parcel into self-build plots, rather than in respect of any of the designs of the self-build dwellings, which would come forward at a later date. Detailed drainage designs have also been submitted and full details of a substation to be located on the parcel have also been provided. During the course of the application a highways technical note including amended proposals for bin collection points and visitor parking was submitted to address the comments of the Local Highways Authority and the Council's Waste Collection team.
- 2.4 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 The relevant planning history for the includes the outline permission to which the current application relates. That outline application followed an EIA Screening Opinion requests. Subsequently, the outline permission has twice been the subject of non-material amendments to make minor amendments to the wording of its conditions. A full application has also been approved in respect of the footpath/cyclepath link required by the outline permission.

### **14/00149/SCREEN**

Screening Opinion for Residential Development

**Environmental Statement Not Required**

26 February 2014

### **15/01175/OUN**

Redevelopment of land at Newmarket Road, Burwell to provide up to 350 dwellings (including affordable housing provision) with associated open space, sports provision, access and infrastructure.

**Approved**

31 October 2019

### **15/01175/NMAA**

Non-material amendment to wording of Condition 14 (Energy and Sustainability Strategy) of 15/01175/OUM.

**Accepted**

8 December 2020

**15/01175/NMAB**

Non-material amendment to vary wording of conditions 2, 4, 5, 6, 10, 11, 12, 13, 16, 17, 18, 19, 28, 36 and 37.

**Accepted**

29 October 2021

**21/01771/FUL**

Provision of a shared cycleway/footway west onto Ness Road, landscape, drainage, and associated infrastructure.

**Approve**

2 November 2022

- 3.2 The following Reserved Matters applications have previously been made in respect of the outline permission for other parts of the site:

**19/01578/RMM**

Reserved matters for appearance, landscaping, layout and scale of planning application 15/01175/OUM (Phase 1)

**Withdrawn**

7 April 2020

**20/01755/RMM**

Reserved matters for internal access, layout, scale, appearance and landscaping for the provision of an internal spine road, landscaping and associated drainage and related infrastructure

**Approved**

13 July 2021

**21/01508/RMM**

Reserved matters infrastructure application (Phase 2) for internal access, layout, scale, appearance and landscaping for the provision of an internal spine road, landscaping and associated drainage and related

**Approved**

13 May 2022

**22/00420/RMM**

Reserved matters comprising layout, scale, appearance and landscaping for 138 dwellings, internal roads, parking, open space, landscaping, associated drainage and ancillary infrastructure for Phase 1 (Housing) pursuant to outline planning permission 15/01175/OUM (as varied by 15/01175/NMAA and 15/01175/NMAB)

**Approved**

10 November 2023

**22/00479/RMM**

Reserved matters for Layout, Scale, Appearance and Landscaping for Phase 2A for 133 dwellings, parking, internal roads, open space, landscaping, sustainable urban

drainage and ancillary infrastructure pursuant to 15/01175/OUM (as varied by 15/01175/NMAA and 15/01175/NMAB)

**Approved**

10 November 2023

#### **4.0 THE SITE AND ITS ENVIRONMENT**

- 4.1 The wider application site for which outline permission was granted comprises 27.3 hectares (67.5 acres) of greenfield agricultural land and adjoins the existing built form of Burwell to the west and south. Open countryside adjoins the site to the east and the north, with Newmarket Road defining the south-west boundary of the site. To the west the wider site bounds Melton Farm, the Felsham Chase housing estate and other residential streets.
- 4.2 The wider site is allocated for residential development for approximately 350 dwellings, in the East Cambridgeshire Local Plan 2015, under Policy BUR1 – Housing allocation, land off Newmarket Road, and was granted outline permission in 2019 as detailed above.
- 4.3 The current application site is a parcel of land alongside the northern perimeter of the site. It occupies the northernmost part of the area designated for housing in the outline permission to the east of the main spine road. The parcel is approximately 1.4 ha (3.45 acres) in total. There is a soft landscaped open space proposed along the northern and eastern boundary of the parcel, inside which sits an internal road with vehicle access to the parcel taken from the main spine road at the north-west corner of the parcel. The 18 self-build plots sit towards the centre and south-west of the parcel with an east-west pedestrian green route and private drives bisecting them.
- 4.4 The wider site was previously arable agricultural land. It has since been topsoil stripped and some elements of the previous reserved matters approvals for infrastructure, such as the primary spine road, have been implemented on site. The site is located within Flood Zone 1, meaning it is at the lowest risk of flooding from fluvial flooding, and is at a very low risk of flooding from surface water.

#### **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** - 25 September 2024

Does not object and notes it continues to favour non fossil fuel heating.

**Local Highways Authority** - 18 September 2024

Does not object but noted that turning heads would be required on private roads as well as a requirement for an amendment to a landscaped margin as well as some minor changes to bin collection points and drainage channels which it was content could be addressed as part of the Section 38 process. The LHA has since confirmed it is content with the changes made to address its comments.

**Lead Local Flood Authority - 27 September 2024**

Does not object on the basis that the submitted drainage information demonstrates that surface water can be managed in line with the wider approved strategy, with the access road draining into the infiltration basin in Phase 2 or the proposed basin to serve Phase 3. Notes that permeable paving is proposed on the driveways and parking courts with infiltration directly through the base and that runoff from the dwellings will drain directly into individual plot soakaways within the curtilage of the dwellings.

**Cambridgeshire Archaeology - 11 September 2024**

Does not object or require further conditions as archaeological fieldwork has been completed across the development area. Notes it is currently working with the applicant's archaeological contractor over the remaining post-excavation requirements and reporting.

**Waste Strategy (ECDC) - 24 September 2024**

Commented on general requirements for waste collection and in detail on the need for swept path analysis and collection points. Minor changes to the scheme have since been made and the team has confirmed that these are sufficient to address its concerns.

**Anglian Water Services Ltd - 25 September 2024**

Does not object to the scheme. Notes there are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary. States that the foul drainage from this development is in the catchment of Burwell Water Recycling Centre that will have available capacity for these flows, that the impacts on the public foul sewerage network are acceptable the surface water drainage infrastructure is outside of its jurisdiction and it does not wish to comment on that element.

**Environment Agency - 9 October 2024**

Does not object in respect of the development or drainage measures proposed.

**ECDC Trees Team – 29 November 2024**

Does not object and states the submitted landscape management plan provides appropriate management specifications and that the submitted soft landscaping scheme is acceptable with suitable trees and hedges for the development's layout.

**Environmental Health - 11 September 2024**

Does not object to the scheme or the proposed lighting noting it is a highways lighting scheme.

**Design Out Crime Officers - 20 September 2024**

Commented on various design issues including security and crime prevention measures and provided general advice on the benefits of good design in that regard. Made detailed comments in respect of door and window security and external lighting, suggestions for soft planting, boundary treatments and secure cycle storage.

**Cambridgeshire Fire And Rescue Service – 21 November 2024**

States that as part of the planning process, it would expect the developer to provide a water scheme to allow it to plot the locations of any required fire hydrants.

**Housing Section – 21 November 2024**

States it has no comment to make on the above application regarding Phase 4 as it will deliver Self Build units only.

**Ward Councillors - No Comments Received**

**Conservation Officer - No Comments Received**

**Enforcement Section - No Comments Received**

**Community & Leisure Services - No Comments Received**

**Infrastructure & Strategic Housing Manager - ECDC - No Comments Received**

**Cambridgeshire County Council Education - No Comments Received**

**HSE (Planning Advice Team) - No Comments Received**

**Sport England - No Comments Received**

**Head Of Strategic Planning - No Comments Received**

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

**The Ely Group Of Internal Drainage Board - No Comments Received**

**Cadent Gas Ltd - No Comments Received**

**West Suffolk District Council - No Comments Received**

**NHS England - No Comments Received**

5.2 A site notice was displayed near the site on 13 September 2024 and a press advert was published in the Cambridge Evening News on 19 September 2024.

5.3 Neighbours – 420 neighbouring properties were notified. No responses were received to that consultation.

**6.0 THE PLANNING POLICY CONTEXT**

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted East Cambridgeshire Local Plan (2015, as amended 2023) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

- 6.2 *East Cambridgeshire Local Plan 2015 (as amended 2023) [LP]*
- |          |  |
|----------|--|
| GROWTH 2 | Locational strategy                                    |
| GROWTH 3 | Infrastructure requirements                            |
| GROWTH 4 | Delivery of growth                                     |
| GROWTH 5 | Presumption in favour of sustainable development       |
| HOU 1    | Housing Mix  |
| HOU 2    | Housing density  |
| ENV 1    | Landscape and settlement character                     |
| ENV 2    | Design   |
| ENV 4    | Energy efficiency and renewable energy in construction |
| ENV 7    | Biodiversity and geology                               |
| ENV 8    | Flood risk   |
| ENV 9    | Pollution  |
| ENV 14   | Sites of archaeological interest                       |
| COM 4    | New community facilities                               |
| COM 7    | Transport impact                                       |
| COM 8    | Parking provision                                      |
| BUR 1    | Housing allocation, land off Newmarket Road            |
- 6.3 *Supplementary Planning Documents [SPD]*  
*Design Guide – Adopted March 2012*  
*Flood and Water – Adopted November 2016*  
*Contaminated Land - Adopted May 2010*  
*Developer Contributions and Planning Obligations – Adopted May 2013*  
*Natural Environment SPD – Adopted September 2020*  
*Climate Change – Adopted February 2021*
- 6.4 *Cambridgeshire & Peterborough Waste and Minerals Local Plan 2021 ('CPWM')*
- |           |  |
|-----------|--|
| Policy 14 | Waste management needs arising from residential and commercial development |
|-----------|--|
- 6.5 *National Planning Policy Framework (December 2024) [NPPF]*
- |            |  |
|------------|--|
| Section 2  | Achieving sustainable development                                    |
| Section 4  | Decision-making  |
| Section 5  | Delivering a sufficient supply of homes                              |
| Section 6  | Building a strong, competitive economy                               |
| Section 8  | Promoting healthy and safe communities                               |
| Section 9  | Promoting sustainable transport                                      |
| Section 11 | Making effective use of land   |
| Section 12 | Achieving well-designed places                                       |
| Section 14 | Meeting the challenge of climate change, flooding and coastal change |
| Section 15 | Conserving and enhancing the natural environment                     |
| Section 16 | Conserving and enhancing the historic environment                    |
- 6.6 *Planning Practice Guidance and National Design Guide (NDG)*

## **7.0 PLANNING COMMENTS**

### **7.1 Principle of Development**

- 7.2 The site is part of a wider site which benefits from an outline planning permission for the provision of 350 dwellings and other infrastructure. That outline permission was granted on the basis that the site is allocated for residential development in the Local Plan. On that basis, the overriding principle of residential development on the site is acceptable.
- 7.3 The outline permission reserved consideration of the detailed matters of layout, scale, appearance and landscaping, requiring the submission of details of those matters at a later stage. This current application is made in that regard.
- 7.4 The requirement for self-build plots is set out in LP policy HOU 1 which states that developments of more than 100 dwellings will be expected to provide 5% self-build properties. This requirement was secured as a planning obligation in the s106 agreement completed as part of the outline permission. The proposed provision of 18 self-build plots would satisfy the quantum of plots required by the s106 agreement.
- 7.5 The principle of development is therefore acceptable in accordance with LP policies HOU 1, GROWTH 2 and BUR 1. The detailed consideration of this current application below, assesses whether the detailed matters pursuant to the Outline planning permission accord with the development plan when taken as a whole.
- 7.6 Residential Amenity**
- 7.7 While the detail of the dwellings would only come forward as part of future individual applications, the proposed plots shown in the layout proposed in the current scheme are considered to be laid out and proportioned in such a way that they would each offer the future self-builders the opportunity to propose and build a home which provides a good level of residential amenity. Most of the parcels are in excess of the 300m<sup>2</sup> plot size suggested by the Council's Design Guide, with the remainder close to that size and all would be sufficient to enable self-builders to provide private garden in excess of the 50m<sup>2</sup> minimum set out in the guide. It is considered that the layout of plots is such that individual dwellings will be able to be brought forward in a way which provides acceptable impacts on neighbouring residential amenity.
- 7.8 The open space and landscaping within and around the parcel will provide a good level of amenity to residents and the play space within the parcel as well as the access residents would have to other larger play space and open space areas on site which are easily accessible on foot will ensure a good level of provision and amenity.
- 7.9 The construction phase of any large residential development poses potential amenity issues in respect of noise, dust and light pollution. The outline permission was granted subject to Condition 19 which requires that no development commence until a Construction Environmental Management Plan for that phase has been submitted and approved. That condition satisfactorily secures the mitigation of the impact of development phase on any potential residential neighbours.
- 7.10 The proposed development is therefore considered to be acceptable in respect of its impact on residential amenity in accordance with LP policy ENV 2.



## **7.11 Design and Landscaping**

- 7.12 The site is laid out with the proposed self-build plots either fronting onto the internal perimeter access road, the spine road to the west (although no accesses are proposed to be taken from that road) or the east-west green route. This is considered to be a sensible and acceptable arrangement. The proposed open space areas to the north and east are also appropriately located to tie in with the approved open space areas on Phase 2 and the potential future open space areas on parcels to the south.
- 7.13 The location of the plots would allow the dwelling on each one to have a suitable street presence, providing a level of enclosure to each street. It would provide a more regular, urban grain to the spine road and east-west green route while allowing a somewhat looser arrangement on the eastern edge of the site where it opens out onto wider countryside, making sense of the character of the wider site.
- 7.14 As detailed above, the proposed plot sizes are considered to be acceptable and would not lead to an overly dense character or present any obvious issues in delivering good quality housing with acceptable levels of residential amenity. The plots vary in size and would allow for a variety of individual layouts and building forms and sizes to come forward, as should be the aim of self-build plots, while retaining an acceptable relationship with the character and layout of the wider site.
- 7.15 The application includes 'Plot Passports' for each of the 18 self-build plots, which are intended to show parameters for future development and indicate how self-build units are likely to come forward on those plots including elements such as the suggested build zone, access point, principal elevation and spacing from boundaries. While these plot passports will not be formally approved as part of this permission (for reasons detailed below in paragraphs 7.39 to 7.44), they are considered to demonstrate that the self-build plots are workable and would allow dwellings to be brought forward that would contribute to a high-quality environment on the wider site.
- 7.16 The proposed landscaping of the site includes the provision of the tree-lined, pedestrian green route running east-west through the parcel, which will connect with the similar green route on Phase 2A to the west and provide a link to the public open space to the east of the plot. It also proposes hedge planting along the spine road to the west, which will give the parcel an attractive green frontage onto the spine road, complementing its street trees, and a well-landscaped area of open space to the north and east. That open space will have native planting along the northern boundary, feature trees alongside the pedestrian path to the north and down alongside the internal access road. The Council's Trees Officer has considered the scheme and confirmed their view that the proposal is acceptable providing suitable trees and hedges for the development's layout and land usage. They have also confirmed that the proposed management arrangements for the scheme are acceptable.
- 7.17 It is considered that the proposed landscaping of the site is of a high quality and sufficient to create an attractive environment for future residents.

- 7.18 The only building for which the scale and appearance are specified is the proposed substation to the north of the access road close to the vehicle entrance to the parcel. The proposed substation is considered to be modest in scale and acceptable in its design with brick built walls and a tiled, hipped roof.
- 7.19 The proposed development is therefore considered to be acceptable in respect of its design, providing an accessible layout for the plots which will allow for a high-quality self-build scheme to come forward in detail. The layout of the infrastructure is considered to be sensible, with each plot provided with both vehicle access and an attractive outlook. The provision of a central green route which, continuing on from that on Phase 2A, will provide an attractive link between housing parcels and the open space to the east enhances the layout.
- 7.20 The proposed design of the parcel and the landscaping of it is considered to be good quality and acceptable in respect of its integration into the wider site and would therefore comply with LP policy ENV 2.
- 7.21 Highways and parking**
- 7.22 The main access to the site, main spine road and the access point on to the parcel have been detailed as part of the outline and subsequent reserved matters applications. This application provides a detailed road layout for the parcel itself, which includes a perimeter road to the north and east of the housing and two private access roads alongside the green route which bisects the site.
- 7.23 The Local Highways Authority has confirmed that the proposed access roads are acceptable to serve the development. This includes the provision of emergency access turning arrangements via the use of grasscrete in the central area of the green route through the site.
- 7.24 The Council's Waste Team has confirmed that the layout and specification of the roads is acceptable to allow bin collection from each of the plots and a condition will be applied requiring a scheme of collection points to be provided.
- 7.25 The proposed development would provide safe vehicular access in and around the parcel and it is therefore considered the proposal complies with LP policy COM 7.
- 7.26 The layout of the development on individual plots is unknown at this stage, however the parcel has been subdivided in such a way and the plots are proportioned such that adequate off-street parking on each plot (two spaces) would be able to be incorporated into the future designs of the development and provided. This would ensure that each new dwelling has an adequate level of parking provision.
- 7.27 The proposal also provides for five visitor parking spaces adjacent to the open space to the north and east. This equates to a provision of one space per 3.6 dwellings, which is a slight over-provision when seen against the requirements of the Council's adopted parking standards of up to 1 space per four dwellings. This provision is considered adequate.
- 7.28 The proposed development is therefore considered to enable adequate parking on the parcel in accordance with LP policy COM 8.

## **7.29 Ecology**

- 7.30 The outline permission established that across the wider site the ecological impact of the development of up to 350 homes could be acceptably mitigated and included a condition requiring the carrying out of the development in accordance with the key recommendations and precautionary methods contained within the ecological surveys submitted at the time of that application.
- 7.31 Those enhancement recommendations included the installation of bat tubes; bird boxes suitable for house martins, house sparrow, dunnock and starling; native and wildlife attracting planting; hedgerow boundary planting or along access roads; and reptile hibernacula such as log and rock piles. Such measures are considered to remain appropriate.
- 7.32 In addition to the on-plot provision, the landscaping of the open space areas will provide further ecological enhancement. On the basis of the on-plot and open-space enhancements to biodiversity, the proposed development is considered to bring about an acceptable level of biodiversity enhancement and comply with LP policy ENV 7 and the Natural Environment SPD.

## **7.33 Flood Risk and Drainage**

- 7.34 The site is at low risk of flooding and the outline application demonstrated that surface water could be dealt with on the wider site as it had been established that infiltration drainage was feasible. That application was granted subject to a condition requiring that detailed drainage schemes for each phase of development be submitted and approved prior to the granting of any Reserved Matters applications for that phase.
- 7.35 A detailed surface water drainage scheme has been submitted in respect of this phase and the Lead Local Flood Authority has confirmed that it is acceptable and sufficient to satisfy the requirements of the condition. On that basis, it is considered that the scheme has demonstrated that it can adequately provide surface water drainage and is acceptable in that regard. As the drainage scheme is secured by condition on the outline, no further condition is required in respect of this reserved matters application.
- 7.36 The principle of the site to provide adequate foul drainage for 350 dwellings was considered at outline stage. Anglian Water advised that there was the capacity at Burwell Water Recycling Centre to accommodate the flows from the development. The outline permission was therefore granted subject to a condition requiring that no development commence until a foul water strategy has been submitted and approved. The applicant has submitted such a scheme and Anglian Water has confirmed it is acceptable.
- 7.37 On the basis of the above, the development is considered to comply with the requirements to provide adequate drainage in accordance with LP policy ENV 8.

## **7.38 Other Material Matters**

7.39      *Applications for individual self-build dwellings*

7.40      While the proposed application provides a suitable number of self-build plots to meet the requirements of policy and the s106 obligation on the Outline permission, the individual dwellings themselves will not be able to be brought forward as individual reserved matters applications under that Outline permission, as the time period for making new reserved matters applications against the outline permission has now expired. As a result, proposals for the detail of the individual self-build dwellings will have to come forward as separate full planning applications.

7.41      The requirements of the outline permission for the provision of the self-build dwellings on the site, including the submission of details regarding the advertisement and promotion of self-build plots and the terms and conditions of their transfers, will remain secured by the original s106 agreement and any future applications for development of the plots on this site will be expected to be for self-build dwellings. The need for future applications to be separate planning applications is therefore not considered to undermine the provision of a policy compliant level of self-build dwellings on the wider site.

7.42      *Conditions*

7.43      As this application does not relate to the layout of individual dwellings or detail of any buildings, other than the substation, and as future applications would come forward under separate planning applications not tied to the outline permission or this reserved matters permission, it is not appropriate to secure details which ordinarily might commonly be secured by condition (such as external materials, on-plot bicycle storage, bin stores, parking spaces and biodiversity enhancements, etc). However, any future applications for the self-build dwellings will be expected to either provide those details or such details would be secured by condition on those individual applications.

7.44      The conditions applied therefore relate to the detailed proposals put forward as part of this application for the onsite road infrastructure, the substation and the landscaping of the site.

7.45      *Fire-fighting*

7.46      Notwithstanding the comments of the Fire Service, condition 13 of the outline permission already satisfactorily secures that details of hydrants are be agreed prior to commencement of development of each phase.

7.47      *Human Rights Act*

7.48      The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party

interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

**7.49**      ***Equalities and Diversities***

**7.50**      In considering this planning application due regard has been had to the public sector equality duty (PSED) under Section 149 of the Equality Act 2010, which means that the Council must have due regard to the need (in discharging its functions) to put an end to unlawful behaviour that is banned by the Equality Act, including discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not. Account has been taken of the PSED and it is considered that the recommendation set out below would not undermine the objectives of the duty.

**7.51**      **Planning Balance**

**7.52**      The proposed development is considered to satisfy the requirements of policy and the provisions and expectations of the outline planning permission in delivering a suitable number of self-build plots on the parcel and providing a high-quality environment in which they will be set. The proposed development is therefore considered to be acceptable and is recommended for approval.

**8.0**      **COSTS**

**8.1**      An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.

**8.2**      Unreasonable behaviour can be either procedural i.e. relating to the way a matter has been dealt with or substantive i.e. relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.

**8.3**      Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

**9.0**      **APPENDICES**

**9.1**      Appendix 1 – Recommended Conditions

**9.2**      Appendix 2 – Decision notice for outline permission 15/01175/OUM

## Background Documents

Documents on the planning register for 24/00925/RMM

Documents on the planning register for 15/01175/OUM

National	Planning	Policy	Framework	-
<a href="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</a>				

East	Cambridgeshire	Local	Plan	2015	-
<a href="http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf">http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf</a>					