

24/00340/RMM



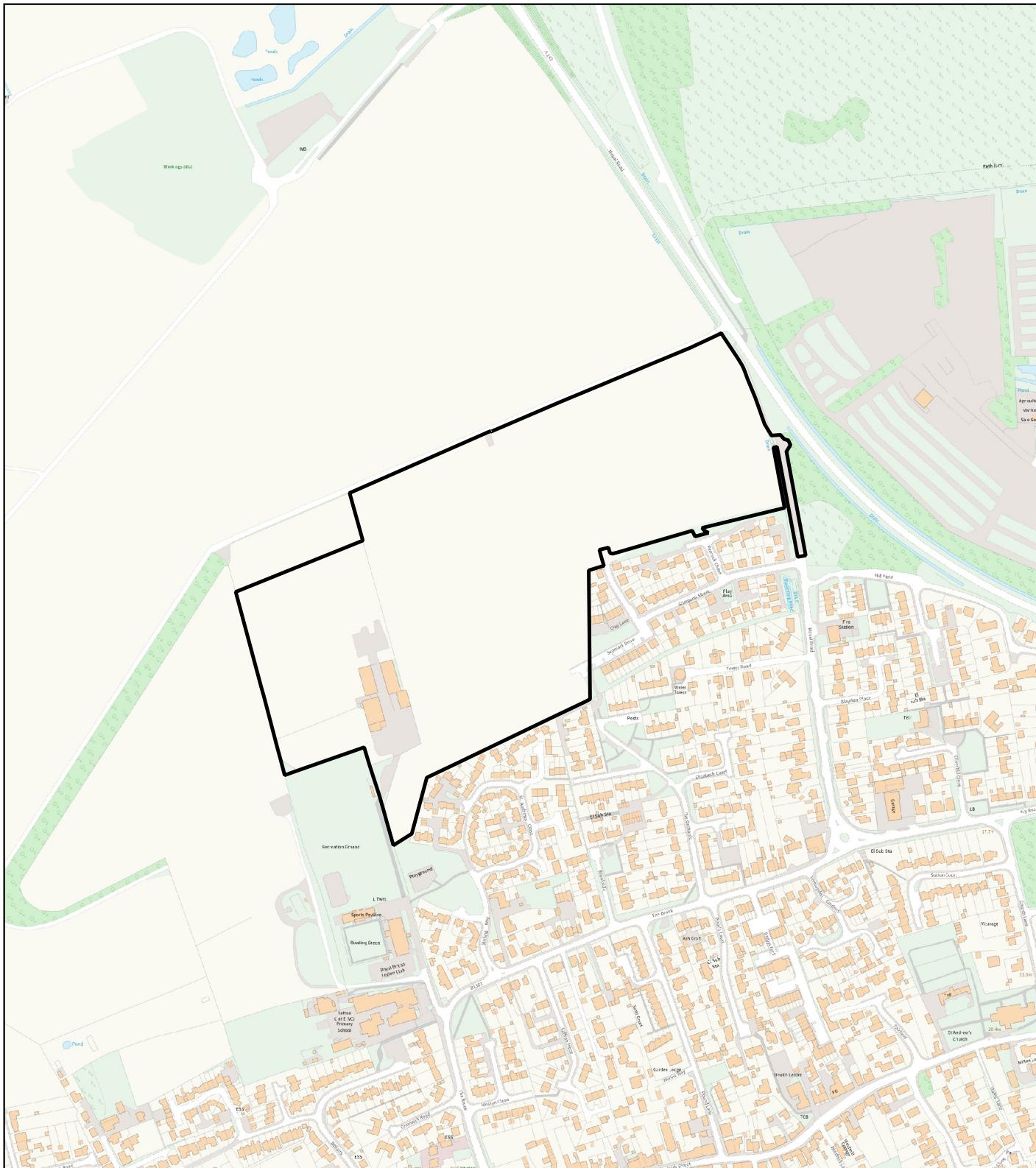
Land Adjacent 43
Mepal Road
Sutton

East Cambridgeshire
District Council

Date: 21/11/2024
Scale: 1:10,000



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24/00340/RMM



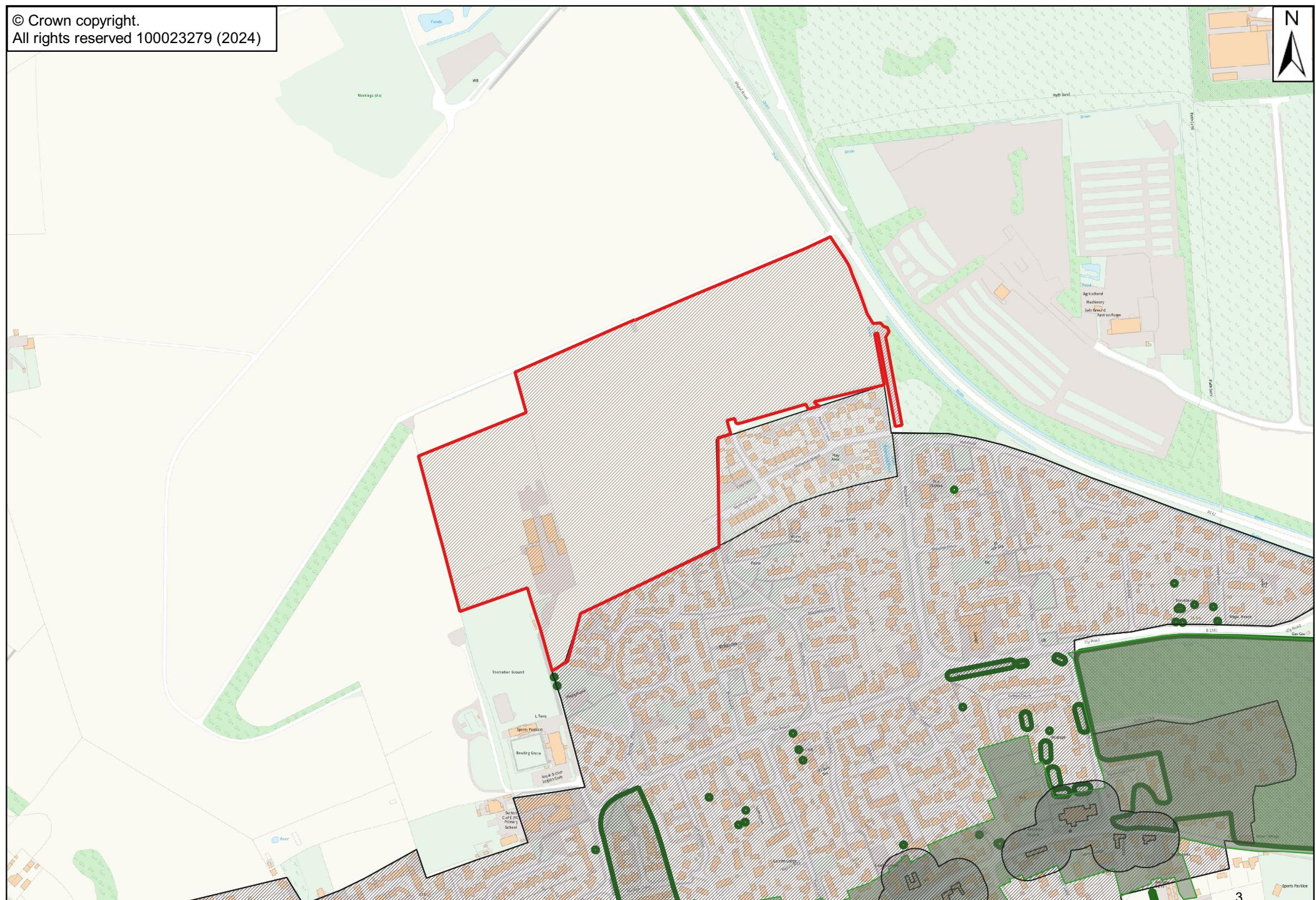
Land Adjacent 43
Mepal Road
Sutton

East Cambridgeshire
District Council

Date: 21/11/2024
Scale: 1:6,000



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TITLE: 24/00340/RMM

Committee: Planning Committee

Date: 4 December 2024

Author: Senior Planning Officer

Report No: Z115

Contact Officer: Holly Durrant, Senior Planning Officer
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Site Address: Land Adjacent 43 Mepal Road Sutton Cambridgeshire

Proposal: Reserved matters for layout, scale, appearance and landscaping of 164 dwellings (excludes self-build plots), internal roads, parking, open space, landscaping, sustainable urban drainage and ancillary infrastructure pursuant to 19/01707/OUM

Applicant: Vistry Homes East Anglia And Ms E Newbury, Mr P Marshall

Parish: Sutton

Ward: Sutton

Ward Councillor/s: Lorna Dupre
Mark Inskip

Date Received: 8 April 2024

Expiry Date: 11 December 2024

1.0 RECOMMENDATION

1.1 Members are recommended to APPROVE the application subject to the recommended conditions summarised below. The conditions can be read in full on the attached appendix 1.

- 1 Approved Plans
- 2 Surface water during construction
- 3 Noise mitigation
- 4 Lighting
- 5 Footpath
- 6 Hedgerow and Woodland Management
- 7 Road surfacing
- 8 Street management

- 9 Biodiversity enhancements
- 10 Soft landscaping - 5 years
- 11 Binder course
- 12 Surfacing of private drives
- 13 Emergency access link
- 14 Gate security details
- 15 External materials

2.0 SUMMARY OF APPLICATION

2.1 This application seeks approval of reserved matters in respect of layout, scale, appearance and landscaping for 164 dwellings and associated infrastructure. It follows the grant of outline planning permission with access committed under 19/01707/OUM. The outline permission also requires that details in respect of site-wide biodiversity, noise assessment and mitigation and an energy and sustainability strategy is also agreed either prior to or within the reserved matters submission. The applicant is therefore seeking to agree these matters within this submission as set out below.

2.2 Member's attention is drawn to the fact that the application site already has extant reserved matters consent for all of the above details under 22/00507/RMM, granted in December 2022.

2.3 The submission of this application therefore effectively acts as a variation to the extant reserved matters consent, making adjustments to house types and minor adjustments to housing mix and layout. Otherwise, the details submitted are largely identical to those already approved by the Council under 22/00507/RMM.

2.4 The extant reserved matters consent is therefore an important planning consideration when assessing this application submission, and much of this report repeats conclusions made within the Committee Report to 22/00507/RMM.

2.5 The proposed development is arranged around a central spine road which runs east to west through the site. Secondary roads serve frontage development, which lead onto tertiary roads serving smaller clusters of housing and private drives on the site's rural fringes, where they face onto open space.

2.6 An area is allocated to the west of the site for a further 9no. self-build / custom-build housing as required under the outline permission and S106 legal agreement. Details of these particular properties are reserved for future submission and are not therefore covered within this application.

2.7 The main areas of informal open space are located along the northern and south-western edge of the development and incorporates footpaths connecting to the wider settlement to the south and to the sports pitches to the west (to be delivered as part of the package of measures secured under the S106 underpinning the outline). A Local Equipped Area of Play (LEAP) is proposed within the western side of the development and Local Area of Play (LAP) is proposed along the north-eastern edge of the development.

2.8 A variety of SuDS features are proposed along the perimeters of the development area and within the development itself, including permeable paving driveways and swales which lead into an above-ground attenuation basin. A foul pumping station is proposed at the eastern edge of the site at the access. Opposite this structure, a temporary sales parking area is proposed, with the temporary sales building occupying the double garage at Plot 78.

2.9 As part of the landscaping scheme a 2.5m high noise bund is proposed at the north eastern corner of the site which follows recommendations of the noise assessments undertaken. This is to mitigate against noise from vehicular traffic along the A142. This bund is proposed to be planted out to assimilate into the wider landscaping of the scheme.

2.10 An area to the far north west is allocated for a burial ground, and an area immediately south of this is reserved for sports pitches, with details required to be agreed separately under conditions and S106 agreement tied to the outline permission.

2.11 The proposal has undergone only limited revision as part of this application to address matters in relation to design, location of affordable housing and housing mix.

2.12 Whilst the previous reserved matters consent was supported by guidance from Urban Designers at Place Services, given the very limited changes between the approved and now proposed scheme, it was considered assessment could be appropriately made without external input.

2.13 The application is brought to Planning Committee as it was requested by Members upon resolution to grant permission for the Outline application, that future reserved matters applications should also be considered by the Planning Committee.

2.14 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 19/01707/OUM

Outline planning application for the demolition of existing buildings and erection of up to 173 dwellings and provision of land for community facilities (sports pitches and burial ground), including access (not internal roads), open space, sustainable urban drainage systems and associated landscaping. All matters reserved apart from access.

Approved

12 April 2022

22/00507/RMM

Reserved matters for layout, scale, appearance and landscaping of 164 dwellings (excludes self-build plots), internal roads, parking, open space, landscaping, sustainable urban drainage and ancillary infrastructure pursuant to 19/01707/OUM

Approved

7 December 2022

19/01707/DISC

To discharge Condition 13 (contamination) 16 (foul water scheme) 17 (surface water drainage scheme) 19 (construction environmental management plan - CEMP) 24 (site waste management plan) 26 (Tree Protection Plans) 27 (broadband strategy) 28 (archaeology) of decision dated 12 April 2022 for 19/01707/OUM Outline planning application for the demolition of existing buildings and erection of up to 173 dwellings and provision of land for community facilities (sports pitches and burial ground), including access (not internal roads), open space, sustainable urban drainage systems and associated landscaping. All matters reserved apart from access

Pending Consideration**19/01707/NMAA**

Non material amendment to previously approved 19/01707/OUM for Outline planning application for the demolition of existing buildings and erection of up to 173 dwellings and provision of land for community facilities (sports pitches and burial ground), including access (not internal roads), open space, sustainable urban drainage systems and associated landscaping. All matters reserved apart from access

Pending Consideration**24/00747/VARM**

To Vary Condition 4 (Assessment of Ground Conditions) of previously approved 19/01707/OUM, dated 12 April 2022 for outline planning application for the demolition of existing buildings and erection of up to 173 dwellings and provision of land for community facilities (sports pitches and burial ground), including access (not internal roads), open space, sustainable urban drainage systems and associated landscaping. All matters reserved apart from access

Pending Consideration**4.0 THE SITE AND ITS ENVIRONMENT**

- 4.1 The site comprises circa 15.39 ha/30.02 acres of agricultural land and associated buildings located to the north of the village of Sutton. The site comprises a large eastern arable field and a smaller western grassland/pasture field with several agricultural barns.
- 4.2 Mature trees and hedgerows are scattered along its boundaries, however there is generally very little in the way of vegetation.
- 4.3 The site is relatively flat, with an almost imperceptible rise from approximately 22m/75 ft AOD (Above Ordnance Data) at the eastern corner to 25m/82ft AOD in the western part of the site.
- 4.4 To the south-east of the site lies Phase 1 which has been recently constructed by Vistry for 77 dwellings (Ref: 16/01772/FUM). The remainder of the southern boundary is defined by rear garden boundaries of properties on St Andrew's Close and The Orchards, with further residential properties beyond.
- 4.5 To the north, lies a farm track with further agricultural land beyond. To the west, lies agricultural fields and to the east lies Mepal Road and the A142 carriageway.

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 - 24 April 2024

The PC met on the 23/4/24 and discussed the application and were concerned that the drainage system may not be able to handle the additional flow from the estate, especially after the recent flooding episodes in 2023.

The PC are concerned after the severe flooding at the top of Mepal Road in 2023 with water coming off the part of the estate already built that the existing drainage system already in place is sufficient and suitable to handle the increased flows once the rest of the estate is completed. Can the Developers and the Planning Dept confirm that this has been investigated and assure the PC that the drainage system is adequate for the increased flow. Have the Flood and Water team at CCC been consulted and are they happy with the drainage system going forward?

Cllr Lorna Dupre and Cllr Mark Inskip (Ward Councillors, Sutton) – 20 November 2024

“Well-founded concerns about drainage from this development were expressed by residents during the consultation process for Phase 1. The consequences of that phase for properties in adjacent streets were predictable, and indeed predicted. One property in St Andrew's Close has been internally flooded twice, and a property in Tower Road has experienced repeated external flooding to the front and rear. In the second case, it took considerable community effort to prevent internal flooding via the front of the property, and the flooding to the rear would have overwhelmed the interior of the property without intervention from the homeowner. Investigations into the causes of the flooding to the rear of the property since the completion of Phase 1 have still not concluded.

The applicant proposes to rely on this same drainage system to manage water flows from Phase 2 of the development. The Middle Level Commissioners have noted that they have a capacity issue in the downstream Catchwater drain to the east of Sutton, which eventually takes the runoff from the highway system in Mepal Road, and have commented on the potential impact of these proposals much more widely through the village.

We would want to see a conclusion of the investigations into the flooding caused by Phase 1 of the development before drainage arrangements for Phase 2 are signed off; and robust measures in place to alleviate further flood risk from this development. We would also request a condition on the developer that they carry out a detailed condition survey of the full length of the drain along Mepal Road and be held responsible for repairs to bring it up to standard should issues be identified, given the additional flow of water which would be introduced by the new drainage scheme in this phase of the development. Furthermore, we would want the Local Planning Authority to impose covenants on the properties in Phase 2 to prevent hard-paving or astroturfing of gardens which exacerbate high levels of surface water run-off.”

Environmental Health - 13 November 2024

I have no additional comments to make at this time

East Cambs Ecologist - 16 April 2024

I have no major ecological concerns this application from a planning perspective it appears to reflect the Biodiversity Strategy that was pre-approved. I cannot find the details of the hedgehog highways (gaps in the fences) on any of the supplied maps, which may just be a minor administration oversight, that's easily rectified.

And a polite reminder if any protected species are now onsite, that currently wildlife protection legislations still be required no matter if there is planning permission or not, any harm or disturbance would be a criminal activity. I recommend they ensure the wooded areas are checked for badger activity 30 days prior to commencement to avoid any issues when looking to develop the football pitches area.

East Cambs Ecologist - 7 October 2024

From the information provided the Senior Ecologist has reviewed this application and supports/objects to this application on the principle of ...

There are multiple versions named the same with differing information.

One example: Submission JBA 21_307-03 landscape G are missing the B1 house sparrow terraces locations that are in the key shows other boxes. Which are in different locations to submission JBA 21_307-01 landscape plan G of the same date.

Please recheck plans for consistency and submit the final version.

They all say refer to the Plant schedule for more information please can you provide this.

Sparrow boxes in key not in the plans.

Hibernacula in some lands keys but not mapped.

Features mapped in on map but excluded in other maps showing same parts of land, Hedgehog highways still not marked.

East Cambs Ecologist – 20 November 2024

“They are now missing sparrow boxes (B1) is missing on every single landscaping plan, they are in the key but not on the actual plan.”

Housing Section - 5 November 2024

My only comment is to welcome the additional provision of affordable units and that the distribution across the site is now more balanced.

ECDC Trees Team - 30 July 2024

The submitted soft landscaping scheme appears to be acceptable my only concern is that some of the tree locations look likely to conflict with sites where street lighting may be installed but it is not possible to assess this as the locations of street lighting has not been provided. One of the most common reasons for pruning or removal of trees in proximity to the public realm is that they obstruct lighting columns making residents feel at risk in the associated dark spots. Please can an overlay of street lighting in relation to the tree planting be provided to ensure there is no conflict. The

provided tree pit design includes the use of a subterranean root barrier it would be advisable to consider using a root deflector in the pits that are in proximity to hard standing areas to direct root growth below a level where it may result in distortion of the surfacing.

Waste Strategy (ECDC) - 17 June 2024

- o East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).
- o The constrained layout, at the car parking bays of no 129 -131 would make it difficult for our waste and recycling collection vehicles to safely access and reverse into the area. The applicant should seek a more accessible layout and identify suitable bin collection points, with dropped kerbside. Refuse tracking should be based on our standard collection vehicles, whose dimensions are specified in the Recap Waste Management and Design Guide.
- o We would recommend bin collection points for plot 78 -81, 248 - 250 directly on the primary spine road, as our collection vehicles will be unable to access the private drives.
- o A clear identification of bin collection points would be required as the layout heavily rely on shared private drives. Poor identification of bin collection points could result in missed collections and disputes among neighbours, as well as poor street scene appearance.
- o 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 (delivery and administration) 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.
- o Each new property requires a set of receptacles; the contribution is currently £60.50 per set. We would recommend the developer made the contribution on behalf of the residents. Please note that the bins remain the property of East Cambridgeshire District Council.
- o Payment must be made in advance of bins being delivered; East Cambs District Council Account Number 43135897, Sort Code 52-41-19, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number.

Waste Strategy (ECDC) - 6 November 2024

The new collection points are ok, it's not clear if these will be off the footpath though. It needs to be made clear to owners (perhaps through some sort of covenant / planning condition?) that bins are not to be presented so as to block footpaths and roads, and bins are not to be stored there outside of collection times and must be returned to their own properties. This is to avoid street scene problems and access issues for pedestrians.

I also want to point out that since this application was received, the Council has opted to move to a wheeled bin for refuse, replacing sacks, and also introduce a weekly collection of food waste. It will mean that on collections days, there will be 2 wheeled bins and a small kerbside caddy presented by each house.

Local Highways Authority - 30 April 2024

Recommendation

On the basis of the information submitted, from the perspective of the Local Highway Authority, I have no objection in principle to the proposals. However, the below comments require attention to make the development acceptable in highway terms.

Comments

The shared private drive which serves to access plots 78-81 joins the primary spine road directly adjacent to a ramped raised table. For ease of use, I recommend that the ramp is moved circa 1m to the east to provide some separation between the access and the ramp.

Parking for plots 129 and 131 needs to be amended so that it aligns with the carriageway channel line and not the back of maintenance strip. Furthermore, given the constrained layout, it is unclear how a car can manoeuvre into and out of the parking spaces for plots 129 and 131 which are closest to the frontage.

In principle, the LHA will consider adoption of the four visitor parking bays adjacent to the public open space / LEAP as they serve a wider public utility. All other visitor parking bays will need to be privately maintained.

The drainage strategy includes some private drives drained by permeable paving. The LHA do not accept permeable surfacing as an acceptable means of surface water drainage in isolation. Where such driveways fall towards the roads proposed for adoption, a secondary means of surface water drainage is required at the boundary e.g., a channel drain.

Where a private swale is discharging to an adopted surface water sewer, the private connection must be outside of the highway proposed for adoption i.e., the first inspection chamber must be prior to the highway. CCC do not typically license such private connections in the highway.

Local Highways Authority - 21 October 2024

On the basis of the revised information submitted, I have no objection to this application.

Comments

The proposed layout is acceptable in highway safety terms. While the layout is suitable for adoption in principle (bar the shared private drives), this will be subject to separate legal agreements with the Local Highway Authority and construction of the site in accordance with CCC's Housing Estate Road Construction Specification.

Conditions

oHW2A: Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on 482-SK-02 Revision E in writing by the Local Planning Authority.

oHW23A: No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Local Highways Authority - 6 November 2024

Recommendation

On the basis of the updated information submitted, from the perspective of the Local Highway Authority, I consider the proposed development is acceptable in principle.

Comments

I note that the updated layout reference: 482-SK-02 does not appear to substantially differ from a highways perspective from the previously provided layout. However, please note my comments below.

The visitor parking bays that are illustrated on the layout referenced above will not be adopted as part of the Section 38 process, should part of this development be offered for adoption as public highway.

It is worth noting that any highway infrastructure, that is intended to be put forward for adoption as public highway, should be at least 5m away from any proposed drainage feature or watercourse, if the primary function of said drainage feature is infiltration. This is however something that can be addressed through the Section 38 process.

Cambridgeshire Fire And Rescue Service - 9 April 2024

With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition. The position of fire hydrants are generally agreed upon when the Water Authority submits plans to:

Water & Planning Manager
Community Fire Safety Group
Hinchingbrooke Cottage
Brampton Road
Huntingdon
Cambs
PE29 2NA

Where a Section 106 agreement or a planning condition has been secured, the cost of Fire Hydrants will be recovered from the developer.

The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the "National Guidance Document on the Provision of Water for Fire Fighting" 3rd Edition, published January 2007.

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required, the details of which can be found in the attached document.

Cambridgeshire Fire And Rescue Service - 13 November 2024

With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.

Where a Section 106 agreement or a planning condition has been secured, the cost of Fire Hydrants will be recovered from the developer. The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the "National Guidance Document on the Provision of Water for Fire Fighting" 3rd Edition, published January 2007.

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

Cambridgeshire Archaeology - 10 October 2024

Thank you for your consultation in regards to the above referenced planning application.

Archaeological fieldwork has been completed and post-excavation works are progressing under the condition applied to (19/01707/OUM). As such we have reviewed the documentation and can confirm that we have no comment or objection for the application, as the remaining archaeological work is secured by the condition applied to the outline application.

Cambridgeshire Archaeology - 6 November 2024

We have reviewed the amended documentation and can confirm they do not alter the advice given by this office previously, namely that we have no comment or objection for the application.

Archaeological fieldwork has been completed and post-excavation works are progressing under the condition applied to (19/01707/OUM). We are in receipt of an approved Post-Excavation Assessment Report (PXA) and further post-excavation works are in progress.

Anglian Water Services Ltd - 29 April 2024

Please see below our response for the Reserved Matters application- Land Adjacent 43 Mepal Road Sutton Cambridgeshire - 24/00340/RMM

Foul Water

We have reviewed the applicant's submitted Condition Report for condition 16 and 17 MARCH 2024 REF 985-00-001 Rev D and Drainage Strategy 985-00-23-C submitted with reserved matters application and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage. Therefore, condition 16 can be discharged as per our previous response reference PLN-0147050

Surface Water

We have reviewed the Condition Report for condition 16 and 17 MARCH 2024 REF 985-00-001 Rev D and Drainage Strategy 985-00-23-C submitted with Reserved Matters application. The surface water discharge outfall is to a ditch. It is quoted that the onsite sewers are to be adopted by Anglian Water. These sewers are not formally yet adopted by Anglian Water and are still private therefore we are unable to make comments on condition 17 -surface water strategy.

Anglian Water Services Ltd - 16 October 2024

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and

accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Witcham Water Recycling Centre that will have available capacity for these flows

When assessing the receiving water recycling centre's(WRC) dry weather flow(DWF) headroom we take an average flow over the past 5 years to take account of changing weather patterns. Where the average exceeds the WRC's permitted allowance we also take account of the following Environment Agency enforcement trigger - "has the DWF permit been exceeded in 3 of the last 5 years" - this must include non-compliance from the last annual data return. Based on the above assessment, Witcham WRC is within the acceptance parameters and can accommodate the flows from the proposed growth.

Section 3 - Used Water Network

We have reviewed the applicant's submitted Drainage Strategy 985-00-23-E submitted with reserved matters application and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage. Therefore we can recommend that condition 16 can be discharged.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

We have reviewed the Drainage Strategy 985-00-23-E submitted with Reserved Matters application. The surface water discharge outfall is to a ditch. It is quoted that the onsite sewers are to be adopted by Anglian Water. These sewers are not formally yet adopted by Anglian Water and are still private therefore we are unable to make comments on condition 17 - surface water strategy.

Anglian Water Services Ltd - 4 November 2024

These application amendments are not relevant to Anglian Water - we have no further comments to make since our last response (PLN-0216574).

Lead Local Flood Authority - 29 April 2024

At present we object to the grant of planning permission for the following reasons:

1. More Information Required

The applicant has provided a drainage layout plan, which indicates the use of permeable paving, swales and an attenuation basin to manage runoff from the site. However, further information is required to demonstrate the proposed layout and drainage infrastructure is appropriate for the lifetime of the development. In line with the Cambridgeshire Surface Water Planning Guidance document, the LLFA requires:

- a) Detailed drainage layout plan (confirming layout, scale, size and appearance)
- b) Proposed impermeable areas
- c) Proposed method of surface water disposal
- d) Hydraulic calculations to show the performance of the system during all storm events up to and including the 1% AEP storm including allowance for climate change

Until all the above has been provided, we are unable to suitably review this application.

2. Existing Flood Risk Issues

It is noted that there are existing flood risk issues in the vicinity of the site. A swale was proposed along the southern part of the development to capture and mitigate flows which may be generated across the site. It must be clearly demonstrated that the proposals will not increase the flood risk to surrounding land and property and if features are proposed to this extent, they are suitably sized and manage water in a way that protects the adjacent properties.

Informatics

Ordinary Watercourse Consent

Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance:

<https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and-waste/watercourse-management/>

Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

Construction Surface Water Maintenance

Prior to final handover of the development, the developer must ensure that appropriate remediation of all surface water drainage infrastructure has taken place, particularly where the permanent drainage infrastructure has been installed early in the construction phase. This may include but is not limited to jetting of all pipes, silt removal and reinstating bed levels. Developers should also ensure that watercourses have been appropriately maintained and remediated, with any obstructions to flows (such as debris, litter and fallen trees) removed, ensuring the condition of the watercourse is better than initially found. This is irrespective of the proposed method of surface water disposal, particularly if an ordinary watercourse is riparian owned.

Lead Local Flood Authority - 5 November 2024

We have reviewed the following documents:

Planning Conditions Support Conditions 16 and 17, Infrastructure Design Limited, Ref: 985-00-001 Rev E, Dated August 2024

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the reserved matters application. The above document demonstrates that surface water can be managed on site through the use of permeable paving of driveways and swales to carry water through the site. Surface water will be attenuated within the proposed basin before discharge into the drain to the east at a rate of 18.3 l/s. This rate is the greenfield rate for the catchment that naturally drains to the watercourse, with the additional catchment being attenuated within the site.

We request the following condition is imposed:

Condition

No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason

To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

Informatics

OW Consent

Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act

1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance:

<https://www.cambridgeshire.gov.uk/asset-library/Cambridgeshires-Culvert-Policy.pdf>

Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

Construction Surface Water Maintenance

Prior to final handover of the development, the developer must ensure that appropriate remediation of all surface water drainage infrastructure has taken place, particularly where the permanent drainage infrastructure has been installed early in the construction phase. This may include but is not limited to jetting of all pipes, silt removal and reinstating bed levels. Developers should also ensure that watercourses have been appropriately maintained and remediated, with any obstructions to flows (such as debris, litter and fallen trees) removed, ensuring the condition of the watercourse is better than initially found. This is irrespective of the proposed method of surface water disposal, particularly if an ordinary watercourse is riparian owned.

The Ely Group Of Internal Drainage Board - 23 April 2024

Should be Middle Level Commissioners.

The Ely Group Of Internal Drainage Board - 4 November 2024

This is Middle Level Commissioners - Sutton and Mepal IDB

Littleport and Downham Internal Drainage Board - 10 October 2024

This application for development is outside of the Littleport and Downham Internal Drainage District.

You will need to consult within Haddenham Internal Drainage Board.

Environment Agency - 30 April 2024

Thank you for consulting us on the above referenced reserved matters application. We have reviewed the documents as submitted and have no objection to this proposal.

We have no specific comments on the details of the proposed design and layout at this stage but would ask to be consulted on the details submitted for approval to your Authority to discharge any outstanding conditions relating to controlled waters on the outline planning permission.

We have previously recommended discharge of condition 13 (contamination) and condition 17 (surface water drainage) as they relate to controlled waters; please refer to our letter referenced AC/2022/131287/01-L01, dated 22 September 2022.

Environment Agency - 23 October 2024

We have reviewed the documents as submitted and have no objection to this proposal. Further information on our position can be found below.

Surface Water Drainage

Documents Reviewed We have reviewed the following reports for this consultation:

- Phase 2 Drainage Conditions Report - 1621841
- Drainage Strategy Separate Drawing – 1621844

Position

We previously recommended under the discharge of conditions application relating to surface water drainage under our letter referenced AC/2022/131287/01-L01 dated 22 September 2022.

As per our previous comments, we understand that the use of infiltration SuDS is not considered suitable for the site and have therefore not been included in the drainage strategy. The submitted drainage proposals are considered acceptable.

Environment Agency – 20 November 2024

Thank you for the consultation dated 04 November 2024. Our position remains as per our previous letter AC/2024/132091/02 dated 22 October 2024. We have no further comments.

Natural England - 18 April 2024

NO OBJECTION

Natural England - 17 October 2024

Natural England has no comments to make on this reserved matters application. Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland, ancient and veteran trees which you can use to assess any impacts on ancient woodland or trees.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our Site of Special Scientific Interest Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Natural England - 7 November 2024

Natural England has no comments to make on this reserved matters application. Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland, ancient and veteran trees which you can use to assess any impacts on ancient woodland or trees.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development. We recommend referring to our Site of Special Scientific Interest Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Sport England - 4 October 2024

Thank you for consulting Sport England on the above application. I can confirm the additional information has been received and Sport England will aim to respond in 21 days.

As a public body, Sport England is subject to the terms of the Freedom of Information Act 2000, which gives members of the public the right to access the information we hold. In the event of a request being received, we will be obliged to release information relating to the application and our response unless an exemption in the Act applies. You should therefore inform us if you believe any elements of your submission to be confidential or commercially sensitive so that we can take your concerns into account.

Sport England - 7 October 2024

Sport England - Non Statutory Role and Policy

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/openspace-sports-and-recreation-facilities-public-rights-of-way-and-local-greenspace>.

The proposal is for a reserved matters application, which involves the delivery of new playing field, so falls within the scope of the above guidance. Sport England, as a non-statutory consultee have therefore assessed this application in line with its planning objectives and with the National Planning Policy Framework (NPPF).

Sport England's planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Sport England's Planning for Sport guidance can be found here: <https://www.sportengland.org/facilities-and-planning/planning-forsport/planning-for-sport-guidance>.

Assessment against Sport England's Objectives and the NPPF

Sport England has no further comments regarding the additional information, as it does not impact the proposed playing pitches. Consequently, Sport England requests that the Local Planning Authority refer to our prior consultation response dated 9th April 2024 (see Appendix 1). If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agenda(s), report(s) and committee date(s). Please notify Sport England of the outcome of the planning application.

Sport England - 5 November 2024

Sport England - Non Statutory Role and Policy

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/openspace-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>. The proposal is for a reserved matters application, which involves the delivery of new playing field, so falls within the scope of the above guidance. Sport England, as a

non-statutory consultee have therefore assessed this application in line with its planning objectives and with the National Planning Policy Framework (NPPF).

Sport England's planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Sport England's Planning for Sport guidance can be found here: <https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance>.

Assessment against Sport England's Objectives and the NPPF

Sport England has no further comments regarding the additional information, as it does not impact the proposed playing pitches. Consequently, Sport England requests that the Local Planning Authority refer to our prior consultation response dated 9th April 2024.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agenda(s), report(s) and committee date(s). Please notify Sport England of the outcome of the planning application.

Asset Information Definitive Map Team - 8 November 2024

Public Footpath No. 22, Sutton runs to the north of the access road to the site. To view the location of the ROW please view our interactive map 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 Public Footpath must remain open and unobstructed at all times.

Informatics

Should you be minded to grant planning permission we would be grateful that the following informatics are included:

- o Public Footpath No. 22, Sutton must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).
- o The Public Footpath must not be used to access the development site unless the applicant is sure they have lawful authority to do so (it is an offence under S34 of the Road Traffic Act 1988 to drive on a Public Footpath without lawful authority)
- o No alteration to the Footpath's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).
- o Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).

- o The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).
- o The Highways Authority has a duty to maintain Public Rights of Way in such a state as to be suitable for its intended use. (S41 Highways Act 1980 and S66 Wildlife & Countryside Act 1981). If the surface of the Footpath damaged as a result of increased motorised vehicle usage, the Highways Authority is only liable to maintain it to a Footpath standard. Those with private vehicular rights will therefore be liable for making good the surface of the Public Right of Way.
- o It is the responsibility of the Applicant to ensure that any works which may result in a material loss of established vegetation and/or damage to existing ecosystems (including potentially both habitats and protected species) within the existing public right of way or adjoining land, comply with relevant legislation and that any supplementary permits or permissions are secured prior to undertaking their public rights of way works.
- o If temporary closures are required during construction work, this requires a Temporary Traffic Regulation Order (TTRO). Please apply to the Street Works Team, further information regarding this can be found on the County Council's website at <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highway-licences-and-permits/>.

Technical Officer Access - 10 May 2024

All walkways should be firm, level and slip proof.

There would appear to be only one entrance and exit to another entrance/exit for emergency services?

Any areas where children play and water should be appropriately marked or cordoned off for safety in view of the number of cars on the estate.

Design Out Crime Officers - 13 May 2024

This generally appears to be an acceptable layout in relation to crime prevention and the fear of crime providing reasonable levels of natural surveillance from neighbour's properties with many of the homes facing each other and overlooking open space. Pedestrian and vehicle routes are aligned together and overlooked suggesting that pedestrian safety has been considered, which should encourage some level of territoriality amongst residents within small blocks. Vehicle parking is in-curtilage between and to the sides of properties or in garages. Most of the homes have back-to-back protected rear gardens which reduces the risk and vulnerability to crime and have been provided with the potential for some defensible space to their front.

Whilst it appears that some security and crime prevention measures have been considered as mentioned above. It is important that security and crime prevention are considered and discussed at the earliest opportunity to ensure that the security of buildings, homes, amenity space and the environment provide a safe place for residents and visitors.

Developments should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Crime prevention should be considered as an integral part of any initial design for a proposed development. It should incorporate the principles of 'Secured by Design'. In particular to demonstrate how their development proposal has addressed the following issues, in order to design out crime to reduce the opportunities for crime:

I do have the following comments:

The DAS mentions on street lighting in laybys with emphasis on visitor parking and play areas. Please see comments below regarding lighting.

- External lighting - It would be good to see a full External lighting plan (adoptable and private) including calculations and lux levels when available. For the safety of people and their property our recommendation is that all adopted and unadopted roads, any private driveways, shared drives, and parking areas should all be lit by columns to BS5489:1 2020. Bollard lighting is only appropriate for wayfinding and should not be used as a primary lighting source for any roads or parking areas, where they are also prone to damage. Care should be taken in relation to the location of lighting columns with the entry method for most dwelling burglary being via rear gardens. Lighting columns located next to rear/side garden walls and fences with little surveillance from other properties can be used as a climbing aid to gain entry to the rear gardens. Home security lights both front and rear should be dusk to dawn LED lights. (There are column lights fitted with a back shield that are sympathetic to the environment and work alongside wildlife ecology and light pollution!). A qualified lighting engineer will be able to produce a lighting plan appropriate for the safety and security of residents and their property as well as ecology and wildlife.

- Cycle Sheds - I note that a cycle shed is being provided, having viewed the design. The issues we are trying to prevent are cycle hoops bolted into the ground; they need to be cemented 300mm into the floor and should be within view of active windows (although there is now a Sheffield stand that has been SBD accredited).

- Door hinges should be coach-bolted through the shed structure or secured with security/non-return screws.

- Two hasp and staples that meet 'Sold Secure' Silver should be used. One positioned 200mm - 300mm down from the top of the door, and one positioned 200mm - 300mm up from the bottom of the door. Additionally, hasp and staples should be coach bolted through the shed structure or secured with either security or non-return screws.

- Both padlocks should meet 'Sold Secure' Gold or LPS 1654 Issue 1.1:2014 Security Rating 1.

- Shall be securely fixed to a suitable substrate foundation. See "Secured by Design" (SBD) website link below:

- Within secure garden sheds care must be taken to ensure that this will be robust and secure enough to protect what is being stored in it, particularly cycles or similar e.g. (gardening equipment).
- No Windows

Open space and footpaths –

- Public Footpaths/Open Space/ Landscaping (whole development) including - pedestrian links on this proposed development, footpaths should be straight with clear visibility and a minimum 2m wide, the landscaping along these paths should be maintained:

I note there is a cycle path link between this development and another.

- Trees - the crowns should be raised to 2m. Hedging and planting should be kept down to 1m - 1.2m. There must be a good maintenance plan in place.

NB The footpath - should be lit by columns to BS5489 -1:2020 and care should be taken not to place columns within 5m of trees to reduce conflict and damage and not within 1m of private residential fences (the majority of dwelling burglaries are committed via rear gardens), these should encourage residents to use the green space this should further improve surveillance which is always a proven deterrent to crime and anti-social behaviour as well as being a positive to health and wellbeing and a safe route. While making comments to address the vulnerability to crime, reduce the fear and incidence of crime and community safety, we understand that there are competing issues. The health and well-being agenda, connectivity between developments, safer routes to schools and local amenities including bus stops and the move to achieve more sustainable transport methods, non-car modes, walking and cycling.

Page 42 of the DAS mentions - Corner houses - should have dual aspect frontages, having viewed the plan there appears to be a number of properties positioned on a corner or at an angle of the development, It is important to avoid the creation of windowless elevations and blank walls immediately adjacent to public spaces - this type of elevation, commonly at the end of a terrace, tends to attract graffiti, inappropriate loitering and potential anti-social behaviour. The provision of at least one window above ground floor level, where possible, will offer additional surveillance over the public area.

- Rear access footpaths - the boundary treatment plan show gates to the rear access footpaths for the terraced properties. Our recommendation would be to install shared gates fitted as close to the building line as possible these should be fitted with self-closers, private gates should be fitted with self-closers and lockable from both sides. Whilst these gates to the front will not be lockable, they are more likely to deter un-authorised persons using these gates and footpaths, this allows for residents to challenge any persons seen within these areas and will help to reduce the vulnerability to the rear gardens, it is recognised that most burglaries occur via the rear garden.

I am supportive of the overall design and layout but clarification on the above comments would be appreciated. This has the potential to be a development where there is a strong commitment to community safety and reducing vulnerability to crime,

I would encourage the applicant considers submitting a "Secured by Design" (SBD) 2024 Homes application - this office would be pleased to work with them to attain this award and believe that this could be achieved with consultation.

Design Out Crime Officers - 9 October 2024

Thank you for the opportunity to comment on these reserved matters planning application having viewed the documents I am supportive of the changes that have been made and implemented following my previous comments 13th May 24.

I would still like to see a full lighting plan including lux levels and calculations for the whole development as per the below.

- o External lighting - For the safety of people and their property our recommendation is that all adopted and unadopted roads, any private driveways, shared drives, and parking areas should all be lit by columns to BS5489:1 2020. Bollard lighting is only appropriate for wayfinding and should not be used as a primary lighting source for any roads or parking areas, where they are also prone to damage. Care should be taken in relation to the location of lighting columns with the entry method for most dwelling burglary being via rear gardens. Lighting columns located next to rear/side garden walls and fences with little surveillance from other properties can be used as a climbing aid to gain entry to the rear gardens. Home security lights both front and rear should be dusk to dawn LED lights. (There are column lights fitted with a back shield that are sympathetic to the environment and work alongside wildlife ecology and light pollution!). A qualified lighting engineer will be able to produce a lighting plan appropriate for the safety and security of residents and their property as well as ecology and wildlife.
- o Secured by Design encourages, wherever possible, the use of the most environmentally friendly light sources. However, if this requirement conflicts with local conditions such as in a conservation area or where there is a dark sky policy, the implications should be discussed with the DOCO and the local lighting authority. Moreover, the institute of lighting professionals (ILP) currently favours the use of good quality LED lighting and other energy effective light sources and advises against the use of solar powered lights due to the potential issues around winter charging capabilities and not lasting overnight, fluorescent lighting is environmentally unsustainable for a variety of reasons. Further information is available <https://www.securedbydesign.com/initiatives/safer-streets>

There should be LED dusk to dawn wall mounted lights above each entrance and around the building line.

As mentioned above, bollard lighting is only appropriate for wayfinding and should not be used as a primary lighting source for any roads or parking areas, where they are also prone to damage. I would like to see the lighting plan when available including lux levels and calculations.

Due to this being situated within a residential area our recommendation would be LED column lights 5m hinged using a variable lighting system, which increases and decreases lighting levels upon motion in accordance with local circumstances. The Institution of Lighting Professionals does not encourage switch off unless a full risk

assessment has been carried out and, in any case, it should never be implemented purely on the grounds of cost savings.

There are column lights fitted with a back shield that are sympathetic to the environment and work alongside wildlife ecology and light pollution!).

Consideration could be given to utilising a PIR system which operates when motion is detected and incorporates a slow rise in the lighting level, minimising glare, and light pollution.

Secured by Design encourages, wherever possible, the use of the most environmentally friendly light sources. Moreover, the institute of lighting professionals (ILP) currently favours the use of good quality LED lighting and other energy effective light sources and advises against the use of solar powered lights due to the potential issues around winter charging capabilities and not lasting overnight, also fluorescent lighting is no longer recommended as it is environmentally unsustainable for a variety of reasons. Further information is available

<https://www.securedbydesign.com/initiatives/safer-streets>

I have no additional comments.

Design Out Crime Officers - 12 November 2024

I am supportive of the changes.

I currently have no further comments.

Emma Grima, Director (Commercial) - No Comments Received

County Highways Transport Team - No Comments Received

CCC Growth & Development - No Comments Received

Cambridgeshire County Council Education - No Comments Received

NHS - Cambs And Peterborough Integrated Care Board (ICB) - No Comments Received

Economic Development - No Comments Received

Ambulance Service - No Comments Received

NHS England - No Comments Received

Cambs Wildlife Trust - No Comments Received

5.2 A site notice was displayed near the site on 26 June 2024 and a press advert was published in the Cambridge Evening News on 18 April 2024.

5.3 Neighbours – Fifty seven neighbouring properties were notified, with four responses received. A summary of the concern raised is provided below. A full copy of the responses are available on the Council's website.

- Concerns of the proposed surface water drainage scheme, and capacity issues of the Mepal Road culvert and wider drainage system.
- Concerns of the proposal overdeveloping the area, overburdening existing community facilities.

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), The Sutton Neighbourhood Plan (2024) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

6.2 East Cambridgeshire Local Plan 2015 (as amended 2023)

- GROWTH 1: Levels of housing, employment and retail growth
- GROWTH 2: Locational strategy
- GROWTH 3: Infrastructure requirements
- GROWTH 4: Delivery of growth
- GROWTH 5: Presumption in favour of sustainable development
- HOU 1: Housing mix
- HOU 2: Housing density
- HOU 3: Affordable housing provision
- ENV 1: Landscape and settlement character
- ENV 2: Design
- ENV 4: Energy and water efficiency and renewable energy in construction
- ENV 5: Carbon offsetting
- 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

6.3 Cambridgeshire & Peterborough Waste and Minerals Local Plan 2021 ('CPWM')

- Policy 14: Waste management needs arising from residential and commercial development

6.4 Sutton Neighbourhood Plan 2024

- SUT 1 Spatial Strategy
- SUT 2 Housing
- SUT 5 Housing Mix
- SUT 8 Biodiversity Net Gain
- SUT 15 Public Rights of Way
- SUT 18 Sports and Recreation Facilities
- SUT 19 Design Considerations
- SUT 20 Dark Skies
- SUT 21 Flooding and Sustainable Drainage
- SUT 22 Sustainable Building Practices
- SUT 23 Renewable Energy

6.5 Supplementary Planning Documents ('SPD')
- East Cambridgeshire Design Guide
- Developer Contributions and Planning Obligations
- Flood and Water
- Contaminated Land
- Natural Environment
- Climate Change
- RECAP Waste Management Design Guide
- Hedgehogs SPD

6.6 National Planning Policy Framework (December 2023) ('NPPF')
2 Achieving sustainable development
4 Decision-making
5 Delivering a sufficient supply of homes
8 Promoting healthy and safe communities
9 Promoting sustainable transport
12 Achieving well-designed and beautiful places
14 Meeting the challenge of climate change, flooding and coastal change
15 Conserving and enhancing the natural environment

6.7 Planning Practice Guidance ('PPG')
- Noise

6.8 Other Material Documents
- ProPG: Planning and Noise for New Residential Development, May 2017 (ProPG)
- Cambridgeshire Highways Development Management General Principles for Development (January 2023)

7.0 PLANNING COMMENTS

7.1 Principle of Development

7.2 The site is subject to extant outline planning permission under 19/01707/OUM as set out in the history section above, which accepted the principle of up-to 173 dwellings within the site and means of vehicular access to the site. The outline application is also underpinned by a S106 legal agreement, which secures:

- Affordable Housing provision (30% of dwellings)
- Self-build dwellings
- Public Open Space provision and management (inc. play area specification)
- Sustainable Drainage Systems (SuDS) provision and management
- Community Facility (playing pitch and village green) provision and management
- Burial ground provision and management
- Wheeled bin contribution
- Outdoor sports contribution (upgrade to Brooklands Multi-Use Games Area)
- Primary (Sutton Primary) and secondary (Witchford Village college) school contributions
- Library/lifelong learning contribution

- Transport contribution (mitigation works to BP and Lancaster Way roundabouts on the A142 south of Ely, and Real Time Passenger Information terminal/unit to be provided on the eastbound bus stop on 'The Brook')

7.3 The site also benefits from extant reserved matters consent under LPA Ref. 22/00507/RMM pursuant to the above outline consent, which secured details of appearance, landscaping, layout and scale.

7.4 In essence, this application before the LPA and Members represents a variation to the approved reserved matters consent under 22/00507/RMM, concerning largely adjustments to the proposed house types within the site.

7.5 Given the extant outline consent, it is considered that the overriding principle of the proposed development is acceptable.

Neighbourhood Plan

7.6 Members are advised that the original outline and reserved matters consents were determined on the basis that the application site was covered by a housing allocation within the Sutton Neighbourhood Plan (2019) under Policy NP4, which allocated the site for development as follows;

- i) *Approximately 250 homes, providing a mix of house types and sizes from starter homes to family homes and retirement homes to meet the requirements of the village;*
- ii) *integrated and expanded community facilities including:*
 - a) *a new village green, all weather pitch and sports pitches located adjacent to the existing facilities at the primary school and Brooklands Centre;*
 - b) *areas of play for infants, juniors and youths at appropriate locations throughout the development in accordance with adopted guidelines;*
 - c) *the provision of land for a burial ground on-site, or the facilitation of provision at a suitable location elsewhere in the village;*
- iii) *the retention of existing landscape features and provision of new extensive landscape and wildlife areas and landscape screening from the A142;*
- iv) *safe routes for pedestrians and cyclists from the site to the village centre (through The Orchards), primary school and recreation facilities (through Stirling Way); and*
- v) *vehicular access from Mepal Road.*

7.7 The Sutton Neighbourhood Plan has since been revised (July 2024), which removed Policy NP4 and its stipulations. Paragraph 6.7 of the revised Neighbourhood Plan clarifies that it was no longer considered necessary to allocate the application site for development in the Neighbourhood Plan, given its planning status (outline and reserved matters consents granted).

7.8 The application site nevertheless falls within the development envelope boundaries for Sutton as defined by the Neighbourhood Plan, where the principle of residential development remains acceptable in accordance with Policy SUT 1 (spatial strategy).

7.9 **Housing mix & affordable provision**

7.10 This application proposes the following housing mix (including affordable), which is shown against the extant reserved matters consent housing mix (percentages rounded to the nearest whole number):

| | Approved 22/00507/RMM | | Proposed 24/00340/RMM (this application) | |
|---------------|------------------------------|------------|---|------------|
| | Quantity | Percentage | Quantity | Percentage |
| 1-bed | 8 | 5% | 8 | 5% |
| 2-bed | 37 | 23% | 37 | 23% |
| 3-bed | 63 | 38% | 57 | 35% |
| 4+ bed | 56 | 34% | 62 | 38% |
| Total | 164 | | 164 | |

7.11 The difference in housing mix is therefore very minor between the extant and proposed schemes, representing an uplift of only 6no. four-bed units (just over 3% of the scheme), and a proportionate reduction in 3-bed units.

7.12 However, as the most recently adopted document within the Development Plan at the time of assessing this application, it is important to consider whether the updated Sutton Neighbourhood Plan (2024) places any additional requirements upon housing mix.

7.13 Policy SUT 5 of the updated Neighbourhood Plan sets out a more prescriptive housing mix for new development within the Neighbourhood Plan Area as follows:

1 bedroom dwellings approximately 25%
 2 bedroom dwellings approximately 45%
 4 bedroom dwellings approximately 20%
 4 bedroom dwellings 0 (nil)
 5 bedroom dwellings approximately 10%

7.14 Whilst the proposed housing mix is at odds with this first element of the policy, Policy SUT 5 allows for some variance of these percentages, stating:

“Development proposals which would incorporate four-bedroom homes and a revised split between house sizes as shown in this policy will be supported where it can be demonstrated that the overall package would deliver development plan policies and otherwise be consistent with the findings of the Sutton Housing Needs Assessment 2021.

New dwellings should be designed to be adaptable in order to meet the needs of an increasingly aging population and those with access requirements, as well as enabling home working. The provision of bungalows will also be supported where the proposal would not have a detrimental impact on the character of the area in the vicinity of the site.”

7.15 The Sutton Housing Needs Assessment (HNA) (2021) also notes, with regard to the Policy SUT 5 split, that:

"It is important to caveat this finding by stating that the suggested size mix is the product of a modelling exercise that relies on existing data, assumptions, and existing patterns or 'trends'. It should be used with a degree of caution, and it should be combined with more qualitative evidence regarding local residents' needs and the community's larger goals."

7.16 Looking at more qualitative evidence and justification for an alternative housing mix, the Applicant has submitted a Housing Mix Statement. This statement draws attention to the following:

- Vistry have moved to a partnership-led model, working with government bodies, local authorities and Registered Providers to help address housing needs across a variety of tenures. The minor adjustment in housing mix between the extant and proposed reserved matters consent is to support the delivery of this model.
- 63% of the homes proposed will be 2-bed and 3-bed dwellings to provide for smaller dwellings within Sutton, as identified within the Neighbourhood Plan and Sutton SHMA 2021.
- 37no. 2-bed dwellings are being provided as part of the scheme, of which 28 will be affordable, addressing the need for smaller and affordable dwellings to provide entry-level and cheaper options suited to younger residents *(as recognised at 6.11 of the Neighbourhood Plan)*.
- The four-bedroom properties are adaptable to suit a wider range of needs, including conversion of ground floor and garage spaces to fifth bedrooms, or use of one of the bedrooms as a home office to support remote working *(as required by Policy SUT 5)*.
- Four bungalows and four maisonettes are also included within the scheme.

7.17 The Council's Housing Officer has not raised any concerns over housing mix.

7.18 The Parish Council has not raised any concerns regarding housing mix.

7.19 In summary, the proposed overall package of the development is considered to align with the objectives of the Sutton Neighbourhood Plan in providing a significant number of smaller dwellings to support local market and affordable housing needs, as well as a suitable mix of dwellings to support specialist needs and home-working. The proposed development therefore satisfies the objectives of Policy SUT 5 and the HNA 2021 regarding housing mix.

7.20 *Affordable Housing*

7.21 The application proposals deliver the 30% (52 dwellings) affordable housing mix as required by the S106 in a 77%/23% split in favour of affordable rented. The mix is as previously approved under 22/00507/RMM, and proposes a high proportion of 2 and 3 bed properties.

| | Proposed Affordable Rent | Proposed Shared Ownership |
|--|---------------------------------|----------------------------------|
|--|---------------------------------|----------------------------------|

| | Quantity | Percentage | Quantity | Percentage |
|---------------|-----------|------------|-----------|------------|
| 1-bed | 8 | 23% | 0 | Nil |
| 2-bed | 21 | 60% | 7 | 41% |
| 3-bed | 9 | 11% | 5 | 59% |
| 4+ bed | 2 | 6% | 0 | Nil |
| Total | 40 | | 12 | |

7.22 The application proposals also seek to deliver an additional 35 units of 2-bed and 3-bed affordable housing under grant funding (tenure to be agreed), resulting in a c.50% provision of affordable units across the site in line with Vistry's partnership-led model. This is therefore likely to be a significant benefit of the development proposals, albeit that this additional affordable provision cannot be made a requirement of this approval.

7.23 The Council's Housing Officer has commented welcoming the provision of additional affordable units and their dispersal across the site.

7.24 The proposed development therefore satisfies Policy HOU 3 of the Local Plan and will likely deliver affordable housing across the site significantly in exceedance of policy compliant levels, as well as satisfying the requirements of the S106. The proposals also seek to deliver a high number of affordable smaller properties to accommodate entry-level home ownership, identified as a key finding of the Sutton Neighbourhood Plan (2024) and its supporting Housing Needs Assessment (2021).

7.25 Layout

7.26 The application proposals retain a very similar layout to that agreed under 22/00507/RMM. There are only minor differences between the extant and proposed schemes, largely as a result of changes to house types now proposed and how this results plot arrangements such as parking provision. The proposed nine self-build units have also now been provided within one cluster, instead of across two. Notwithstanding, general comments on the acceptability of the proposed layout are as follows.

7.27 The layout illustrates small clusters of dwellings ranging from 9 to 17 units arranged around a main spine road, with secondary and tertiary roads providing good connectivity and movement through the site towards its rural fringes.

7.28 The site has been designed to comply with RECAP guidance with bin collection points provided where they adjoin the proposed adopted highway edge, including at the edge of turning heads where these are to meet the proposed adopted highways.

7.29 With the exception of the four maisonettes, each dwelling has space to park two cars and contains secure cycle storage in the form of a garden shed. Two of the 1-bed maisonette units have three parking spaces between them. As Policy COM 8 does not set minimum parking standards, the provision of only one parking space for two of the 1-bed maisonettes is considered to be acceptable.

7.30 Policy SUT 19 of the Neighbourhood Plan seeks to avoid tandem parking where possible, and to avoid dominance of parking in the street-scene. The rural fringes of

the proposed development, being looser in overall development pattern, introduce side-by-side parking spaces with a lower reliance on tandem as there is more space between dwellings to do so. However, tandem parking is provided in the tighter-knit core of the development where density is higher. It is considered that this is an appropriate design response to ensure the centre of the development is not dominated by parking, allows for landscaping and follows an appropriate density of development. On this basis, tandem parking is considered to comply with the objectives of Policy SUT 19, and indeed was found to be acceptable under the extant reserved matters consent which forms a material consideration in the assessment of this application

7.31 Visitor parking is also provided across the site at a ratio of 1 space per every seven dwellings. Whilst Policy COM 8 suggests a ratio of 1:4, this is not a minimum requirement. The visitor spaces are well dispersed across the site and are considered to meet the needs of the development itself.

7.32 Excluding the c.3.8Ha site reserved for community facilities (sports pitches and village green), the burial ground and the non-developable areas of the site (i.e. swales) the average density of dwellings is c.16dph - with a tighter concentration of dwellings toward the core of the development area and a looser, less regimented arrangement of dwellings along the fringes of the site, adjacent to the areas of open space.

7.33 A network of paths provide access to the wider areas of informal open space and the Local Area of Play at the north-east, as well as the formal sports pitches to the west. Future access to the proposed burial ground has also been safeguarded by the provision of a road and footpath within the north-west of the site. Connections leading south into the Phase 1 scheme, Stimpson Street, Orchard Way and The Brook ensure good permeability into the established built settlement and would encourage sustainable modes of travel to local services and facilities. As agreed under 22/00507/RMM, it is recommended to secure further details in respect of the widths and surfacing for the footway links within the open space, to ensure they cater for multi-modes of travel and mobility.

7.34 The site is also connected to the wider development to the south by an emergency access road. This road would be available for pedestrians and cyclists but restricted to emergency vehicle access only ensuring that access would still be available in emergencies, should the main vehicular access be cut off for any reason. This is in line with the County Council's current Highways design guide (2023).

7.35 Whilst the Access Group have raised concerns regarding the number of emergency accesses, this is in accordance with County Council highway guidance (at the time of determination). The Access Group have also raised concerns regarding demarcation of SuDS and play areas. The above ground SuDS and swales are to be guarded by knee-rails (as shown on the landscaping plans), and the details of the play areas are to be provided as part of S106 requirements. It is therefore considered these matters have been addressed.

7.36 In conclusion, the proposed layout, provision of formal and informal open space and connectivity to the wider settlement are considered to be satisfactory and would accord with the aims of Policy SUT 19 of the Sutton Neighbourhood Plan (2024) and Policies COM 4, COM 7 and COM8 of the Local Plan.

7.37 Scale, Appearance and Landscaping

7.38 The development relies on 22 house types and a mixture of buff blend, and red-blend facing brick, render finish and grey and red roof tiles (the same palette of materials as agreed under 22/00507/RMM). Eight of these house-types have already been approved under the extant reserved matters and can also be found in the Linden site immediately to the south.

7.39 Most properties incorporate canopies or porch roofs. Several properties also incorporate chimneys and these are mainly located at the north east end of the site and will therefore be most visible from the approaching A142 Mepal Road and when entering the site. As agreed under the extant reserved matters consent, the applicant has introduced 'blind' or 'tax' windows to certain elevations, where facets would otherwise be a mass of continuous brickwork. This is considered to be an effective way to add interest to these elevations when viewed from the public realm.

7.40 The dwellings are primarily 2-storey, with the exception of a grouping of 3 no. bungalows to the south, mid-section of the site and a singular bungalow within the western portion of the site. The range of dwelling types provides varying ridge which adds interest to the roofscape of the development. Corner-turning units are located at junctions to ensure a coherent flow of built-form throughout the scheme and rendered properties are also positioned at key junctions, acting as way marker buildings to improve legibility throughout the site. Dwellings face onto public open spaces and onto the main spine, secondary and tertiary roads to ensure active frontages and natural surveillance.

7.41 The proposed dwellings are provided sufficient space to prevent them from appearing cramped, and the positioning of the dwellings creates openness within the site with garden areas and driveways breaking up the built form.

7.42 The spine road is proposed to be lined with trees along the back-edges of the footpath and further tree planting is proposed around the SuDS features and throughout the areas of open space to provide shade and visual amenity. The site would also benefit from hedgerows and shrub planting and wildflower planting which, with the trees and green space would enhance the overall area and assimilate the site into the wider countryside, with its continuance secured through a condition for a long-term Hedgerow and Woodland Management and Creation Scheme as imposed upon the extant reserved matters consent.

7.43 The Council's Trees Officer has not raised any objections to the proposed application but has requested that further details of lighting be provided to ensure no conflict with the proposed landscaping scheme. These details are to be secured by way of a planning condition, as agreed under the extant consent.

7.44 A 2.5m high bund with planting is proposed at the northeast corner of the site, primarily to act a noise defence but will also partially screen the site and soften its visual impact when approaching from the north-east.

7.45 It is considered that the general design of the development would complement and enhance the adjacent developments to the south and through established soft

landscaping, would assimilate successfully into this fringe site where is transitions from urban to rural countryside. It is therefore considered that the development would accord with the aims of Policy ENV 2 of the Local Plan 2015, SUT 19 and SUT 20 of the Sutton Neighbourhood Plan (2024) and paragraphs 127 and 130 of the NPPF.

7.46 Residential Amenity

7.47 The developed area of the site is separated from existing properties by areas of open space and SuDS features, with the closest dwelling to an existing curtilage of c.18m. Given the embedded landscaped buffers within the development proposals, it is considered highly unlikely that existing residents would experience any severe overlooking, overshadowing, loss of light, loss of privacy or overbearing from the development.

7.48 With regard to prospective occupiers, having regard to the design, orientation and separation of the proposed dwellings, the residential amenity of future occupiers would also be safeguarded.

7.49 It is not considered necessary to restrict permitted development rights via conditions for any dwellings with the exception of Plot 133, which would be necessary to preclude the installation of an additional rear facing window at first floor, beyond the en-suite window already shown. This is given the c.17m separation distance between Plot 133 and 132 (a bungalow), which falls below the Design Guide advice of 20m back-to-back. It is considered a habitable window within this rear elevation could give rise to unacceptable overlooking given the relationship between the two properties, and therefore the restriction of permitted development rights is necessary in this instance.

7.50 The development would provide sufficient room for wheeled bin storage for each property and adequate access on site to enable future occupiers to present their bins for weekly collection in accordance with current RECAP waste management guidance. The comments of the Waste Team are noted with regard to the stowing of bins outside of collection times. A condition restricting the times of bin presentation is not considered to satisfy the six condition tests and will not therefore be imposed. As the internal roads and paths are to be adopted by the Local Highways Authority, it will be the responsibility of the LHA to enforce against any obstructions of the roads or paths. Obstructions on private drives will be the responsibility of their owners. It is also to be noted that every dwelling has a secure bin storage point within their rear gardens, to dissuade against leaving them to the front of properties.

Site Security

7.51 Cambridgeshire Police's designing out crime team has reviewed the proposals and following amendments to the scheme is supportive of the development proposals. A lighting scheme and requirements for all garden gates to contain locks are to be secured by condition (as required under the extant reserved matters consent.) The requirements for these details arose following the designing out crime team's comments, and it is considered they are still applicable to this application as details have not been provided.

7.52 It is considered that, subject to the above, the development would incorporate measures to create safe environments addressing crime prevention and community safety in accordance with Local Plan policy ENV 2 and NPPF Chapter 12.

Noise

7.53 One of the most notable constraints of the site is the A142 Mepal Road which generates traffic noise levels which requires mitigating, in order to achieve acceptable living environments. The most affected area is that closest to the access and 18 dwellings in total are affected.

7.54 Under the extant reserved matters consent, the applicant undertook extensive modelling of the site to fully understand the constraints and opportunities associated with noise mitigation, in accordance with the requirements of condition 23 of the Outline permission. The Applicant has re-submitted these investigations as part of this application.

7.55 In terms of mitigation, it was accepted under the extant reserved matters consent that the following package of details was acceptable:

- 2.5-metre / c.8.2-foot earth bund in the north-western corner of the site, which would protect all affected ground floor windows/rooms within the eastern portion of the site from unacceptable noise levels;
- Orientation of dwellings so that rear gardens are largely shielded by the dwellings themselves;
- Introduction of secondary windows at first floor in selected dwellings (for example Plot 78 and 248) to allow for natural ventilation and cooling of first floor rooms without exposing the rooms to unacceptable noise levels.
- Upgrades to first floor glazing on selected plots to reduce noise further;
- Mechanical ventilation for a selected number (three) plots where noise levels were still deemed unacceptable against ProPG and NPPF guidance when considering all of the above mitigation.

7.56 It was also accepted under the extant reserved matters consent that the presence of development within the site's eastern-most section also acted as a further buffer against noise for the wider site. Without this development, some 30% of the site would likely be affected by unacceptable noise levels, thereby requiring further mitigation within the site. It was therefore recognised that in order to achieve acceptable amenity conditions throughout the site, some level of compromise was required with a selected number of properties.

7.57 This application proposes the same suite of mitigation measures as above. Barring one plot (237) all dwellings within the eastern portion of the site have remained the same, using the same house types, orientation and layout. It is therefore considered that the conclusions drawn under 22/00507/RMM remain valid with regard to noise.

7.58 Whilst mechanical ventilation is considered to be a last-resort in reaching acceptable residential amenity conditions, given its very limited use within the site, it was previously considered to be acceptable when weighed against the wider benefits of the scheme. It is considered this equally applies to the current proposals.

7.59 To secure these mitigation details, as imposed upon the extant reserved matters consent, a condition requiring a detailed scheme for noise mitigation for each specific dwelling affected by external facade noise levels exceeding 50dB (as set out in the Noise Impact Assessment and Noise Memo dated 4th November 2022) will be imposed.

7.60 On balance, given that the reliance on less than ideal means of mechanical ventilation is not significant against the delivery of 164 dwellings, it is considered that in this instance it is acceptable and in general, a high-quality living environment would be achieved for this development in accordance with Policy ENV2 of the Local and Chapter 12 (particularly paragraph 130) of the NPPF. This is subject to compliance with the scheme of mitigation as above (Paragraph 7.55), which will be secured via appropriate conditions.

7.61 Biodiversity and Ecology

7.62 This application is not the subject of mandatory biodiversity net gain, as the application is pursuant to an outline consent that was granted prior to the enforcement of this legislation. This application is therefore covered by transitional provisions.

7.63 Condition 18 of the outline permission requires agreement of a site-wide Biodiversity Strategy through the reserved matters process. The submitted strategy, supported by a biodiversity metric and as detailed within the landscaping plans and boundary treatment plans includes retention of and planting of new trees, hedgerows and wildflower grassland, the inclusion of bird and bat boxes throughout the development, the provision of hedgehog gaps in fences to ensure small mammal movement is maintained throughout the site and hibernacula/ refuges to benefit reptiles, amphibians etc.

7.64 The site will also deliver wet ponds as part of the SuDS scheme. With a permanent water level, these are also considered to be supportive of biodiversity gains within the site through the introduction of blue infrastructure.

7.65 The Council's Senior Ecologist has reviewed the proposal and has concluded that they are content with the strategy, which is comparable to that approved under the extant consent. The development proposals are therefore considered to achieve a measurable net gain in biodiversity in accordance with Local Plan policy ENV 7, NP2 of the Neighbourhood Plan and the ambitions of the SPD.

7.66 Flood Risk and drainage

7.67 The application site is generally agreed to be in an area at low risk of fluvial flooding, falling entirely within Flood Zone 1, with very limited areas of low risk of surface water flooding. There are however concerns raised locally, and by the Ward Councillors.

7.68 Members are advised that the matter of foul and surface water drainage are covered by the outline consent, Conditions 16 and 17. The acceptability of the final technical details of these drainage schemes is not therefore under consideration as part of this application, but under the pending discharge of condition application 19/01707/DISC.

7.69 It is nevertheless important to assess whether this application makes appropriate provision for an acceptable drainage strategy within its overall layout.

7.70 The application is supported by a drainage strategy, which shows that surface water across the site will be drained via permeable paving drives and public/private swales, which will capture overland flows and direct water to a large above-ground attenuation basin.

7.71 The Lead Local Flood Authority has reviewed the drainage documentation submitted with the application, and concludes that:

"The above document demonstrates that surface water can be managed on site through the use of permeable paving of driveways and swales to carry water through the site. Surface water will be attenuated within the proposed basin before discharge into the drain to the east at a rate of 18.3 l/s. This rate is the greenfield rate for the catchment that naturally drains to the watercourse, with the additional catchment being attenuated within the site."

7.72 The Lead Local Flood Authority therefore raises no objection to the proposed development but does request imposition of a condition to manage surface water flooding during construction. This condition was not imposed upon the outline consent nor upon the extant reserved matters consent under 22/00507/RMM. However, given local concerns regarding flooding, the Applicant is happy to provide further clarification regarding their proposed management of surface water during construction of the proposed development. The imposition of a condition to manage construction surface water impacts is also considered necessary in line with updated LLFA guidance..

7.73 It is also important to note that the Lead Local Flood Authority has recommended discharge of Conditions 16 and 17 under the outline consent under LPA Ref. 19/01707/DISC under consideration.

7.74 Anglian Water has also raised no concerns and note that the local network has capacity to accommodate foul water from the proposed development.

7.75 On this basis, it is considered that the proposal complies with the aims of Local Plan policy ENV 8, and Policy SUT 21 of the Neighbourhood Plan (2024). Whilst it is not for this application to conclude as to the technical acceptability of the surface water and foul water drainage schemes, the details submitted with the application have provided confidence that the development's layout, including the SuDS features and foul drainage infrastructure, would adequately manage drainage the site without causing flooding elsewhere. The site's proposed drainage scheme also accords with key tenets of the Neighbourhood Plan's Design Code, including permeable paving, and storage and slow release of water.

7.76 Energy & Sustainability

7.77 Condition 25 of the Outline permission requires an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures.

7.78 The application is supported by an energy and sustainability strategy ('ESS'). It is proposed that the development is designed to incorporate guidance contained within Policies CC1 and ENV4 relating to renewable energy provision and the construction of highly efficient buildings which seek to minimise energy demand and CO2 emissions. The dwellings will be installed with energy-efficient boilers, waste-water heat recovery systems and solar PV panels.

7.79 The calculations demonstrate that the development as a whole will deliver a c. 31% reduction in carbon reduction against 2013 Building Regulation standards. During the build out of the site, a number of dwellings will also be constructed in accordance with Future Homes Standard (expected to come into force 2025/26, which would target a 75-80% carbon reduction compared with current regulatory standards).

7.80 Furthermore, water efficiency measures including the use of efficient dual flush WCs, low flow showers and taps and appropriately sized baths will be encouraged with the aim to limit the use of water during the operation of the development to limit water use. In this regard, the ESS anticipates a total water consumption of no more than 110 Litres/Person/Day required by Policy CC1.

7.81 In summary, the measures as set out in the submitted ESS would accord with the aims of Local Plan Policy ENV 4 and Policy SUT 22 and SUT 23 of the Neighbourhood Plan in respect of sustainable development.

7.82 **Other Material Matters**

Archaeology

7.83 Cambridgeshire Archaeology has confirmed that appropriate archaeological work and investigations have been secured under the outline consent (19/01707/OUM), with details progressing under a separate discharge of condition application. This includes fieldwork details. No further information is therefore required to be secured under this application.

Sports England

7.84 Sport England has not raised any objection to this application, as it does not affect or concern the delivery of the football pitches secured under the outline application.

7.85 Planning Balance and Conclusion

7.86 The proposed development represents in effect a variation to the existing extant consent on the application site under 22/00507/RMM, making adjustments to the house types proposed, and minor variations to the overall housing mix and layout. The scheme is otherwise generally as previously approved, and the principle of the site's development acceptable.

7.87 The proposed development provides a high-quality development scheme, which would secure a good level of formal and informal open space, with sustainable links to promote healthier lifestyles and access to key services and facilities within the settlement. The visual impact of the development would be softened through a robust soft landscaping design and the design and layout of the development would enable a satisfactory assimilation into the wider settlement.

7.88 The site delivers market dwellings of an appropriate mix to meet local needs, and as a minimum 30% affordable housing as required by Policy HOU 3 and the S106 legal agreement. The site is however likely to deliver a higher amount of affordable housing, approximately 50% of the total development, subject to grant funding. If the higher level of affordable housing is delivered, this is likely to be a significant benefit of the scheme, but this higher delivery has not been attributed weight in the overall planning balance as the higher level cannot be secured under this application. The size of dwellings to be provided across the site is also predominantly smaller units of two and three-bedrooms, thereby providing a significant amount of smaller properties to meet local need as identified within the Neighbourhood Plan and Housing Needs Assessment.

7.89 The scheme does include a number of dwellings which would need to rely on mechanical means of ventilation in order to achieve acceptable internal noise levels to some first-floor bedrooms. Whilst this weighs negatively against the scheme, it is acknowledged that alternative designs and mitigation has been explored and that only a small number of dwellings are reliant on this design. It is considered that on-balance, in this instance, this is acceptable having regard to the wider development and the generally high-quality environment that it would provide.

7.90 It is considered therefore that the proposal accords with the Development Plan when taken as a whole, would constitute a sustainable form of development and can therefore be supported. There are no material issues that would direct that the development should be refused.

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 ie relating to the way a matter has been dealt with or substantive ie 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.

8.4 In this case members' attention is particularly drawn to the following point(s):

- The extant reserved matters consent under LPA Ref. 22/00507/RMM;
- The comments of statutory consultees.

9.0 APPENDICES

- 9.1 Appendix 1 – Suggested Conditions for 24/00340/RMM (this application)
- 9.2 Appendix 2 – Outline Planning Consent 19/01707/OUM

Background Documents

24/00340/RMM

19/01707/OUM
22/00507/RMM
19/01707/DISC
19/01707/NMAA
24/00747/VARM

| | | | | |
|---|----------|--------|-----------|---|
| National | Planning | Policy | Framework | - |
| https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf | | | | |

| | | | | | |
|---|----------------|-------|------|------|---|
| East | Cambridgeshire | Local | Plan | 2015 | - |
| http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf | | | | | |

APPENDIX 1 - 24/00340/RMM Conditions

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

| Plan Reference | Version No | Date Received |
|--|------------|---------------------|
| 482-SK-01 | F | 1st November 2024 |
| 482-SK-02 | F | 1st November 2024 |
| 482-SK-03 | F | 1st November 2024 |
| 482-SK-05 | G | 1st November 2024 |
| 482-SK-07 | G | 1st November 2024 |
| 482-SK-08 | G | 1st November 2024 |
| 482-SK-09 | F | 1st November 2024 |
| JBA 21-307-01 | H | 1st November 2024 |
| JBA 21-307-02 | I | 1st November 2024 |
| JBA 21-307-03 | H | 1st November 2024 |
| JBA 21-307-04 | I | 1st November 2024 |
| JBA 21-307-05 | I | 1st November 2024 |
| JBA 21-307-06 | H | 1st November 2024 |
| JBA 21-307-07 | H | 1st November 2024 |
| JBA 21-307-08 | H | 1st November 2024 |
| JBA 21-307-09 | H | 1st November 2024 |
| JBA 21-307-10 | I | 1st November 2024 |
| 234 V1 SUTTON-VIS-T234B0-XX-D2-A-0801-V1 | A | 22nd November 2024 |
| 112 V1 SUTTON-VIS-M122B0-XX-D2-A-0801-V1 | | 30th September 2024 |
| 112 V2 SUTTON-VIS-M122B0-XX-D2-A-0801-V2 | | 30th September 2024 |
| 351 V1 SUTTON-VIS-M351B1-XX-D2-A-0801-V1 | | 30th September 2024 |
| 351 V2 SUTTON-VIS-M351B1-XX-D2-A-0801-V2 | | 30th September 2024 |
| 354 V1 SUTTON-VIS-M354B0-XX-D2-A-0801-V1 | | 30th September 2024 |
| 354 V2 SUTTON-VIS-M354B0-XX-D2-A-0801-V2 | | 30th September 2024 |
| 362 V1 SUTTON-VIS-M362B1-XX-D2-A-0801-V1 | | 30th September 2024 |
| 451 V2 SUTTON-VIS-M451B6-XX-D2-A-0801-V2 | | 30th September 2024 |
| 452 V1 SUTTON-VIS-M452B6-XX-D2-A-0801-V1 | | 30th September 2024 |
| 468 V1 SUTTON-VIS-M468B0-XX-D2-A-0801-V1 | | 30th September 2024 |
| 236 V1 SUTTON-VIS-T236B1-XX-D2-A-0801-V1 | | 30th September 2024 |
| 242 V1 SUTTON-VIS-T242B1-XX-D2-A-0801-V1 | | 30th September 2024 |
| 341 V1 SUTTON-VIS-T341B1-XX-D2-A-0801-V1 | | 30th September 2024 |
| 467 V1 SUTTON-VIS-T467B1-XX-D2-A-0801-V1 | | 30th September 2024 |
| 467 V2 SUTTON-VIS-T467B1-XX-D2-A-0801-V2 | | 30th September 2024 |
| 473 V1 SUTTON-VIS-T473B0-XX-D2-A-0801-V1 | | 30th September 2024 |
| 481 V1 SUTTON-VIS-T481B0-XX-D2-A-0801-V1 | | 30th September 2024 |
| 985-00-25 RM | E | 30th September 2024 |
| Energy and Sustainability Strategy | A | 30th September 2024 |
| KNI.PE1 | REV A | 8th April 2024 |
| KNI.PE2 | REV A | 8th April 2024 |
| KNI.PE3 | REV A | 8th April 2024 |
| KNI.PE4 | REV A | 8th April 2024 |
| KNI.PE5 | REV A | 8th April 2024 |
| KNI.PE6 | REV A | 8th April 2024 |
| KNI.PE7 | REV A | 8th April 2024 |
| SUTTON-PAR-BASR01-XX-D2-A-AS-B801 | REV D | 8th April 2024 |

| | | |
|---|--------|-----------------|
| SUTTON-PAR-BASR01-XX-D2-A-AS-B801 | REV C | 8th April 2024 |
| 482-LP-01 | REV B | 26th March 2024 |
| 985-00-20 | REV C | 26th March 2024 |
| 985-00-21 | REV C | 26th March 2024 |
| 985-00-22 | REV C | 26th March 2024 |
| EDMS-200 | REV A | 26th March 2024 |
| ELYLY EDMS-600 | REV A | 26th March 2024 |
| ELYLY EDMS-601 | | 26th March 2024 |
| GROUP-VIS-S-EX-D2-A-FC-0210 | REV 00 | 26th March 2024 |
| GROUP-VIS-S-EX-D2-A-FC-0213 | REV 00 | 26th March 2024 |
| GROUP-VIS-S-EX-D2-A-FC-0261 | REV 00 | 26th March 2024 |
| GROUP-VIS_CGAR05-XX-D2-A-AS-0801 | REV 00 | 26th March 2024 |
| GROUP-VIS_S-EX-D2-A-FC-207 | REV 00 | 26th March 2024 |
| GTC-E-SS-0012_R2-1_1 OF 1 | | 26th March 2024 |
| JBA 21/307-11 | REF C | 26th March 2024 |
| JBA 21/307-12 | REF C | 26th March 2024 |
| JBA 21/307-13 | REF C | 26th March 2024 |
| JBA 21/307-DT01 | | 26th March 2024 |
| JBA 21/307-SK01 | | 26th March 2024 |
| Additional Noise Memo | | 26th March 2024 |
| Biodiversity Net Gain Calculation | | 26th March 2024 |
| Noise Risk Assessment & Acoustic Design Statement | | 26th March 2024 |
| EVE.PE1 | REV A | 26th March 2024 |
| EVE.PE2 | | 26th March 2024 |
| EVE.PE3 | | 26th March 2024 |
| LIND160521-SW GRA.PE1 | REV C | 26th March 2024 |
| LIND160521-SW HWK.PE1 | | 26th March 2024 |
| LIND160521-SW MOU.PE1 | REV A | 26th March 2024 |
| LIND160521-SW MOU.PE2 | REV A | 26th March 2024 |
| LIND160521-SW MYL.PE1 | REV C | 26th March 2024 |
| LIND160521-SW MYL.PE2 | REV A | 26th March 2024 |
| LIND160521-SW PEM.PE1 | REV D | 26th March 2024 |
| LIND160521-SW PEM.PE2 | | 26th March 2024 |
| LIND160521-SW PEM.PE3 | | 26th March 2024 |
| LIND160521-SW PEM.PE4 | REV B | 26th March 2024 |
| RAMSE-VIS-CGAR01-XX-D2-A-AS-0401 | REV 01 | 26th March 2024 |
| SUTTON-LIN-BLEV001A-XX-D2-A-AS-B801 | | 26th March 2024 |

Reason: To define the scope and extent of this permission.

2 No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself, in accordance with Policy ENV 8 and

ENV 9 of the East Cambridgeshire District Council Local Plan 2015 (as amended 2023) and Policy SUT 21 of the Sutton Neighbourhood Plan (2024).

- 3 Prior to works proceeding above ground level, a scheme for noise mitigation for each specific dwelling affected by external facade noise levels exceeding 50dB as set out in the Noise Impact Assessment and Noise Memo dated 4th November 2022, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include manufacturers specification for mechanical ventilation, acoustic ventilation/ trickle vents, and upgraded glazing specification where so required.

The development shall be carried out in accordance with the approved details and thereafter retained in perpetuity.

Reason: To safeguard the residential amenity of occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023), and Policy SUT 19 of the Sutton Neighbourhood Plan (2024).

- 4 Prior to works proceeding above ground level, a lighting scheme for all streets shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be accompanied by a technical report prepared by a qualified competent person setting out;
 - i) the specification of lights,
 - ii) locations and heights of lighting columns,
 - iii) the light levels to be achieved over the intended area and at the development site boundaries and the surrounding area.

The approved scheme shall be implemented on site prior to first occupation of the development or in agreed phases, and retained as such thereafter.

Reason: To safeguard the residential amenity of occupiers, the visual impact of the development and protection of nocturnal biodiversity in accordance with policy ENV 1, ENV 2 and ENV 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) Policy SUT 19, SUT 20 and SUT 8 of the Sutton Neighbourhood Plan (2024).

- 5 Prior to works proceeding above ground level, a scheme detailing the precise design of the footpaths proposed within the areas of open space shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following;
 - i) the precise route,
 - ii) widths,
 - iii) surface and drainage treatment,
 - iv) connectivity to adjacent land, and
 - v) a timeframe for implementation

The footpaths shall be carried out in accordance with the approved details.

Reason: To ensure provision of effective, accessible and sustainable links into the established built settlement and to encourage sustainable modes of travel in accordance

with policy ENV 2 and COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Policy SUT 19 of the Sutton Neighbourhood Plan (2024).

- 6 Prior to works proceeding above ground level, a Hedgerow and Woodland Management and Creation Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Woodland Management and Creation Scheme (hereafter referred to as HWMCS) is required to contain details of the following:
 - 1) The areas of woodland and hedgerows to be retained and/or enhanced;
 - 2) Areas where new woodland and hedgerows will be established;
 - 3) The methodology for the establishment of new areas of native woodland and hedgerows; (timings and details for plot thinning and coppicing operations and removal of protective fencing/guards)
 - 4) Management of existing woodland and hedgerows to enhance its amenity and ecological value; (timings and details for plot thinning and coppicing operations)
 - 5) Details of responsibility for the future management of the HWMCS.
 - 6) Details to cover a period of no less than 20 years or until decommission of the development

The development shall be carried out in accordance with the approved details.

Reason: To ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the landscape value of the site in accordance with policies ENV 1, ENV 2 and ENV7 of the East Cambridgeshire Local Plan, 2015 (as amended 2023) and Policy SUT 19 of the Sutton Neighbourhood Plan (2024).

- 7 Prior to works proceeding above slab level, details of the surfacing finish of all roads serving the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety, visual and residential amenity in accordance with policies COM 7 and ENV 2 of the East Cambridgeshire Local Plan, 2015.

- 8 Prior to works proceeding above ground level, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

Reason: In the interests of residential amenity and highway safety in accordance with policies ENV 2, COM 7 and COM 8 of the East Cambridgeshire Local Plan, 2015 (as amended 2023).

- 9 The bird and bat boxes and hibernacula as detailed on all plans referenced:
JBA 21-307-01 Rev H
JBA 21-307-02 Rev I
JBA 21-307-03 Rev H
JBA 21-307-04 Rev I
JBA 21-307-05 Rev I

JBA 21-307-06 Rev H
JBA 21-307-07 Rev H
JBA 21-307-08 Rev H
JBA 21-307-09 Rev H
JBA 21-307-10 Rev I
JBA 21-307-11 Rev C
JBA 21-307-12 Rev C
JBA 21-307-13 Rev C

and shall be installed prior to the first occupation of the development or in agreed phases and thereafter retained in perpetuity.

Reason: To ensure the protection and enhancement of wildlife and the habitat which supports it in accordance with policies ENV7 of the East Cambridgeshire Local Plan, 2015 (as amended 2023).

10 All soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details as set out on the following plans:

JBA 21-307-01 Rev H
JBA 21-307-02 Rev I
JBA 21-307-03 Rev H
JBA 21-307-04 Rev I
JBA 21-307-05 Rev I
JBA 21-307-06 Rev H
JBA 21-307-07 Rev H
JBA 21-307-08 Rev H
JBA 21-307-09 Rev H
JBA 21-307-10 Rev I
JBA 21-307-11 Rev C
JBA 21-307-12 Rev C
JBA 21-307-13 Rev C

All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased (except those contained in enclosed rear gardens to individual dwellings) shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity and biodiversity value of the development in accordance with Policies ENV 1, ENV 2 and ENV 7 of the East Cambridgeshire Local Plan, 2015 (as amended 2023) and Policy SUT 19 of the Sutton Neighbourhood Plan (2024).

11 Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County Road in accordance with the details approved on drawing 482-SK-01 Revision F in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policy COM 7 of the East Cambridgeshire Local Plan, 2015 (as amended 2023).

12 Prior to first occupation of the development, the private driveways serving each dwelling shall be levelled, surfaced in a bound material and drained and thereafter retained for that specific use.

Reason: In the interests of residential amenity and highway safety in accordance with policies ENV 2, COM 7 and COM 8 of the East Cambridgeshire Local Plan, 2015(as amended 2023) and Policy SUT 19 of the Sutton Neighbourhood Plan (2024).

13 The emergency vehicle link, as detailed on plan reference: 482-SK-01 Revision F shall be provided prior to the occupation of the 100th dwelling and thereafter maintained in perpetuity.

Reason: In the interests of highway safety in accordance with policy COM 7 of the East Cambridgeshire Local Plan, 2015 (as amended 2023).

14 The gates serving properties as denoted on the 482-SK-07 Rev G Boundary and Bin Plan shall be fitted with self-closing mechanisms where they serve shared entry with 2 or more properties, and with locks on both sides of each gate where they serve individual properties.

Reason: In the interests of creating safe environments addressing crime prevention and community safety in accordance with Policy ENV 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and NPPF Chapter 12.

15 The materials to be used in the construction of the external surfaces of the development shall be either:

- As detailed on drawing number 482-SK-08 REV G; or,
- Submitted to and approved in writing by the Local Planning Authority prior to their use in the construction of the development.

Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Policy SUT 19 of the Sutton Neighbourhood Plan (2024).



**EAST CAMBRIDGESHIRE
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Linden Limited
C/O Bidwells
FAO Rebecca Smith
Bidwell House
Trumpington Road
Cambridge
CB2 2LD

This matter is being dealt with by:

Angela Briggs

Telephone: 01353 616307
E-mail: angela.briggs@eastcambs.gov.uk
My Ref: 19/01707/OUM
Your ref

12th April 2022

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

OUTLINE PLANNING PERMISSION

Subject to conditions

The Council hereby **approves** the following:

Proposal: Outline planning application for the demolition of existing buildings and erection of up to 173 dwellings and provision of land for community facilities (sports pitches and burial ground), including access (not internal roads), open space, sustainable urban drainage systems and associated landscaping. All matters reserved apart from access.

Location: Land Adjacent 43 Mepal Road Sutton Cambridgeshire

Applicant: Linden Limited

This consent for outline planning permission is granted in accordance with the application reference **19/01707/OUM** registered 7th January 2020.

Subject to the additional conditions set out below:

ADDITIONAL CONDITIONS

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

| Plan Reference | Version No | Date Received |
|-------------------|------------|-------------------|
| C5081-M-005-1 | 1 | 22nd April 2021 |
| C5081-M-0020 | 3 | 22nd April 2021 |
| C5081-M- 012 -001 | A | 12th May 2021 |
| CSA/4405/105 | G | 9th December 2019 |
| CSA/4405/107 | B | 9th December 2019 |

| | |
|--|-------------------|
| Archaeological Evaluation Report | 9th December 2019 |
| Noise Impact Assessment | 9th December 2019 |
| Sustainability Statement | 9th December 2019 |
| Flood Risk Assessment | 9th December 2019 |
| Phase 1 Geo-Environmental | 9th December 2019 |
| Landscape Impact Assessment | 9th December 2019 |
| Ecological Assessment | 9th December 2019 |
| Arboricultural Implications Assessment | 9th December 2019 |

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the layout, scale, appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 2 years of the date of this permission.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 4 No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority in consultation with Sport England:
 - (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and
 - (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.
- 4 Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Policy Growth 3 and COM4 of the East Cambridgeshire Local Plan, 2015. This condition is pre-commencement in order to ensure that the sports pitches comply with the site allocation requirements of Policies NP4 and NP12 of the Sutton Neighbourhood Plan.
- 5 Prior to the first occupation of any dwelling, the applicant shall be responsible for the provision and implementation of a Residential Travel Plan to be submitted to and agreed in writing with the Local Planning Authority. The Travel Plan shall include the provision of cycle discount vouchers and/or bus taster tickets. The plan is to be monitored annually, with all measures reviewed to ensure targets are met.
- 5 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

6 Prior to first occupation of any dwelling, the applicant shall deliver the off-site pedestrian improvement works comprising:

1. Provision of a 2.5m wide footway along the northern section of Mepal Road on the western side of the carriageway from the development site access off Mepal Road to the site access junction of the adjacent development site (ref: 16/01772/FUM);
2. 2m wide pedestrian access into the site from The Orchards, via the adjacent consented scheme (subject to land ownership confirmation);
3. Enhancement of the uncontrolled pedestrian crossing points along the eastern footway on The Orchards in the form of tactile paving;
4. Installation of tactile paving at the uncontrolled pedestrian crossing at The Brook/Brookside junction, on the Brookside arm; and
5. Installation of an uncontrolled pedestrian crossing on The Brook, to the east of its junction with Pound Lane, to include dropped kerbs and tactile paving.

Details shall be submitted to and agreed in writing with the Local Planning Authority, prior to the occupation of any dwelling, hereby approved, and the works shall be completed in accordance with the approved details.

6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015, and Policy NP4 of the Sutton Neighbourhood Plan, 2019

7 Prior to the first occupation of any dwelling, the existing B1381 Ely Road/A142/Elean Business Park roundabout shall be upgraded to include a two lane approach on the western arm for a length of 50m. Details shall be submitted to and agreed in writing with the Local Planning Authority and the development shall be completed only in accordance with the approved details.

7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

8 Prior to first occupation of any dwelling, the existing A142/Haddenham Road (Witcham Toll) priority junction shall be upgraded, as shown in principle on drawing no. 005-1 Issue 1. Details shall be submitted to and agreed in writing with the Local Planning Authority and the development shall be completed only in accordance with the approved details.

8 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

9 Prior to the occupation of the first dwelling, the access, hereby approved, shall be constructed in accordance with drawing no. C5081-M-012 001 rev A. The works shall be completed only in accordance with approved details.

9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015, and Policy NP4 of the Sutton Neighbourhood Plan, 2019.

10 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.

10 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015.

11 All burials on the site shall be:

1. Outside a source protection zone 1 (SPZ1).
2. At least 250 metres from any well, borehole or spring supplying water for human consumption or used in food production.
3. At least 30 metres from any spring or watercourse not used for human consumption or not used in food production.
4. At least 10 metres from any field drain, including dry ditches.
5. No burials shall take place in standing water and the base of the grave must be a minimum of 1 metre above the local water table.

11 Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with Policy ENV9 of the East Cambridgeshire Local Plan, 2015, Policy NP4 of the Sutton Neighbourhood Plan, 2019, National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater Protection Position Statements.

12 Prior to the commencement of any burial ground development, a remediation strategy and risk management plan detailing any measures and ongoing groundwater monitoring that may be required in the interests of groundwater protection shall be submitted to and approved by the Local Planning Authority. The measures and monitoring specified in this plan shall be implemented as agreed.

12 Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with Policy ENV9 of the East Cambridgeshire Local Plan, 2015, Policy NP4 of the Sutton Neighbourhood Plan, 2019, National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater Protection Position Statements.

13 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- (i) A survey of the extent, scale and nature of contamination;
- (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
- (iii) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with 'Land Contamination Risk Management' (LCRM), Environment Agency, 2020. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.

13 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

14 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where

remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.

- 14 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 15 No above ground construction shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service or alternative scheme has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative scheme shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.
- 15 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 95 of the NPPF.
- 16 No development shall take place until a scheme to dispose of foul water has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works have been carried out to serve that dwelling.
- 16 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 17 No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment & Drainage Strategy prepared by Amazi Consulting Ltd (ref: AMA759 Rev C) dated 01 November 2019 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- d) Full details of the proposed attenuation and flow control measures;
- e) Site Investigation and test results to confirm infiltration rates;

- f) Temporary storage facilities if the development is to be phased;
- g) A timetable for implementation if the development is to be phased;
- h) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- i) Full details of the maintenance/adoption of the surface water drainage system;
- j) Measures taken to prevent pollution of the receiving groundwater and/or surface water

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

- 17 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 18 Prior to or as part of the first Reserved Matters application, a site-wide Biodiversity Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be based upon the Preliminary Ecological Appraisal prepared by ADAS dated 25th June 2019 and shall set out how the development will improve the biodiversity of the site and protect existing wildlife. All development shall be carried out in accordance with the approved strategy.
- 18 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015, Policy NP2 of the Sutton Neighbourhood Plan, 2019, and the Natural Environment SPD, 2020.
- 19 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.
- 19 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 20 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 0730 to 1800 each day Monday - Friday, 0730 to 1300 Saturdays and none on Sundays, Bank Holidays and Public Holidays.
- 20 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 21 As part of a reserved matters application, details of the noise attenuation bund along the north-eastern boundary of the site, as illustrated on the development framework plan, shall be submitted to and approved in writing by the local planning authority. The works shall thereafter be completed only in accordance with the approved details, prior to the occupation of any dwelling.
- 21 Reason: To safeguard the residential amenity of future occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

22 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.

22 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

23 As part of a reserved matters application, a full noise impact assessment shall be submitted to and approved in writing by the local planning authority. The noise impact assessment shall be based upon the Acoustics report by Hoare-Lea dated 6th November 2019 and shall set out how the development will mitigate against noise pollution from future occupiers. All development shall be carried out in accordance with the approved strategy.

23 Reason: To safeguard the residential amenity of future occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

24 Prior to the commencement of development a Detailed Waste Management and Minimisation Plan (DWMMMP) shall be submitted to and approved in writing by the local planning authority. The DWMMMP shall include details of:

- a) Construction waste infrastructure including a construction material recycling facility to be in place during all phases of construction
- b) anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste.
- c) measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site.
- d) any other steps to ensure the minimisation of waste during construction
- e) the location and timing of provision of facilities pursuant to criteria a/b/c/d.
- f) proposed monitoring and timing of submission of monitoring reports.
- g) the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development.
- h) a RECAP Waste Management Guide toolkit shall be completed, with supporting reference material
- i) proposals for the management of municipal waste generated during the occupation phase of the development, to include the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable material; access to storage and collection points by users and waste collection vehicles

The Detailed Waste Management and Minimisation Plan shall be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

24 Reason: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with the National Planning Policy for Waste October 2014; and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

25 Prior to or as part of the first reserved matters application, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.

25 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 and Policy CC1 of the Climate Change SPD, 2020

26 No development shall take place until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

26 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.

27 Prior to the commencement of development, a strategy for the facilitation of latest technology broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, open access ducting to industry standards to facilitate the provision of a broadband service to that dwelling, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

27 Reason: To ensure that the needs of future residents to connect to the internet do not necessarily entail engineering works to an otherwise finished and high quality environment, and to assist community integration, economic vibrancy and home working, in accordance with Policies ENV2 and COM6 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it

would be unreasonable to require applicants to undertake this work prior to consent being granted; and to ensure that the opportunity to provide any necessary enabling works is not missed.

- 28 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 28 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

INFORMATIVES RELATING TO THIS APPLICATION

- 1 East Cambridgeshire District Council is a Community Infrastructure Levy (CIL) Charging Authority. All applicants for full planning permission, including householder applications and reserved matters following an outline planning permission, and applicants for lawful development certificates are required to complete the CIL Additional information Requirement Form - https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/2

Exemptions from the Levy are available but must be applied for and agreed before development commences, otherwise the full amount will be payable.

For more information on CIL please visit our website <http://www.eastcambs.gov.uk/planning/community-infrastructure-levy> or email cil@eastcambs.gov.uk.

- 2 This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an offence to carry out works within the public highway without permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents and approval under the Highways Act 1980 and Street Works Act are also obtained from the County Council.
- 3 Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance: <https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and-waste/watercourse-management/> www.cambridgeshire.gov.uk Chief Executive Gillian Beasley
- 4 Appropriate signage should be used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design.
- 5 Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction

phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

6 East Cambs will not enter private property to collect waste or recycling, therefore it would be the responsibility of the Owners/residents to take sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over loose gravel/shingle driveways.

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, 2003, as well as the Localism Act of 2011.

Each new property requires two bins; as of 1st April 2021 this contribution is set at £52 per property.

Payment must be made in advance of bins being delivered; East Cambs District Council Account Number 43135897, Sort Code 52-41-19, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number.

7 Nesting Birds

The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent. All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to August inclusive

Note: If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out and documented. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check and document the process. Only if there are no active nests present should work be allowed to commence.

8 The decision to approve this application has been taken, having regard to the policies and proposals in the Local Development Plan and all relevant material considerations, including the NPPF. The proposal is considered to be in accordance with the policies of the Development Plan, that are considered to be up to date, and represents 'sustainable' development in compliance with the provisions of the NPPF. The application has been subject to pre-application advice/extensive discussion and amendments have been made that address officer concerns in regards to Highway safety and biodiversity

9 The Applicant should be aware that this decision is for outline only and fixes the matters of means of access . Any subsequent Reserved Matters applications must comply with the matters agreed under this permission.

10 This decision notice should be read in conjunction with the Section 106 Obligation dated 12 April 2022 and the development completed in strict accordance with the provisions contained therein, to the satisfaction of the Local Planning Authority.

PLEASE ALSO NOTE THAT THIS PERMISSION IS GRANTED SUBJECT TO DUE COMPLIANCE WITH THE BYE-LAWS AND GENERAL STATUTORY PROVISION IN FORCE IN THE DISTRICT AND DOES **NOT** CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS. YOU ARE ADVISED TO CONTACT THE BUILDING REGULATIONS SECTION IF YOU WISH TO DISCUSS THIS FURTHER



Rebecca Saunt

Planning Manager

Dated: 12th April 2022