



# East Cambridgeshire District Council

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## Meeting: Planning Committee

Time: 2:00 pm

Date: Wednesday 3 June 2026

Venue: Council Chamber, The Grange, Nutholt Lane, Ely, CB7 4EE

Enquiries regarding this agenda: Patrick Adams

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Email: [patrick.adams@eastcambs.gov.uk](mailto:patrick.adams@eastcambs.gov.uk)

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## Committee membership

**Quorum:** 5 members

### Conservative and Independent members

Cllr Christine Ambrose Smith  
Cllr Lavinia Edwards  
Cllr Mark Goldsack (Vice Chair)  
Cllr Martin Goodearl  
Cllr Bill Hunt (Chair)  
Cllr Alan Sharp

### Conservative substitutes

Cllr Keith Horgan  
Cllr Julia Huffer  
Cllr Lucius Vellacott

### Liberal Democrat and Independent members

Cllr Christine Colbert  
Cllr James Lay  
Cllr John Trapp  
Cllr Ross Trent  
Cllr Christine Whelan (Lead Member)

### Liberal Democrat and Independent substitutes

Cllr Chika Akinwale  
Cllr Kathrin Holtzmann  
Cllr Mary Wade

**Lead Officer:** David Morren, Strategic Planning and DM I Manager

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**8:55 am** Planning Committee members meet at The Grange reception for site visit.

## AGENDA

### 1. Apologies and substitutions

[oral]

- 2. Declarations of interests** **[oral]**  
To receive declarations of interests from Members for any items on the agenda in accordance with the Members Code of Conduct.
- 3. Minutes** **Page 7**  
To confirm as a correct record the minutes of the meeting of the Planning Committee held on 6 May 2026.
- 4. Chair's announcements** **[oral]**
- 5. 24/00757/FUM – Wisbech Road, Littleport** **Page 15**  
Location: Wisbech Road, Littleport, Ely  
Applicant: FP McCann Ltd  
Public access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SH4SSYGGHHL00>  
Retention of building and erection of extensions being amendment to production building as permitted through APP/V0510/W/19/3243700 and proposed external crane rails (part retrospective)
- 6. 25/00312/FUM – DeFreville Farm, High Street, Aldreth** **Page 53**  
Location: De Freville Farm, High Street, Aldreth, Ely, Cambridgeshire  
Applicant: Taste Flavouring Ltd  
Public access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=STBSPYGGFIV00>  
Change of use, extension, alteration and part-demolition of Building A to form offices, laboratories and staff facilities for research and development (Use Class E, (g)). Change of use, extension and alteration of Building B to form manufacturing facilities (Use Class B2). Erection of new building (Building D) to form manufacturing facilities (Use Class B2) following the demolition of Building C. New vehicular access with associated parking, hard and soft landscaping and SuDS feature.
- 7. 25/01097/MPO – Garden Close, Sutton** **Page 89**  
Location: Land Rear of 30-40 Garden Close, Sutton, Cambridgeshire  
Applicant: Abbey New Homes  
Public access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T3RED5GG0CT00>  
Application for the modification of planning obligation 17/01445/OUM for outline planning application for erection of up to 53 houses to include public open space and details relating to access.
- 8. 25/00667/VARM - Garden Close, Sutton** **Page 107**  
Location: Land Rear of 30-40, Garden Close, Sutton, Cambridgeshire

Applicant: Abbey Developments Ltd

Public access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SYBCEQGGL3000>

To Vary Condition 1 (Approved Plans) of previously 22/00057/RMM approved at appeal APP/V0510/W/23/3328203, dated 08 July 2024 for Reserved Matters for appearance, landscaping, scale and layout for the erection of 47 homes including public open space of previously approved Outline planning application 17/01445/OUM for erection of up to 53 houses to include public open space and details relating to access.

**9. 25/00966/VAR – Hill Farm, Fair Green, Reach Page 133**

Location: Land South West of Hill Farm, Fair Green, Reach

Applicant: Mr Newman

Public access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T29S7CGGHTK00>

To Vary Condition 11 (width of access) of previously approved 18/01397/OUT, dated 5 April 2019 for demolition of existing agricultural buildings, construction of two detached bungalows, associated parking and infrastructure.

**10. 25/01223/RMM – Saxon Business Park, Woodfen Road, Littleport**

Location: Land to North of Saxon Business Park, Woodfen Road, Littleport **Page 155**

Applicant: Barratt David Wilson Homes Anglia (BDW)

Public access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T5BBYRGGLD800>

Reserved Matters application seeking approval of appearance, landscaping, layout and scale for 197 dwellings (Use Class C3) and 20 self-build unit plots pursuant to hybrid planning permission 20/01238/FUM (as varied by 20/01238/NMAA and 20/01238/NMAB) Phase 2.

**11. 26/00032/FUL – Willow Cottage, Upend Page 203**

Location: Land Southwest of Willow Cottage, Upend, Suffolk

Applicant: Dr Sarah Burley

Public access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T8R4ELGGHCI00>

Erection of stables and associated stores and wash bay. Construction of a fenced outdoor arena with secure gated entrances and associated works. Installation of a surface water drainage grid, associated infrastructure and solar lighting. creation of new vehicular access with gat.

**12. EXT/00008/26 – Planning Inspectorate, Kingsway Solar Farm Page 229**

Location: Land to the East of Cambridge, between Burwell and Balsham

Applicant: Planning Inspectorate

Public access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=TCVD3CGG0CS00>

**Planning Inspectorate** - Kingsway Solar Farm Development Consent Order -Adequacy of Consultation.

### 13. Planning performance report – April 2026

Page 245

#### Exclusion of the public including representatives of the press

That the press and public be excluded during the consideration of the remaining items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items there would be disclosure to them of exempt information in categories 1, 2 and 7 of Part I Schedule 12A to the Local Government Act 1972 (as amended).

### 14. Minutes – Confidential item

To confirm as a correct record confidential minute: “Quarterly performance in resolving planning enforcement cases” of the meeting of the Planning Committee held on 6 May 2026.

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## Notes

1. Members of the public are welcome to attend this meeting. Please report to the main reception desk on arrival at The Grange. Visitor car parking on-site is limited to 1h but there are several [free public car parks close by](https://www.eastcambs.gov.uk/parking-open-spaces-and-toilets/car-parks/car-parks-ely) (https://www.eastcambs.gov.uk/parking-open-spaces-and-toilets/car-parks/car-parks-ely). The maximum capacity for meetings in the Council Chamber has been set by the Fire Officer at 100 persons. Allowing for Member/Officer attendance and room layout constraints this will normally give a capacity for public attendance of 30 seated people and 20 standing. Public access to the Council Chamber will be from 30 minutes before the start of the meeting and, apart from for registered public speakers, is on a “first come, first served” basis.

The livestream of this meeting will be available [on the committee meeting’s webpage](https://www.eastcambs.gov.uk/node/3505) (https://www.eastcambs.gov.uk/node/3505). Please be aware that all attendees, including those in the public gallery, will be visible on the livestream.

2. The Council has a scheme to allow [public speaking at Planning Committee](https://www.eastcambs.gov.uk/public-participation-meetings/speak-committee-meeting) (https://www.eastcambs.gov.uk/public-participation-meetings/speak-committee-meeting). If you wish to speak on an application being considered at the Planning Committee please contact the Democratic Services Officer for the Planning Committee

[democratic.services@eastcambs.gov.uk](mailto:democratic.services@eastcambs.gov.uk), to register by 10am on Tuesday 2 June.

Alternatively, you may wish to send a statement to be read at the Planning Committee meeting if you are not able to attend in person. Please note that public speaking, including a statement being read on your behalf, is limited to 5 minutes in total for each of the following groups:

- Objectors
- Applicant/agent or supporters
- Local Ward Councillor
- Parish/Town Council
- County Councillors
- National/Statutory Bodies

3. The Council has adopted a 'Purge on Plastics' strategy and is working towards the removal of all consumer single-use plastics in our workplace. Therefore, we do not provide disposable cups in our building or at our meetings and would ask members of the public to bring their own drink to the meeting if required.
4. Fire instructions for meetings:
  - if the fire alarm sounds, please make your way out of the building by the nearest available exit, which is usually the back staircase or the fire escape in the Chamber and do not attempt to use the lifts
  - the fire assembly point is in the front staff car park by the exit barrier
  - the building has an auto-call system to the fire services so there is no need for anyone to call the fire services
  - the Committee Officer will sweep the area to ensure that everyone is out
5. Reports are attached for each agenda item unless marked "oral".
6. If required, all items on the agenda can be provided in different formats (such as large type, Braille or audio tape, or translated into other languages), on request, by calling main reception on (01353) 665555 or e-mail: [translate@eastcambs.gov.uk](mailto:translate@eastcambs.gov.uk)
7. If the Committee wishes to exclude the public and press from the meeting, a resolution in the following terms will need to be passed:

"That the press and public be excluded during the consideration of the remaining item no(s). X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s) there would be disclosure to them of exempt information of Category X of Part I Schedule 12A to the Local Government Act 1972 (as amended)."

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# East Cambridgeshire District Council

## **Minutes of a Meeting of the Planning Committee**

Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 2:00pm on  
Wednesday 6 May 2026

### **Present:**

Cllr Chika Akinwale  
Cllr Christine Ambrose Smith  
Cllr Lavinia Edwards  
Cllr Mark Goldsack (Vice-Chair)  
Cllr Martin Goodearl  
Cllr Bill Hunt (Chair)  
Cllr Alan Sharp  
Cllr John Trapp  
Cllr Ross Trent  
Cllr Mary Wade  
Cllr Christine Whelan

### **Officers:**

Patrick Adams – Senior Democratic Services Officer  
Olivia Akroyd – Planning Officer  
Kevin Breslin – Locum Planning Lawyer  
Sophie Browne – Planning Team Leader  
David Morren – Strategic Planning and Development Management Manager  
Juleen Roman – Planning Enforcement Team Leader

### **In attendance:**

ECDC Comms  
Members of the public

## **68. Apologies and substitutions**

Apologies for absence were received from Cllr Christine Colbert and Cllr James Lay. Cllr Mary Wade substituted for Cllr Lay.

## **69. Declarations of interest**

None

## **70. Minutes**

The Minutes of the meeting held on 1 April 2026 were agreed as a correct record.

## **71. Chair's announcements**

The Chair stated that this was the last meeting of the 2025/26 civic year and he wanted to thank Committee members and officers for all their work and support over the past year.

David Morren, Strategic Planning and Development Management Manager, explained that the Council was likely to receive the planning specification for the Kingsway Solar Farm project later this month. The authority would have 28 days to respond, so hopefully the matter could be taken to Committee. If this was not possible, a draft copy of the response would be shared with the Chair of Planning, the Leader of Council and the Opposition Leader before being submitted, in line with the protocol agreed by members at Planning Committee.

## **72. 26/00009/FUL – North East of 70 St Johns Avenue**

Olivia Akroyd, Planning Officer, presented a report (AA187, previously circulated) recommending approval for the construction of a two bedroom, single storey, detached dwelling. She explained that the area of the site given in the report was incorrect, as it was actually 0.04 hectares or 0.09 acres.

Tom Beamond, Objector, made the following statement:

"I am grateful to speak to you on behalf of the residents most affected by this application. I want to provide some context before detailing our specific objections. This piece of land was left by the original developer as public land and the reason for this is because this land has public services running through it, including the main electricity cables for the surrounding houses. The previous owner of number 70 St Johns Avenue fenced off a section of this land to extend his garden. This was done back in the 1990s. He then sold his house in the early 2000s but kept the land he had fenced off, with the intention of building a house, which was to be sold at profit. Permission was never granted, despite years of trying, including at appeal. He eventually gave up and managed to sell the land to a developer and in 2016, as has just been shown, permission was granted for a brick-built bungalow. That bungalow was never built and the land was then sold again, via auction, to a different developer. Two further permissions were granted for a brick bungalow, neither of which were ever built. The reason that no-one has built on this land before is because the developers realised that they needed to pay UK Power Networks to move the electricity cables that move across that land and doing so was going to add significant cost to the land and make the build non-viable financially. If you roll the clock forward to now, this latest application appears to be trying to avoid breaking the ground by placing a large static caravan on top of the land. The assumption, I think, is the developer believes that this gets around the need to have the cables moved, but if this is the case, then it is an incorrect assumption. UK Power Networks have been very clear with those of us who have made contact with them. They expect any developer to engage with them and pay for the work involved to move those cables. The fundamental point is that the company needs to access those power cables, whenever they might need to. The plan

says buff coloured facing bricks, but we believe that the intention is to use concrete cladding to cover the caravan, as opposed to using actual bricks and something built on poured concrete footings. This is the way all other houses on the estate are built. The residents object to this proposal because it will fundamentally change the nature and impact on the existing character of the area and it in no way fits in with the local landscape, the design or the intent of the existing development. All the existing houses are two storey detached houses with large gardens, front and back. All have driveways and garages, and I am not sure that the measurement given for the front of the proposed dwelling is accurate. As I have already alluded to, UK Power Networks, who own the substation, have objected to any development at this site and they have said that they have serious concerns about a dwelling being built or placed on this land and they believe that they have made that clear in their response. As well as the cables being moved and kept accessible, they have also made clear that they must have 24-hour access to the substation as they do today. The proposer of this application appears to have assumed ownership of public space to the right of the fenced area, the land that provides access to the UK Power Networks' power point today. The plan effectively creates an access road to get to the rear of the proposed dwelling. It seems very clear to us that in reality, any future resident would not bother driving their car to the rear of the dwelling and would instead simply park on the access road and in doing so would block access to the substation. Furthermore, the land in question is on a blind bend and the road can become very busy, not least during school drop off and pick up times. The fact is that this land has never been suitable for development. It is far too small, it has important utilities running through it, it sits on a blind bend, and it was never intended to be developed. We don't believe that it was a correct decision in 2016 to give permission for this brick built bungalow and the fact that we are sitting here 10 years later and no-one has built on the land should, in my view, be all the evidence needed to confirm that this land is not suitable for a dwelling at all and most definitely not suitable for a mobile home."

Councillors were invited to ask questions to Tom Beamond.

In reply to Cllr Chika Akinwale, Tom Beamond stated that the land in question was open land when residents first moved onto the road and in reply to Cllr Alan Sharp, he explained that in the 1990s the owner of 70 St Johns Avenue took the open space at the back of the property.

In reply to Cllr Christine Ambrose Smith, Tom Beamond stated that he was not representing UK Power Networks but they had formally objected to the application and residents were concerned that if development went ahead and there was a power outage, UK Power Networks would be unable to access the site.

In reply to Cllr John Trapp, Tom Beamond explained that there would be insufficient room on the driveway of the site for a car to turn round, meaning that it would have to reverse out into a busy road, on a bend.

In reply to Cllr Mark Goldsack, Tom Beamond stated that in his view the static home that was being proposed in the application equated to a caravan.

In reply to Cllr Chika Akinwale, Tom Beamond explained that he understood that previous developers had decided not to build on the site due to the cost of moving the power cables and the time it would take.

The Senior Democratic Services Officer read out the following statement from Cllr James Lay:

“For the following reasons I oppose the recommendation to Approve:

1. The Street Scene. This well-established development consists of two-story houses and not a single one-story property as suggested in the application.
2. UK Power Network has objected due to the underground power cables. I agree, as this problem could be overcome with the power cables being re-sited.
3. Non-Standard Development. This mobile home covered in a brick jacket does not take away the fact that it would not be acceptable on most sites.

May I conclude by saying that as planners we have always considered how important retaining the street scene is to developments and on this occasion this applications design does not fit the bill.”

The Chair invited comments from officers.

David Morren, Strategic Planning and Development Management Manager, explained that what was proposed was not a caravan, as defined in legislation, but an alternative construction. The Committee would need to consider if the proposed development was compatible with the current street scene. The Committee was also asked to note that the granting of planning permission was no guarantee of development.

Councillors were invited to ask questions to the officers.

In reply to Cllr John Trapp, the Strategic Planning and Development Management Manager, explained that there was no need to include a planning condition regarding the need to move the power cables, as this was covered by separate legislation. The National Planning Policy Framework was clear that conditions were unnecessary if the matter in question was covered by alternative legislation.

In reply to Cllr Mark Goldsack, the Strategic Planning and Development Management Manager explained that there were no definite planning rules on tandem parking or frontage parking. He explained to Cllr John Trapp that the parking needed to be laid out before occupation of property and condition 8 stated that cars would be required to be able to leave the property in forward gear.

It was noted that the Planning Committee had agreed planning permission for development on the land in question in October 2016.

The Committee moved into debate.

Cllr Alan Sharp asserted that the application contravened planning policies ENV1 and ENV2 of the Council's Local Plan as it was incompatible with the street scene in St Johns Avenue, due to its design and size of front garden. He also expressed concern regarding road safety, as the proposed property was on a bend. UK Power Networks had also objected. He proposed that the planning application be rejected. Cllr Chika Akinwale agreed with Cllr Sharp and seconded this proposal.

Cllr Martin Goodearl stated that concerns regarding access to power cables was not a planning consideration and so there was no reason to refuse permission. He proposed that the Committee approve the application. Cllr John Trapp seconded this proposal.

Cllr Christine Ambrose Smith raised concerns regarding the ownership of the land. Cllr Bill Hunt explained that as it was possible to apply for planning permission on land that did not belong to the applicant, the actual ownership of the land was not the Committee's concern.

Cllr Mark Goldsack stated that it was clear from the site visit that the proposed development did not complement the surrounding area. He expressed concerns about the proposed parking and stated that the Committee had to look at the current facts and not be influenced by previous decisions made regarding the site. Cllr Ross Trent agreed and stated that the application was not appropriate for the site. Cllr Christine Whelan also agreed, and she stated that applications were often refused by the Committee due to the street scene and the proposed materials to be used in the development.

Cllr Christine Ambrose Smith suggested that this was a suitable location for infill development and so she supported the application. Cllr John Trapp agreed, stating that not all the homes on St Johns Avenue were of the same design or on the same sized sites. He concluded that more homes were needed and this location had good links to public transport.

Cllr Mary Wade agreed with Cllr Sharp and declared that she would be voting to reject the application, as it contravened the planning policies in the Local Plan.

The Strategic Planning and Development Management Manager stated that the Committee had approved planning permission on this site in 2016 and with the exception that the National Planning Policy Framework was now more in favour of development, it was unclear what else had changed.

Cllr Lavinia Edwards expressed concerns regarding the impact the application could have on the street scene but recognised that the planning history indicated that permission should be given.

Cllr Alan Sharp proposed and Cllr Chika Akinwale seconded that the application be refused as it contravened planning policy ENV 2. A vote was taken and with 8 votes in favour, 3 votes against and no abstentions the Committee

resolved to **refuse** the application, on the grounds that the alternative method of construction and the use of modern materials was considered to be out of character with the street scene and the character of the area in contravention of policy ENV2 in the East Cambridgeshire Local Plan 2015 (as amended 2023).

### **73. Planning Performance Report – March 2026**

David Morren, Strategic Planning and Development Management Manager, presented a report (AA188, previously circulated) summarising the performance of the Planning Department in March 2026. He reported that unfortunately the Planning Inspector had allowed the appeal on the application for up to 126 dwellings at Cambridge Road, Stretham. The Chair stated that both he and the Chair of Stretham Parish Council had spoken against the appeal and there was considerable local disappointment in the Planning Inspector's decision.

The Committee agreed

to resolve to **note** the report.

### **74. Annual Planning Performance Report in Resolving Planning Enforcement Cases**

Juleen Roman, Planning Enforcement Team Leader, presented a report (AA190, previously circulated) which detailed the Council's performance in resolving planning enforcement cases and its development monitoring caseload between 1 April 2025 and 31 March 2026.

In reply to Cllr John Trapp, the Planning Enforcement Team Leader explained that the team had reviewed and closed a number of old cases and this explained why more cases had been closed than received in 2025/26.

The Committee agreed

to resolve to **note** the report.

### **75. Exclusion of the Press and Public**

The Chair proposed that the meeting should go into private session. It was resolved unanimously:

that the press and public be excluded during the consideration of the remaining item because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items there would be disclosure to them of exempt information of Categories 1, 2 and 7 of Part 1 Schedule 12A to the Local Government Act 1972 (as amended).

**76. Quarterly performance in resolving planning enforcement cases**

Juleen Roman, Planning Enforcement Team Leader, presented a report (AA189, previously circulated) which detailed the Council's performance in resolving planning enforcement cases and its development monitoring caseload for the last quarter.

It was resolved that:

The Quarterly Performance in Resolving Enforcement Cases be noted.

The meeting concluded at 3:47 pm.

Chair.....

Date.....

**24/00757/FUM**

Wisbech Road  
Littleport  
Cambridgeshire

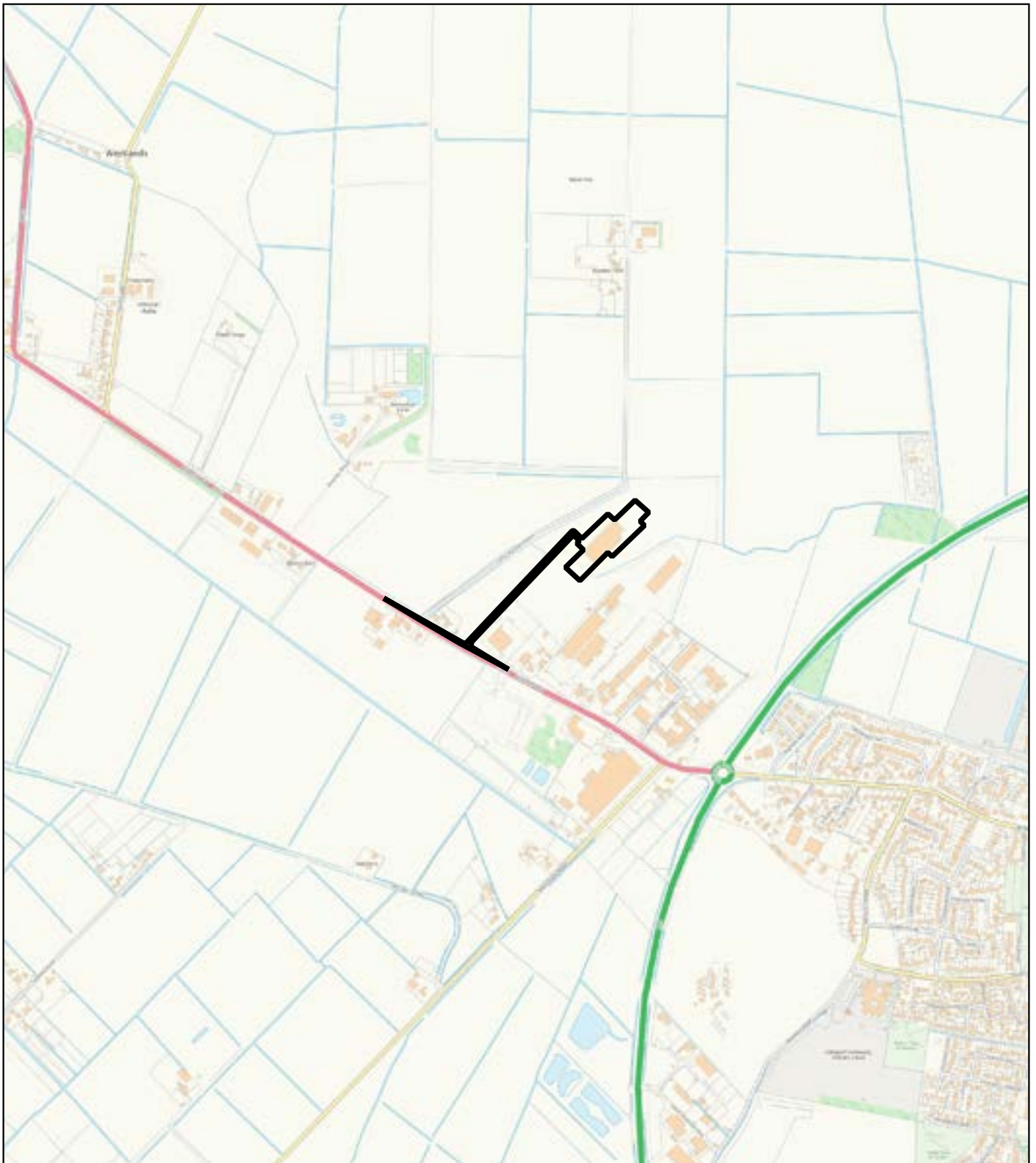
Retention of building and erection of extensions being amendment to production building as permitted through APP/V0510/W/19/3243700 and proposed external crane rails (part retrospective)

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

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SH4SSYGGHHL00>







24/00757/FUM

FP McCann Ltd  
Wisbech Road  
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CB6 1RA

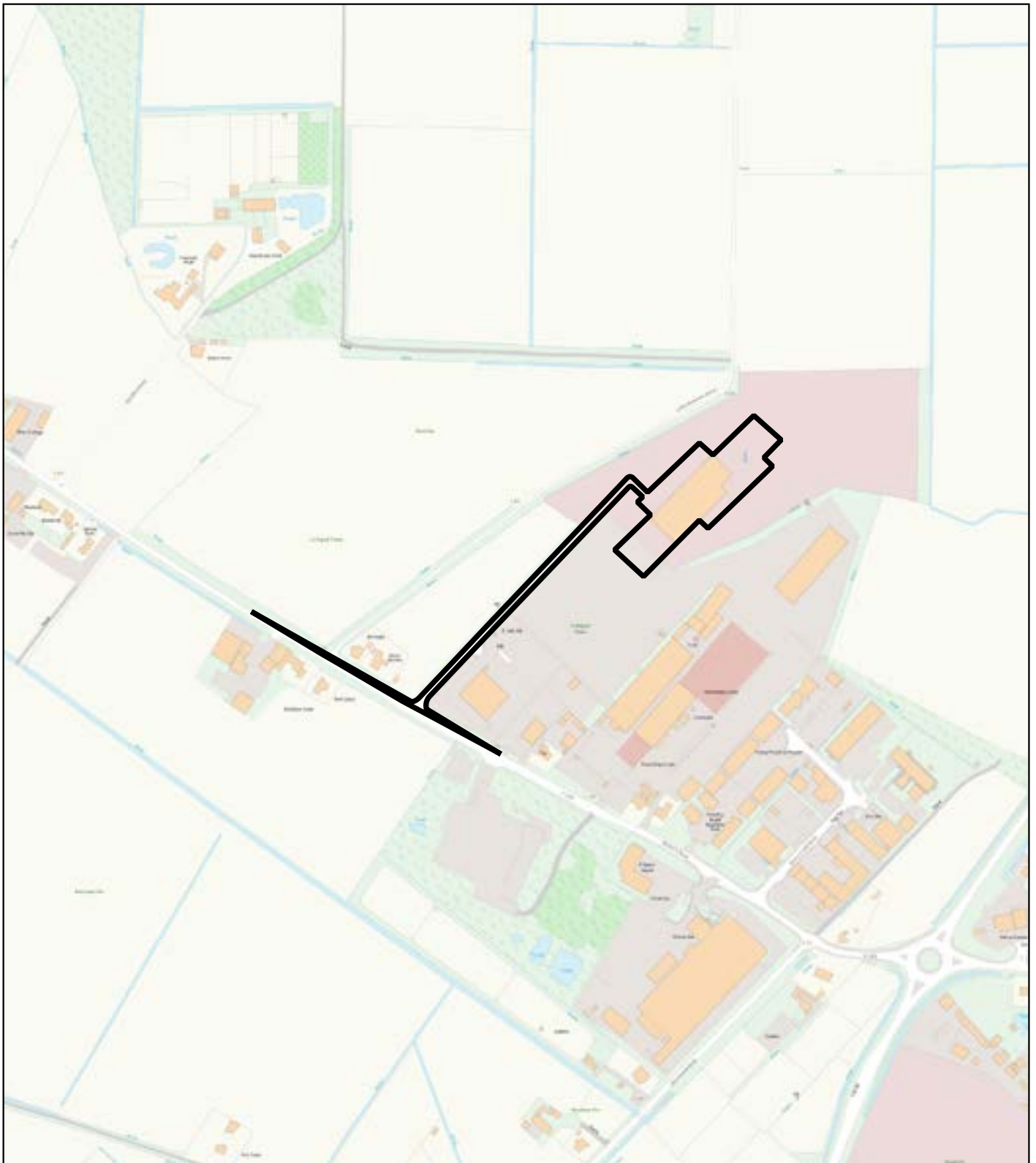


East Cambridgeshire  
District Council

Date: 20 May 2026  
Scale: 1:12,000



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24/00757/FUM

FP McCann Ltd  
Wisbech Road  
Littleport  
Ely  
Cambridgeshire  
CB6 1RA



East Cambridgeshire  
District Council

Date: 20 May 2026  
Scale: 1:6,000



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## AGENDA ITEM 5

**TITLE: 24/00757/FUM**

Committee: Planning Committee

Date: 06 August 2025

Author: Planning Team Leader

Report No: AB6

Contact Officer: Rachel Gordon, Planning Team Leader  
Rachel.gordon@eastcambs.gov.uk  
01353 616307  
Room No 011 The Grange Ely

**Site Address: FP McCann Ltd Wisbech Road Littleport Ely Cambridgeshire CB6 1RA**

**Proposal: Retention of building and erection of extensions being amendment to production building as permitted through APP/V0510/W/19/3243700 and proposed external crane rails (part retrospective)**

**Applicant: FP McCann Ltd**

**Parish: Littleport**

**Ward: Littleport**

Ward Councillor/s: Christine Ambrose-Smith  
Martin Goodearl  
David Miller

**Date Received: 6 December 2024**

**Expiry Date: 09 June 2026**

### **Recommendation**

1. Members are recommended to APPROVE the application subject to the conditions set out in Appendix 1.
2. The application is being heard by committee because it triggers the Councils Constitution in respect of the application being for major employment use (major is defined as where the floor space created is 1,000 square metres or more).

## Summary of Application

3. The application seeks the retention of a building and erection of extensions and amendments being amendment to production building as approved through 16/01121/FUM (allowed on appeal APP/V0510/W/19/32437000) and proposed external crane rails.
4. The amendments are required for operational and structural reasons. The proposed variations relate only to the production building itself and not the wider proposals granted under 16/01121/FUM.
5. The proposal is not to intensify the approved manufacturing operations but will allow for additional operational facilities which were not included in the original application. Due to changes in technology and production techniques, the proposed changes are necessary to allow for more modern manufacturing processes at the site.
6. The proposed changes are as follows:
  - Lean-to extension on the western side of the building which will house a steel mesh fabrication system
  - Gable end extension to house a product inspection/testing area
  - External crane rails to facilitate the movement of products/materials without the use of forklift trucks
  - Additional raw material silos which will be used to store low-carbon cement alternatives, additives and fillers
  - Amendments to the approved lighting scheme
  - Amendments to the overall design of the building
7. The current application is retrospective with the majority of works having been carried out, with the exception of the external lighting to the building. The building is currently in use.
8. Retrospective planning applications should be assessed on their planning merits exactly like any other planning application.
9. 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 [Simple Search](#).

## Environmental Impact Assessment

10. A screening opinion has been carried out in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (As amended). The proposed development falls under Schedule 2, part 13(b) of the Regulations as it relates to the expansion of an existing B2 (general industrial use). When considered cumulatively with the existing business operations and overall permitted activities on the site the scale of the development meets or exceeds the applicable thresholds and criteria set out under Schedule 2 of the Regulations. The site is located near a

'sensitive area' as defined under Regulation 2. However, the proposal does not seek to intensify the overall use of the site but instead provides additional operational space to accommodate modern manufacturing processes and improve efficiency. Having regard to the nature, scale and context of the development, it is considered that the development is not likely to have significant effects on the environment. As such, an Environmental Statement (ES) is not required.

## **Planning History**

11. **95/00711/FUL**  
Change of Use from Agricultural storage Building to General Storage and light Industrial | Approved 15/04/1996
- 99/00641/FUL**  
Erection of detached workshop building | Approved 11/10/2002
- 99/00943/FUL**  
Gantry crane run and covered precasting area | Approved 22/12/1999
- 13/01060/FUM**  
Change of use from agriculture to open storage yard/hardstanding in connection with adjoining concrete products manufacturing premises (Class B2) | Approved 03/03/2014
- 14/01320/FUM**  
Change of use from agriculture to open storage yard and construction of a hard standing in connection with adjoining concrete products manufacturing premises, including the culverting of a drainage ditch with the installation of concrete pipes and headwall structures. (PART RETROSPECTIVE) | Approved 01/04/2015
- 16/01121/FUM**  
Change of Use of agricultural land to industrial (class B2) use and erection of a concrete manufacturing facility, with associated engineering and accommodation works and extension to an existing building and travelling crane rails | Appeal allowed (APP/V0510/W/19/3243700) 17/02/2021
- 21/01338/FUL**  
Amendments to approved steel fabrication workshop extension, to include retention of the extension to the building | Approved 03/02/2022
- 22/00158/FUM**  
Retention and expansion of casting beds and construction of production building (Use Class B2 General Industrial) | Approved 10/10/2022
- 24/00564/FUL**  
Replacement maintenance building – retrospective | Approved 15/08/2024

**Land to North East**

## **26/00011/FUM**

Erection of a manufacturing building (B2 Use Class) with associated open storage and biodiversity enhancements | Pending consideration

### **The Site and its Environment**

12. The site is located off Wisbech Road (A1101) on the north-western edge of Littleport and is located within the existing operational site and relate solely to the approved production building and its associated access.
13. The existing industrial complex comprises approximately 12.5ha (30.8 acres). To the east of the FP McCann site there is an industrial estate which contains a variety of B2, B8 and light industrial uses. To the south of the development site is a large agricultural machinery showroom and an engineering business, and beyond the site to the north are open agricultural fields. On the opposite side of Wisbech Road, to the south of the site, are a number of other B2/B8 businesses along with the eSpace North Business Centre. Beyond the immediate environs of the operational site are a small number of dwellings.
14. The site is within Flood Zones 2 and 3.

### **Response from Consultees**

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

**Local Highways Authority** - 28 April 2026 - no objection to the proposals, it will be for the authority's Transport Assessment Team to comment on any documentation provided regarding junction capacity.

#### **Lead Local Flood Authority – 30 April 2026**

Thank you for your re-consultation which we received on the 29 April 2026. We have reviewed the following documents:

- Proposed Drainage Plan Layout, HoyDorman, Ref: 2021008, Rev: E, Dated: 24th November 2025
- Proposed Drainage Sections and Details Sheet 1 of 1, HoyDorman, Ref
- Flood Risk Assessment, EWE Associates Ltd, Ref: 2016/1958, Rev: 0, Dated: September 2024
- Additional Information, Hoy Dorman, Ref: 2021008, Dated: 24th November 2025

16. Based on these, as Lead Local Flood Authority (LLFA) we can remove the objection in principle to the proposed development. The above documents demonstrate that surface water from the proposed development can be managed through the use of a system of swales and an attenuation basin before discharging from site via flow control at a rate of 7.4l/s. Works to IDB

ditches across the site will require consent to be granted and the LLFA are aware of discussions between the IDB and applicant.

17. **Littleport Town Council** – 29 April 2026 – Supports the application.

**Littleport & Downham Internal Drainage Board** – 06 May 2026

18. The latest information included with the application for the FP McCann Ltd increased building footprint, now shows the level of the yard outside the proposed building footprint being as was previously proposed under the consented planning application, rather than extending out from the building at the building floor level. It also shows the foundations for the crane rail supports as individual pads being located such that the previously designed drainage potentially remains unaffected. Therefore, the concerns relating to the impact of the proposed crane rail on the drainage network have been removed. As the pads are in close proximity to the drainage pipes, it is suggested that as part of any Bye Law consent, and which remains outstanding for the development despite works commencing on site, the detailed design of the pads supporting the crane rails should be provided.

**Environmental Health -**

19. I would advise that construction times and deliveries during the construction phase are restricted to the following:

07:30 - 18:00 each day Monday - Friday

07:30 - 13:00 on Saturdays and

None on Sundays or Bank Holidays

20. If it is necessary to undertake ground piling I would request that a method statement be produced and agreed in writing with the Local Planning Authority (LPA) before work takes place.
21. If there is no intention to utilise ground piling then I would request this be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA.
22. I have read the Noise Assessment Addendum dated Dec 2025 and have no additional comments to make.
23. I have read the LIA dated April 2026 and want to reiterate my previous comments that the ILP Guidance Note for the Reduction of Obtrusive Light is complied with. If there are existing conditions on site relating to hours of use for the lighting, I would ask that they are also applied to any new lighting proposed.
24. I have read neighbour comments which mention that external lighting remains on past conditioned hours. I would ask that this specific issue is referred to our Planning Enforcement Team for their investigation.

25. Finally, the applicants should be advised that planning permission does not confer immunity from action under statutory nuisance. Either by local authority or a private individual.

26. I note that some of the neighbour responses include objections to the proposal and detail that they are already experiencing noise, dust and lighting issues with the site. If this is the case I would advise them to report this for investigation via the following link:  
<https://eastcambs.gov.uk/environmental-health/nuisance-behaviour-and-crime>

**Environment Agency – 06 May 2026**

27. We have reviewed the documents and have no further comments to make. Our comments from our previous letter dated 06 January 2025 remain relevant - We have reviewed the submitted Flood Risk Assessment (FRA) dated 5 September 2024 and consider this to be acceptable for the scale and nature of the proposed development. We therefore have no objection to the proposed development but strongly recommend that the mitigation measures detailed in the FRA are adhered to. In particular, the FRA recommends that a Flood Evacuation Plan is prepared for the site.

28. Our Fenland breach model indicates that the site could flood to depths of over 2m in the event of a breach of the River Great Ouse flood defences. The Littleport & Downham Internal Drainage Board should be consulted with regard to flood risk associated with their watercourses and surface water drainage proposals.

**East Cambs Ecologist – 30 April 2026**

29. I cannot support the current lighting plan. The surrounding fields must remain dark to avoid impacts to the migratory birds.

30. The locations of the bat features will impact the lighting scheme of the site. See 'Bats and Artificial Lighting at Night' ILP Guidance Note update released - News - Bat Conservation Trust

31. Since the last update a recent bat survey for a different development adjacent has proven that the ditches nearby have a county significant assemblage of bats using the ditch network for feeding it is essential that the watercourses nearby to this development are not impacted because of this development's lighting.

32. Request conditions for a lighting scheme to be submitted prior to their installation in accordance with the ILP 2023 note 8 (or as superseded) for the protection of bats and a condition for biodiversity improvements.

33. **County Highways Transport Team – 22 April 2026 – No objections.**

34. **Natural England – 24 January 2025**

No Objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutory designated sites and has no objection. A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

- Anglian Water Services Ltd – 23 April 2026**
35. The above proposals are not relevant to Anglian Water.
36. **Ward Councillors - No Comments Received**
37. **Minerals And Waste Development Control Team - No Comments Received**
38. **Consultee For Other Wards In Parish - No Comments Received**
39. A site notice was displayed near the site on 20 December 2024 and a press advert was published in the Cambridge Evening News on 19 December 2024.
40. Neighbours – 102 neighbouring properties were notified and the responses received are summarised below. 7 properties have responded. 1 in support, 5 objecting and 1 letter of representation. A full copy of the responses are available on the Council's website.
41. Support
- Agree with the changes if they improve the position on the site and help the business. They do not interfere with any other business. They do not interfere with any other business or private dwelling as the site is away from other resident properties. Just a few houses down a drove which would not be affected by this site.
  - Littleport needs the work for people in the area and so far this development has been a success.
42. 5 neighbours objecting:
- Environmental impact
  - Piecemeal expansion without proper approvals
  - Visual and noise pollution
  - Pattern of non-compliance
  - Timing of consultation
  - Urge the council to refuse the retrospective application, conduct a comprehensive environmental impact assessment, take enforcement action and prioritise community input
  - Cumulative impact has not been assessed
  - Building is hideous and unsightly
  - Development will have a severe negative impact on employment
  - Impact on highways
  - Light pollution

- Impact to wildlife
  - Noise of gantry cranes
  - Departure from the approved scheme
  - Harm to residential amenity
  - Visual and landscape harm
  - Inadequacy of existing mitigation
43. 1 letter of representation
- Concerns relating to road safety since the expansion of FP McCann given number of vehicles and HGV in the context of 60mph speed limit.
  - HGV are limited to a maximum length of 12m, however larger HGV use the existing site road entry.
  - This should be brought to the attention of County Council Consultees.

### **The Planning Policy Context**

44. East Cambridgeshire Local Plan 2015 (as amended 2023)
- Growth 2: Locational Strategy
  - Growth 5: Presumption in favour of sustainable development
  - LIT 4: Employment allocation, land north of Wisbech Road
  - EMP 1: Retention of existing employment sites and allocations
  - EMP 2: Extensions to existing businesses in the countryside
  - ENV 1: Landscape and settlement character
  - ENV 2: Design
  - ENV 4: Energy and water efficiency and renewable energy in construction
  - ENV 7: Biodiversity and geology
  - ENV 8: Flood Risk
  - ENV 9: Pollution
  - COM 7: Transport Impact
  - COM 8: Parking provision
45. Supplementary Planning Documents
- Design Guide Natural Environment SPD
  - Climate Change SPD
  - Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated
  - Flood and Water
  - Developer Contributions and Planning Obligations
46. National Planning Policy Framework (December 2024)
- 2 Achieving sustainable development
  - 6 Building a strong, competitive economy
  - 8 Promoting healthy and safe communities
  - 9 Promoting sustainable transport
  - 11 Making effective use of land
  - 12 Achieving well-designed places
  - 14 Meeting the challenge of climate change, flooding and coastal change
  - 15 Conserving and enhancing the natural environment

47. Draft National Planning Policy Framework (December 2025)  
On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. Regard has therefore been had to the NPPF published in December 2024 in assessing the current application.
48. Local Nature Recovery Strategy December 2025
49. Planning Practice Guidance

### **Planning Material Considerations and Comments**

50. A full Environmental Impact Assessment Screening Opinion has been undertaken which concluded that an Environmental Statement is not required.
51. The main planning considerations relevant to the determination of this application relate to:
- Principle of development
  - Residential amenity
  - Visual Amenity
  - Highways
  - Ecology, Biodiversity and Local Nature Recovery Strategy
  - Flood Risk and Drainage

### **Principle of Development**

52. The application site is located within the countryside with part of the site partially located within the employment allocation LIT 4.

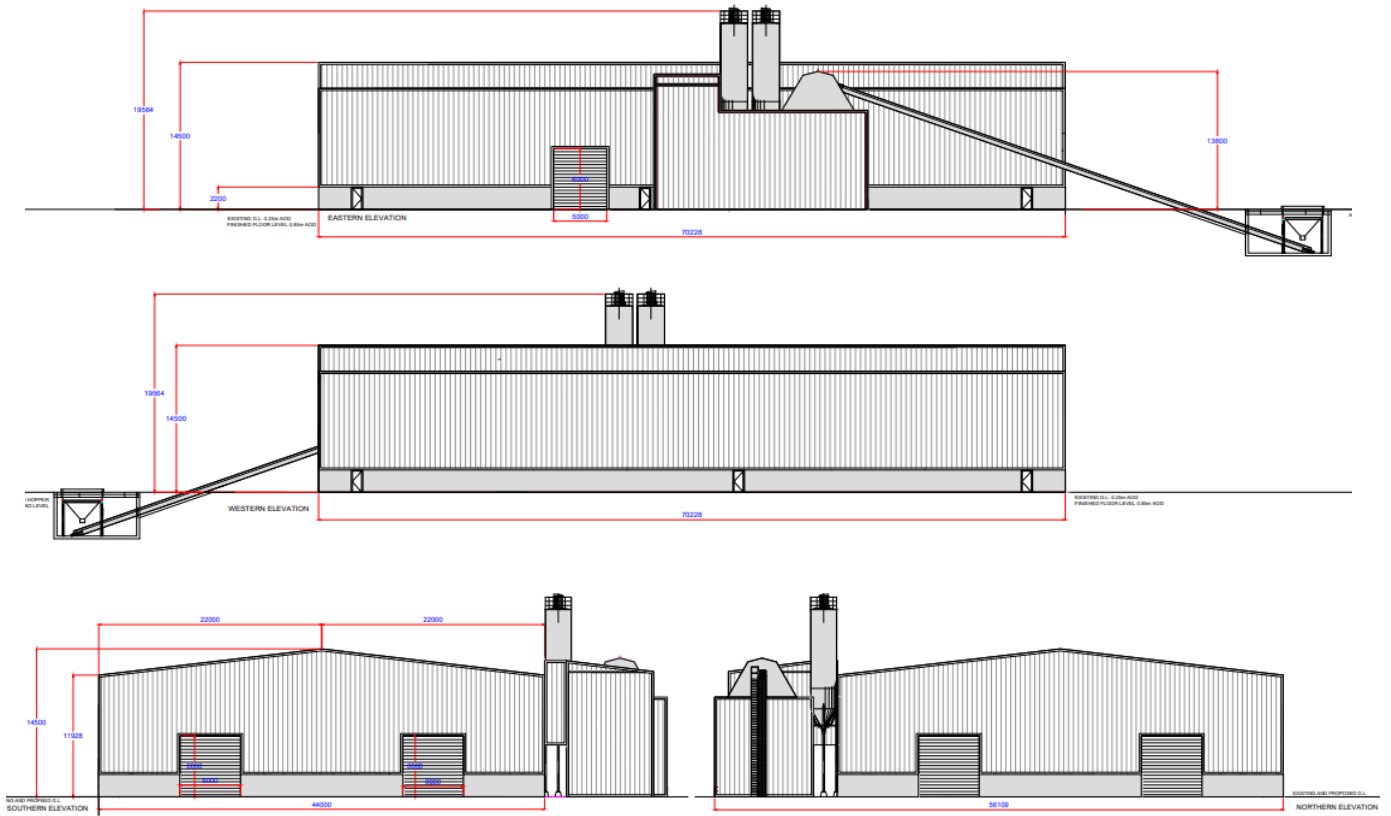
### *Policy Compliance*

53. The site and wider site received planning permission under application 16/01121/FUM which was allowed at appeal (APP/V0510/W/19/32437000) on 17<sup>th</sup> February 2021 for the change of agricultural land to industrial (Class B2) use and erection of a concrete manufacturing facility, with associated engineering and accommodation works and extension to an existing building and travelling crane rails.
54. This planning application seeks to amend the production building as approved through 16/01121/FUM. The amendments are required for operational and structural reasons. The proposed variations relate only to the production building itself and all other aspects of the previously approved development is to be completed in accordance with the approved plans.

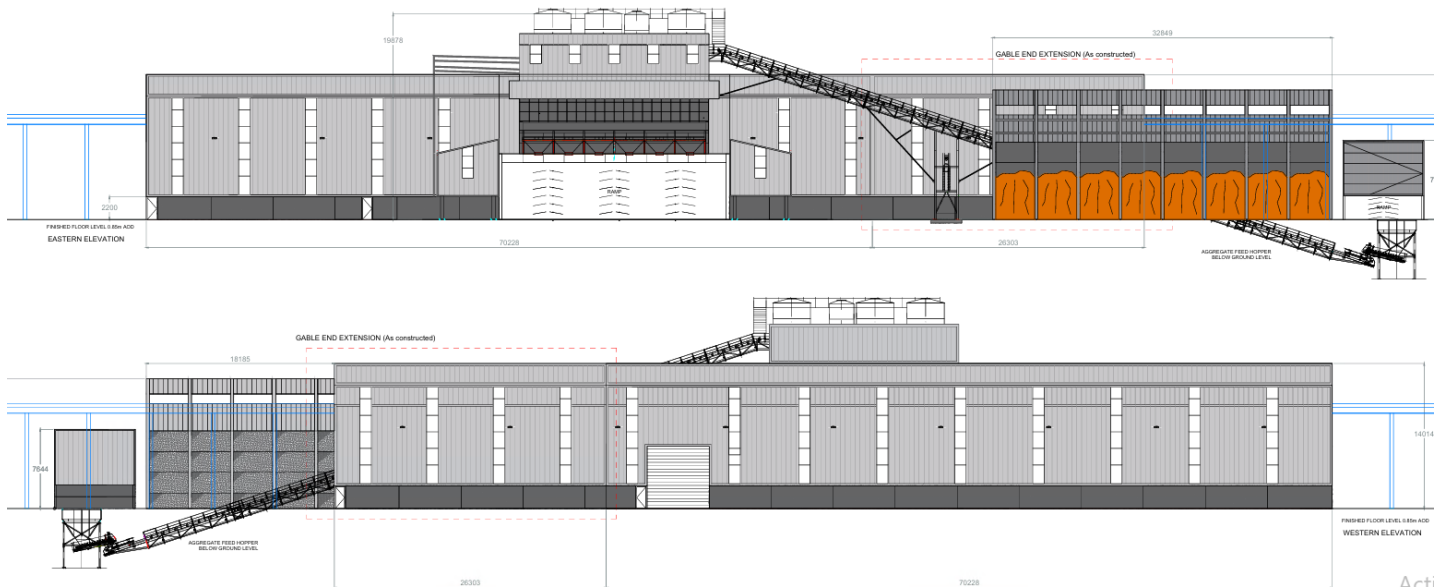
55. Policy EMP 1 of the Local Plan seeks to retain land currently used for employment purposes (B1, B2 and B8 uses) and seeks to retain employment allocations for their designated B1/B2/B8 uses. Policy EMP 2 states that proposals to expand existing businesses in the countryside will be permitted where:
- The proposal does not harm the character and appearance of any existing buildings or the locality.
  - The proposal is in scale with the location and would not (by itself or cumulatively) have a significant adverse impact in terms of the amount or nature of traffic generated.
  - The extension is for the purpose of the existing business; and
  - Any intensification of use will not detract from residential amenity.
56. The proposal is for the purpose of the existing business operating from the site. It is considered that the proposal is in scale with the location, and would not (by itself or cumulatively) have a significant adverse impact in terms of the amount or nature of traffic generated as:- it is contained within the boundaries of an already established and allocated employment site and would not encroach into undeveloped countryside; it is located near to existing and approved commercial buildings including some of greater scale and it would not result in any significant increase in the amount of employees or visitors travelling to the site.
57. It is concluded within other sections of this report that the proposal would not harm the character and appearance of existing buildings, the locality and residential amenity. It is therefore considered that the proposed development complies with policy EMP 2 of the Local Plan.

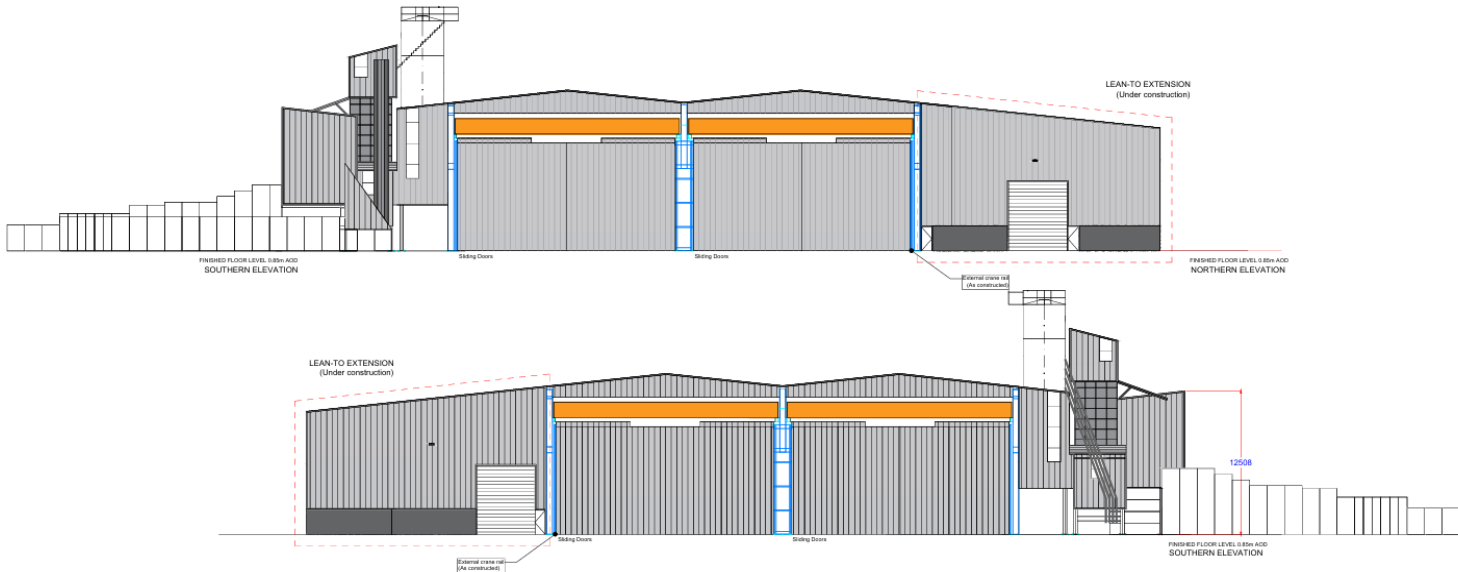
*Rational for further expansion*

58. The proposal will not intensify the approved manufacturing operations, but it will allow for additional operational facilities which were not included in the original application. Due to changes in technology and production techniques, the proposed changes are necessary to allow more modern manufacturing processes at the site. The proposed changes are as follows:
- Lean-to extension on the western side of the building which will house a steel mesh fabrication system;
  - Gable end extension to house a product inspection/testing area;
  - External crane rails to facilitate the movement of products/materials without the use of forklift trucks;
  - Additional raw material silos which will be used to store low-carbon cement alternatives, additives and fillers.
  - Amendments to the overall design of the building
59. The previously approved production building was as follows:



60. The production building with the amendments and extensions is proposed as follows:





61. The case officer visited the site 20/05/2026 and noted that notwithstanding the submitted plans, there remained a number of minor discrepancies between the submitted drawings and the development as built. The discrepancies are as follows:
- On the western elevation 3 vertical windows are missing, and the height of the main tipping hopper at the end of the aggregate bays is higher than that shown on the plans.
  - On the eastern elevation the enclosed access stairs are higher than that shown on the plans. The pipes are at the wrong angle. The height of the main tipping hopper at the end of the aggregate bays is higher than that shown on the plans. There are two windows missing above enclosed access stairs on the plans.
  - On the northern elevation the height of the main tipping hopper at the end of the aggregate bays is higher than that shown on the plans.
  - On the southern elevation the access stairs are higher than that shown on the plans and the aggregate bins are not depicted on the plans.
62. The discrepancies are minor in nature and do not affect the recommendation. However, correct plans have been requested and are to be presented to committee at the meeting. Correct plans will be required before a decision is issued and the plans condition will need to include the amended plans.
63. The principle of the building has already been established in the granting of application 16/01121/FUM. Therefore, consideration needs to be given to the extent of the extensions and amendments to the production building previously approved. All other aspects of the development as already approved through 16/01121/FUM remain unchanged as a result of this proposal.
64. The proposed amendments have been driven by a number of interrelated operational requirements which include:

- Increasing market demand for off-site/modular concrete building products
  - Lifting and manufacturing methods for off-site/modular concrete building products (by overhead crane)
  - Structural and technical amendments to the building design to facilitate the manufacture of off-site/modular concrete building products
  - Additional product quality control procedures
  - Increasing demand and an industry-wide commitment to lower carbon construction, specifically in the use of low carbon cement alternatives
65. Off-site construction, commonly referred to as 'Modern Methods of Construction' or MMC have the potential for benefits in construction including improved safety, quality, speed and waste reduction. According to the design and access statement when the original application was submitted almost 8 years ago, off-site construction accounted for approximately 2% of the total construction market. Today, that figure is estimated to be close to 10% with significant further growth expected.
66. The amendments proposed will enable the production building to manufacture MMC product.
67. MMC concrete products are manufactured using tilting tables, allowing them to be manipulated in both a vertical and horizontal position. Due to the typical size and shape of MMC units, it is not practical to safely move/lift these items using forklift trucks (FLT). Instead, static rail overhead cranes are used. The proposed cranes will be used both within the production building and to store/load products in external area as shown. This should reduce the FLT movements within the site.
68. MMC manufacturing also involves this use of steel lattice reinforcement. This will be provided by a semi-automated mesh welding machine which will be positioned within the proposed lean-to extension.
69. The requirement for overhead cranes has resulted in some minor adjustments to the dimensions and roof structure of the proposed building. The original gable width of 44m has been narrowed to 40m to reduce the crane span and the roof structure has also been changed from a simple, single pitch to a double pitch for added structural strength. These proposed amendments are purely technical, to allow the safe operation of the overhead cranes within.
70. Since the submission of the parent application in 2016, significant advancements have been made in the field of quality control and product traceability. The applicant has recently commissioned a 3D testing and laser printing facility at its manufacturing depot in Ellistown. According to the D&A Statement this technology is believed to be the world's most advanced test facility for concrete products, and it is the applicant's intention to replicate this at its other manufacturing facilities. The proposed

gable end extension will enable the use of this quality testing technology at the new Littleport facility.

71. In line with National and Global targets to reduce carbon emissions, there is a significant and ever-increasing demand for lower carbon building materials. Traditional Portland Cement is a key constituent in the manufacture of concrete products, but it is widely acknowledged that the manufacture of this cement has a significant carbon footprint and the cement industry is investing heavily in the development of lower carbon alternatives. These alternatives include use of blended cementitious materials and waste materials such as fly ash and slag. For a typical concrete mix these alternative 'blended' cements can reduce the need for Portland Cement by up to 50%. Other technological advances in the use of additives, fibres and fillers further reduce the need for high carbon cement and all of these efforts make a positive contribution to net zero targets.
72. However, these advancing technologies also create a requirement for additional raw material storage and mixing facilities within the concrete manufacturing sector. To enable the use of these alternative raw materials, minor amendments are proposed to the approved configuration of the mixing plant and aggregate storage system. Whilst the position and general arrangement of the plant has not been altered, the current proposal seeks permission for additional storage silos which will house these alternative low carbon cement blends, additives and reinforcement materials.
73. The applicant stresses that the amendments proposed are purely for technical and operational reasons, to allow the applicant to utilise the 'green' technology and alternative materials which were not available when the parent application was submitted.
74. It is considered that the proposed amendments to the design of the building, extensions, amendments and external crane rail are acceptable in principle, subject to the proposals satisfying the requirements of other relevant policies and material considerations.

### **Residential Amenity**

75. Policy ENV 2 of the Local Plan requires all new development proposals to ensure there is no significantly detrimental impact on the residential amenity of nearby occupiers.
76. Policy ENV 9 of the Local Plan requires all development proposals to minimise and, where possible, reduce pollution, including noise pollution. Policy ENV 9 states that proposals will be refused where, individually or cumulatively, there are unacceptable pollution impacts arising from the development.
77. Paragraph 187(e) of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at

unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution.

78. Paragraph 198(a) of the NPPF states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life
79. Paragraph 201 of the NPPF states that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.
80. A Noise Impact Assessment and subsequent addendum which also includes the external cranes has been submitted with the application. The assessment carried out for the report indicates that the noise climate in the vicinity of the proposed development site is mostly attributable to road traffic noise in the local area. The report concludes that assessment of activity noise levels in accordance with BS 4142 indicates that noise from the proposed development would achieve a condition of 'low impact' at the nearest existing residential properties at all times and would be unlikely to give rise to noise disturbance.
81. The concerns raised by neighbouring residents, including detailed comments and audio relating to noise, operational activity and the previous approval have been carefully considered. However, it is important to note that the principle of the B2 use on the site has already been established through the earlier appeal decision. The current application relates principally to amendments to the approved building and associated operational arrangements.
82. Whilst the revised proposals introduce some additional external activity, including crane operations, it is not considered that these changes would result in materially greater impacts such that the development would give rise to unacceptable harm to neighbouring residential amenity.
83. The Local Planning Authority have consulted with Environmental Health who do not raise any concerns with regards to noise subject to conditions. Whilst concern has been raised and in previous applications by residents, there is no evidence of 'statutory nuisance' having been found under the

Environmental Protection Act 1990, insofar as current noise might be prejudicial to public health.

84. The proposed site is adjacent to the applicants existing concrete product manufacturing plant, the noise from which forms a part of the existing sound environment in this area. In addition to the noise from this and other industries, there is that generated by road traffic on the A1101 Wisbech Road and A10 Littleport bypass. The existing employment area is next to these main roads, where vehicular traffic makes a significant contribution to background noise levels.
85. The inspector in granting application 16/01121/FUM recommended a condition for a noise management plan. It is considered necessary for this condition to be included in this application.
86. The case officer visited the site 20/05/26 and noted the crane alarms that had been raised as a concern by residents. The onsite manager stated that they were exploring options for the alarms to be white noise or light alarms. This matter can be resolved in the noise management plan.
87. The condition is detailed in Appendix 1: Recommended conditions.
88. Planning decisions are matters of judgement and, in this case, the evidence demonstrates that noise levels from the proposal would not be significantly greater than might reasonably be expected for a use within a general industrial area and where land is allocated for such purposes. Any noise effects could be adequately mitigated to a level sufficient to make the proposal acceptable in planning terms. On this basis, and subject to the imposition of appropriate planning conditions, the proposal would preserve acceptable living conditions for residential occupiers in the surrounding area, with regard to the likely levels of additional noise.
89. It is noted that planning permission does not confer immunity from action under statutory nuisance. Either by local authority or a private individual.
90. Having regard to the site context, the extant permission and conditions securing mitigation and operational controls, the impacts are considered acceptable in planning terms.

#### *Air Quality*

91. To address air quality impacts, the previous application required adherence to a Construction and Environment Management Plan (CEMP) setting out measures to ensure any impacts from dust were mitigated during the construction phase.
92. A CEMP was submitted and subsequently approved in March 2022. It would be necessary to condition this application to be in accordance with the measures contained with an updated CEMP and this is listed in the conditions at Appendix 1.

93. During the operational stage, the product manufacture would be subject to Environmental Permitting Regulations (EPR).
94. It was previously considered that air quality issues, such as dust emissions from the proposed operations, would be matters appropriately dealt with through the EPR. There is no evidence within the application to suggest that this would not be the case in this application and therefore there are no planning grounds for this proposal to be considered unacceptable in respect of air quality.

### *Lighting*

95. Concerns have been raised with regards to lighting at the site. No external lighting has been implemented to date either that previously approved or that which is included within the current application. The updated assessment by Indigo and Ansell (as submitted with the application) takes into account the lighting that was approved through planning application 16/01121/FUM and the external yard lighting (as already approved) is included within the model for completeness but this has not been altered in any way. No external lights have been fitted yet as works are not yet complete for the new electricity connection.
96. The Lighting Assessment demonstrates that light spill at the boundary of the site is well below 1lux and is generally in the order of 0.1-0.5 lux. This is well below the recommended levels stated by ILP Guidance note 01/21 for an E2 Zone (Rural) environment. It should be noted that the report submitted considers a 'worst case' scenario as it does not take into account for example, the landscaped bund on the perimeter of the site.
97. Environmental Health Officers have not raised concerns with the lighting aspect. However, they have stated that any new external lighting follows the ILP Guidance Note for the Reduction of Obtrusive Light which should be complied with. The applicants should be advised that planning permission does not confer immunity from action under statutory nuisance either by local authority or a private individual.
98. However, the lighting has raised concerns with ecology due to new evidence in a recent bat survey for a different development adjacent has proven that the ditches nearby a county significant assemblage of bats using the ditch network for feeding. However, as this application relates to the building only, any lighting in the yard and surrounding area has already been approved in the previous application. Therefore, as the only lighting to be considered would be that of building, a final lighting plan for the building to be submitted prior to its installation is recommended to be conditioned.
99. The proposal, subject to conditions, is therefore considered to be in accordance with policies ENV 2 and ENV 9 of the East Cambridgeshire Local Plan.

## **Visual Amenity**

100. Policy ENV 1 states that development proposals should demonstrate that their location, scale, form, design, materials, colour, edge treatment and structural landscaping will create positive, complementary relationships with existing development and will protect, conserve, and where possible enhance.
101. Policy ENV 2 states that all development will be designed to a high quality, enhancing and complementing local distinctiveness and public amenity by relating well to the existing features and introducing appropriate new designs.
102. Policy EMP 2 states that proposals to expand existing businesses in the countryside will be permitted where the proposal does not harm the character and appearance of any existing buildings or the locality.
103. Policy LIT 4 states that development proposals will be expected to have particular regard to the scale, height, design and massing of buildings and landscaping, in order to minimise visual impact on the surrounding countryside.
104. The previous application proposed tree-planted bunds along the northern and western site boundaries. The works on the bunds and tree planting has started and is almost complete. These screen most of the storage area albeit the new cover over the extension area would not be fully screened. Notwithstanding this, it should be noted that the overall height of the building has been reduced from 14.5m to 14m.
105. The building with extensions is large and of modern utilitarian design which is not unlike a particularly substantial farm building. Given the flat Fens landscape, with the lack of elevated views, this would moderate the degree of visual impact from further distances away as the building would be screened by intervening development.
106. The structure is more prominent in closer views. However, it is viewed against the backdrop of existing industrial buildings and is therefore seen in context with the other buildings reducing its impact. The materials of predominantly grey cladding would also merge with a regular sky hue, which further diminishes the visual impact of the buildings scale.
107. The visual impacts of the proposal on the surrounding rural landscape, beyond the immediate site area, would not be significant due to the limited visibility of the site. Where is visible, the development would appear as an extension to the existing site.

108. The proposal is considered acceptable in terms of visual amenity and is considered to be in accordance with policies ENV 1, ENV 2, EMP 2 and LIT 4 of the East Cambridgeshire Local Plan.

### **Highways**

109. Policy COM 7 states that development proposals shall provide safe and convenient access to the highway network.
110. Policy EMP 2 states that proposals to expand existing businesses in the countryside will be permitted where the proposal is in scale with the location and would not (by itself or cumulatively) have a significant adverse impact in terms of the amount or nature of traffic generated.
111. The site is located off the A1101 Wisbech Road in the Littleport area. It is located adjacent to the existing precast manufacturing facility.
112. The site is bound by agricultural land to the north and east, FP McCann's existing precast manufacturing facility to the south and Little Marefen Drove to the west.
113. The surrounding area is characterised by industrial and storage/distribution uses (Use class B2/B8)
114. Access to the proposed development would be retained as per the existing situation via the Wisbech Road/Thurlow Nunn Standen junction. Wisbech Road is a single-carriageway road, approximately 9m wide at the site frontage and subject to the National Speed Limit (60mph).
115. Wisbech Road continues for 600m southeastwards from the site before meeting a roundabout junction with the A10. Beyond the roundabout, Wisbech Road continues eastwards towards Littleport where it continues as Wellington Street near the town centre, 2Km east of the site. To the east of the A10 roundabout, Wisbech Road is subject to a 30mph speed limit and benefits from street lighting throughout.
116. To the northwest, the A1101 provides access to Wisbech before eventually meeting the A17 at Long Sutton.
117. The application has been submitted with a Transport Assessment.
118. This confirms that visibility splays at the access are achievable in both directions on Wisbech Road. The existing FP McCann access to the southeast will be unchanged as part of the proposals. The proposed site will be accessed separately.
119. FP McCann has advised that the site would be serviced using vehicles less than 16.0m in length. A 12.0m artic lorry would be the largest vehicle that will be used. Tracking analysis demonstrating that a 12.0m artic can turn

- in/out of the access without overrunning the opposite side of the carriageway.
120. The application has been submitted with a Transport Assessment prepared by ADL (November 2024), which concluded that the proposed development would generate modest levels of traffic, equating up to 36 two-way vehicle trips during weekday peak hours and approximately 18 two-way trips on Saturdays.
  121. The assessment identified that traffic increases on the surrounding highway network would be limited, with increase of up to 2.5% on Wisbech Road and lower increases elsewhere, which is within normal daily traffic variation.
  122. The assessment also confirmed that the proposed parking provision would be sufficient and that the development would not result in a severe impact on the operation of the A10/Wisbech Road roundabout junction.
  123. The Local Highways Authority confirmed they had no objections to the proposal. However, the County's Transport Assessment Team raised concerns regarding the calibration of the junction capacity modelling, specifically in relation to observed queue lengths on the A10 northbound arm of the roundabout. In response, ADL prepared additional technical submissions in January 2025, March 2025 and July 2025 addressing the concerns raised.
  124. These submissions clarified the modelling assumptions, provided additional survey information and referenced TRL guidance which recognises that significant daily variations in queue lengths can occur during peak periods, even where traffic flows remain consistent.
  125. ADL maintained that the proposed development would only generate a very limited number of additional vehicle movements on the affected arm of the junction, amounting to approximately 6 two-way trips in the peak hour, and therefore would not materially affect the operation of the roundabout. Additional traffic and queue surveys were undertaken in October 2025, supported by video footage, which demonstrated that whilst short queues occasionally formed due to platoons of traffic, conditions remained generally free-flowing and queues dissipated quickly.
  126. The County's Transport Team and Local Highways Authority have been presented with all the evidence and information and do not object to the proposal.
  127. The concerns raised by the resident regarding statements within the Design and Access Statement indicating that traffic levels would not increase are noted. Whilst this wording differs from the conclusions of the submitted Transport Assessment and subsequent technical information, the proposal and associated highway impacts have been subject to detailed assessment by both the Local Highways Authority and the County Highways Transport Team based on submitted traffic data and supporting evidence.

## Ecology, Biodiversity and Local Nature Recovery Strategy

### *Ecology and Biodiversity*

128. Policy ENV 7 states that all development proposals will be required to:
- Protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds.
  - Provide appropriate mitigation measures, reinstatement or replacement of features and/or compensatory work that will enhance or recreate habitats on or off site where harm to environmental features and habitat is unavoidable; and
  - Maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals.
129. The areas within the site were previously approved for the creation of hardstanding/developed land; sealed surface. No habitats of biodiversity value have been proposed within this current red line boundary. The retention of the building and the extensions will therefore not lead to any change in the long-term use of the area. In terms of habitats, it is changing from hardstanding to buildings or developed land; sealed surface to developed land. Sealed surfaces are classed as being of 'very low distinctiveness'. The baseline biodiversity value and created value are therefore both zero.
130. The senior ecologist has reviewed the information and supports this application as habitat destruction has occurred from previous planned development.
131. The lighting has raised concerns with ecology due to new evidence in a recent bat survey for a different development adjacent has proven that the ditches nearby have a county significant assemblage of bats using the ditch network for feeding. However, as this application relates to the building only, any lighting in the yard and surrounding area has already been approved in the previous application. Therefore, as the only lighting to be considered would be that of building, a final lighting plan for the building to be submitted prior to its installation is recommended to be conditioned.
132. The Council's ecologist has sought biodiversity enhancements as part of the development. However, the application relates solely to the building and does not include any associated landscaping works that would readily facilitate meaningful habitat creation or biodiversity enhancement measures. Given the nature, scale and functional operation of the building, opportunities to secure substantive biodiversity improvements on the building are limited. In this instance, it is not considered reasonable or practicable to require additional biodiversity enhancement measures.

133. The proposal subject to conditions is considered to be in accordance with policy ENV 7 of the East Cambridgeshire Local Plan.

*Local Nature Recovery Strategy*

134. The Cambridgeshire-Peterborough Local Nature Recovery Strategy (LNRS) was published on 23rd December 2025. The LNRS is a spatial strategy which plans, maps and creates priorities for nature in a given area. It is a statutory document produced under the Environment Act 2021. Local authorities must have regard to any relevant LNRS through the exercise of its functions, including as a local planning authority (see S40(2A) of the NERC Act 2006).
135. Amongst other matters, the LNRS identifies on a map (the ‘habitat map’) “areas that could become of particular importance for biodiversity” (ACB sites). Typically, such sites will be farmland with limited, if any, current significant interest for biodiversity, but it has been determined to offer the potential to become important if measures were taken to improve the habitats on that particular site.
136. For this particular application, it has been determined that no LNRS ACB site aligns with the planning application site area and there is no other apparent reason why the LNRS is an important determining factor for this application. As such, very little weight has been given to the content of the LNRS in reaching a recommendation for this planning application.

**Flood Risk and Drainage**

*Flood Risk*

137. Policy ENV 8 states that all developments and re-developments should contribute to an overall flood risk reduction.
138. The development site lies within Flood Zone 3, being the zone with risk of 1 in 100 year or greater for river flooding. The Environment Agency flood maps show that the site benefits from existing flood defences. The development site is within an existing developed area and is greater than 1 hectare.
139. A Flood Risk Assessment (FRA) has been submitted with the application.
140. The FRA states that there are four sources of flood risk which require consideration – Great Ouse, Old & New Bedford Rivers, local watercourses and surface runoff. Consideration has also been given to the site flooding from either overland flow or ponding of localised rainfall within the site.
141. The FRA details each of these as below:

*The Great Ouse*

142. The Great Ouse is located approximately 2350m to the east of the site. The Great Ouse flows north through Littleport eventually discharging into the Wash at Kings Lynn. The Great Ouse is defended by substantial earth flood

embankments in line with the site which are elevated approximately 5m above the natural ground level in the area. The Environment Agency was able to provide flood level data for the Great Ouse in line with the site which included hazard mapping during a combined overtopping and breach event. The Environment Agency provided asset records which show that the River Ouse is defended to the 1 in 100 year standard.

143. Based on the asset data provided by the Environment Agency it is considered that the Great Ouse is defended to the 1 in 100 year standard of defence. As such, during this flood event the site will remain dry.

*The Old & New Bedford Rivers*

144. The Old & New Bedford Rivers run parallel with each other and are located approximately 4000m to the west of the site. The Old & New Bedford Rivers flow north to Downham Market where they discharge into the Great Ouse. The Old & New Bedford Rivers are defended by substantial earth flood embankments in line with the site which are elevated approximately 5m above the natural ground level in the area.

145. Based on the asset data provided by the Environment Agency it is considered that the Old & New Bedford Rivers are defended to the 1 in 100 year standard of defence. As such, during this flood event the site will remain dry.

*Local Watercourses*

146. The proposed development is within the Littleport & Downham Internal Drainage Board area. There appears to be an IDB drain running through the site from the west to the east. There are also an IDB drain along the western and northern boundaries of the site which flows into the larger drain running through the centre of the site. The drains appear to accept agricultural runoff with small contributions from the roofed and paved areas adjacent to the factory site. As such, flows into the local watercourses in line with the site are likely to be small. From the site the local watercourses convey flows east before heading north where it is believed flows are eventually pumped into the Great Ouse. The IDB generally adopts a 1 in 50 year standard for its drains and pumping stations. As such during more extreme events there is a chance of shallow flooding and ponding on low lying areas. No flooding has been reported in the area and the risk of future flooding from local watercourses is considered to be relatively low.

*Surface Water*

147. The Environment Agency surface water flood map shows a low risk of flooding within the site with the majority of the surface water being maintained within the local watercourses. Mitigation is proposed in the form of land raising and emergency access and egress.

*Summary*

148. The Great Ouse is located approximately 2350m to the east of the site. During the 1 in 100 year flood event it is considered that the flood water will be maintained within the channel and does not flood the site. However,

during the combined overtopping & breach 1 in 100 year plus climate change flood event is estimated that the flood defences could be overtopped by 700mm and potentially the site could be flooded to depths greater than 2m. The New & Old Bedford Rivers are located approximately 4000m to the west of the site. During the 1 in 100 year flood event it is considered that the flood water will be maintained within the channel and does not flood the site. However, during the 1 in 100 year plus climate change flood event is estimated that the flood defences could be overtopped by 300mm and potentially the site could be flooded. The site is located within an area which is considered to be danger to none. The river is defended by 5m high flood embankments which if they were to breach the site could be flooded. The site is located within an area which is considered to be danger to none if the defences were to breach. The local watercourses are considered to represent a relatively low flood risk to the site. It is therefore considered that the primary flood risk to the site is from the Great Ouse breaching during an extreme flood event. The factory building proposed within the site is unlikely to be adversely affected if immersed in flood water. The existing ground levels in the area proposed for the shed are 0.25mOD. It is assumed that the flood depth at the site during a combined overtopping & breach would be between 1m and 2m.

149. The primary flood risk is from a breach event within the Great Ouse which is 2350m to the east of the site. The site will only be used for storage of concrete products, as such, only a limited number of personnel will be on the site at any given time using forklift trucks. The existing building within the main factory site are located directly to the southeast of the proposed development site and is approximately 2m higher than the lowest part of the proposed development site. It is therefore considered that the existing factory site will be a safe area if the Great Ouse flood defences breach. It is therefore recommended that the factory owners develop a flood evacuation procedure which can be added to their health and safety documentation in order that all users understand the procedure if a flood warning is received from the EA or water levels are seen to rise significantly within the local watercourses. This aspect will be conditioned as part of a grant for approval.
150. The Environment Agency have been consulted on the application and raise no objections to the development subject to a condition for the development to adhere to the mitigation measures in the FRA and that a Flood Evacuation Plan is prepared for the site.

#### *Drainage*

151. Policy ENV 8 states that All applications for new development must demonstrate that appropriate surface water drainage arrangements for dealing with surface water run-off can be accommodated within the site, and that issues of ownership and maintenance are addressed.
152. A drainage strategy has been submitted with the application. The drainage remains the same as that approved in the previous application (16/01121/FUM).

153. The Lead Local Flood Authority (LLFA) have reviewed the documents and consider that it has been demonstrated that surface water from the proposed development can be managed through the use of a system of swales and an attenuation basin before discharging from site via flow control at a rate of 7.4l/s. It is advised that works to Internal Drainage Board (IDB) ditches across the site would require consent to be granted and the LLFA are aware of discussions between the IDB and applicant. On this basis, the LLFA consider that the application is acceptable in terms of drainage, and a condition is recommended for the development to be in accordance with drainage details submitted.
154. The proposal, subject to conditions is considered to be in accordance with policy ENV 8.

### **Other Matters**

155. The retrospective nature of the application is not a matter which can be considered as part of the determination of the application. Paragraph 60 of the NPPF states that effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. The Council has not taken enforcement action, regarding the existing activities on the site, due to the current application being considered. The absence of enforcement action to date is not a matter which can be considered as part of the determination of the application. As previously stated in section 2, retrospective planning applications should be assessed on their planning merits exactly like any other planning application and retrospective applications are lawful.
156. It is acknowledged that different developments relating to different areas of the overall commercial premises have been subject to separate planning applications. This would not be a reasonable reason to refuse planning permission. Cumulative impacts of the proposed development, existing development and approved development within the wider commercial premises have been considered as part of the Environmental Impact Assessment Screening Opinion and it has been concluded that they would not result in any significant adverse impacts.
157. It was confirmed that the noise management plan of the previous application would not apply as that was for the original building which was not built out according to plan and therefore a new management plan would be required for the new building which would have different mitigation measures. Given this a resident then raised concern about the implementation of two separate planning permissions at the site. This refers to the Pilkington principle and comes from the case *Pilkington v Secretary of State for the Environment*. It deals with what happens when there are multiple planning permissions for the same site.

158. The principle says that if development under one planning permission makes it physically impossible to complete another permission on the same land, the earlier permission can no longer lawfully be relied on. Lord Widgery in his judgment stated *"For this purpose I think one looks to see what is the development authorised in the permission which has been implemented. One looks first of all to see the full scope of that which has been done or can be done pursuant to the permission which has been implemented. One then looks at the development which was permitted in the second permission, now sought to be implemented, and one asks oneself whether it is possible to carry out the development proposed in that second permission, having regard to that which was done or authorised to be done under the permission which has been implemented."* The principle was reaffirmed and clarified by the UK Supreme Court in *Hillside Parks Ltd v Snowdonia National Park Authority*.
159. In *Hillside Parks* Lord Sales and Lord Leggatt stated *"What mattered, as [Lord Widgery] made clear, was whether it was physically possible to carry out the development authorised by the terms of the unimplemented permission. That depends upon (a) the terms of the unimplemented permission and (b) what works have actually been done. It would not make sense to have regard to the terms of the permission under which development has already taken place, as a central theme of the judgment is that mere inconsistency between the two permissions does not prevent the second permission from being implemented. What must be shown is that development in fact carried out makes it impossible to implement the second permission in accordance with its terms."*
160. The key planning implications are that developers can hold more than one planning permission over the same land. But once works under one scheme fundamentally conflict with another scheme, the conflicting permission may effectively die.
161. The resident has brought to the officer's attention the *R (Fiske) v Test Valley BC* Case specifically paragraph 66 which states:  
  
*"For a large development such as this to require changes to be made to it in the course of design and construction is not unusual. It often happens. When it does, the developer may be expected to make such changes through the normal planning process. If he has the benefit of two or more planning permissions incompatible with each other, or potentially so, there may be lawful steps he can take to overcome that incompatibility and proceed with the development he wants to build. Sometimes this will not be so. In that case the incompatibility will remain, and the lawful implementation of one permission or the other, or both of them, will not be possible."*
162. Whilst the proposed scheme would prevent the building approved in application 16/01121/FUM from being built out, the new building is not in itself incompatible with the wider B2 use of the site. A significant proportion of the development within application 16/01121/FUM has been carried out

that is not reliant on the approved building. What is proposed is an alternative building which utilises the same site arrangements and is within the same B2 use as the building proposed in 16/01121/FUM. Furthermore, the principle of Pilkington only relates to unimplemented permissions, where subsequent implemented permissions then render previous or other permission unimplementable due to conflict. It's therefore not comparable with this scenario, where the planning permission has been implemented - and only a small part of it is no longer implementable due to the new development which has superseded that part. Notwithstanding, both developments are concerned with a B2 use and are wholly compatible and associated with the wider B2 operations.

163. It is therefore considered that principles of Pilkington, the judgement under Hillside and Fiske are not applicable in this instance.

#### *Human Rights Act*

164. The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

#### *Equalities and Diversities*

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

#### **Planning Balance**

166. The principle of development has already been established through Appeal Decision (APP/V0510/W/19/3243700) which allows for B2 industrial uses at this site. It is not envisaged that the proposal would significantly expand or intensify the current activities at the site, more so that the existing operations

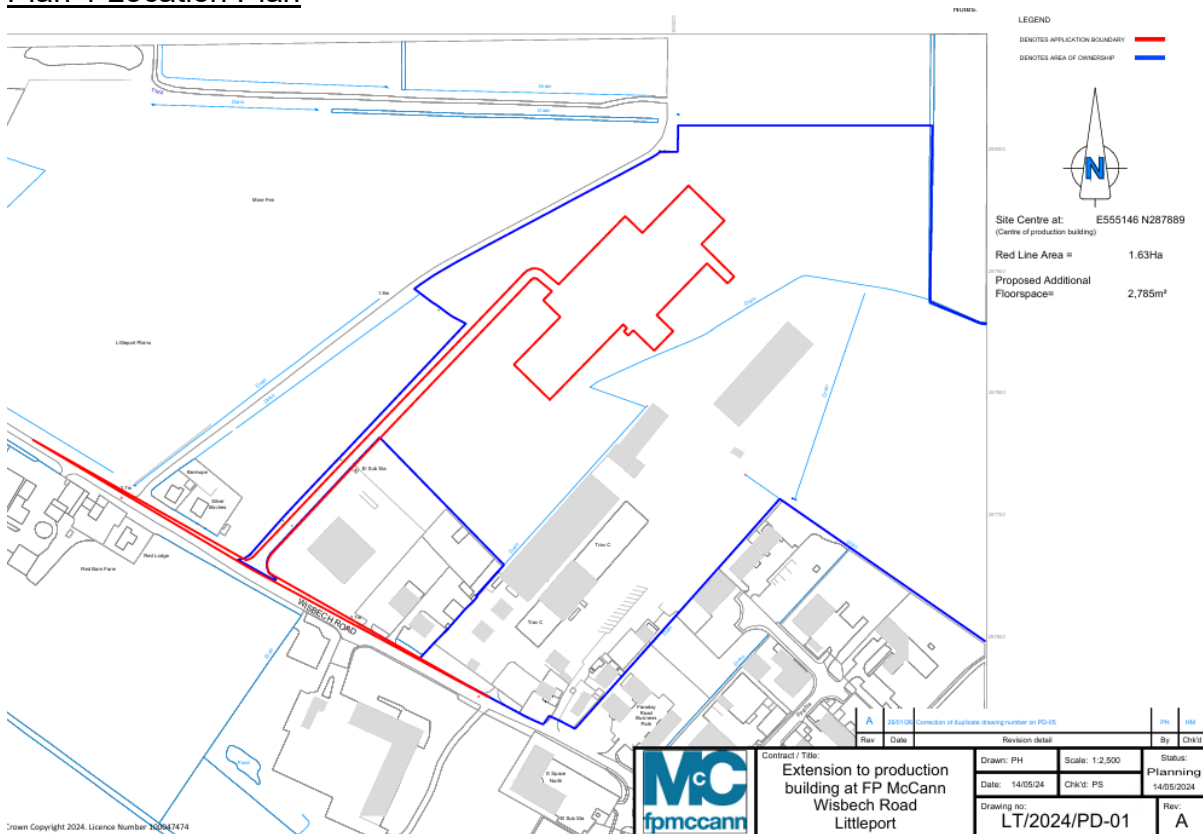
allow for more efficient movements of products and raw materials to/from the production building to support the established industrial enterprise at this location. The impacts of the proposal in respect of residential amenity and noise are considered to reduce the impact of the current operation on the surrounding. In terms of visual amenity, flood risk and drainage, highway safety, biodiversity, and energy and water; these are considered acceptable in the context of the existing operation. On balance, it is considered that the proposal accords with the relevant planning policies and there would be no significant adverse impacts that would weigh against the proposal. The application is therefore recommended for approval.

## Appendices

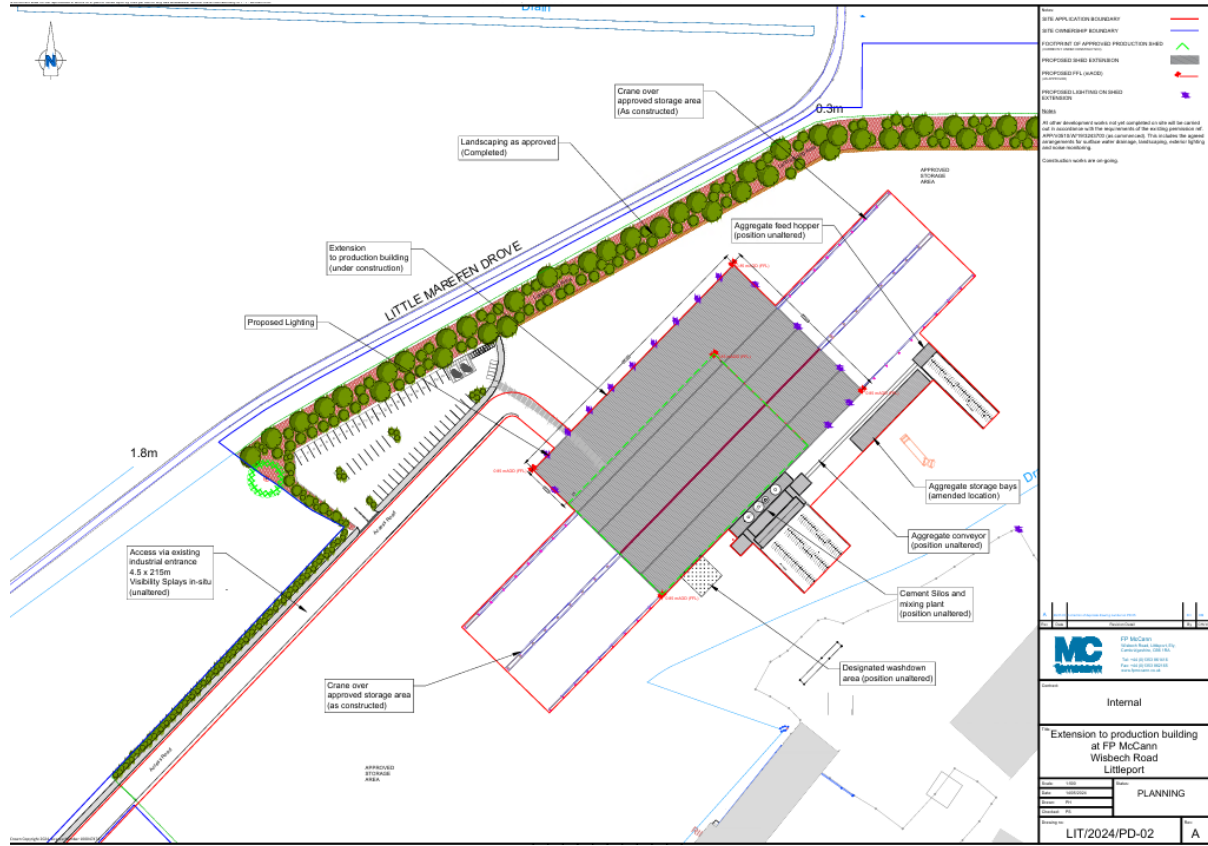
167. Appendix 1 – Recommended Conditions

### Plans

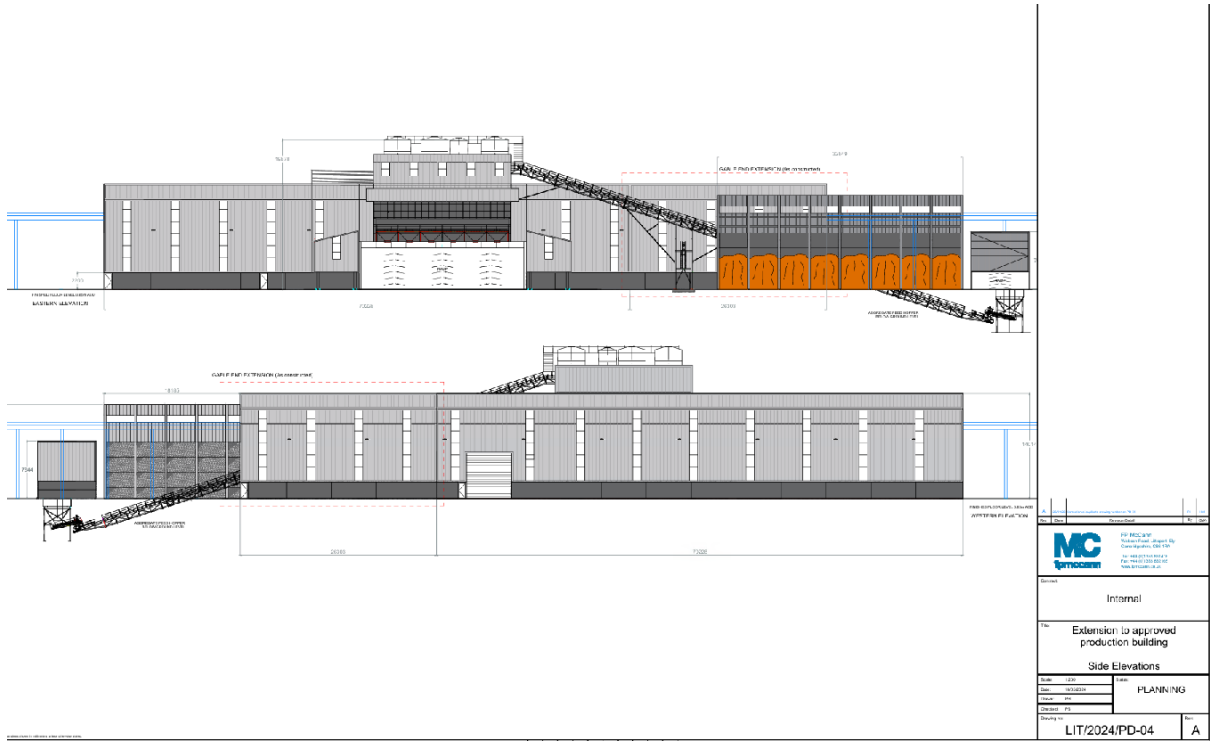
#### Plan 1 Location Plan



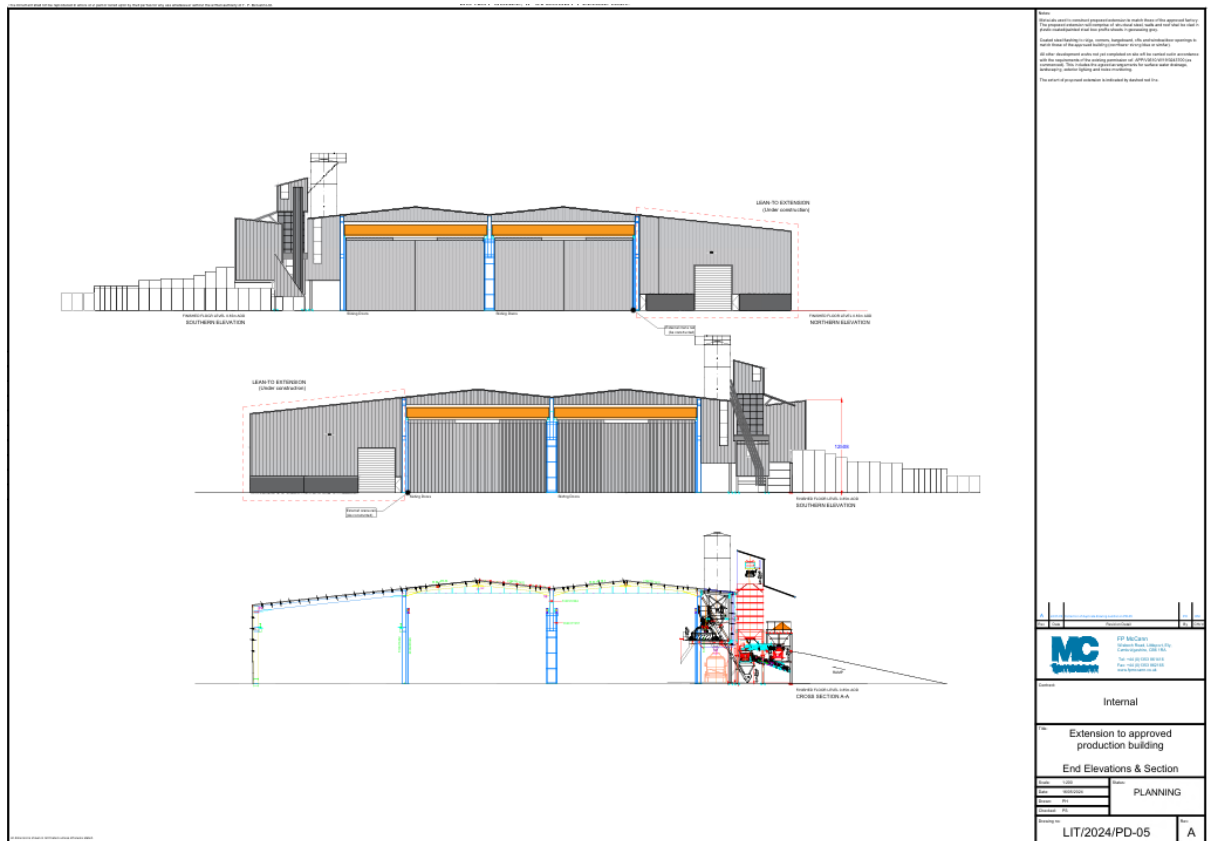
## Plan 2 Site Plan



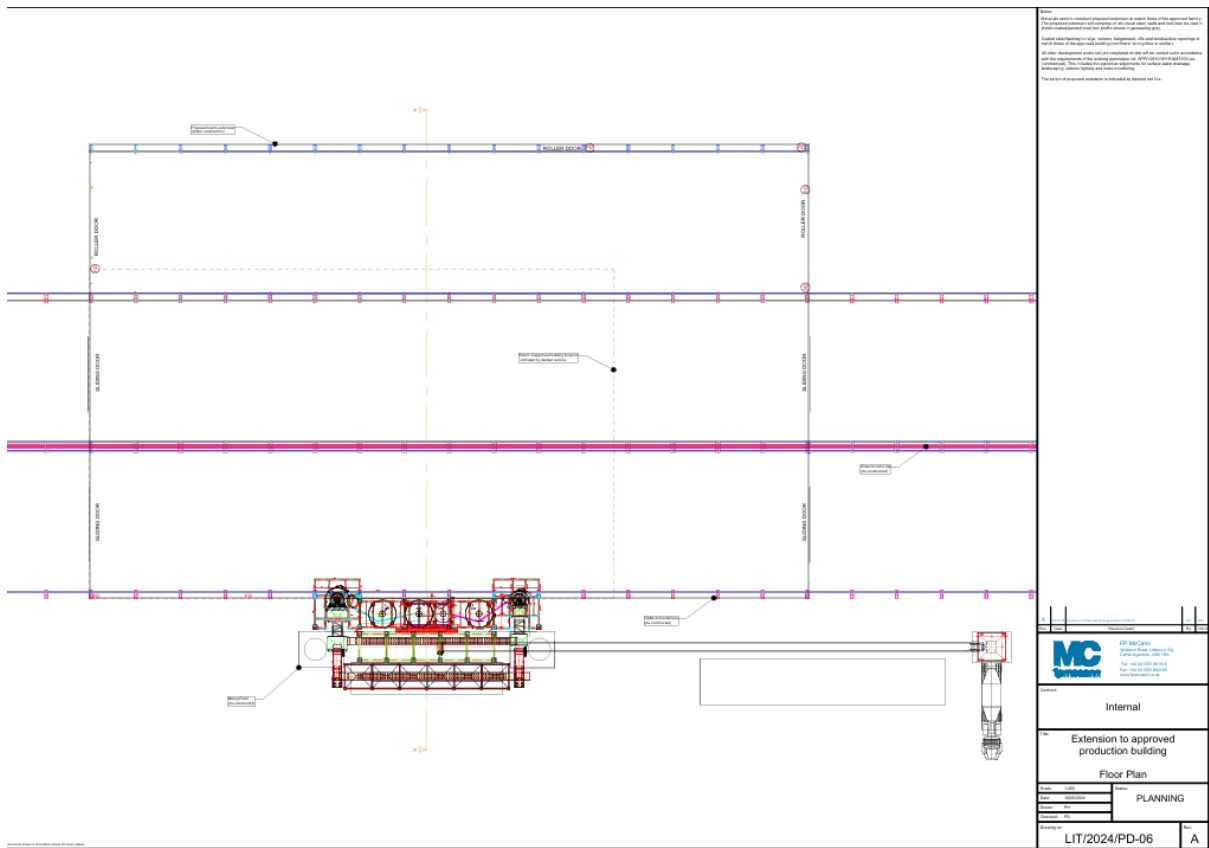
## Plan 3 Side Elevations



**Plan 4 End Elevations and Section**



**Plan 5 Floor Plan**



## **Appendix 1 – Conditions**

1. Plans – to be confirmed at the committee meeting.
2. The drainage for the development shall be carried out in accordance with the Proposed Drainage Plan Layout, Ref: 2021008-P-CIV-200 Rev E received 16th April 2026, Proposed Drainage Sections and Details Sheet Ref 2021008-P-CIV-201 REV B received 11 February 2025, Flood Risk Assessment by EWE Associates Ltd received 29 November 2024 and Drainage Cover Letter received 16 April 2026. The scheme shall subsequently be implemented in full accordance with the approved details prior to the first use of the building.
2. Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.
3. The development shall be carried out in strict accordance with the Construction and Environment Management Plan (CEMP) Rev B received 18 May 2026.
3. Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
4. Operation of development hereby permitted, including of plant and machinery, shall take place only between 0700 - 1900, and deliveries 0700 - 1700, Monday to Saturday and not at all on Sundays, Bank Holidays or Public Holidays.

4. Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
5. Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 0800 to 1800 each day Monday - Friday, 0800 to 1300 Saturdays and none on Sundays, Bank Holidays and Public Holidays.
5. Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
6. Prior to the installation of any external lighting within the development hereby approved, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in full compliance with the approved details and will align with Institute of Lighting Professionals 2023 Guidance note 8 (or as superseded) for the protection of bats.
6. Reason: To safeguard protected and priority species and their habitats in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 (as amended) and Chapter 15 of the NPPF.
7. Within 4 months of the date of this decision a Noise Management Plan (NMP) shall be submitted to and approved in writing by the local planning authority. The NMP shall include details about noise mitigation measures for buildings, fixed plant, mobile plant and crane alarms. The implementation date shall be included within the NMP and agreed in writing by the Local Planning Authority. Details of a noise monitoring and reporting programme for a period of six months from the date of implementation of the noise mitigation measures shall be included in the NMP. The six-month reporting shall be carried out in accordance with the approved NMP, and the results of the reporting shall be available for inspection by the Local Planning Authority. The noise mitigation measures shall be carried out in accordance with the approved NMP and shall be adhered to during the lifetime of the development hereby permitted.
7. Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with Policy ENV2 of the East Cambridgeshire Local Plan 2015.
8. The development permitted by this planning permission shall only be carried out in accordance with the mitigation measures detailed in the Flood Risk Assessment prepared by EWE Associates Ltd dated September 2024.
8. Reason: To prevent flooding in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended) and Chapter 14 of the NPPF.
9. Within three months of the date of this decision a Flood Contingency Plan, including the date of implementation, shall be submitted to and approved in writing by the Local Planning Authority. The above plan should include an

appropriate method of flood warning and evacuation to ensure the safe use of the development in extreme circumstances.

9. Reason: To reduce the impacts/risk of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended) and Chapter 14 of the NPPF.
10. The onsite floodlighting shall only be turned on when required between the hours of 0700 - 1900 each day Monday to Saturday and not at all on Sundays, Bank Holidays or Public Holidays.
10. Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended), Chapter 12 of the NPPF.

**25/00312/FUM**

De Freville Farm,  
High Street  
Aldreth  
Ely

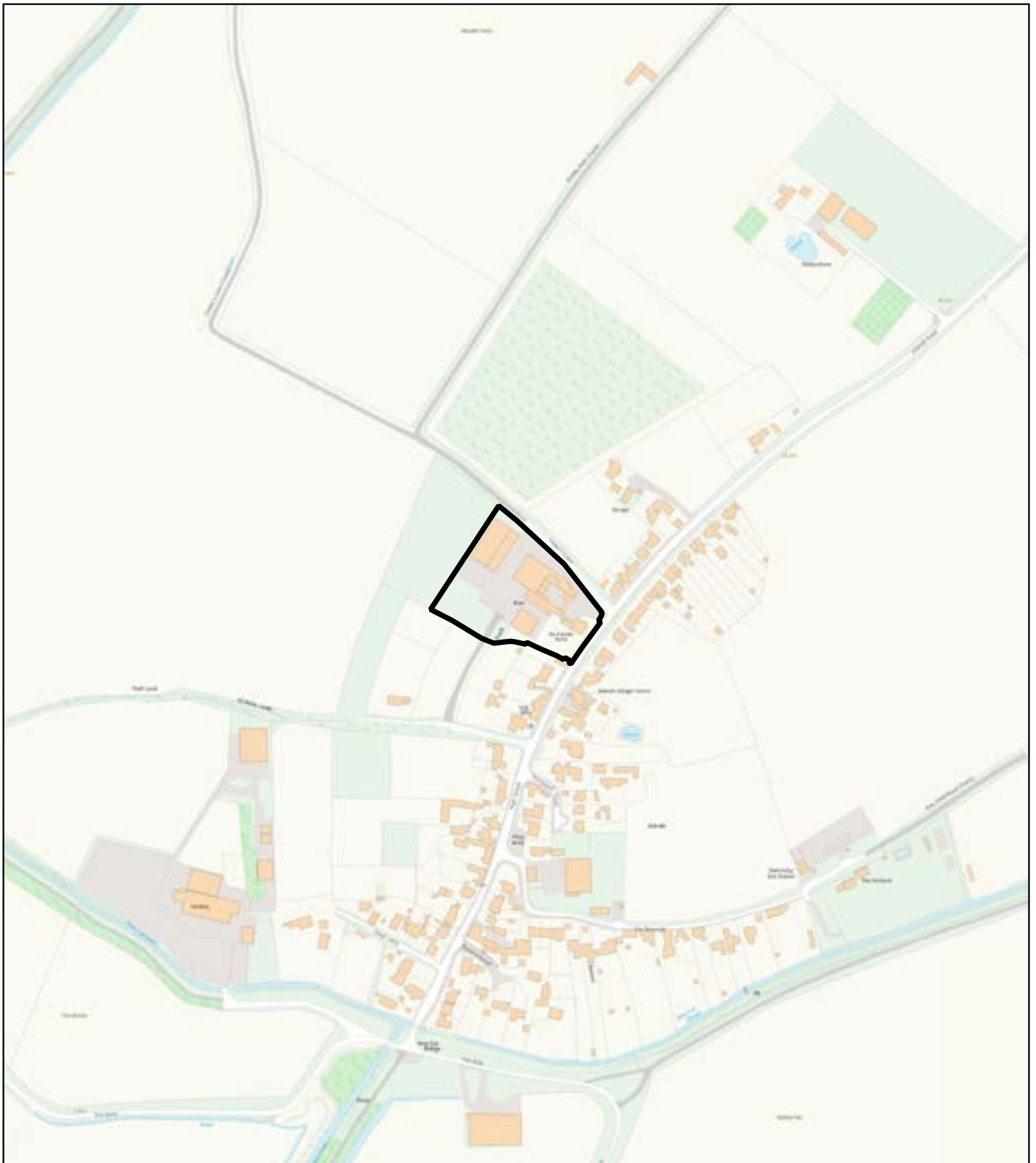
Change of use, extension, alteration and part-demolition of Building A to form offices, laboratories and staff facilities for research and development (Use Class E, (g)). Change of use, extension and alteration of Building B to form manufacturing facilities (Use Class B2). Erection of new building (Building D) to form manufacturing facilities (Use Class B2) following the demolition of Building C. New vehicular access with associated parking, hard and soft landscaping and SuDS features De Freville Farm, High Street, Aldreth, Ely, Cambridgeshire

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

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=STBSPYGGFIV00>







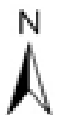
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De Freville Farm  
High Street  
Aldreth  
Ely  
Cambridgeshire  
CB6 3PQ

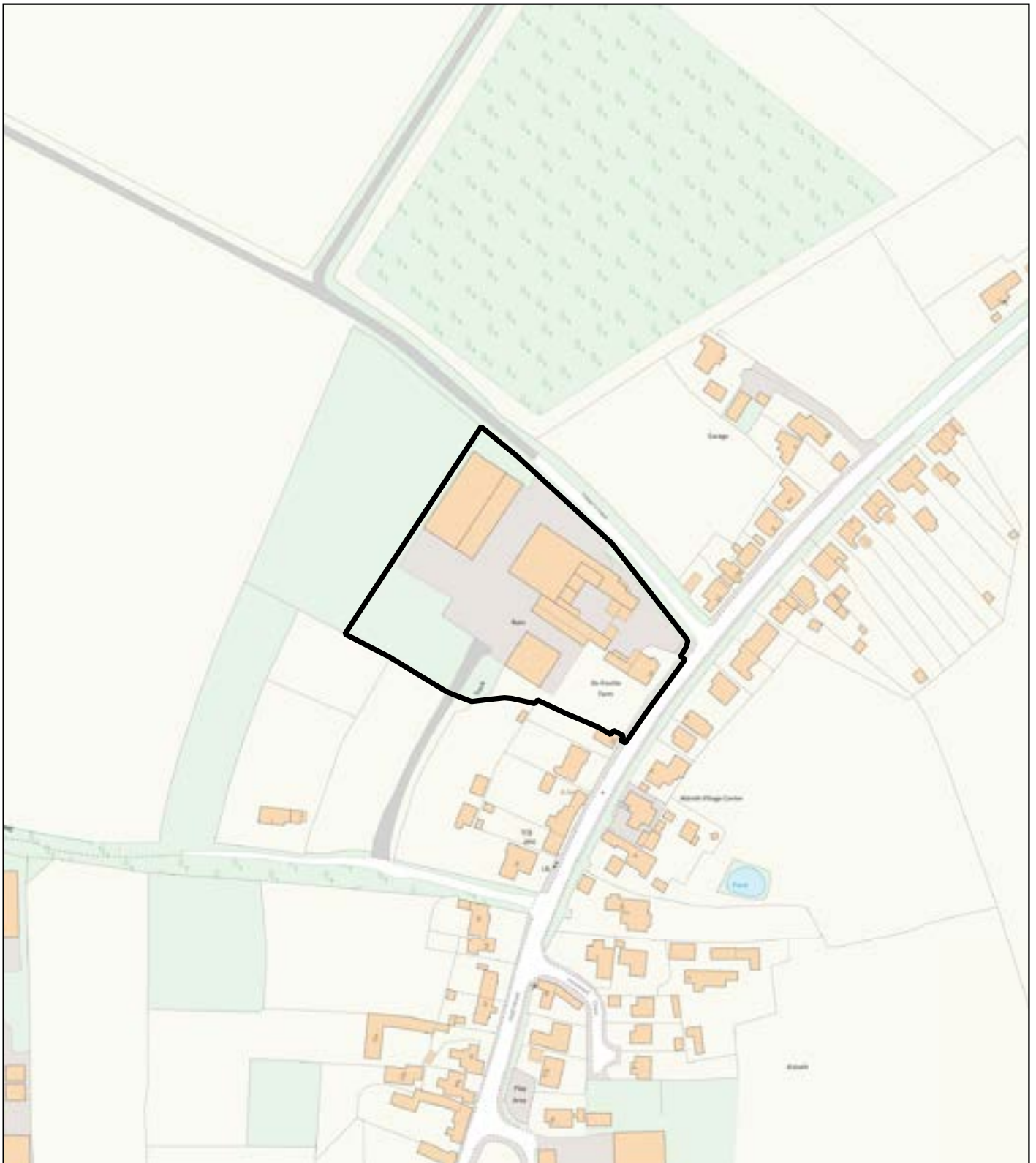


East Cambridgeshire  
District Council

Date: 20 May 2026  
Scale: 1:5,000



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25/00312/FUM

De Freville Farm  
High Street  
Aldreth  
Ely  
Cambridgeshire  
CB6 3PQ



East Cambridgeshire  
District Council

Date: 20 May 2026  
Scale: 1:2,500



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**TITLE: 25/00312/FUM**

Committee: Planning Committee

Date: 3 June 2026

Author: Major Projects Officer

Report No: AB7

Contact Officer: Gavin Taylor, Major Projects Officer  
Gavin.Taylor@eastcambs.gov.uk  
01353616348  
Room No 011 The Grange Ely

**Site Address: De Freville Farm High Street Aldreth Ely Cambridgeshire CB6 3PQ**

**Proposal: Change of use, extension, alteration and part-demolition of Building A to form offices, laboratories and staff facilities for research and development (Use Class E, (g)). Change of use, extension and alteration of Building B to form manufacturing facilities (Use Class B2). Erection of new building (Building D) to form manufacturing facilities (Use Class B2) following the demolition of Building C. New vehicular access with associated parking, hard and soft landscaping and SuDS features**

**Applicant: Taste Flavourings Ltd**

**Parish: Haddenham**

**Ward: Haddenham**

Ward Councillor/s: Gareth Wilson

**Date Received: 28 March 2025**

**Expiry Date: 8 June 2026**

## **Recommendation**

1. Members are recommended to REFUSE the application for the following reasons:
  1. The proposed development would result in a significant intensification in the amount and nature of traffic generated entering and exiting the application site. Due to the location and proximity of the proposed access to neighbouring properties, this would result in unmitigated noise and disturbance to the nearest residential dwellings. Therefore, the application is considered to be contrary to policies EMP 2, EMP 3, EMP 4, COM 7 and ENV 2 of the East Cambridgeshire

Local Plan 2015, and policies HAD1 and HAD4 of the Haddenham and Aldreth Neighbourhood Plan 2019-2031.

2. Whilst it is acknowledged that the site previously operated as a farm, it is considered that the proposed development would be substantially different in character, in terms of site layout, access location, on-site activity and frequency and volume of traffic entering and exiting the site which cumulatively would bring about significant change to the character of the site, adversely impacting the rural and relatively tranquil character of the area. This would be in conflict with policies GROWTH 2, ENV 1, ENV2, ENV 9, EMP 2, EMP 3, EMP 4 and COM 7 of the East Cambridgeshire Local Plan 2015, and policy HAD 13 of the Haddenham and Aldreth Neighbourhood Plan 2019-2031.
2. The application is being heard by committee following a call-in by Cllr Wilson and that the development involves an employment development where more than 1000m<sup>2</sup> of floorspace is concerned.

## **Summary of Application**

3. The application seeks full planning permission for the change of use of the land from agricultural, to a mixed-use comprising office space (use class E.g(i)), research and development (use class E.g(ii)) and general manufacturing (use class B2) and the formation of a new access onto High Street. The development proposes to re-use two existing buildings, subject to some extension and modification, and to demolish an existing building (Barn C) and erection of a new building (Barn D) for B2 use purposes. The existing dwelling on site is proposed to be retained and either occupied by an employee of the business, privately let out or sold on the open market.
4. The applicant currently operates out of business units in Chittering where they develop and produce food flavouring chemicals for the food industry. It is understood the applicant is seeking to relocate their business to a new site, in order to develop the business where the current facilities are a constraint to this.
5. The development proposes a new access, to be located to the southeast of the site, in between the existing dwelling, No. 14 High Street (De-Freville Farm), and number 16 High Street. The access comprises a 5m (16.4ft) wide bell mouth which leads into the site to access the proposed car park, capable of accommodating around 70 vehicles. The internal arrangement also allows for the manoeuvring of HGVs, to enable them to enter and exit in forward gear.
6. The main 'U'-shaped building (Barn A) is proposed to be re-used, with some existing elements to be removed and or slightly extended, to provide an area for offices, research and development and associated training and function room. The larger structure at the rear of the site (Barn A) is proposed to be retained and modified to include shutter doors and is proposed to be used as the main area of food flavouring manufacturing and processing (use class B2). It will also include a mezzanine floor to accommodate employee welfare facilities.
7. Barn A comprises an arrangement of connected buildings, most of which appear structurally sound, with some that are proposed to be demolished and replaced to

accommodate the use. A small extension is proposed to replace an existing dilapidated part of the U-shaped building to form the main entrance, lobby and reception along with an intervening pitched roof to replace a flat roof section linked to the main barn.

8. The ground floor proposes approximately 450m<sup>2</sup> (4,844ft<sup>2</sup>) of space used for Research and development and around 190m<sup>2</sup> (2,045ft<sup>2</sup>) of office space. Further areas provide reception area, meeting rooms, staff room/ canteen, welfare facilities and plant room. The first-floor element proposes 45m<sup>2</sup> (484ft<sup>2</sup>) of Function Room and a W.C.
9. Externally, the existing facing brickwork is proposed to be retained. New fenestration in the way of black metal crittal-style windows is proposed, with some existing openings to be bricked up. The roof of the single storey element is proposed to be re-tiled in blue/black slate with the main barn roof to be re-surfaced in fibre cement sheeting. New hardwood shutter doors are proposed at the main entrance and the grain drier vent; the highest part of the barn complex at around 8.6m (28.2ft), is proposed to be covered in vertical timber.
10. Barn B measures approximately 41m (134.5 ft) in width by 28m (91.8ft) in depth, with a ridge height of approximately 9.0m (30ft) at its highest point. It is proposed to be finished externally with blue-green metal cladding and roofing, incorporating solar PV panels along its roof. Its currently open frontage is proposed to be enclosed with roller shutter doors, fenestration and cladding. Internally, the floor will be divided to provide areas for manufacture, quality control, good storage and handling, a bike store and welfare facilities at ground floor, and further welfare facilities and staff room/ function room at first floor.
11. The new building proposed (Barn D) is also intended for use for manufacturing of flavourings (use class B2). It measures 5.7m (18.7ft) to the ridge and approximately 18.5m (60.7ft) in both width and depth and is finished externally with blue-green metal cladding and roofing, with a buff brick plinth wall. It proposes to incorporate solar PV panels along its roof, roller shutter doors along its front and side and personnel doors and fenestration. Internally, the floor will be divided to provide areas for liquid and power blending, quality control, good storage and processing and welfare facilities
12. A SuDS bioretention pond is proposed along the south-western boundary of the site, with an area of landscaping and ecological enhancement continuing along the boundary, between the rear gardens of properties at School Lane to the southwest.
13. The application is supported by the following key plans and documents;
  - Application Form
  - Site Location Plan PL101
  - Design & Access Statement
  - Planning & Heritage Statement
  - Preliminary Ecological Appraisal and preliminary roost assessment
  - Bat emergence surveys and outline mitigation & compensation strategy
  - BNG Statement & BNG metric
  - Proposed Site Plan - PL203 B

- Access Arrangements & Visibility Splays 211064-01
- Existing and Proposed Elevation Plans – Barn A, B and D
- Existing and Proposed Floor Plans – Barn A, B and D
- Arboricultural Impact Assessment Rev 1
- Noise Impact Assessment
- Flood Risk Assessment
- Site Drainage Strategy
- Transport Statement & Travel Plan
- Odour Appraisal

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: <https://pa.eastcambs.gov.uk/online-applications/> .

## Planning History

15. 21/00145/OUT: Outline planning application for access, scale and layout for residential development (one dwellinghouse) on land adjacent to De Freville Farm. Granted 06.10.2022
16. The applicant undertook pre-application enquiries with officers in advance of the submission. Officers advised that the principle of the re-use of the site was likely to be acceptable, subject to further consideration of and compliance with relevant policies of the development plan, with particular reference to transport and residential amenity impacts.

## The Site and its Environment

17. The site comprises approximately 1.17Ha (2.89 Acres) of land associated with De-Freville Farm. The land incorporates a number of structures including the farmhouse, number 14 High Street, which fronts onto High Street. Immediately behind the house is a group of structures which form a 'U' shape around a small courtyard. Further north is a large open fronted building, formerly used for agricultural storage. A smaller barn is located along the south-western boundary. The site is predominantly surfaced with concrete to form a hardstanding, save for the area at the front of the site, immediately adjacent to the south-west of the dwellinghouse, which is grassed and includes a number of small trees. Views into the site from the High Street are achievable through this area of greenspace.
18. The host dwelling is included in the Cambridgeshire Local Heritage List, giving it status as a Building of Local Interest (a non-designated heritage asset). Its associated courtyard is currently accessed via High Street, whereas the main farm buildings and hardstanding areas are accessed via a gate located along the unmetalled Byway which runs along its north-eastern boundary.
19. The area is predominantly characterised by 2-storey residential uses of varying ages, scales and designs, with dwellings fronting High Street along its length, with the farm taking a secondary position in the streetscene.

20. The site lies in Flood Zone 1 and an area at low risk of surface water flooding.

## Responses from Consultees

21. Responses were received from the following consultees which are summarised to below;

- Haddenham & Aldreth Parish Council
- Ward Councillor
- County Councillor for Soham South & Haddenham
- ECDC Waste Strategy
- ECDC Environmental Health
- ECDC Trees
- ECDC Ecology
- ECDC Conservation Officer
- ECDC Building Control
- The Ely Group of Internal Drainage Board
- CCC Lead Local Flood Authority
- CCC Local Highways Authority
- CCC Asset Information Definitive Map Team
- Cambridge Ramblers Association
- Cambs Police - Designing Out Crime

The full responses are available on the Council's web site.

### **Haddenham & Aldreth Parish Council – 14 May 2026**

22. Latest comments as follows:

- The odour assessment indicates that the emissions from the proposed development may have an adverse effect on the amenity of nearby residents, particularly in unfavorable wind conditions.
- The Haddenham and Aldreth Neighbourhood Plan (2022) priorities protecting the “rural character and amenity” of the village. Any odour fundamentally changes the “ambience” of the village and contradicts the Plan.
- Reports from visits to the applicant's existing factory at Denny Lodge Business Park describe a "sickening" and "nauseating" stench. This real-world evidence suggests that the proposed manufacturing (Class B2) and laboratory uses are high-risk for "Most Offensive" odours.
- The applicant's appraisal appears to rely on generic or "low-sensitivity" source terms. The source term must be based on "worst-case" scenario data from actual operational sites or high-fidelity proxies. Failure to use specific olfactory data from the existing Chittering factory constitutes a major technical omission.
- The impact of this is that Dispersion models are highly sensitive to initial source strength. An underestimated Source Term leads to a false "negligible" impact conclusion at the sensitive receptors on School Lane and the High Street.
- A post-completion survey is an unacceptable 'trial by error' approach that places the residential amenity of Aldreth at extreme risk. Given the comments of extreme odour at the applicant's existing site, there should be pre-determination sensory testing of their current processes to validate the dispersion model. Furthermore,

we seek a planning condition for automatic cessation of works should real-time boundary monitoring detect odour intensities above 1.5  $\mu\text{g}/\text{m}^3$ ).

23. Objects to the proposal on the following grounds;
- HGV movements through the villages - roads unsuitable
  - Traffic congestion
  - Highway safety
  - Pedestrian safety
  - Contrary to Neighbourhood Plan and Local Plan policies
  - Outside the development envelope
  - Does not fall within the exception categories for rural development
  - Out of character for Aldreth,
  - Significant Residential amenity impacts – odour, noise, chemicals, traffic
  - Concerned about the recent odour appraisal submitted in April 2026.
  - Lighting impacts with regard to policy HAD10 – dark skies
  - Harm to the environment
  - Refers to restrictions placed on planning permission 18/00853/OUT in respect to protecting amenity via closure of the potato store on site.
  - Impacts on waterways – pollution risks
  - Poor sustainable transport links – limited public transport
  - No prior consultation was undertaken with local residents

**Ward Councillor - 9 September 2025**

24. Opposed to the application;
- Inappropriate for the scale of Aldreth.
  - Contrary to Neighbourhood Plan spatial policies – outside settlement envelope
  - Concerns over HGV movements and highway safety/ congestion
  - Concerns over staff vehicles
  - Lack of sustainable travel options

**County Councillor for Soham South & Haddenham – 30 October 2025**

25. Comments as follows:
- Contrary to policy– outside settlement envelope
  - B2 industrial use is inappropriate for Aldreth
  - Out of character with Aldreth's setting.
  - Harm to residential amenity - noise, odour, light, traffic
  - HGV movements on narrow village roads.
  - highway safety
  - environmental concerns - risks to local air and water quality and to the tranquillity of the area.
  - Lack of consultation

**ECDC Environmental Health (contaminated land) – 2 June 2025**

26. Has reviewed the Phase 1 Desk Study Report (Ref: 120005) dated November 2024 and accepts the findings. The report has identified potential risks from asbestos and contaminated soil and recommends that a Phase 2 intrusive investigation is carried out. Recommends that standard contaminated land conditions (in respect to investigation and remediation) are attached to any planning approval.

### **ECDC Environmental Health – 5 May 2026**

[Following receipt of Odour Appraisal (version 2)]

27. Notes the Odour Appraisal finds that there is negligible risk of adverse odour impacts. Raises no issues with the report and therefore withdraws the previous objection (dated 16<sup>th</sup> March 2026).
28. The report also includes a draft Odour Management Plan (OMP) in Appendix A of the report which is requested to be conditioned for compliance with.
29. Finally, the applicants should be advised that planning permission does not confer immunity from action under statutory nuisance. Either by local authority or a private individual.

[Previous comments 15 April 2025]

30. Recommends that demolition and construction times and deliveries during the demolition and construction phases are restricted to the following:

07:30 - 18:00 each day Monday - Friday  
07:30 - 13:00 on Saturdays and  
None on Sundays or Bank Holidays

31. Requests that a method statement be produced and agreed before any piling work takes place (if required).
32. A condition preventing external lighting without prior approval from the LPA is recommended.
33. Opening hours require clarification/ control via condition as the submission proposes varying hours of operation.
34. Recommends that the location of the acoustic fencing is extended across part of the northern boundary where there is a gap between buildings A and B.
35. Asks for a Condition which seeks compliance with the specific sound levels outlined in Table 2 on page 9 of the Noise Impact Report. Also recommends a Condition which prevents any additional external mechanical plant without prior approval from the LPA. Recommends a Condition requiring forklifts to be fitted with broadband reversing alarms and that they be battery operated (both for reasons of amenity).
36. Notes that the Noise Impact Assessment (NIA) refers to anticipated Air Handling Units and associated noise output levels to serve the building, but that this is yet to be finalised. Recommends that if the proposed equipment changes, the NIA should be re-run.

### **ECDC Waste Strategy – 15 May 2025**

37. Notes that a commercial waste provider has already been arranged by the applicant.
38. Provides general advice on business waste

**ECDC Trees – 16 December 2025**

39. The revised layout which now includes the retention of the category B trees previously identified for removal is an improvement from a tree perspective and there are no longer any tree related objections to the proposal subject to the compliance with the Arboricultural Impacts Assessment dated 13 November 2025 and the provision by condition of a detailed Arboricultural Method Statement and detailed soft landscaping scheme to include significantly sized tree planting pits where needed to provide sufficient soil volume for new trees to develop to maturity.

**ECDC Ecology – 30 September 2025**

40. From the information provided the Ecologist has reviewed this application supports only with conditions applied with the information provided.

**ECDC Conservation Officer – 31 March 2025**

Recommendation: support

41. The application site is a pre-1878 regular courtyard plan farmstead with later mid C20 and C21 large scale agri-industrial sheds to the north. Model farms are comparatively rare in the district and despite their dilapidations, the C19 farmyard ranges are of some historic and architectural interest, as is the farmhouse itself. Indeed the latter was included on the ECDC register of buildings of local interest under Policy ENV 13 in 2024 through the current Cambridgeshire Local Heritage List Project.  
<https://local-heritage-list.org.uk/cambridgeshire/asset/9432>  
Having regard to Historic England's national guidance, considers the proposals are in line with orthodox 'barn conversion' practice. Whilst some rebuilding of the C19 farmyard ranges is inevitable, the new elements are complimentary to their character and appearance, and the office use is compatible with their semi-domestic scale. Although the application retains/replaces the modern sheds for industrial purposes, overall the scheme is an exemplar of the sustainable re-use of a redundant traditional farm complex.

**The Ely Group of Internal Drainage Board – 28 April 2025**

42. Raises concerns over the accuracy of the Flood Risk Assessment in respect of known watercourse locations. The catch water, now classed as part of main river, runs past the south west of the site then via the Aldreth Canal to the Ely Ouse (known locally as The Old West River). This is not noted in the FRA.
43. Concerned with the surface water strategy and potential pollution risks to watercourses, citing a serious pollution incident that occurred in 2017. The applicant has indicated that there will be an attenuation pond and a bio-bed but the surface water will still take the same course as the existing ditch to the catch water. Queries if there is a set discharge rate from the site.
44. Queries whether the intention is to utilise underground storage tanks or soakaways and whether a soakaway would hold the same volume of water as a holding tank, noting a clay subsoil.
45. Requests that serious consideration is given to the effect surface water drainage and the possibility of a pollution incident will have on the surrounding area.

**Lead Local Flood Authority - 7 April 2025**

No objection in principle to the proposed development.

46. Advises that the submission demonstrates that surface water from the proposed development can be managed through the use of infiltration.
47. The LLFA is supportive of the use of bioretention ponds and attenuation/infiltration tanks as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment. Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.
48. Requests a pre-commencement condition to finalise the drainage design, based on the strategy proposed; details of the long-term management and maintenance strategy of the drainage infrastructure; and implementation of the surface water infrastructure works prior to the erection of any built form.

**CCC Local Highways Authority – 17 April 2025**

49. Has reservations in respect of the proposed development in relation to the lack of sustainable access to the site. However, in view of the limited trip generation is considered that a recommendation of refusal could not be substantiated with due regard to Para 116 of the NPPF, where "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety".
50. Considers the development would be highly dependent on car use, as acknowledged within the Transport Statement. As such, the Local Planning Authority may wish to consider the sustainability of this site within the context of local and national policies.
51. Notes some areas of highways width are restricted, making it difficult for 2 HGVs to pass. However, considers that given the modest number of HGV movements associated with the proposed development, it is not considered that the limited width will place an unacceptable impact on highway safety.
52. Consideration required as to impact on the A1123 crossroads at Haddenham. The Local Highways Authority would seek, via condition a routing plan to mitigate this impact.
53. In the event that the LPA are mindful to approve the application, please append the following Conditions and Informative to any consent granted:  
Conditions recommended;
- Routing plan
  - Access to be constructed as detailed prior to first use, in accordance with CCC highways specification.
  - Gates to be set back 15m from the highway
  - Access drainage not to impinge on the public highway
  - Access to be surfaced in a bound material for the first 5 metres into the site
  - Construction Traffic Management plan to be agreed prior to commencement

**CCC Asset Information Definitive Map Team – 14 April 2025**

54. Advises that Public Bridleway 20, Haddenham runs to the north east of the site. It must remain open and unobstructed at all times. The Bridleway must not be used to access the development site unless the applicant is sure they have lawful authority to do so. No alteration to the Bridleway's surface is permitted without consent.

55. Provides advice on boundary maintenance (where site boundaries and overgrowth may impact on public rights of way); ecology and temporary closure orders processes (where necessary).

**Cambs Police - Designing Out Crime – 17 April 2025**

56. Advises that the documents don't appear to mention security. Advises it is important that security and crime prevention are discussed at the earliest opportunity, and it must incorporate the standards of "Secured by Design", to design out crime and reduce the opportunities for crime. The Designing Out Crime Officers (DOCO's) should be consulted at an early stage in these types of planning applications, this enables them to work with the developer on the best security solutions based on local crime issues.

57. The constabulary crime and incident systems covering Haddenham Ward for the last 2 years, infers that the area as low risk to the vulnerability of crime at present.

58. Provides advice on and recommends conditions to address the following:

- External lighting
- Door standards and certification
- Windows, roof windows and roof lights
- Curtain Walling
- Roller Shutters and Grilles
- Alarm
- Access Control
- CCTV
- Manned Reception
- Audio/Video electronic access control
- Secure Cycle parking visitors
- Secure external Bin Storage
- Secure Parking
- EV Charging
- Vehicular/pedestrian access Gates
- Counter Terrorist Security Guidance
- Secured by Design
- Construction Phase Security

**ECDC Trees Team - 16 December 2025**

59. The revised layout which now includes the retention of the category B trees previously identified for removal is an improvement from a tree perspective and there are no longer any tree related objections to the proposal subject to the compliance with the Arboricultural Impacts Assessment dated 13 November 2025 and the provision by condition of a detailed Arboricultural Method Statement and detailed soft landscaping scheme to include significantly sized tree planting pits where needed to provide sufficient soil volume for new trees to develop to maturity.

**Resident Consultations**

60. A site notice was displayed near the site, most recently on 2<sup>nd</sup> February 2026 and a press advert was published in the Cambridge Evening News on 10 April 2024.

61. Neighbours – 35 neighbouring properties were initially notified and the responses received by all contributors are summarised below. A full copy of the responses are available on the Council’s website: <https://pa.eastcamb.gov.uk/online-applications/>

- Foul water drainage
- Groundwater issues
- Flood risk
- Highway safety
- Noise pollution
- Odour issues
- Parking and Turning
- Surface water drainage
- Utilities unable to cope
- Loss of privacy
- Affects a Right of Access
- Affects a Right of Way
- Affects public views
- Contrary to Policy
- Impact to Conservation Area
- Impact on heritage asset
- Damage to local heritage sites
- Air Pollution issues
- Surface water drainage
- Visual amenity
- Affects public views
- Affects street scene
- Form and character
- Impact on trees
- Landscape impact
- Overbearing
- Overlooking
- Traffic and parking issues
- Out of character
- Overdevelopment of the site
- Will set a precedent for further expansion
- Traffic will impact both Haddenham and Aldreth
- Biodiversity
- Lack of public transport
- Unsuitable roads
- The acoustic fence should extend across the whole site perimeter
- HGV movements within the site are dangerous to pedestrians
- Hours should be restricted
- Contravenes Article 8 of the Human Rights Act 1998.
- Asbestos
- Existing cycle paths are unsuitable
- Ground/water contamination
- Lack of staff amenities within the village
- Outside the development envelope
- Access concerns
- Light pollution

- Impact on bridleway
- Form and Character
- Will impact the Village Hall and associated activities
- Lack of technical information
- Disruption during construction
- Damage to property
- Safety concerns regarding storage of chemicals and lack of consultation with the HSE and Fire Service.

## **The Planning Policy Context**

### **62. 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  
 EMP 1: Retention of existing employment sites and allocations  
 EMP 3: New employment development in the countryside  
 EMP 4: RE-use and replacement of existing buildings in the countryside  
 ENV 1: Landscape and settlement character  
 ENV 2: Design  
 ENV 4: Energy and water efficiency and renewable energy in construction  
 ENV 7: Biodiversity and geology  
 ENV 8: Flood risk  
 ENV 9: Pollution  
 ENV 12: Listed Buildings  
 ENV 13: Local Register of Buildings and Structures  
 ENV 14: Sites of archaeological interest  
 COM 7: Transport impact  
 COM 8: Parking provision

### **63. Haddenham and Aldreth Neighbourhood Plan 2022**

Policy HAD1 - Spatial Strategy  
 Policy HAD4 - Haddenham Business Park Extension  
 Policy HAD8 - Protection of Important Views  
 Policy HAD10 - Dark Skies  
 Policy HAD12 - Buildings and Features of Local Interest  
 Policy HAD13 - Design Considerations  
 Policy HAD14 - Sustainable Building Practices  
 Policy HAD15 - Flooding and Sustainable Drainage

### **64. Cambridgeshire & Peterborough Waste and Minerals Local Plan 2021**

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

### **65. Supplementary Planning Documents**

- East Cambridgeshire Design Guide 2012

- Flood and Water 2016
- Contaminated Land 2015
- Natural Environment 2020
- Climate Change 2021
- Hedgehog Recovery Design Guidance SPD

66. **National Planning Policy Framework, December 2024 (NPPF)**

- 2 Achieving sustainable development
- 4 Decision-making
- 6 Building a strong competitive economy
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving & enhancing the historic environment

67. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. Regard has therefore been had to the NPPF published in December 2024 in assessing the current application.

68. **National Planning Practice Guidance (PPG)**

## Planning Material Considerations and Comments

69. The key issues relevant to this application are considered to be;

- Principle of Development
- Access and Highways
- Impact on the Character of the area
- Residential Amenity
- Historic Environment
- Ecology and Biodiversity
- Flood Risk and Drainage
- Other Material matters

### Principle of Development

70. The proposed access and dwelling within the site lies within the settlement boundary of Aldreth, whereas the main farm buildings and hardstanding lie beyond the settlement boundary having regard to the settlement boundary set out under Neighbourhood Plan ('NP') Policy HAD 1 and Local plan policy GROWTH 2.

71. Policy GROWTH 2 of the East Cambridgeshire Local Plan 2015 provides the locational strategy for development within the district and provides a hierarchy for the location of housing development. That hierarchy seeks to focus the majority of development on the market towns of Ely, Soham and Littleport. It provides for more limited development within villages within a defined development envelope. The policy states that outside defined development envelopes, development will be strictly controlled to protect the countryside and the setting of settlements and will be restricted to the exceptions listed within the policy. HAD 1 sets out that land outside the development envelope is countryside and should normally only allow for rural or land-based enterprise developments. The preamble to HAD 1, at 5.4 of the NP sets out that development outside the envelope will be considered as an exception.
72. The development will be commercial in nature comprising a mix of office, research and development and general industrial use. NP policy HAD 4 ('Haddenham business park extension and other new employment proposals') primarily focuses on its ambitions for the extension to Haddenham Business Park which is not applicable here. Notwithstanding, the policy does go on to state that subject to compliance with applicable Local Plan Policies, other suitable new employment proposals within or on the edge of the village will be supported in principle, subject to satisfactory mitigation of any landscape, heritage, residential amenity and infrastructure impacts. In this regard, the site is considered to sit within and, on the edge of the settlement. Local Plan policy EMP 3 supports small-scale employment development in the countryside, on small sites closely related to the built framework of a settlement where:
- There is a lack of suitable buildings and sites within the settlement.
  - There is a lack of suitable buildings to re-use or replace in the countryside close to the settlement (in accordance with Policy EMP 4).
  - The proposal would not have an adverse impact on the character and appearance of the area, the amenity of neighbouring occupiers, or result in a significant increase in traffic; and
  - The site can be easily accessed by foot or cycle from the settlement.
73. The Local Plan does not define 'small scale', therefore leaving this to a matter of judgement. In respect of the size of the site however and anticipated employee numbers, it is not unreasonable to conclude that the employment site would be relatively small-scale (albeit with greater employee numbers than previously experienced) and, by virtue of the access being located within the settlement, it would be closely related to the built framework. The development proposes to re-use a majority of the existing buildings within the sited and as such, Local Plan policy EMP 4 is relevant as it sets out that Proposals for the re-use of existing buildings in the countryside for business (B1, B2, B8), tourism, outdoor recreation or community-related uses which require a planning application will be permitted where:
- It can be demonstrated that the building is of permanent and substantial construction.
  - The form, bulk and design of the building is of visual merit, architectural merit or historical significance, and is in general keeping with its surroundings.
  - The proposal does not harm the character and appearance of the building or the locality.
  - The proposal would not (by itself or cumulatively) have a significant adverse impact in terms of the amount or nature of traffic generated; and

- Other Local Plan policies relating to specific uses are met.

74. Whilst the site already includes built form, much of which is proposed to be re-used, the site itself is not considered to comprise 'previously developed land', or brownfield land as defined by the NPPF, due to its agricultural use, which is specifically excluded from the definition set out in the NPPF (see NPPF Annex 2: Glossary, page 77). Notwithstanding, NPPF Chapter 11 supports the effective re-use of land, particularly in development of under-utilised land and buildings. Furthermore, NPPF Chapter 6, paragraph 88 sets out a desire for decisions to enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings; and, the development and diversification of agricultural and other land-based rural businesses.
75. In conclusion, it is considered that the re-use of the site and introduction of new development for the employment use of the site is acceptable in principle, subject to the consideration of the sustainability criterion as set out within the specific policies above and other relevant development plan policies as considered below.

### **Access and Highways**

76. Local Plan policy COM7 seeks to ensure, amongst other things, that development provides safe and convenient access to the highway network, is designed to reduce the need to travel particularly by car and should promote sustainable forms of transport appropriate to its particular location. Development should also be capable of accommodating the level/type of traffic generated without detriment to the local highway network and the amenity, character or appearance of the locality. Local Plan policy COM8 requires development proposals to provide adequate levels of car and cycle parking and make provision for parking broadly in accordance with the Council's parking standards (including parking for people with impaired mobility). The application is supported by a transport statement and Travel Plan which seeks to demonstrate compliance with COM 7 and the transport aims of the NPPF.

#### *Access and layout*

77. Firstly, in respect of the access layout and design, the applicant advises that the introduction of a new access was necessary, as the existing byway which formerly served the agricultural use and the access serving the dwelling were not appropriate options to serve the new development. As such, the development would not directly impact on the rights of way close to the site. The proposed access arrangements comprises a bell-mouth arrangement with footway either side and tactile paving at the crossing point. The access road within the site measures approximately 6.4m (21ft) along its length before meeting with the wider hardstanding and car park and turning areas.
78. The Local Highway Authority (LHA) has raised no technical objections to the access arrangement, and it is therefore considered that the development can be served by safe and suitable access and which makes provision for pedestrians to cross the access safely and therefore in accordance with Local Plan policy COM 7. Furthermore, the development is served by adequate parking spaces to serve the nature and scale of the development (including disability spaces and EV charging points), having regard to the requirements of policy COM 8.

*Highway safety*

79. A significant number of concerns have been raised regarding the adequacy of existing roads to accommodate the nature and volume of vehicles anticipated to access the development, with concerns raised in respect to predicted HGV movements, the narrowness of some approach roads and the suitability of the access location with regards to existing on-street parking which can cause obstruction. It is noted that HGVs entering and existing the site may need to use both lanes of the highway in order to manoeuvre. In respect to the latter concern, it is recognised that the High Street often sees a large number of vehicles parking on-street. However, there is no legal right to park on the highway and causing an obstruction is an offence. As such, were the development to come forward, any persons who have enjoyed the ability to park on the street at this location would not be permitted to obstruct the access. Given that there is no legal right to park on the highway, planning weight in respect to loss of amenity/ facility in this regard cannot be applied to this matter and it would seem that there are still a number of spaces to park on the highway if required, albeit these may be further away than is currently experienced.
80. The LHA has considered the adequacy of the highway in respect to the number of cars anticipated to visit the development and, more specifically, potential for HGV-to-HGV conflict, noting that some sections of the highways are constrained, meaning that 2-way passing of HGVs may not be possible without mounting of footways or giving way. Whilst the LHA acknowledges that this is not an ideal scenario, they have considered the likely anticipated HGV movements associated with the development (predicted to be up to 10 two-way trips per day in the worse-case scenario) and has concluded that conflict of this nature would be infrequent and would therefore not be grounds to warrant refusal, having regard to the tests set out in the NPPF para. 116. Notwithstanding, a condition requiring a routing plan has been recommended, to encourage HGV drivers to use main roads i.e., avoiding short cuts through secondary streets which has caused concerns and issues previously, particularly in Haddenham, where the Parish Council has engaged with local hauliers to reduce this occurrence.

*Site Location*

81. Local Plan policy COM 7 seeks to reduce the need to travel particularly by car requires developments to promote sustainable forms of transport appropriate to its particular location. The NPPF; paragraph 89 sets out that Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist. NPPF para. 110 sets out that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
82. It is recognised that Aldreth is significantly constrained in respect of active travel options, with a very limited bus provision (currently Thursdays only) and an unmetalled and unlit footway connecting to Haddenham. Furthermore, the rights of

way are also informal in respect to surfacing and lighting rendering them unsuitable for everyday journeys. In essence, Aldreth is unsustainably located in transport terms, with residents and visitors heavily reliant on private motor car for travel. It is assumed that for this reason, there is limited ambition in the development plan for any significant growth for this settlement. The application consequently does not provide any meaningful mitigation for this limitation. In this regard, notwithstanding NPPF para. 110, the ambitions of policy COM 7 and indeed the aims of NPPF para.89, in respect to improving the scope for access on foot, by cycling or by public transport cannot be met through this development which carries negative weight, as it severely limits future employee's options to travel to work via sustainable means.

83. Concerns have been raised that the applicant's Transport Assessment was undertaken during the harvest season, where HGV and larger vehicle movements are more prevalent and therefore that the TA does not accurately reflect the average traffic flow through the village. In this regard, if this were the case, the TA would capture a worse-case scenario in respect to cumulative transport impacts, whereas outside of harvest season, larger vehicle movements would be expected to be less. Notwithstanding, the traffic findings in the TA would perhaps show a lower percentage increase in HGVs if taken during peak harvest period. However, the conclusions of the LHA are clear in that the predicted HGV movements are not anticipated to result in severe cumulative impacts or highway safety issues.
84. In summary, whilst the development would yield larger vehicle movements than has been previously experienced from this site and those movements likely to occur during peak periods in respect of staff movements, this would not result in highway safety or significant cumulative transport impacts on the highway, to warrant refusal. Notwithstanding, by virtue of the significant limitations of active travel options to this settlement, the development would place a heavy reliance on staff and visitors to access the site via private motor car, with the site use predicted to result in a worse-case 29% increase in traffic volume in Aldreth, as a result.

### **Impact on the Character and appearance of the area**

85. Neighbourhood Plan Policy HAD 13 requires development to reflect the local characteristics in the Neighbourhood Plan Area and create and contribute to a high quality, safe and sustainable environment. Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023) require new development to complement the existing built form and relate sympathetically to its surroundings in terms of location, layout, scale, massing, materials, and colour. Proposals must respond positively to local context and architectural traditions, enhance the character and quality of the area, and contribute to the public realm.
86. Much of farm buildings are to be retained and the areas of hardstanding are proposed to be re-used to serve the operations, including car parking. The design of the development is considered to complement the traditional arrangement of barns as per the Council's Conservation Officer's advice, retaining the key building of Barn A and its features immediately rear of the dwelling. The sympathetic re-use of the barns would attract positive weight in this regard.

87. The new building (Barn D) whilst occupying a new position further into the yard and therefore encroaching into undeveloped part of the site, is not considered to cause significant harm to the open character of the countryside or the streetscene, given its scale, appearance and general setting within the wider farm in which it is read. In general the location of the development, particularly given its reliance on utilising existing buildings would not conflict with Neighbourhood Plan policy HAD 8 which seeks to protect key views around the two settlements.
88. Having regard to anticipated employee numbers (around 30 FTE) and conclusions of the Transport assessment that most will use private motor car to access the site, this would likely equate to around 30 to 40 private cars arriving at the site during peak times, based on a worse-case scenario.
89. The new access would introduce an urban form into the streetscene and would emphasise the commercial use of the site, in contrast to the former use of the byway and modest access serving the dwelling, and also the modest access proposed to serve the previously permitted single dwelling scheme at the site (21/01485/OUT). This access is to be used potentially by around 166 vehicles during the day, 40 of which will be between 7am and 9am, and then between 4pm and 6pm, including HGV movements and likely delivery vehicles to deliver supplies etc. Cumulatively, this will bring about a notable change to the rural character and relative tranquillity of the village, notwithstanding any on-site activity e.g., fork-lifts, deliveries/ loading etc.
90. Furthermore, the main car park, whilst partially screened by intended landscaping, would still be visible from views along the access where rows of parked vehicles would be apparent resulting in a more urban feel. Whilst it is acknowledged that the site previously operated as a farm, it is considered that the proposed development would be substantially different in character, in terms of site layout, on-site activity and frequency and volume of traffic entering and exiting the site which cumulatively would bring about significant change to the visual and acoustic character of the site, adversely impacting on the rural and relatively tranquil character of the area. This would be in conflict with policies GROWTH 2, ENV 1, ENV2, ENV 9, EMP 2, EMP 3, EMP 4 and COM 7 of the East Cambridgeshire Local Plan 2015, and policy HAD 13 of the Haddenham and Aldreth Neighbourhood Plan 2019-2031.
91. Concerns have been raised by residents and the Parish Council about the development's impact in respect of light pollution, with regard to the Neighbourhood Plan's Dark Skies policy HAD 14. In this regard, it is likely that some exterior lighting would be required to serve the development and details would need to be agreed having regard to the need to protect the dark skies, nocturnal biodiversity and residential amenity, while achieving adequate on-site security and visibility. This detail can be reasonably secured via planning condition.

### **Residential Amenity**

92. Local Plan policies EMP 3, EMP 4 and ENV 2 seeks to ensure there is no detrimental effect on the residential amenity of nearby occupiers. Policy ENV 9 of the Local Plan states that all development proposals should minimise, and where possible, reduce all emissions and other forms of pollution, including light and noise pollution. Neighbourhood Plan Policies HAD1 and HAD4 also supports development, subject

to it not resulting in unacceptable impacts on the amenity of residents. HAD13 seeks to avoid sensitive development being located in areas where nearby residents would be significantly and adversely affected by noise, unless adequate and appropriate mitigation can be implemented.

93. Whilst the proposal includes the erection of a new building toward the rear of the site and re-use of existing buildings, including first-floor use, the development as a whole would not result in overlooking, overshadowing or overbearing impacts. The primary concerns raised by residents and the Parish Council concerns potential harm through noise, odour and smoke pollution which might arise from the production processes associated with the business. The impacts of the development have been assessed in respect to all residents and visitors to Aldreth and surroundings, including those residents who may be at home for long periods, and therefore may experience greater or maintained exposure to impacts arising from the development.

*Noise and vibration*

94. It is acknowledged that former planning permissions 18/00853/OUT and 21/00145/OUT, which granted permission for the erection of dwellings adjacent to the farm buildings, secured a legal agreement to cease the use of potato drying equipment in the larger barn, in order to protect residential amenity. This has been cited by a number of residents. However, the proposal is materially different to the former agricultural operations and requires different mitigation means to avoid amenity harm.
95. In respect of predicted noise, the application is supported by a Noise Impact Assessment (NIA) which indicates that background noise levels during the day are generally low. The NIA identifies that due to the low background levels, some noise arising from operations e.g., through HGV arrivals and loading/ unloading may be adverse but not significant. Further to this, internal noise levels of nearby receptors is considered to be lower than acceptable standards set out under BS 8233. Furthermore, the NIA takes into account the context that the site was once a working farm which would have likely created higher noise levels than predicted here, particularly during harvest season. The assessment assumes the recommended mitigation is in place, which includes the installation of a 2.4m (7.8ft) high screen on the site to screen noisy activities from residential receptors to the south and use of broadband reversing alarms. The assessment also considers the plant and equipment proposed to be used which includes sheer mixers and air handling units. The equipment is anticipated to be located inside the buildings and conditions securing further details of this can be reasonably secured, with updated NIAs if required. Furthermore, the Council's Environmental Health team has reviewed the locations of the acoustic fence and considers that additional fencing may be beneficial, specifically in the gaps between buildings at the north of the site, to prevent noise existing the site. This additional detail could be reasonably secured by planning condition.
96. As noted above, the development would potentially result in around 29% increase in vehicle movements during the daytime, mainly from staff and visitors. Whilst the NIA concludes that HGV movements would not 'stand out against the residual acoustic environment and would therefore not attract an acoustic character correction', this is likely due to the limited number of HGVs anticipated. The NIA does not however consider the frequency and potential acoustic character change through the volume

and frequency of general staff or delivery vehicles, which in the officer's opinion will be noticeable and would result in a change to the character of the area through both noise and vibration, particularly for those residing close to the access.

97. Whilst the associated dwelling (No. 14) is cited to be occupied by employees of the business, there is no mechanism in place to ensure this, with the only reasonable mechanism being a legal agreement. It is noted that a number of windows face directly onto the access road from this dwelling, at distances of less than 7m (23ft). Likewise, with the dwelling to the south of the access, (No 12), this lies around 8m from the access road and whilst it is acknowledged that only 1 window is located along its flank wall, it is likely that the frequency of traffic moving along the access will be notable in comparison to existing conditions. It is important to note that whilst the NIA correctly factors in the context of previous agricultural operations at the site, this did not include any movement along which is now proposed to be the single point of access/egress serving the development and which will invite a potential 29% increase in traffic along this access, based on the worse-case scenario modelled in the Transport Assessment. This will bring about a significant change to the acoustic character of the area, to the detriment of residential amenity.
98. In conclusion, it is acknowledged that, subject to the aforementioned mitigation, it is unlikely that day-to-day 'on site' operations would result in significant adverse effects to residential amenity in respect of internal sound levels to the nearest sensitive receptors. However, no assessment has been made as to the characteristic effects of the increase in staff, visitor and delivery traffic at the access in respect of noise and vibration, which is considered likely to be adverse and unmitigated.

*Odour & smoke*

99. It is understood the operations rely on the production of taste flavourings which are produced by mixing concentrated chemical compounds to create flavouring substances. The equipment required would include mixers, driers and ventilation equipment. The applicant initially provided an outline strategy based on the plant and equipment likely to be used, which would rely on airtight rooms to create negative pressure, whereby air is extracted from these rooms and will pass through a pre-filter, carbon and HEPA (High-Efficiency Particulate Air) filtration system. Aroma chemicals present in the extracted air (which "escaped" from the blending process) will be removed by a 3-stage filtration system where the volatile molecules are captured and odour is thereby eliminated. A periodic maintenance schedule will ensure that the performance of the filtration system is guaranteed. No heating is required and no smoke results from on-site processes but odour is possible and can be currently experienced outside buildings at the applicant's present site in Chittering.
100. Following concerns raised by the Council's Environmental Health (EH) team about the limited information provided in respect to odour management, the applicant commissioned a more detailed Odour Appraisal which also includes a draft Odour Management Plan (OMP). The appraisal considers the sources of odour, its magnitude and how factors can impact nearby receptors e.g., residential properties, going on to set out mitigation to avoid any adverse odour impacts on said receptors.
101. The report concludes that given the scale of the manufacturing process and the odour mitigation equipment fitted, the risk of adverse odour impacts is negligible. However, the report acknowledges that this is a new process and operating conditions are

uncertain. Therefore, a draft OMP has been proposed that includes procedures for monitoring and actions to be taken should improvements be required. This OMP would be finalised once planning permission has been obtained and the full details of the proposed development have been agreed.

102. The Parish Council, in their recent meeting, raised concerns over the potential for adverse odour impacts, particularly in unfavourable wind conditions, that the odour impacts would change the character of the area, that the current site produces offensive odours, that the appraisal is not based on worse-case scenarios and underestimates the potential impacts, that relying on a post-completion survey to identify any further mitigation is of concern, suggesting a planning condition for automatic cessation of works should odour exceed acceptable levels. Concerns are also raised that the odour appraisal does not provide a comprehensive list of chemicals or gases that would be released and therefore raises doubts about the effectiveness of the proposed mitigation.
103. The Council's EH team has reviewed the latest proposal and the concerns raised by the Parish Council and has removed their objection. They advise that based on the information and proposals as set out in the draft OMP, odour can be satisfactorily managed, subject to conditions securing the final detailed design of the system and monitoring, to be submitted, agreed and implemented prior to commencement of operations. In conclusion therefore, the Council's EH concludes that odour impacts on residential amenity can be satisfactorily mitigated, subject to agreement of the final odour management specification.
104. In conclusion, it is unlikely that day-to-day 'on site' operations would result in significant adverse effects to residential amenity in respect of internal sound levels to the nearest sensitive receptors and through any odour issues. However, the characteristic effects resulting from the increase in staff, visitor and delivery traffic at the access in respect of noise and vibration on nearby residences, has not been sufficiently addressed and is considered likely to be adverse and unmitigated, contrary to EMP3, EMP4, ENV2 and ENV9 of the Local Plan and Neighbourhood Plan Policies HAD1 and HAD4.

### **Historic Environment**

105. Neighbourhood Plan policy HAD12 and Local Plan policy ENV 13 seek to ensure that any assets of heritage merit, particularly those nationally listed or locally recognised are afforded necessary protections and or enhancement through development schemes. The site does not sit within any designated Conservation area and there are no nationally listed structures or scheduled monuments in the vicinity that would be affected by the development. The dwelling at De-Freville Farm is however locally listed and therefore any harm to it must be assessed against public benefits of the proposal. In this regard, the Council's Conservation Officer has reviewed the proposal and finds no harm and concludes that the development is an exemplar development of reusing traditional agricultural buildings for alternative uses and raises no concerns in respect of any potential heritage impacts or harm. It is considered therefore that the alterations and enhancements to the farm buildings would improve the general appearance of this part of the site and the setting of the house, and this carries positive weight.

106. Local Plan policy ENV 14 seeks to ensure that development considers impacts to sites with archaeological potential, with appropriate mitigation secured where necessary. Whilst no comments have been received from the County Council's Historic Environment team, this is likely due to the site having already been developed on and with only a small area of built form being introduced. As such, in this instance it would not be reasonable to secure any pre-commencement condition in respect of securing any investigation of the site.

### **Ecology & Biodiversity**

107. Policy ENV 7 of the adopted Local Plan seeks to protect biodiversity and geological value of land and buildings and requires that through development management processes, management procedures and other positive initiatives, the council will among other criteria, promote the creation of an effective, functioning ecological network. The Natural Environment SPD requires that all development proposals would be expected to provide environmental enhancements proportionate to the scale and degree of the development proposed. The Neighbourhood Plan, whilst not setting out a specific policy requirement in respect to this development, nonetheless sets out a vision to minimise the impact of development on the natural environment and maximise opportunities to improve natural habitats and biodiversity.
108. The application is supported by a Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment. The surveys note the main barn complex (Barn A) supports at least two species of roosting bats and as separate bat survey including emergence surveys have been undertaken to enhance understanding of what mitigation is required. In this regard, the applicant's ecologist has recommended a number of measures including the retention of enclosed roof space linked to a maternity roost, programming of works and supervision by a Licence holder and/or Accredited Agent and ongoing monitoring during construction and for an agreed time post-completion.
109. The PEA also addresses other mammals including badgers and hedgehog as well as birds (including Barn Owl), reptiles, amphibians and invertebrates and a comprehensive strategy of mitigation and enhancements is set out, utilising the existing and proposed buildings and the landscaped area and margins of the site.
110. The Council's ecologist has reviewed the reports and recommendations and, further to the submission of additional detail, raises no objections to the proposal subject to the mitigation and enhancements as proposed. This also includes the provision of a Construction Ecological Management Plan, which can be reasonably conditioned, along with the necessary scheme of mitigation and biodiversity enhancements.
111. Separately, it is necessary for the development to achieve statutory net gain in Biodiversity (BNG) and the application is supported by a baseline survey of biodiversity value and recommendation of how the statutory 10% BNG can be achieved. The BNG statement sets out that there will be a 52% increase in area habitat value and 189% increase in hedgerow habitat value, as a result of the development proposals. This demonstrates that the proposed scheme will meet the 10% BNG targets through onsite habitat enhancement and creation. A biodiversity

Net Gain Plan condition can be reasonably applied, which will be required to be satisfied prior to the commencement of the development.

112. In addition, the application is supported by a revised Arboricultural Impact Assessment which details the retention of category B trees along the site boundaries and, subject to a detailed arboricultural method statement and soft landscaping scheme, the development is considered acceptable from a landscaping point of view.
113. In summary. The development adequately demonstrates that it has fully considered the impacts of the development on features of biodiversity and can appropriately management these impacts through tree retention, ecology mitigation and enhancement. Furthermore, the development demonstrates that a minimum 10% statutory biodiversity net gain is achievable. As such, the development is considered to accord with the requirements of Policy ENV 7 and the ambitions of the Neighbourhood Plan in respect of biodiversity protection and enhancement.

### **Flood Risk and Drainage**

114. Local Plan policy ENV 8 and Neighbourhood Plan policy HAD15 requires all developments to contribute toward flood risk reduction and requires demonstration that appropriate surface water drainage arrangements for dealing with surface water run-off can be accommodated. Policy ENV 9 seeks to ensure, amongst other matters, that development does not result in a deterioration in water quality.
115. The site lies in Flood Zone 1 and in an area at low risk of surface water flooding. The MAGIC Map website (DEFRA) also confirms the catchment areas are not located above a Principal Aquifer and that the site is not within a Groundwater Source Protection Zone. The risk of groundwater flooding on the site is therefore considered to be low.
116. The application is supported by a Flood Risk Assessment and Drainage Strategy (FRA). The FRA sets out the flood risks to the site (considered to be low) and the current known ground conditions and drainage opportunities. Infiltration testing at the site indicates that infiltration is a realistic option and the surface water drainage strategy centres around the use of a bioretention pond proposed to be located along the south-western area of the site, adjacent to the car park, which provides suitable pollution hazard mitigation. Additional attenuation is provided in the form of a geocellular tank system under the areas of hardstanding. The surface water then discharges to the ground via infiltration at the base of both the bioretention pond and geocellular tank. The drainage strategy also sets out a maintenance strategy for the long-term management of the systems.
117. The Lead Local Flood Authority as the statutory body for surface water drainage and flooding has concluded that the strategy proposed is satisfactory and demonstrates that surface water from the proposed development can be managed through the use of infiltration via the use of bioretention ponds and attenuation/infiltration tanks, in addition to controlling the rate of surface water leaving the site while also providing water quality treatment.

118. The Haddenham Level Drainage Commissioner has raised concerns that the development does not fully consider its impacts on local watercourses, citing a serious pollution incident in 2017 and the route of the ditch on the south side of High Street which discharges directly into the catchwater, then via the Aldreth Canal to the Ely Ouse. They have raised question regarding the discharge rate from the site, and concerns over the use of infiltration, questioning whether this is practical. The drainage strategy and evidence to support the approach is set out in the FRA and the LLFA has confirmed they are satisfied with the proposal to use infiltration with the FRA setting out the results of testing, to demonstrate the site geology is suitable for this method. The final drainage design (secured via planning condition) would be expected to confirm this, as well as the treatment train for water which would take into account how pollutants would be managed through the system before infiltration occurs.
119. In respect of foul drainage, the application does not confirm how it intends to manage this, likely because consent would need to be secured with the local water authority in the first instance. In following the sustainable drainage hierarchy, where foul sewer exists, developers are expected to explore connection to this infrastructure in the first instance, unless it is demonstrated that connection is not viable e.g., in the event drainage board consent is refused. Only after this can on-site means e.g., package treatment plants be considered. Given the low flood risk of the site and confirmed ground conditions, it is considered that a suitable foul drainage strategy could be realistically achieved and the final design can be reasonably secured through planning condition.

### **Other Material Matters**

#### *Ground contamination*

120. Whilst concerns have been raised over potential ground contamination, the applicant has submitted a phase 1 desk-based ground condition survey. This identifies the possible presence of contaminants and a planning condition securing a strategy for removal and remediation can be reasonably secured through planning condition.

#### *Asbestos*

121. Asbestos is confirmed at the site, forming a fabric for some of the buildings and will need to be removed under licence by specialist. This process is overseen by the HSE under Control of Asbestos regulations. Therefore, this is a not a matter that the planning system should look to control, having regard to NPPF para 201 which states that “The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.

#### *Other Hazardous substances*

122. The applicant advises that they are likely to store up to 4 tonnes of flavour oils and ethanol on site at any one time. This has raised concerns amongst residents regarding safety risks.
123. Hazardous Substances Consent the UK is required where it is intended to store or use ethanol (ethyl alcohol) at or above specific statutory quantity thresholds. Ethanol

is classified as a flammable liquid (Category 2 or 3) with a flashpoint generally below average room temperature (dependant on the alcohol concentration). Under the Planning (Hazardous Substances) Regulations 2015, Hazardous Substances Consent is not required to store 4 tonnes of ethanol. As such, statutory consultation with the HSE is not required and the applicant would be expected to follow the HSE's regulations in relation to safe storage and handling. Furthermore, the development does not trigger statutory consultation with the Fire and Rescue Service. Notwithstanding, the applicant would need to ensure their development complies with current fire safety standards and regulations. Again, Paragraph 201 of the NPPF is relevant here.

*Damage to property*

124. Concern has been raised that development close to existing properties could undermine their structural integrity, particularly give the age of some of the properties. Again, construction of development such as that proposed here would need to satisfy latest Building Regulations and both design engineers and construction personnel would be expected take into account and responsibility for the presence of nearby structures when considering the design and engineering of new development. This is a technical exercise which the planning system is not suited to controlling. The requirements of NPPF para. 201 are again relevant here.

*Utilities unable to cope*

125. Concerns have been raised that electricity supply to the village may come under strain as a result of the development, citing several occasions of power cuts. No evidence has been presented to indicate that the development would cause or exacerbate what appears to be existing issues in this regard, notwithstanding that the development is not large in scale and the applicant would need to ensure that their operations are supported by adequate energy infrastructure, a matter which would fall outside of the planning regime.

*Construction impacts*

126. Construction of the development is likely to cause some short-term disruption, but impacts can be minimised, as is standard via a Construction Management Plan (CMP). The CMP can also include a construction traffic routing plan to ensure the aforementioned issues of HGVs using short cuts to access the site are avoided.

*Precedent*

127. One resident has raised concerns that in approving the development this would set a precedent for further development outside of the settlement boundary. In this regard, this application has been determined on its merits against current local and national planning policies, as would any further development proposals. As such, it is not considered that this development would set any such precedent.

**Planning Balance**

128. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

129. The development would result in the re-use of the site for new employment purposes, supporting around 30 full-time equivalent jobs and would involve the retention and re-use of the historic arrangement of farm buildings and enhancement to their appearance, where there are currently clear signs of dilapidation and neglect. This would yield social, environmental and economic benefits and carries significant positive weight.
130. Net gains in biodiversity and biodiversity enhancements are achievable through the scheme. This carries neutral weight, given their policy requirement.
131. The use of the site for alternative purposes is acceptable in principle. However, the scale and nature of the development, specifically in respect to the impacts accrued by the volume of traffic, due to the lack of alternative travel options and the location of the access, would have a significant detrimental impact to the relatively tranquil character of the village and living conditions of residents (by virtue of noise and vibration) immediately around the access. These issues carry significant negative weight and are in direct conflict with local and national planning policies, which seek to achieve avoid adverse impacts and secure high quality living environments.
132. In applying the planning balance, it is considered that proposal is in conflict with the development plan when taken as a whole, and there are no material considerations of sufficient weight to indicate that a decision should be made other than in accordance with the development plan in this instance.

### **Human Rights Act**

133. The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

### **Equalities and Diversities**

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

## **RECOMMENDATION**

135. Members are recommended to refuse the application for the following reasons.
1. The proposed development would result in a significant intensification in the amount and nature of traffic generated entering and exiting the application site. Due to the location and proximity of the proposed access to neighbouring properties, this would result in unmitigated noise and disturbance to the nearest residential dwellings. Therefore, the application is considered to be contrary to policies EMP 2, EMP 3, EMP 4, COM 7 and ENV 2 of the East Cambridgeshire Local Plan 2015, policies HAD 1 and HAD 4 of the Haddenham and Aldreth Neighbourhood Plan 2019-2031.
  2. Whilst it is acknowledged that the site previously operated as a farm, it is considered that the proposed development would be substantially different in character, in terms of site layout, access location, on-site activity and frequency and volume of traffic entering and exiting the site which cumulatively would bring about significant change to the character of the site, adversely impacting the rural and relatively tranquil character of the area. This would be in conflict with policies GROWTH 2, ENV 1, ENV2, ENV 9, EMP 2, EMP 3, EMP 4 and COM 7 of the East Cambridgeshire Local Plan 2015, and policy HAD 13 of the Haddenham and Aldreth Neighbourhood Plan 2019-2031.

## **Plans**

The following plans are a selection of those submitted as part of the application and are provided to illustrate the proposed development. They may not be to scale. The full suite of plans can be found on the Council's website.

25/00312/FUM

# Existing Site Layout

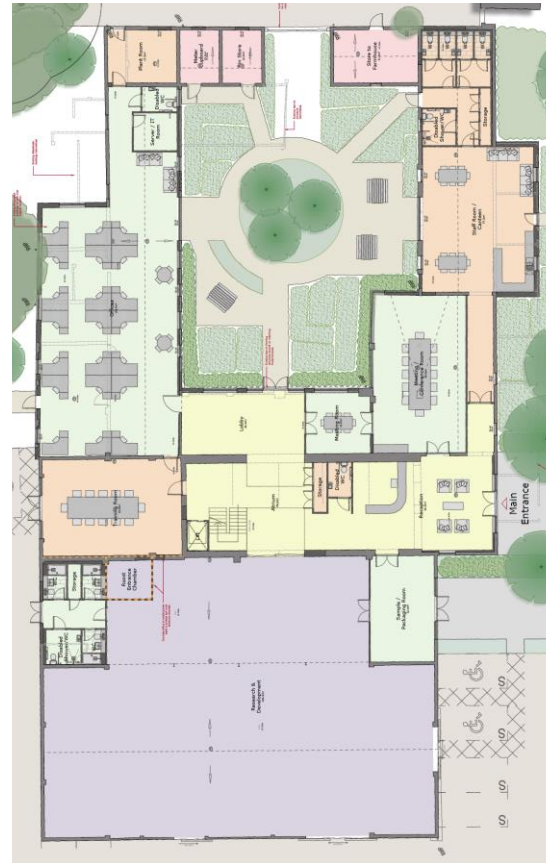
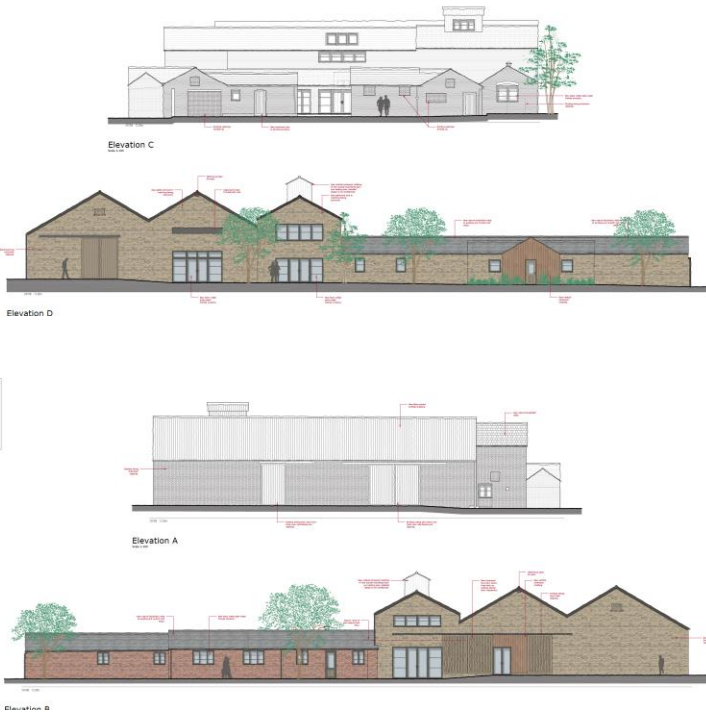


# Proposed Site Layout

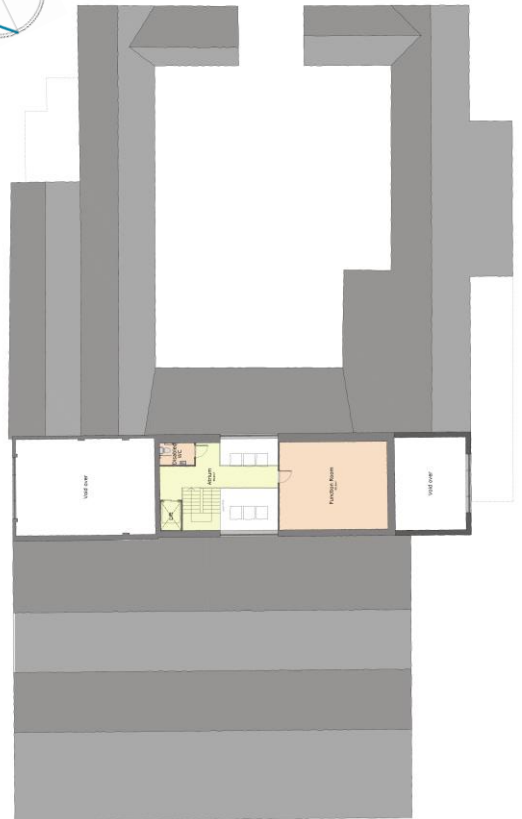


# Barn A – Proposed Floor Plans and Elevations

## Ground Floor



## First Floor

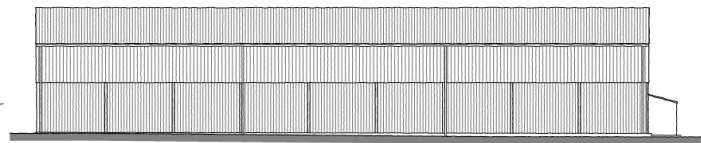
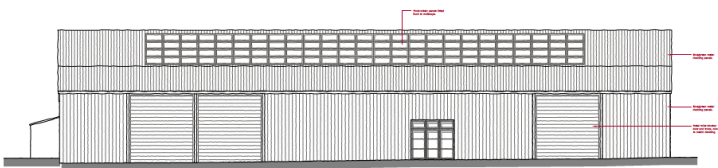
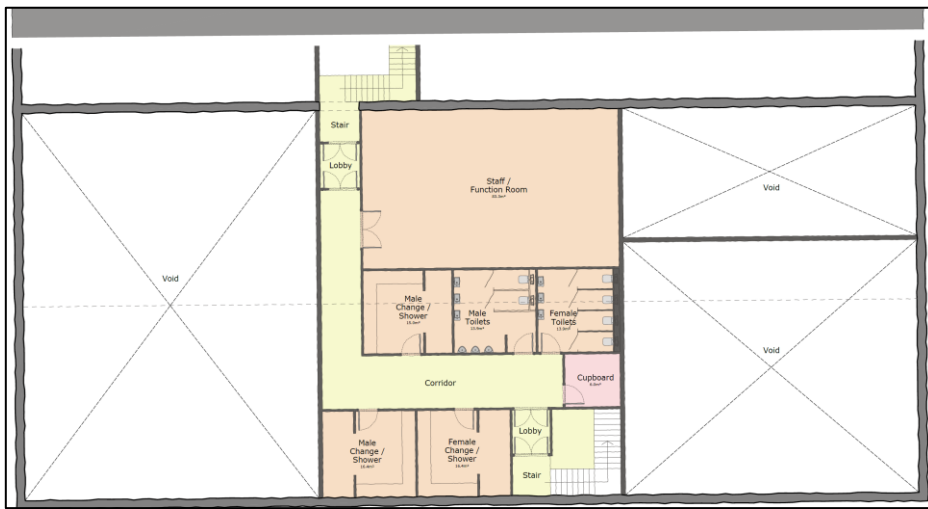


# Barn B – Proposed Floor Plans and Elevations

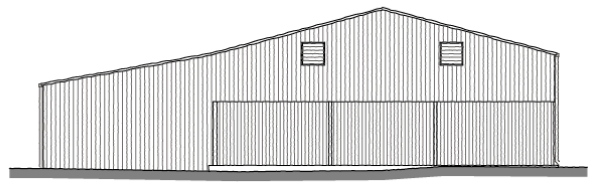
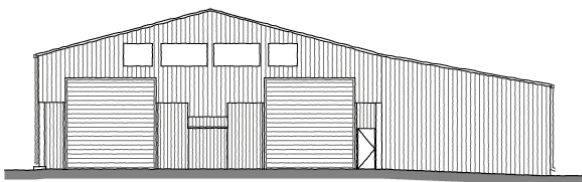
## Ground Floor



## First Floor



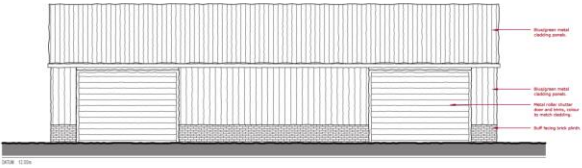
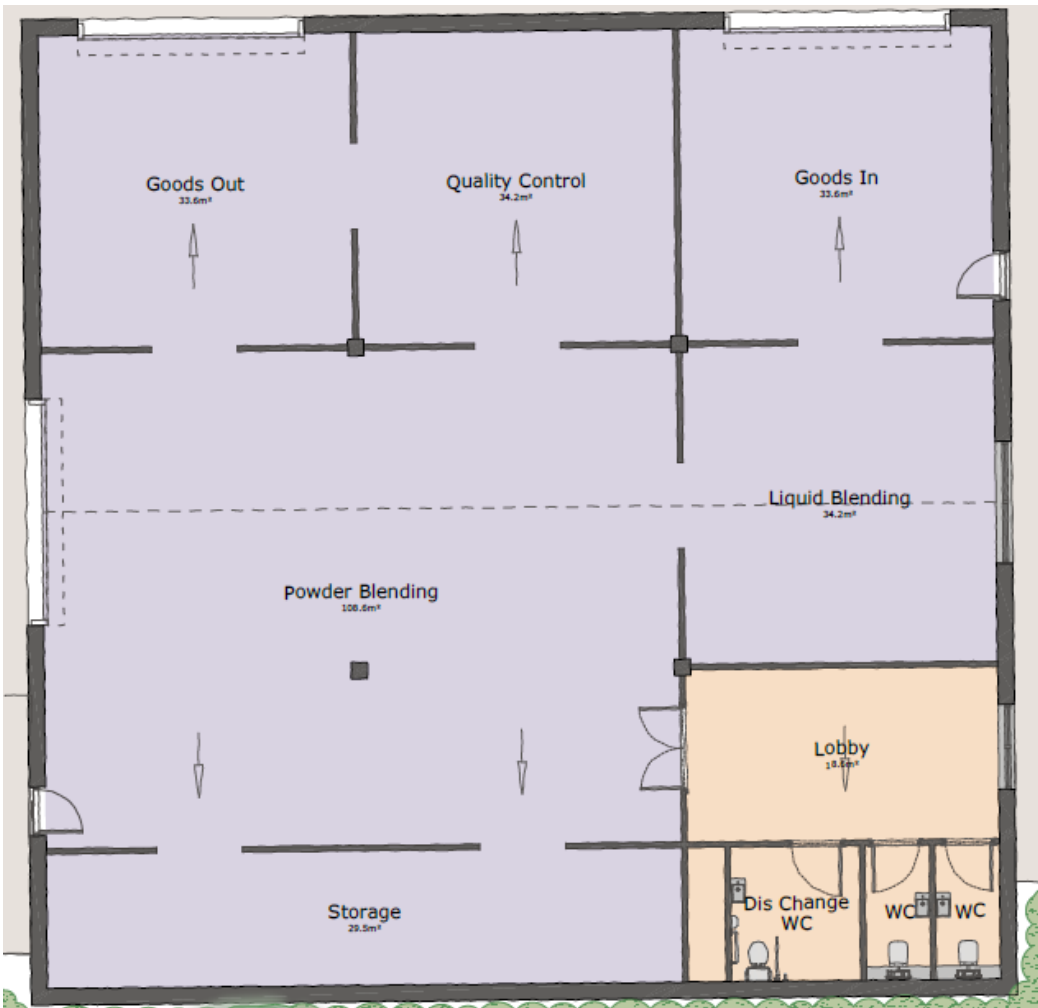
Elevation I



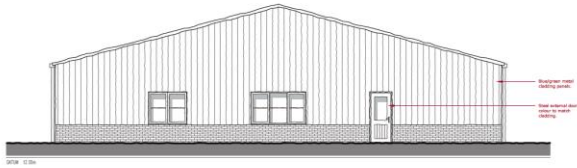
Elevation J

Elevation L

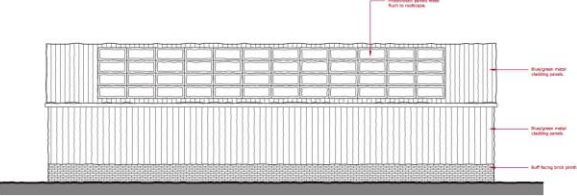
# Barn D – Proposed Floor Plans and Elevations



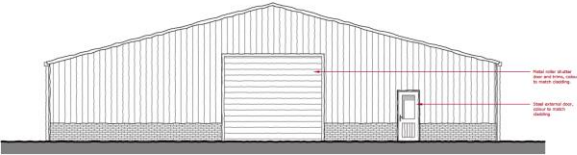
Elevation Q  
Scale 1:100



Elevation R  
Scale 1:100



Elevation S  
Scale 1:100



Elevation T  
Scale 1:100

**25/01097/MPO**

Land to the Rear of 30-40 Garden Close

Sutton

Cambridgeshire

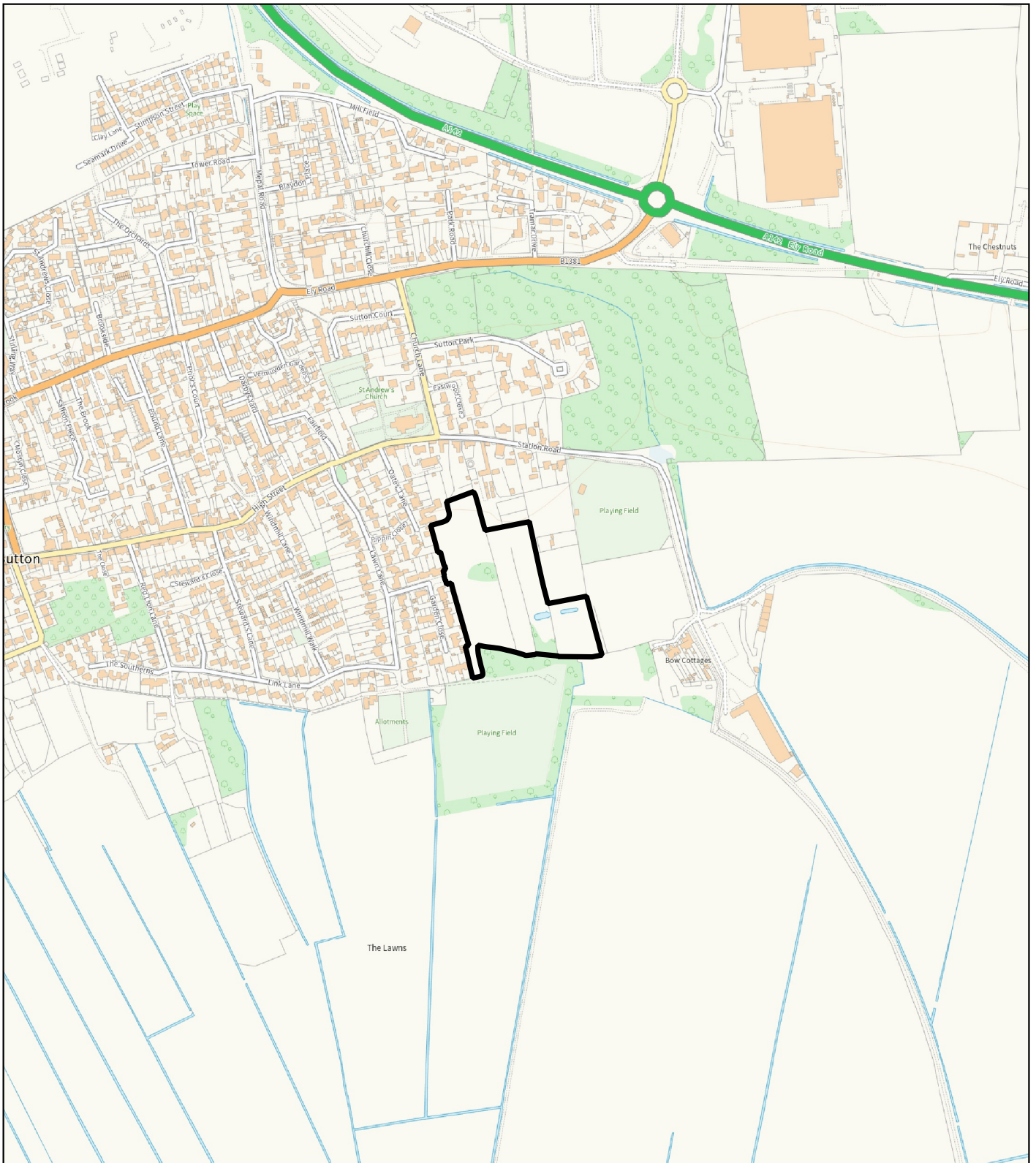
Application for the modification of planning obligation 17/01445/OUM for outline planning application for erection of up to 53 houses to include public open space and details relating to access

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25/01097/MPO



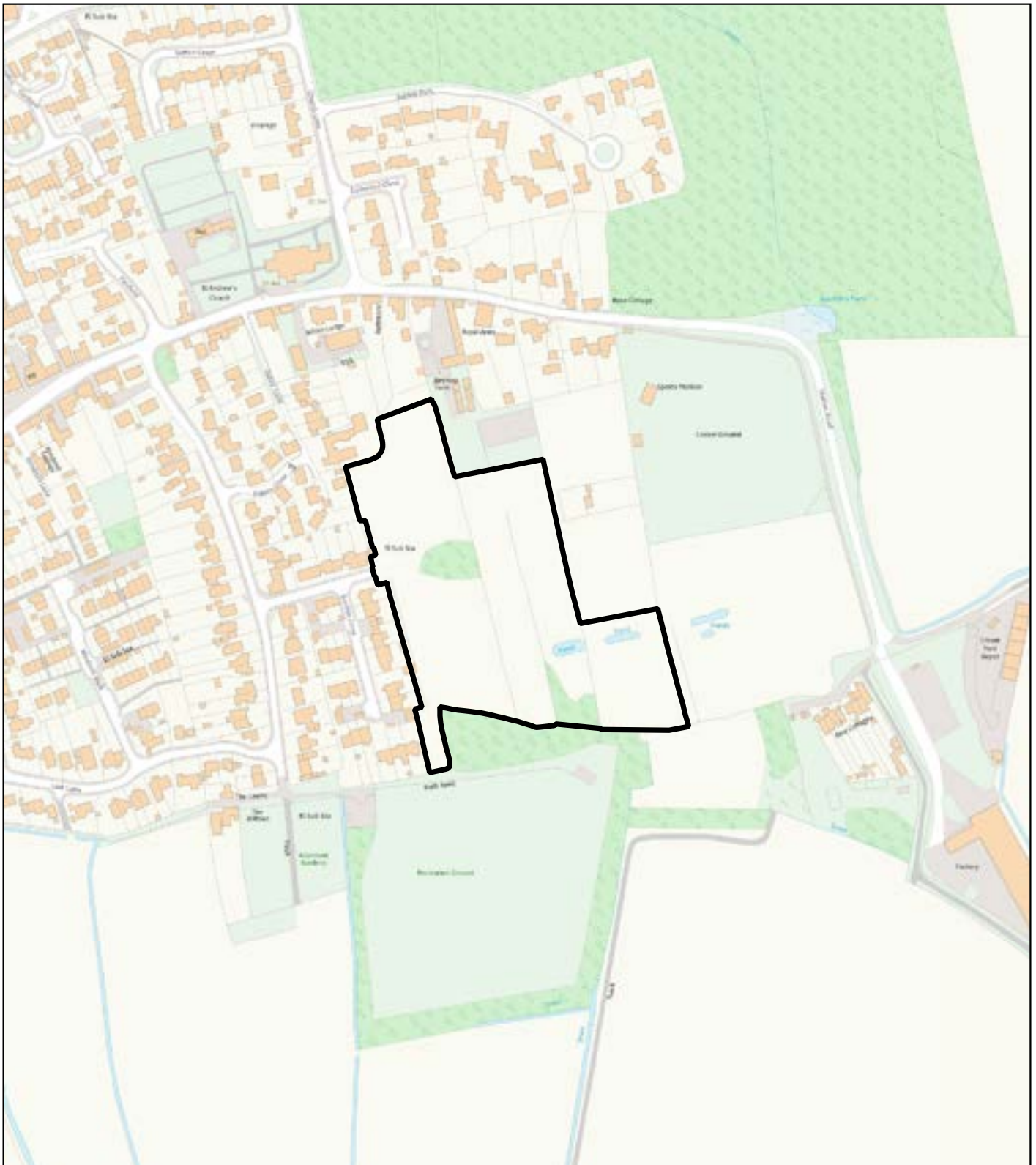
Land Rear Of 30 To 40  
Garden Close  
Sutton  
Cambridgeshire

East Cambridgeshire  
District Council

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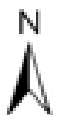
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**TITLE: 25/01097/MPO**

Committee: Planning Committee

Date: 3 June 2026

Author: Planning Team Leader

Report No: AB8

Contact Officer: Sophie Browne, Planning Team Leader  
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Room No 011 The Grange Ely

**Site Address: Land Rear Of 30 To 40 Garden Close Sutton Cambridgeshire**

**Proposal: Application for the modification of planning obligation 17/01445/OUM for outline planning application for erection of up to 53 houses to include public open space and details relating to access**

**Applicant: Abbey New Homes**

**Parish: Sutton**

**Ward: Sutton**

Ward Councillors: Lorna Dupre  
Mark Inskip

**Date Received: 7 October 2025**

**Expiry Date: 2 December 2025**

**Extension of Time Expiry Date: 5 June 2026**

### **Recommendation**

1. Members are recommended to REFUSE the application and to determine that, in accordance with Section 106A, paragraph (6)(a) of The Town and Country Planning Act 1990, as amended, the planning obligation shall continue to have effect without modification, for the reasons set out at paragraph 7.33 of this document.
2. The application is being heard by Committee having been called in by the Strategic Planning and Development Management Manager under the relevant Constitutional right to refer to Committee for determination any application for planning permission or other consent or matter which would otherwise be dealt with under delegated powers. Given the complex site history and historic sensitivity of the site, it is

considered appropriate that this application should be determined by the Planning Committee.

## Summary of Application

3. The current application is for the modification of the Section 106 legal agreement attached to permission 17/01445/OUM. It seeks to modify the obligation contained therein (Second Schedule, Part 1), which requires the provision of an affordable housing scheme prior to the first occupation of any market housing within the development, along with subsequent triggers in relation to the build out and occupation of the approved affordable housing scheme.
4. An affordable housing scheme was included within the reserved matters application (reference 22/00057/RMM), providing a policy-compliant scheme of fourteen affordable units in a scheme of forty-seven total dwellings, equating to 30% affordable homes.
5. The original proposal under the current application was for the omission of all affordable housing from the scheme, delivering 100% market housing on the site. During the lifetime of the application, two other potential proposals were put forward: the provision of four 'First Homes' within the site, or the provision of a commuted sum of £310,000 towards off-site affordable housing provision in lieu of on-site provision.
6. An application (reference 25/00667/VARM) to vary condition 1 (approved plans) of permission 22/00057/RMM is also currently pending consideration. This seeks to amend the approved plans to omit the approved affordable housing. As the determination of that proposal is directly related to the determination of the current proposal to modify the S106 agreement, application 25/00667/VARM is also before the Planning Committee for consideration today.
7. 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 [Simple Search](#).

## Planning History

8. The planning history of the site is complex. Two outline permissions, both for up to 53 dwellings, have been granted planning permission on the site, with applications to discharge conditions, vary the original permissions, and for approval of reserved matters subsequently submitted for both outline permissions. The following planning history sets out the history for each outline permission separately, for ease of understanding. In order to reduce the volume of information, applications for the discharge of conditions relating to the alternative permission on the site (outline permission 18/01053/OUM) have been omitted from this history.

### **17/01445/OUM** [to which the current application relates]

9. Outline planning application for erection of up to 53 houses to include public open space and details relating to access

*Refused* 5 January 2018  
*Allowed at Appeal* 18 January 2019

**20/00177/RMM**

10. Reserved matters for Outline planning application 17/01445/OUM for erection of up to 53 houses to include public open space and details relating to access

*Refused* 19 May 2020

**20/01169/RMM**

11. Reserved matters for Outline planning application 17/01445/OUM for erection of up to 53 houses to include public open space and details relating to access

*Refused* 4 January 2021  
*Dismissed at Appeal* 23 December 2021

**22/00057/RMM**

Reserved Matters for appearance, landscaping, scale and layout for the erection of 47 homes including public open space of previously approved Outline planning application 17/01445/OUM for erection of up to 53 houses to include public open space and details relating to access

*Refused* 27 April 2023  
*Allowed at Appeal* 8 July 2024

**17/01445/DISA**

12. To discharge Conditions 6 (fire hydrants) 7 (CEMP) 8 (surface water drainage) 10 (foul water) 13 (contamination) and 15 (archaeology) of decision dated 18/01/2019 (Appeal reference APP/V0510/W/18/3195976) for 17/01445/OUM Outline planning application for erection of up to 53 houses to include public open space and details relating to access
13. *Partially discharged* 22 August 2025, pending the submission of acceptable details in relation to Condition 15, parts iv and v (relating to the submission of reports and publication of findings from the fieldwork only).

**25/00667/VARM**

14. To Vary Condition 1 (Approved Plans) of previously 22/00057/RMM approved at appeal APP/V0510/W/23/3328203, dated 08 July 2024 for Reserved Matters for appearance, landscaping, scale and layout for the erection of 47 homes including public open space of previously approved Outline planning application 17/01445/OUM for erection of up to 53 houses to include public open space and details relating to access

*Pending Consideration*

**18/01053/OUM** [the alternative permission on the site]

15. Outline planning application for erection of up to 53 houses on land to the east of Sutton to include public open space and details relating to access

*Permitted* 12 January 2022

**23/00870/RMM**

16. Reserved matters for outline planning application 18/01053/OUM for 41 residential dwellings including Appearance, Layout Scale and Landscaping, along with parking and open space

*Permitted* 11 March 2024

**24/01096/VARM**

17. To Vary Condition 1 (Approved Plans) of previously approved 23/00870/RMM dated 11 March 2024 for reserved matters for outline planning application 18/01053/OUM for 41 residential dwellings including Appearance, Layout Scale and Landscaping, along with parking and open space

*Refused* 6 August 2024

18. [Officer comments: 24/01096/VARM was similar to the current proposal insofar as it sought to vary the approved plans to omit the approved affordable housing from the site, on the grounds that such provision was no longer viable.]

**The Site and its Environment**

19. The site extends to approximately 3.17 hectares (7.8 acres) and is situated within the development envelope of Sutton following the allocation of the site in the Sutton Neighbourhood Plan as a housing allocation. The site adjoins the built form of the village along the north and west boundary, which marks the current edge of the built form of the village with modern residential development in Garden Close and a more historic pattern of development along Station Road.

20. A number of ponds and water features are located in the south-eastern corner of the site inhabited by Great Crested Newts (GCNs). In terms of land levels there is a gradual slope down from north to south, representing approximately 7m (23ft) across the length of the site. The Sutton Conservation Area adjoins the northern boundary of the site and there are a number of listed buildings on Station Road and within close proximity of the site, including the Grade I Listed Church of St Andrew. The site is bounded by hedgerow and woodland to the south and open land to the east and there is a Tree Preservation Order (E/04/20) on three groups of trees, a hedgerow of hawthorn and a field maple.

## Response from Consultees

21. Responses were received from the following consultees: Strategic Planning, Housing Section, and the Ward Councillors, and these are summarised below. The full responses are available on the Council's web site.
- Strategic Planning - 27 April 2026**
22. Detailed response provided to submitted document 'Assessment of East Cambridgeshire Five Year Housing Land Supply' by Emery Planning. The consultation response sets out how the LPA projects its five year housing land supply (5YHLS) and defines what is a 'deliverable site' before directly and individually addressing the sites that the Emery Planning document asserts are not deliverable. The starting point for the comments is that the LPA's most recent 5YHLS report, published in December 2025, demonstrated a comfortable supply of 6.17 years. Each disputed site is addressed in turn and, for each, it is concluded that the LPA continues to be confident that the projected completions are reasonable.
- Housing Section – 7 May 2026**
23. Offer of four First Homes considered acceptable in light of viability appraisal.
- Ward Councillors (Cllrs Dupre and Inskip) - 15 December 2025**
24. Objection on the grounds that removal of all affordable housing from the site is contrary to the Local Plan and the local need identified by the Sutton Parish Council Housing Needs Assessment produced in support of the Neighbourhood Plan.
- 5 May 2026
25. Further response following proposal for the provision of a commuted sum or four 'First Homes' noted the viability appraisals but Cllrs Dupre and Inskip "*believe that neither offer is sufficient. In the event however that the council makes a choice between two inadequate offers, we both believe that the four 'First Homes' offer is preferable to the commuted sum offer firstly because it delivers a return within NPPG guidance, but also because it retains four properties below market levels on the site, and in the village of Sutton.*"
- 5.2 Owing to the nature of the application, there was no requirement to display a site notice nor write to neighbouring residential properties.

## The Planning Policy Context

26. Given the limited nature of the proposal and related material considerations, the policy context provided below is limited to that which is considered relevant to the proposal.
27. **East Cambridgeshire Local Plan 2015 (as amended 2023)**  
HOU3 Affordable housing provision
28. **Sutton Neighbourhood Plan 2024**  
SUT3 Land East of Garden Close

29. **Supplementary Planning Documents**  
Developer Contributions SPD
30. **National Planning Policy Framework (December 2024)**  
Section 4 Decision-making  
Section 5 Delivering a sufficient supply of homes
31. **Draft National Planning Policy Framework (December 2025)**  
Section 3 Decision-making policies  
Section 6 Delivering a sufficient supply of homes
32. On 16th December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. Regard has therefore been had to the NPPF published in December 2024 in assessing the current application.
33. **Planning Practice Guidance (PPG)**

### **Planning Material Considerations and Comments**

34. Evidence has been provided that the applicant submitted a CIL Commencement Notice to the Council with a projected commencement date of 2<sup>nd</sup> March 2026 and that a CIL payment was received by the Council on 10<sup>th</sup> April 2026, both in relation to permission 22/00057/RMM, with photographic evidence provided of material operations having commenced on site (in the form of foundations having been dug). In addition to this, records indicate that the pre-commencement conditions relating to the outline application (17/01445/OUM) have been complied with. On this basis, the permission to which the current application relates appears to have been implemented and is therefore considered extant.
35. Under Section 106A of The Town and Country Planning Act 1990 (as amended), a person against whom a planning obligation is enforceable may, after a prescribed period of time, apply to the Local Planning Authority (LPA), as the appropriate authority, for the obligation to be modified or discharged. In this context, the term 'discharged' means to be released from the planning obligation. Where such an application is made, the LPA may determine:
- that the obligation shall continue to have effect without modification,
  - that it shall be discharged if it no longer serves a useful purpose, or
  - that it shall have effect subject to the modifications specified in the application if it would continue to serve a useful purpose subject to those modifications.
36. The matters considered relevant to the current proposal are considered in turn below.

## Viability

37. Local Plan Policy HOU3 seeks to secure affordable housing provision in developments of over ten dwellings at a level of at least 30% of the total number of dwellings for schemes in the north of the District. It makes provision for the negotiation of the proportion and type of affordable housing with applicants, taking into account the financial viability of the development and requiring applicants to provide a financial viability assessment as part of the planning application where the provision of less than 30% affordable housing is sought. It goes on to state that affordable housing should be provided on-site unless exceptional circumstances have been agreed with the Council and justified as part of the planning application.
38. NPPF paragraph 59 sets out that the onus is on the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage and that the weight given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the development plan and underpinning evidence are up to date and any change in circumstances since the plan came into force.
39. The basis for the current proposal to discharge or modify the S106 obligation is that the legal agreement dates from September 2018 and housebuilding economics have changed significantly in the interim, with escalating build costs set against significantly slower rates of house price rises. The covering letter submitted with the application states that *“In general terms, house prices have risen by about 16% since September 2018 and construction costs have risen by about 40% (depending on which index is used).”* Given this, the applicant contends that the policy-compliant scheme approved under application 22/00057/RMM is no longer financially viable and seeks to remove or reduce the requirement to provide affordable housing as part of the scheme in order to remedy this.
40. In relation to the financial viability of development proposals, the PPG sets out that *“an assumption of 15-20% of gross development value (GDV) may be considered a suitable return to developers”* (Paragraph: 019 Reference ID: 10-019-20190509).
41. The application is supported by a viability appraisal by BNP Paribas, along with a number of subsequent addendum letters reflecting the assessments of the differing affordable housing offers discussed during the lifetime of the application. The LPA commissioned an independent viability consultant, BPC, to review and assess the appraisal and subsequent addendums.
42. The reviews by BPC concur with the appraisals provided by BNP Paribas, the BPC report of November 2025 concurring that a policy-compliant scheme with 30% affordable housing provision would return a profit of 9.57% of GDV, with the conclusions of the subsequent BPC letter dated 13<sup>th</sup> April 2026 summarised as follows:
- A 100% market scheme would return a profit of 16.56% of GDV
  - A scheme providing four First Homes would return a profit of 15.65% of GDV
  - A 100% market scheme with a commuted sum of £310,000 towards off-site AH provision would return a profit of 14.67% of GDV

43. On the basis of the above, it is clear that the return to the developer on the delivery of the approved, policy-compliant, scheme would return a profit well below the guidance values provided within the PPG. Similarly, the provision of a 100% market scheme with a commuted sum towards off-site provision would fall short of the guideline 15-20% return. A scheme providing four on-site First Homes would return a profit within the bracket set out within the PPG, with a 100% market scheme providing the maximum return to the developer, albeit still at the lower end of the PPG guideline bracket.

### **Affordable Housing**

44. As set out previously, Local Plan Policy HOU3 seeks, under most circumstances, to secure on-site affordable housing provision in developments of over ten dwellings at a level of at least 30% of the total number of dwellings for schemes in the north of the District. It makes provision for the negotiation of the proportion and type of affordable housing with applicants, taking into account the financial viability of the development, and expects affordable housing to be provided on-site unless exceptional circumstances can be demonstrated to justify off-site provision or the payment of a commuted sum in lieu of direct provision.
45. NPPF Section 5 seeks to ensure the delivery of a sufficient supply of homes. Paragraphs 63 and 64 relate to the requirement for planning policies to reflect evidenced local housing need, including the provision of affordable homes. Paragraph 66 states that *“Where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures.”* Footnote 31, which relates to this paragraph, states the requirement for 25% of affordable housing as First Homes no longer applies but that *“delivery of First Homes can, however, continue where local planning authorities judge that they meet local need.”*
46. As noted at paragraph 2.1 of this report, the initial proposal was for the omission of all affordable housing from the development. Over the lifetime of the application, two alternative proposals have been put forward, for the provision of four on-site First Homes or the payment of a commuted sum towards off-site provision. As set out at paragraphs 7.10 and 7.11 above, of the proposed schemes that include affordable housing provision, only the scheme providing four on-site First Homes would return a profit within the 15-20% expected range as set out in the PPG.
47. Over the lifetime of the application, extensive informal discussions with the Council’s Housing Strategy and Enabling Officer have taken place. From these, it is understood that there is currently a high demand for affordable rented homes in Sutton and that the primary affordable housing need across the District as a whole is also for affordable rented accommodation. Given this, and that NPPF support for the provision of First Homes is limited to *“where local planning authorities judge that they meet local need”*, it is considered that the provision of First Homes would not meet evidenced local housing needs, as required by the NPPF. Nevertheless, as reflected in the Housing Strategy Officer’s formal comments, the proposal for four on-site First Homes may be considered acceptable on balance, in light of the viability assessments.

48. It is noted that the LPA has recently received an Appeal Decision (reference APP/V0510/W/25/3368808), dated 1<sup>st</sup> May 2026, relating to a rural exception site for the provision of 126 affordable homes (application reference 24/01135/OUM). Whilst the Inspector recognised that the scheme conflicted with the locational strategy for development within the District and that it would give rise to harm in terms of landscape and visual impacts, it was also recognised that “*there is significant need for affordable housing with the district as a whole and the provision of 126 affordable homes should be afforded significant weight*” (Appeal Decision, paragraph 44). In combination with identified highway improvements and biodiversity benefits, the benefit of the affordable housing provision was considered to outweigh the identified harms and the Appeal was allowed. The weight attributed to the need for affordable housing within the District should be given due consideration in the assessment of the current proposal.

### **Five Year Housing Land Supply**

49. Within the cover letter submitted as part of the initial application package, it is noted that application 24/01096/VARM, to vary condition 1 (approved plans) of permission 23/00870/RMM (in relation to the alternative scheme consented at the site under outline permission 18/01053/OUM) in order to omit the affordable housing, was refused for the following reason:  
*The removal of Affordable Housing contribution from the approved plans under ref: 23/00870/RMM and the potential realisation of risk in its delivery is considered unacceptable in conjunction with the applicant not providing evidence of other options for the delivery of a policy compliant scheme and whether this is unviable. The current unviability of the scheme may also change over the lifetime of the permission and there is extant permission for a larger scheme which is viable. The Council's five year land supply report, last published in December 2024 also demonstrates a 6.28 supply over five year period and the immediate provision of a fully market scheme at the expense of much needed affordable housing is not justified and the 'tilted balance' is not being engaged. As such, the proposed removal of affordable housing contribution is considered contrary to policy HOU 3 of the East Cambridgeshire Local Plan 2015.*
50. In the interests of addressing the various elements of this refusal reason, the current application includes an assessment of the LPA's 5 year housing land supply (5YHLS) by Emery Planning, which challenges the deliverability of some sites and concludes that the LPA can demonstrate only a 4.76 year supply. On this basis, the applicant contends that the 'tilted balance' should be engaged and that the overall benefit of the market housing contribution of the scheme would, in this context, outweigh the disbenefits of the omission of affordable housing.
51. The Emery Planning assessment has been reviewed by the LPA's Strategic Planning team and a full response provided, which is summarised at Section 5 of this report. It refutes the findings of the Emery Planning assessment and evidences that the LPA is confident that it maintains a comfortable housing land supply of 6.17 years. Given this, it is considered that the 'tilted balance' is not engaged at the present time.

## **Other Matters**

52. The outline permission to which the current proposal relates was permitted at Appeal. In determining the Appeal, the Inspector noted both that the LPA could not demonstrate a 5YHLS at the time and that, since the refusal of the application that was the subject of the Appeal, *“the Appellant submitted a further application to the Council for the same development albeit with a different indicative site layout. Both main parties have confirmed that the Council have resolved to approve this subsequent application subject to the completion of a section 106 agreement to deliver various infrastructure requirements and affordable housing. This is a material planning consideration for which I give very great weight.”* (Appeal Decision, paragraph 9). The application that the Inspector referenced was the alternative permission on the site, reference 18/01053/OUM.
53. The Officer Report for application 18/01053/OUM sets out the planning balance at Section 7.9. It notes that the LPA was unable to demonstrate a 5YHLS at the time of the assessment and, separately, that the provision of affordable housing was afforded significant positive weight in the balance. Other planning benefits were noted and some limited harms identified, with the balance clearly weighing in favour of the scheme.
54. In addition to the above, it is noted that the Appeal Decision that allowed the reserved matters application (reference 22/00057/RMM) relating to permission 17/01445/OUM sets out, at paragraph 33, that the proposal would lead to less than substantial harm to the setting of the Sutton Conservation Area and nearby listed buildings but that the Inspector attributed *“great weight, in this case, the provision of up to 47 additional dwellings, a significant number of which are single-storey two-bedroom homes alongside the provision of affordable housing would be a public benefit which clearly outweighs”* this identified harm.

## **Human Rights Act**

55. The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

## **Equalities and Diversities**

56. In considering this planning application due regard has been had to the public sector equality duty (PSED) under Section 149 of the Equality Act 2010, which means that the Council must have due regard to the need (in discharging its

functions) to put an end to unlawful behaviour that is banned by the Equality Act, including discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not. Account has been taken of the PSED and it is considered that the recommendation set out below would not undermine the objectives of the duty.

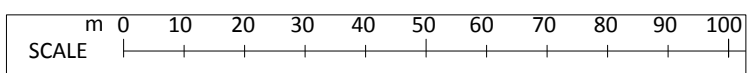
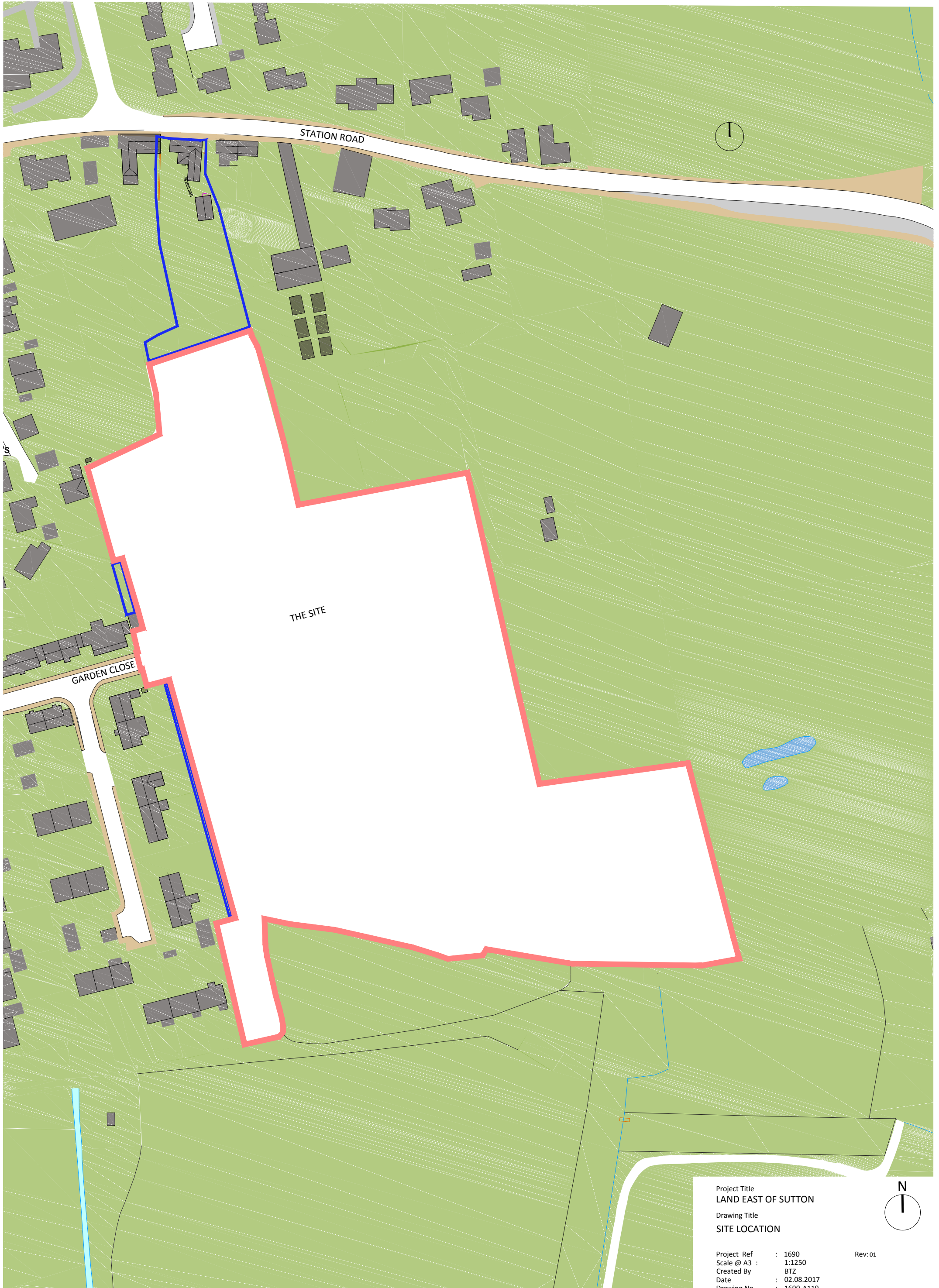
### **Planning Balance, Conclusion, and Recommendation**

57. The outline permission to which this application relates was approved in the context of the 'tilted balance' with significant weight being attributed to the provision of affordable housing. Similarly, the Appeal Inspector who allowed the reserved matters application attributed positive weight to the provision of affordable housing in the planning balance. A very recent Appeal Decision, dated 1<sup>st</sup> May 2026, has noted a "*significant need for affordable housing*" within the District and attributed significant positive weight to the provision of such in the planning balance, albeit at a greater scale than that under consideration within the current application.
58. The submitted viability assessments are accepted and it is recognised that the approved, policy-compliant, development would not return a profit that aligns with the guidance set out in the PPG, making delivery of the scheme financially unviable. The only proposal presented that included affordable housing that would return the expected level of profit would be the on-site provision of four First Homes, however First Homes are considered not to meet the identified affordable housing needs of the District.
59. The outline permission was granted at time when the LPA could not demonstrate a 5YHLS. This is no longer the case, with the LPA being confident in a 6.17 year supply. Given the scale of this development, at 47 dwellings, it is considered that the 5YHLS would not be undermined if this site did not come forward. It is noted, however, that the applicant has provided evidence that the development has been implemented, which means that it would now remain extant in perpetuity whether or not development proceeds in the short term.
60. As set out above, the considerations of the assessment are complex, inter-linked, and finely balanced. The current unviability of the approved scheme is recognised and weighs in favour of the proposal to modify the S106 agreement to reduce the required level of affordable housing, as this would allow the scheme to come forward and contribute to the housing stock for the District. Weighing against the proposal, however, is that the viable affordable housing provision would be small scale and not of a type that would meet local needs. The failure to deliver the site in the short term would not undermine the LPA's 5YHLS and the permission has been implemented: there is therefore the option to leave the site fallow at present on the basis that market forces may alter again in the future to create a more viable context for the provision of affordable housing within the scheme. Given this, on balance, the recommendation is that the application should be refused and that the planning obligation in the S106 Legal Agreement relating to affordable housing provision should continue to have effect without modification

## **Appendices**

### **Plans**

Owing to the nature of the application, there are no plans of direct relevance to the proposal. The site location plan for the parent application, reference 17/01445/OUM, is provided for reference.



**25/00667/VARM**

Land to the Rear of 30-40 Garden Close

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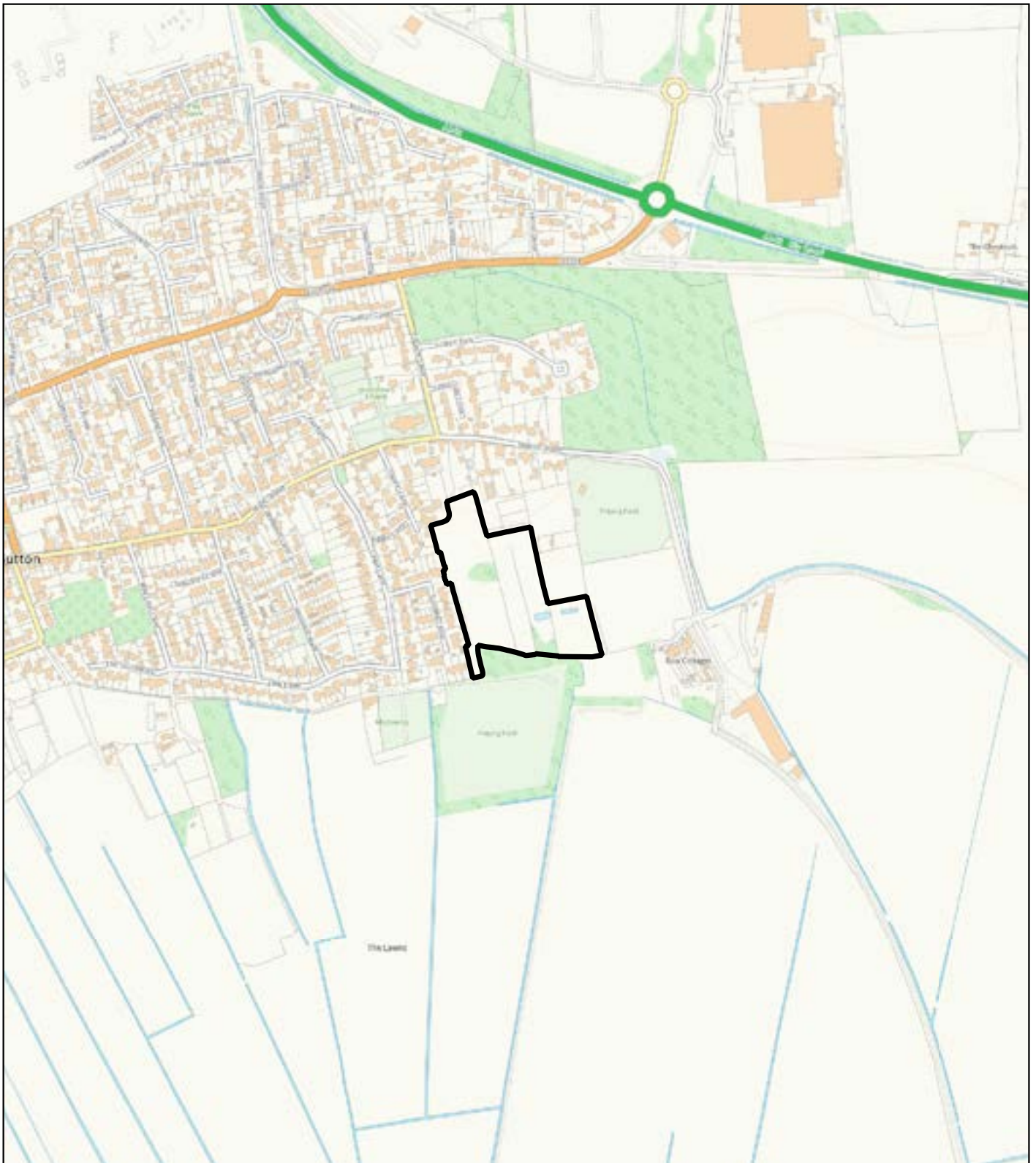
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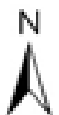
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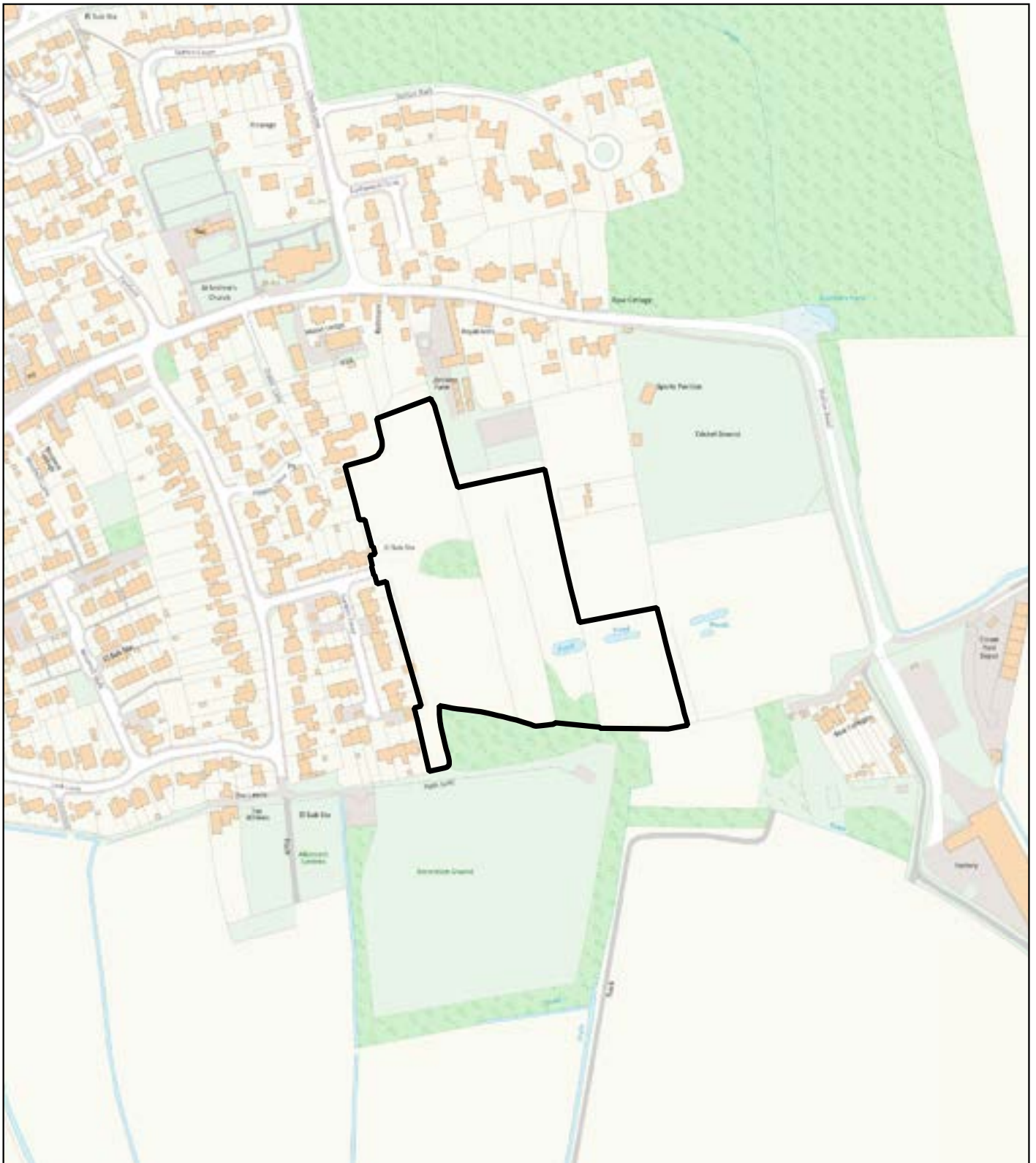
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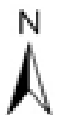
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**TITLE: 25/00667/VARM**

Committee: Planning Committee

Date: 3 June 2026

Author: Planning Team Leader

Report No: AB9

Contact Officer: Sophie Browne, Planning Team Leader  
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01353 616483  
Room No 011 The Grange Ely

**Site Address: Land Rear Of 30 To 40 Garden Close Sutton Cambridgeshire**

**Proposal: To Vary Condition 1 (Approved Plans) of previously 22/00057/RMM approved at appeal APP/V0510/W/23/3328203, dated 08 July 2024 for Reserved Matters for appearance, landscaping, scale and layout for the erection of 47 homes including public open space of previously approved Outline planning application 17/01445/OUM for erection of up to 53 houses to include public open space and details relating to access**

**Applicant: Abbey Developments Ltd**

**Parish: Sutton**

**Ward: Sutton**

Ward Councillor/s: Lorna Dupre  
Mark Inskip

**Date Received: 4 July 2025**

**Expiry Date: 3 October 2025**

**Extension of Time Expiry Date: 5 June 2026**

### **Recommendation**

1. Members are recommended to REFUSE the application for the following reason(s):

The proposed omission of the affordable housing from the approved development is contrary to the requirements of Policy HOU 3 of the East Cambridgeshire Local Plan 2015, as amended 2023, and Section 5 of the National Planning Policy Framework. Permission 22/00057/RMM is extant and the current unviability of the scheme may change over time. The Council can currently demonstrate a 6.17 year housing land supply over a five year period and there is a demonstrable need for

affordable rented accommodation within the District. The benefits of the immediate provision of a fully market scheme are not, therefore, considered to outweigh the harm of that would arise from the omission of the affordable housing from the scheme.

2. The application is being heard by Committee having been called in by the Strategic Planning and Development Management Manager under the relevant Constitutional right to refer to Committee for determination any application for planning permission or other consent or matter which would otherwise be dealt with under delegated powers. Given the complex site history and historic sensitivity of the site, it is considered appropriate that this application should be determined by the Planning Committee.

### **Summary of Application**

3. This is a Section 73 application that seeks to vary Condition 1 (approved plans) of permission 22/00057/RMM to omit the affordable housing from the scheme. A number of amended drawings have been submitted to this end, however the majority of the amendments relate solely to the labelling and annotations on the drawings. In practical terms, there would be no visual alterations to the approved scheme, the only material change being the change in tenure types. The only matter under consideration, therefore, is the acceptability of the proposed omission of the affordable housing from the development.
4. An application (reference 25/01097/MPO) to modify the clause relating to affordable housing within the Section 106 Legal Agreement attached to permission 17/01445/OUM is also currently pending consideration. As the determination of that proposal will directly impact the determination of the current proposal, application 25/01097/MPO is also before the Planning Committee for consideration today.
5. 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 [Simple Search](#).

### **Planning History**

6. 3.1 The planning history of the site is complex. Two outline permissions, both for up to 53 dwellings, have been granted planning permission on the site, with applications to discharge conditions, vary the original permissions, and for approval of reserved matters subsequently submitted for both outline permissions. The following planning history sets out the history for each outline permission separately, for ease of understanding. In order to reduce the volume of information, applications for the discharge of conditions relating to the alternative permission on the site (outline permission 18/01053/OUM) have been omitted from this history.

#### **17/01445/OUM** [to which the current application relates]

7. Outline planning application for erection of up to 53 houses to include public open space and details relating to access

*Refused* 5 January 2018  
*Allowed at Appeal* 18 January 2019

**20/00177/RMM**

8. Reserved matters for Outline planning application 17/01445/OUM for erection of up to 53 houses to include public open space and details relating to access

*Refused* 19 May 2020

**20/01169/RMM**

9. Reserved matters for Outline planning application 17/01445/OUM for erection of up to 53 houses to include public open space and details relating to access

*Refused* 4 January 2021  
*Dismissed at Appeal* 23 December 2021

**22/00057/RMM**

10. Reserved Matters for appearance, landscaping, scale and layout for the erection of 47 homes including public open space of previously approved Outline planning application 17/01445/OUM for erection of up to 53 houses to include public open space and details relating to access

*Refused* 27 April 2023  
*Allowed at Appeal* 8 July 2024

**17/01445/DISA**

11. To discharge Conditions 6 (fire hydrants) 7 (CEMP) 8 (surface water drainage) 10 (foul water) 13 (contamination) and 15 (archaeology) of decision dated 18/01/2019 (Appeal reference APP/V0510/W/18/3195976) for 17/01445/OUM Outline planning application for erection of up to 53 houses to include public open space and details relating to access
12. *Partially discharged* 22 August 2025, pending the submission of acceptable details in relation to Condition 15, parts iv and v (relating to the submission of reports and publication of findings from the fieldwork only).

**25/01097/MPO**

13. Application for the modification of planning obligation 17/01445/OUM for outline planning application for erection of up to 53 houses to include public open space and details relating to access

*Pending Consideration*

**18/01053/OUM** [the alternative permission on the site]

14. Outline planning application for erection of up to 53 houses on land to the east of Sutton to include public open space and details relating to access

*Permitted* 12 January 2022

**23/00870/RMM**

15. Reserved matters for outline planning application 18/01053/OUM for 41 residential dwellings including Appearance, Layout Scale and Landscaping, along with parking and open space

*Permitted* 11 March 2024

**24/01096/VARM**

16. To Vary Condition 1 (Approved Plans) of previously approved 23/00870/RMM dated 11 March 2024 for reserved matters for outline planning application 18/01053/OUM for 41 residential dwellings including Appearance, Layout Scale and Landscaping, along with parking and open space

*Refused* 6 August 2024

17. [Officer comments: 24/01096/VARM was similar to the current proposal insofar as it sought to vary the approved plans to omit the approved affordable housing from the site, on the grounds that such provision was no longer viable.]

**The Site and its Environment**

18. The site extends to approximately 3.17 hectares (7.8 acres) and is situated within the development envelope of Sutton following the allocation of the site in the Sutton Neighbourhood Plan as a housing allocation. The site adjoins the built form of the village along the north and west boundary, which marks the current edge of the built form of the village with modern residential development in Garden Close and a more historic pattern of development along Station Road.
19. A number of ponds and water features are located in the south-eastern corner of the site inhabited by Great Crested Newts (GCNs). In terms of land levels there is a gradual slope down from north to south, representing approximately 7m (23ft) across the length of the site. The Sutton Conservation Area adjoins the northern boundary of the site and there are a number of listed buildings on Station Road and within close proximity of the site, including the Grade I Listed Church of St Andrew. The site is bounded by hedgerow and woodland to the south and open land to the east and there is a Tree Preservation Order (E/04/20) on three groups of trees, a hedgerow of hawthorn and a field maple.

## Responses from Consultees

20. Responses were received from the following consultees, as summarised below. The full responses are available on the Council's web site.
- Lead Local Flood Authority - 23 July 2025**
21. 'No comment' response.
- Parish - 21 August 2025**
22. Objection on the grounds that the proposal fails to meet the requirements of Neighbourhood Plan Policy SUT3 or Local Plan affordable housing requirements.
- Ward Councillors - 29 September 2025**
23. Objection on the grounds that the removal of affordable housing would be contrary to Local Plan requirements to make a contribution to local housing needs, as evidenced by the Sutton Parish Council Housing Needs Assessment (AECOM, 2021).
24. **Technical Officer Access - No Comments Received**
25. **Design Out Crime Officers - 29 July 2025**  
'No comment' response.
26. **Anglian Water Services Ltd - 10 July 2025**  
'No comment' response.
- Cambridgeshire Archaeology - 10 July 2025**
27. No objection but notes that the post excavation programme, including reporting and archiving, as required by the condition attached to the outline permission remains outstanding.
28. **Cambridgeshire County Council Education - No Comments Received**
29. **CCC Growth & Development - No Comments Received**
- Cambridgeshire Fire And Rescue Service - 21 July 2025**
30. No objection subject to conditions to secure an appropriate scheme of fire hydrants to serve the development.
31. **Cambs Wildlife Trust - No Comments Received**
32. **Environment Agency - No Comments Received**
- Environmental Health - 16 July 2025**
33. 'No comment' response.
34. **Housing Section - No Comments Received**
- Local Highways Authority - 22 July 2025**
35. No objection.

36. **Ambulance Service** - No Comments Received
37. **Natural England** - No Comments Received
38. **Conservation Officer** - 10 July 2025  
'No comment' response.
39. **ECDC Trees Team** - 4 September 2025  
No objection.
40. **Waste Strategy (ECDC)** - 27 August 2025  
No objection.
41. **NHS England** - No Comments Received
42. **Middle Level Commissioners** - No Comments Received
43. A site notice was displayed near the site on 5 September 2025 and a press advert was published in the Cambridge Evening News on 17 July 2025.
44. Neighbours – 55 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.
- Drainage: exacerbation of existing flooding/surface water drainage problems in the area.
  - Infrastructure: pressure on e.g. schools and doctors' surgeries from additional housing.
  - Highways: poor access arrangements; exacerbation of existing parking and passing problems on Garden Close resulting in safety concerns; increased congestion in area.
  - Ecology: loss of habitat for deer, nesting birds, great crested newts, bats, and foxes; loss of trees.
  - Pollution: increased noise and air pollution from additional vehicles.
  - Residential amenity: loss of natural light to existing dwellings to the west; overlooking and loss of privacy to existing dwellings; noise disturbance and impacts of construction vehicle movements during construction.
  - Impact on the green belt.

## **The Planning Policy Context**

45. 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), The Sutton Neighbourhood Plan (2019) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).
46. **East Cambridgeshire Local Plan 2015 (as amended 2023)**  
GROWTH 2 Locational strategy  
GROWTH 3 Infrastructure requirements

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 efficiency and renewable energy in construction  
ENV 7 Biodiversity and geology  
ENV 8 Flood risk  
ENV 9 Pollution  
ENV 11 Conservation Areas  
ENV 12 Listed Buildings  
ENV 14 Sites of archaeological interest  
COM 7 Transport impact  
COM 8 Parking provision

47. **Sutton Neighbourhood Plan 2024**

SUT1 Spatial Strategy  
SUT2 Housing  
SUT3 Land East of Garden Close  
SUT5 Housing Mix  
SUT8 Biodiversity Net Gain  
SUT10 Heritage Assets  
SUT12 Local Character Areas  
SUT19 Design Considerations  
SUT20 Dark Skies  
SUT21 Flooding and Sustainable Drainage  
SUT22 Sustainable Building Practices

48. **Supplementary Planning Documents**

- Developer Contributions and Planning Obligations
- Design Guide
- Contaminated Land
- Guidance on submitted Planning Application on land that - may be contaminated
- Flood and Water
- Natural Environment
- Climate Change
- RECAP Waste Management Design Guide
- Sutton Conservation Area Appraisal

49. **Cambridgeshire & Peterborough Waste and Minerals Local Plan 2021**

50. **Cambridgeshire & Peterborough Local Nature Recovery Strategy 2026**

51. **Planning Practice Guidance**

52. **National Planning Policy Framework (December 2024)**

2 Achieving sustainable development  
4 Decision-making  
5 Delivering a sufficient supply of homes  
6 Building a strong, competitive economy  
8 Promoting healthy and safe communities  
9 Promoting sustainable transport

- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

53. **Draft National Planning Policy Framework (December 2025)**

- 3 Decision-making policies
- 4 Achieving sustainable development
- 5 Meeting the challenge of climate change
- 6 Delivering a sufficient supply of homes
- 7 Building a strong, effective economy
- 12 Making effective use of land
- 14 Achieving well-designed places
- 15 Promoting sustainable transport
- 16 Promoting health communities
- 18 Managing flood risk and coastal change
- 19 Conserving and enhancing the natural environment
- 20 Conserving and enhancing the historic environment

54. On 16th December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. Regard has therefore been had to the NPPF published in December 2024 in assessing the current application.

**Planning Material Considerations and Comments**

55. This is a Section 73 application to vary an existing permission, reference 22/0057/RMM. Evidence has been provided that the applicant submitted a CIL Commencement Notice to the Council with a projected commencement date of 2<sup>nd</sup> March 2026 and that a CIL payment was received by the Council on 10<sup>th</sup> April 2026, both in relation to permission 22/00057/RMM, with photographic evidence provided of material operations having commenced on site (in the form of foundations having been dug). In addition to this, records indicate that the pre-commencement conditions relating to the parent outline application (17/01445/OUM) have been complied with. On this basis, the permission to which the current application relates appears to have been implemented and is therefore considered extant.

56. In light of the above, the principle of the development has been established and this assessment is therefore confined solely to considerations material to the proposed amendment to the extant permission.

**Housing Mix**

57. As noted previously, the application seeks to vary the approved plans in order to omit the affordable housing from the scheme. The built form, layout, landscaping, materials, and all other operational development, would remain as per the approved scheme, with only the tenure of the fourteen approved affordable homes proposed for alteration.

58. In order to remove the affordable housing from the scheme, the relevant S106 obligation would first need to be discharged or modified, and this matter is pending consideration under application reference 25/01097/MPO. In this context, the term 'discharged' means to be released from the planning obligation. If that application is refused, it follows that the current application must also be refused. If the discharge of the relevant obligation under that application is approved, the current application may also be approved. If the relevant obligation is modified under that application, the proposal made under the current application may require amendment in order to align with the terms of the modified obligation.
59. Given the above, the material considerations in the assessment of the current application are the same as those for application reference 25/01097/MPO. The following therefore replicates the assessment written for that application. It should be noted that not all documents referred to in the following have been submitted for the current application, reference 25/00667/VARM.

### **Viability**

60. Local Plan Policy HOU3 seeks to secure affordable housing provision in developments of over ten dwellings at a level of at least 30% of the total number of dwellings for schemes in the north of the District. It makes provision for the negotiation of the proportion and type of affordable housing with applicants, taking into account the financial viability of the development and requiring applicants to provide a financial viability assessment as part of the planning application where the provision of less than 30% affordable housing is sought. It goes on to state that affordable housing should be provided on-site unless exceptional circumstances have been agreed with the Council and justified as part of the planning application.
61. NPPF paragraph 59 sets out that the onus is on the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage and that the weight given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the development plan and underpinning evidence are up to date and any change in circumstances since the plan came into force.
62. The basis for the current proposal to discharge or modify the S106 obligation is that the legal agreement dates from September 2018 and housebuilding economics have changed significantly in the interim, with escalating build costs set against significantly slower rates of house price rises. The covering letter submitted with the application states that "In general terms, house prices have risen by about 16% since September 2018 and construction costs have risen by about 40% (depending on which index is used)." Given this, the applicant contends that the policy-compliant scheme approved under application 22/00057/RMM is no longer financially viable and seeks to remove or reduce the requirement to provide affordable housing as part of the scheme in order to remedy this.
63. In relation to the financial viability of development proposals, the PPG sets out that "an assumption of 15-20% of gross development value (GDV) may be considered a suitable return to developers" (Paragraph: 019 Reference ID: 10-019-20190509).

64. The application is supported by a viability appraisal by BNP Paribas, along with a number of subsequent addendum letters reflecting the assessments of the differing affordable housing offers discussed during the lifetime of the application. The LPA commissioned an independent viability consultant, BPC, to review and assess the appraisal and subsequent addendums.
65. The reviews by BPC concur with the appraisals provided by BNP Paribas, the BPC report of November 2025 concurring that a policy-compliant scheme with 30% affordable housing provision would return a profit of 9.57% of GDV, with the conclusions of the subsequent BPC letter dated 13th April 2026 summarised as follows:
- *A 100% market scheme would return a profit of 16.56% of GDV*
  - *A scheme providing four First Homes would return a profit of 15.65% of GDV*
  - *A 100% market scheme with a commuted sum of £310,000 towards off-site AH provision would return a profit of 14.67% of GDV*
66. On the basis of the above, it is clear that the return to the developer on the delivery of the approved, policy-compliant, scheme would return a profit well below the guidance values provided within the PPG. Similarly, the provision of a 100% market scheme with a commuted sum towards off-site provision would fall short of the guideline 15-20% return. A scheme providing four on-site First Homes would return a profit within the bracket set out within the PPG, with a 100% market scheme providing the maximum return to the developer, albeit still at the lower end of the PPG guideline bracket.

### **Affordable Housing**

67. As set out previously, Local Plan Policy HOU3 seeks, under most circumstances, to secure on-site affordable housing provision in developments of over ten dwellings at a level of at least 30% of the total number of dwellings for schemes in the north of the District. It makes provision for the negotiation of the proportion and type of affordable housing with applicants, taking into account the financial viability of the development, and expects affordable housing to be provided on-site unless exceptional circumstances can be demonstrated to justify off-site provision or the payment of a commuted sum in lieu of direct provision.
68. NPPF Section 5 seeks to ensure the delivery of a sufficient supply of homes. Paragraphs 63 and 64 relate to the requirement for planning policies to reflect evidenced local housing need, including the provision of affordable homes. Paragraph 66 states that “Where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures.” Footnote 31, which relates to this paragraph, states the requirement for 25% of affordable housing as First Homes no longer applies but that “delivery of First Homes can, however, continue where local planning authorities judge that they meet local need.”.

69. As noted at paragraph 2.1 of this report, the initial proposal was for the omission of all affordable housing from the development. Over the lifetime of the application, two alternative proposals have been put forward, for the provision of four on-site First Homes or the payment of a commuted sum towards off-site provision. As set out at paragraphs 7.14 and 7.15 above, of the proposed schemes that include affordable housing provision, only the scheme providing four on-site First Homes would return a profit within the 15-20% expected range as set out in the PPG.
70. Over the lifetime of the application, extensive informal discussions with the Council's Housing Strategy and Enabling Officer have taken place. From these, it is understood that there is currently a high demand for affordable rented homes in Sutton and that the primary affordable housing need across the District as a whole is also for affordable rented accommodation. Given this, and that NPPF support for the provision of First Homes is limited to "where local planning authorities judge that they meet local need", it is considered that the provision of First Homes would not meet evidenced local housing needs, as required by the NPPF. Nevertheless, as reflected in the Housing Strategy Officer's formal comments, the proposal for four on-site First Homes may be considered acceptable on balance, in light of the viability assessments.
71. It is noted that the LPA has recently received an Appeal Decision (reference APP/V0510/W/25/3368808), dated 1st May 2026, relating to a rural exception site for the provision of 126 affordable homes (application reference 24/01135/OUM). Whilst the Inspector recognised that the scheme conflicted with the locational strategy for development within the District and that it would give rise to harm in terms of landscape and visual impacts, it was also recognised that "there is significant need for affordable housing with the district as a whole and the provision of 126 affordable homes should be afforded significant weight" (Appeal Decision, paragraph 44). In combination with identified highway improvements and biodiversity benefits, the benefit of the affordable housing provision was considered to outweigh the identified harms and the Appeal was allowed. The weight attributed to the need for affordable housing within the District should be given due consideration in the assessment of the current proposal.

### **Five Year Housing Land Supply**

72. Within the cover letter submitted as part of the initial application package, it is noted that application 24/01096/VARM, to vary condition 1 (approved plans) of permission 23/00870/RMM (in relation to the alternative scheme consented at the site under outline permission 18/01053/OUM) in order to omit the affordable housing, was refused for the following reason:  
The removal of Affordable Housing contribution from the approved plans under ref: 23/00870/RMM and the potential realisation of risk in its delivery is considered unacceptable in conjunction with the applicant not providing evidence of other options for the delivery of a policy compliant scheme and whether this is unviable. The current unviability of the scheme may also change over the lifetime of the permission and there is extant permission for a larger scheme which is viable. The Council's five year land supply report, last published in December 2024 also demonstrates a 6.28 supply over five year period and the immediate provision of a fully market scheme at the expense of much needed affordable housing is not justified and the 'tilted balance' is not being engaged. As such, the proposed

removal of affordable housing contribution is considered contrary to policy HOU 3 of the East Cambridgeshire Local Plan 2015.

73. In the interests of addressing the various elements of this refusal reason, the current application includes an assessment of the LPA's 5 year housing land supply (5YHLS) by Emery Planning, which challenges the deliverability of some sites and concludes that the LPA can demonstrate only a 4.76 year supply. On this basis, the applicant contends that the 'tilted balance' should be engaged and that the overall benefit of the market housing contribution of the scheme would, in this context, outweigh the disbenefits of the omission of affordable housing.
74. The Emery Planning assessment has been reviewed by the LPA's Strategic Planning team and a full response provided, which is summarised at Section 5 of this report. It refutes the findings of the Emery Planning assessment and evidences that the LPA is confident that it maintains a comfortable housing land supply of 6.17 years. Given this, it is considered that the 'tilted balance' is not engaged at the present time.

### **Other Matters**

75. The outline permission to which the current proposal relates was permitted at Appeal. In determining the Appeal, the Inspector noted both that the LPA could not demonstrate a 5YHLS at the time and that, since the refusal of the application that was the subject of the Appeal, "the Appellant submitted a further application to the Council for the same development albeit with a different indicative site layout. Both main parties have confirmed that the Council have resolved to approve this subsequent application subject to the completion of a section 106 agreement to deliver various infrastructure requirements and affordable housing. This is a material planning consideration for which I give very great weight." (Appeal Decision, paragraph 9). The application that the Inspector referenced was the alternative permission on the site, reference 18/01053/OUM.
76. The Officer Report for application 18/01053/OUM sets out the planning balance at Section 7.9. It notes that the LPA was unable to demonstrate a 5YHLS at the time of the assessment and, separately, that the provision of affordable housing was afforded significant positive weight in the balance. Other planning benefits were noted and some limited harms identified, with the balance clearly weighing in favour of the scheme.
77. In addition to the above, it is noted that the Appeal Decision that allowed the reserved matters application (reference 22/00057/RMM) relating to permission 17/01445/OUM sets out, at paragraph 33, that the proposal would lead to less than substantial harm to the setting of the Sutton Conservation Area and nearby listed buildings but that the Inspector attributed "great weight, in this case, the provision of up to 47 additional dwellings, a significant number of which are single-storey two-bedroom homes alongside the provision of affordable housing would be a public benefit which clearly outweighs" this identified harm.
78. In addition to the above, a number of comments have been received from interested third parties in relation to the current application, expressing concerns relating to potential impacts of the development on drainage, infrastructure, highways,

ecology, pollutions, residential amenity, and the green belt. Given that the current proposal would not alter any of the operational development from the approved scheme, however, none of these matters are material to assessment of the current proposal.

### **Human Rights Act**

79. The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

### **Equalities and Diversities**

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

### **Planning Balance and Conclusion**

81. The outline permission to which this application relates was approved in the context of the 'tilted balance' with significant weight being attributed to the provision of affordable housing. Similarly, the Appeal Inspector who allowed the reserved matters application attributed positive weight to the provision of affordable housing in the planning balance. A very recent Appeal Decision, dated 1<sup>st</sup> May 2026, has noted a "significant need for affordable housing" within the District and attributed significant positive weight to the provision of such in the planning balance, albeit at a greater scale than that under consideration within the current application.
82. The viability assessments submitted in relation to application reference 25/01097/MPO are accepted and it is recognised that the approved, policy-compliant, development would not return a profit that aligns with the guidance set out in the PPG, making delivery of the scheme financially unviable. The only proposal presented that included affordable housing that would return the expected level of profit would be the on-site provision of four First Homes, however First

Homes are considered not to meet the identified affordable housing needs of the District.

83. The outline permission was granted at time when the LPA could not demonstrate a 5YHLS. This is no longer the case, with the LPA being confident in a 6.17 year supply. Given the scale of this development, at 47 dwellings, it is considered that the 5YHLS would not be undermined if this site did not come forward. It is noted, however, that the applicant has provided evidence that the development has been implemented, which means that it would now remain extant in perpetuity whether or not development proceeds in the short term.
84. As set out above, the considerations of the assessment are complex, inter-linked, and finely balanced. The current unviability of the approved scheme is recognised and weighs in favour of the proposal to modify the S106 agreement to reduce the required level of affordable housing, as this would allow the scheme to come forward and contribute to the housing stock for the District. Weighing against the proposal, however, is that the viable affordable housing provision would be small scale and not of a type that would meet local needs. The failure to deliver the site in the short term would not undermine the LPA's 5YHLS and the permission has been implemented: there is therefore the option to leave the site fallow at present on the basis that market forces may alter again in the future to create a more viable context for the provision of affordable housing within the scheme. Given this, on balance, the recommendation for application reference 25/01097/MPO is that the application should be refused and that the planning obligation in the S106 Legal Agreement relating to affordable housing provision should continue to have effect without modification. As set out at paragraph 7.5 of this document, it therefore follows that the recommendation for the current application is also for refusal.

### **Recommendation**

85. The recommendation is for the refusal of application, for the following reason: The proposed omission of the affordable housing from the approved development is contrary to the requirements of Policy HOU 3 of the East Cambridgeshire Local Plan 2015, as amended 2023, and Section 5 of the National Planning Policy Framework. Permission 22/00057/RMM is extant and the current unviability of the scheme may change over time. The Council can currently demonstrate a 6.17 year housing land supply over a five year period and there is a demonstrable need for affordable rented accommodation within the District. The benefits of the immediate provision of a fully market scheme are not, therefore, considered to outweigh the harm of that would arise from the omission of the affordable housing from the scheme.

### **Appendices**

#### **Appendix A: Plans**

The following plans are a selection of those submitted as part of the application and are provided to illustrate the proposed development. They may not be to scale. The full suite of plans can be found on the Council's website.

22/00057/RMM (previously approved drawings):

1925/P/210.02 G	Site layout
1925/P/210.04 F	Materials layout
1925/P/220.52 C	Type AFF 2b Bung - Elevations

25/00667/VARM (proposed drawings):

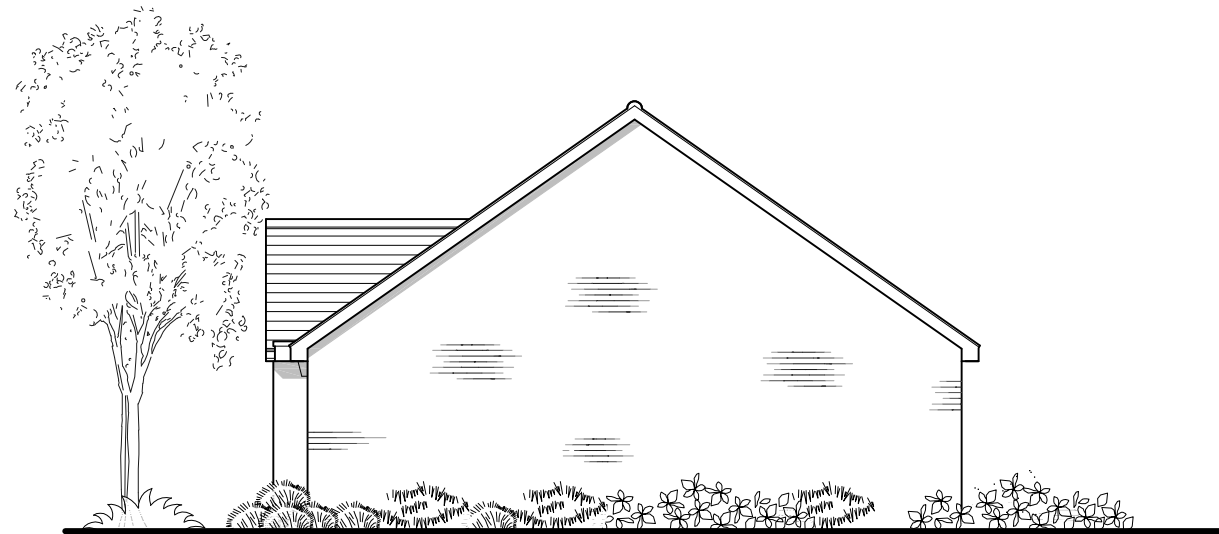
1925/P/210.02 J	Site layout
1925/P/210.04 G	Materials layout
1925/P/220.52 D	Type 2BB - Elevations



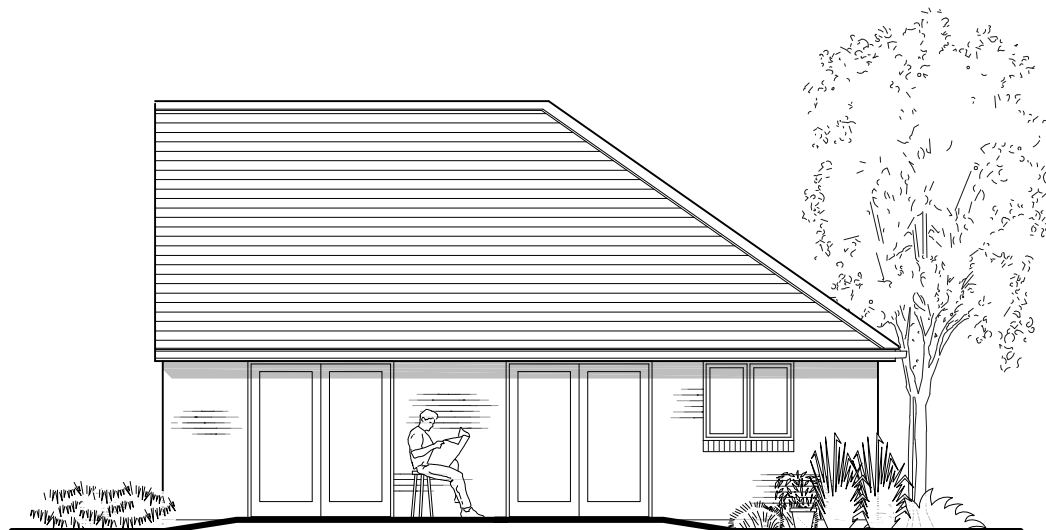


**Front Elevation**

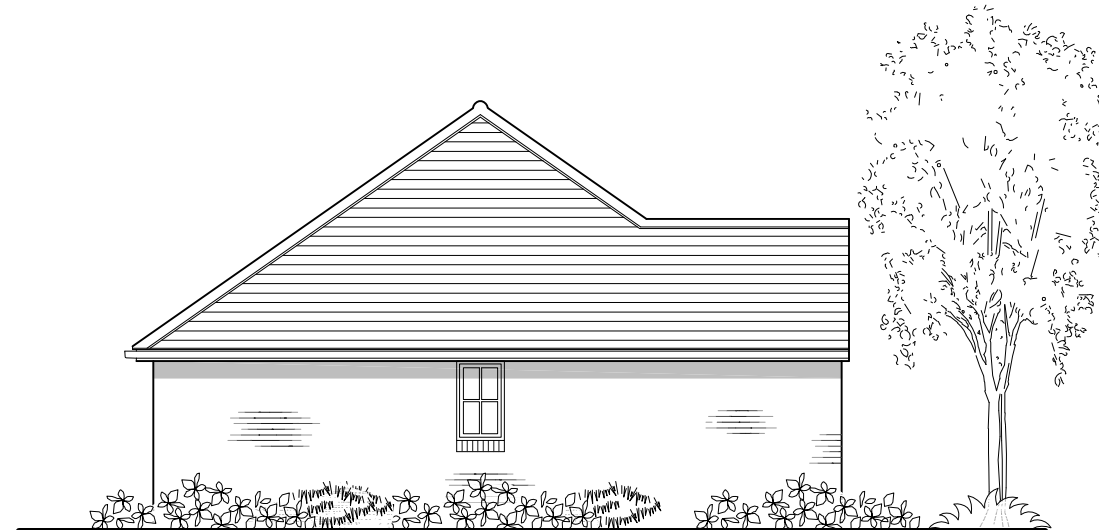
Plots: 12 & 13 - As drawn  
 Plots: 11 7 14 - Handed



**Side Elevation**



**Rear Elevation**



**Side Elevation**

Window to Plots  
 11 & 12 only

- Rev. C 13.01.23 Plots 13 & 14 added.
- Rev. B 18.10.22 Plot numbers updated to suit Site Layout revision C.
- Rev. A 20.06.22 Plot numbers updated to suit Site Layout revision B.



 <b>CMYK (Planning &amp; Design) Ltd</b> 6 The Gavel Centre, Porters Wood St Albans, Herts. AL3 6PQ t: 01727 830123 e: email@cmykuk.net www.cmykuk.net	For:	 Abbey Developments Ltd. Abbey House, 2 Southgate Road Potters Bar, Herts, EN6 5DU		Job:	Land off Garden Close, Sutton	
				Title:	Type AFF 2b Bung - Elevations	
		Scale:	1:100 @ A3	Date:	Jan 2022	
		Drg No:	1925 / P / 220.52		Rev:	C

Key

- Soft Red Facing Brick
- Buff Facing Brick
- Cream Render
- White Boarding
- Red Tile Hanging

Note: All roofs to be plain grey roof tiles.



Rev. F	23.02.23	Amended in accordance with Site Layout revision G.
Rev. E	10.01.23	Amended in accordance with Site Layout revision F.
Rev. D	25.11.22	Amended in accordance with Site Layout revision D & E.
Rev. C	18.10.22	Amended in accordance with Site Layout revision C.
Rev. B	20.06.22	Amended in accordance with Site Layout revision B.
Rev. A	04.03.22	Amended in accordance with Site Layout revision A.

**cmyk**  
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**Abbey**  
 Abbey Developments Ltd.  
 Abbey House,  
 2 Southgate Road,  
 Potters Bar, Herts,  
 EN8 5DU

For:	Job:	Land off Garden Close, Sutton
Title:	Materials Layout	
Scale:	Date:	Jan 2022
1:500 @ A1		
Dwg No:	1925 / P / 210.04	
Rev:	F	

Accommodation Schedule

<b>Private</b>			
2b Bung	2b Bungalow	x	10
3b Bung A	3b Bungalow	x	5
3b Bung B	3b Bungalow	x	2
Type V	2b Bungalow	x	5
Type 2b	2b House	x	2
Type A	3b House	x	3
Type N	4b House	x	6
<b>Total Private Dwellings</b>			
33			
<b>Affordable</b>			
Aff 2b Bung	2b Bungalow	x	4
2BHA	2b House	x	7
HA1	3b House	x	3
<b>Total Affordable Dwellings</b>			
14			
<b>Grand Total Dwellings</b>			
47			

\* Indicates M4.2 dwellings

Key

- Existing trees to be retained.
- New indicative tree planting.
- Existing trees to be removed.
- Garage
- Double Garage
- Car Port
- Refuse collection point
- Visitor parking bay

Note: Refer to drawing no. 1925 / P / 200.03 for details of boundary treatments.



- Rev. G 23.02.23 Acoustic fence and landscape buffer moved. Stock proof fence increased to 1.8m high.
- Rev. F 13.01.23 RCP added facing plot 43. Road width increased to 5m opposite plots 17 & 18. Plots 13 & 14 amended to affordable. Plots 30 & 31 amended to private.
- Rev. E 25.11.22 Private drive added to plots 39-42. Shared surface turning head relocated to suit.
- Rev. D 25.10.22 Parking bays omitted adjacent plot 10 & fronting plot 14. Parking bay added adjacent plot 34. Visitor parking bays repositioned adjacent plot 13.
- Rev. C 18.10.22 Number of single storey dwellings increased. Single storey dwellings replace chalet style bungalows on plots 4, 5, 6, 7, 8, 19, 20 & 40-47. Single storey dwellings replace 2 storey dwellings on plots 3, 9 & 10. 2 storey dwellings relocated to center of site. Dwelling numbers increased to 47. Mix of dwellings (2 bed, 3 bed, 4 bed) amended. Frontage parking to plots 22-29 relocated away from street frontage. Shared surface road extended down to plots 40/41. Landscaped area to the North amended to biodiversity enhanced area including revised fence type.
- Rev. B 20.06.22 Existing drainage ditch re-surveyed. 5 plots omitted. New 3b bungalow introduced. Apartment block omitted. Plots 4-7 moved South. Acoustic fence adjacent No. 10 Gates Lane repositioned. Standard carway extended fronting plots 16-19. General amendments to suit the above.
- Rev. A 04.03.22 House type HA1 (plots 29-30) and flat block 31-38 increased in size, layout adjusted to suit.

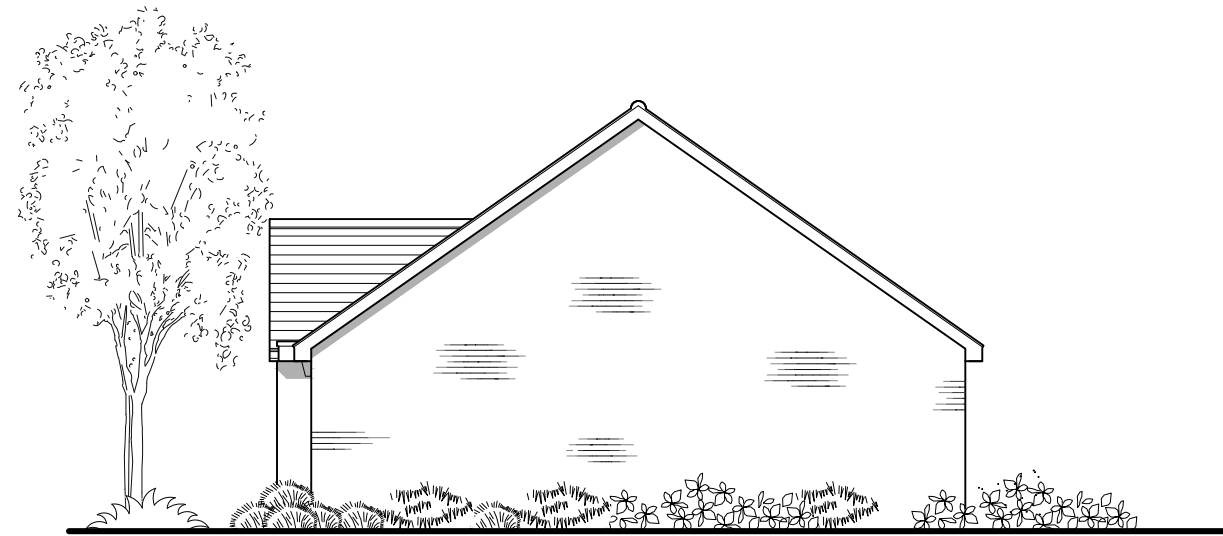


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		Title: Site Layout	Rev: G
		Scale: 1:500 @ A1	Dwg No: 1925 / P / 210.02
		For:	

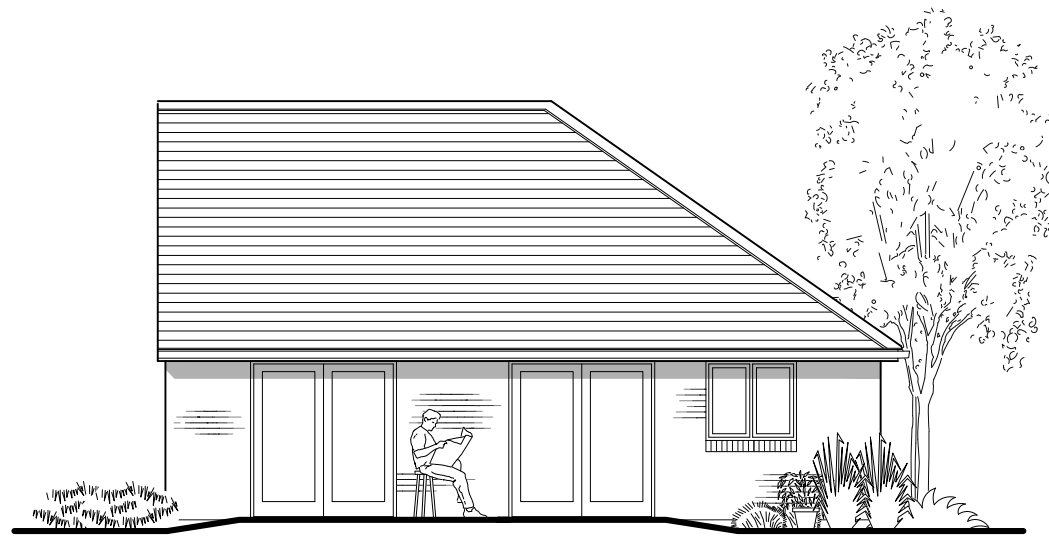


Front Elevation

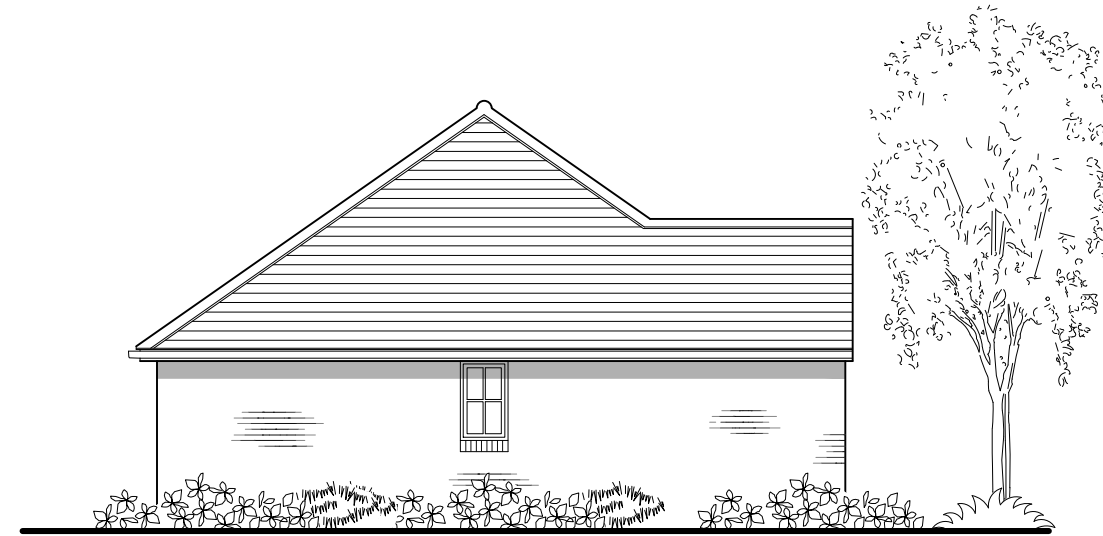
Plots: 12 & 13 - As drawn  
Plots: 11 & 14 - Handed



Side Elevation



Rear Elevation



Side Elevation

Window to Plots  
11 & 12 only

- Rev. D 11.06.25 Tenure changed to private - Dwelling title amended to suit.
- Rev. C 13.01.23 Plots 13 & 14 added.
- Rev. B 18.10.22 Plot numbers updated to suit Site Layout revision C.
- Rev. A 20.06.22 Plot numbers updated to suit Site Layout revision B.



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	Title:		Type 2BB - Elevations			
	Scale:		1:100 @ A3	Date:		Jan 2022
	Drg No:		1925 / P / 220.52		Rev:	D

Key

- Soft Red Facing Brick
- Buff Facing Brick
- Cream Render
- White Boarding
- Red Tile Hanging

Note: All roofs to be plain grey roof tiles.



Rev. G	11.06.25	Updated as per Site Layout Rev. J (Tenure of affordable dwellings changed to private - Dwelling titles amended to suit).
Rev. F	23.02.23	Amended in accordance with Site Layout revision G.
Rev. E	10.01.23	Amended in accordance with Site Layout revision F.
Rev. D	25.11.22	Amended in accordance with Site Layout revision D & E.
Rev. C	18.10.22	Amended in accordance with Site Layout revision C.
Rev. B	20.06.22	Amended in accordance with Site Layout revision B.
Rev. A	04.03.22	Amended in accordance with Site Layout revision A.

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Accommodation Schedule

Private			
2BB	2b Bungalow	x	4
2b Bung	2b Bungalow	x	10
3b Bung A	3b Bungalow	x	5
3b Bung B	3b Bungalow	x	2
Type V	2b Bungalow	x	5
Type 2b	2b House	x	9
3BH	3b House	x	3
Type A	3b House	x	3
Type N	4b House	x	6
Grand Total Dwellings			47

\* Indicates M4.2 dwellings

Key

- Existing trees to be retained.
- New indicative tree planting.
- Existing trees to be removed.
- Garage
- Double Garage
- Car Port
- Refuse collection point
- Visitor parking bay

Note: Refer to drawing no. 1925 / P / 200.03 for details of boundary treatments.



- Rev. J 11.06.25 Tenure of Affordable housing amended to Private. References & accommodation schedule adjusted to suit.
- Rev. H 01.05.24 Acoustic fence and landscape buffer moved. Stock proof fence replaced with Welmesh anti-cut and climb fence.
- Rev. G 23.02.23 Acoustic fence and landscape buffer moved. Stock proof fence increased to 1.8m high.
- Rev. F 13.01.23 RCP added to fronting plot 43. Road width increased to 5m opposite plots 17 & 18. Plots 13 & 14 amended to affordable. Plots 30 & 31 amended to private.
- Rev. E 25.11.22 Private drive added to plots 39-42. Shared surface turning head relocated to suit.
- Rev. D 25.10.22 Parking bays omitted adjacent plot 10 & fronting plot 14. Parking bay added adjacent plot 34. Visitor parking bays repositioned adjacent plot 17.
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- Rev. B 20.06.22 Existing drainage ditch re-surveyed. 5 plots omitted. New 3b bungalow introduced. Apartment block omitted. Plots 4-7 moved South. Acoustic fence adjacent No. 10 Gates Lane repositioned. Standard carway extended fronting plots 16-19. General amendments to suit the above.
- Rev. A 04.03.22 House type HA1 (plots 26-30) and flat block 31-38 increased in size, layout adjusted to suit.

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		Title: <b>Site Layout</b>	Date: <b>Jan 2022</b>
Scale: <b>1:500 @ A1</b>		Dwg No: <b>1925 / P / 210.02</b>	Rev: <b>J</b>

**25/00966/VAR**

Hill Farm

Fair Green

Reach

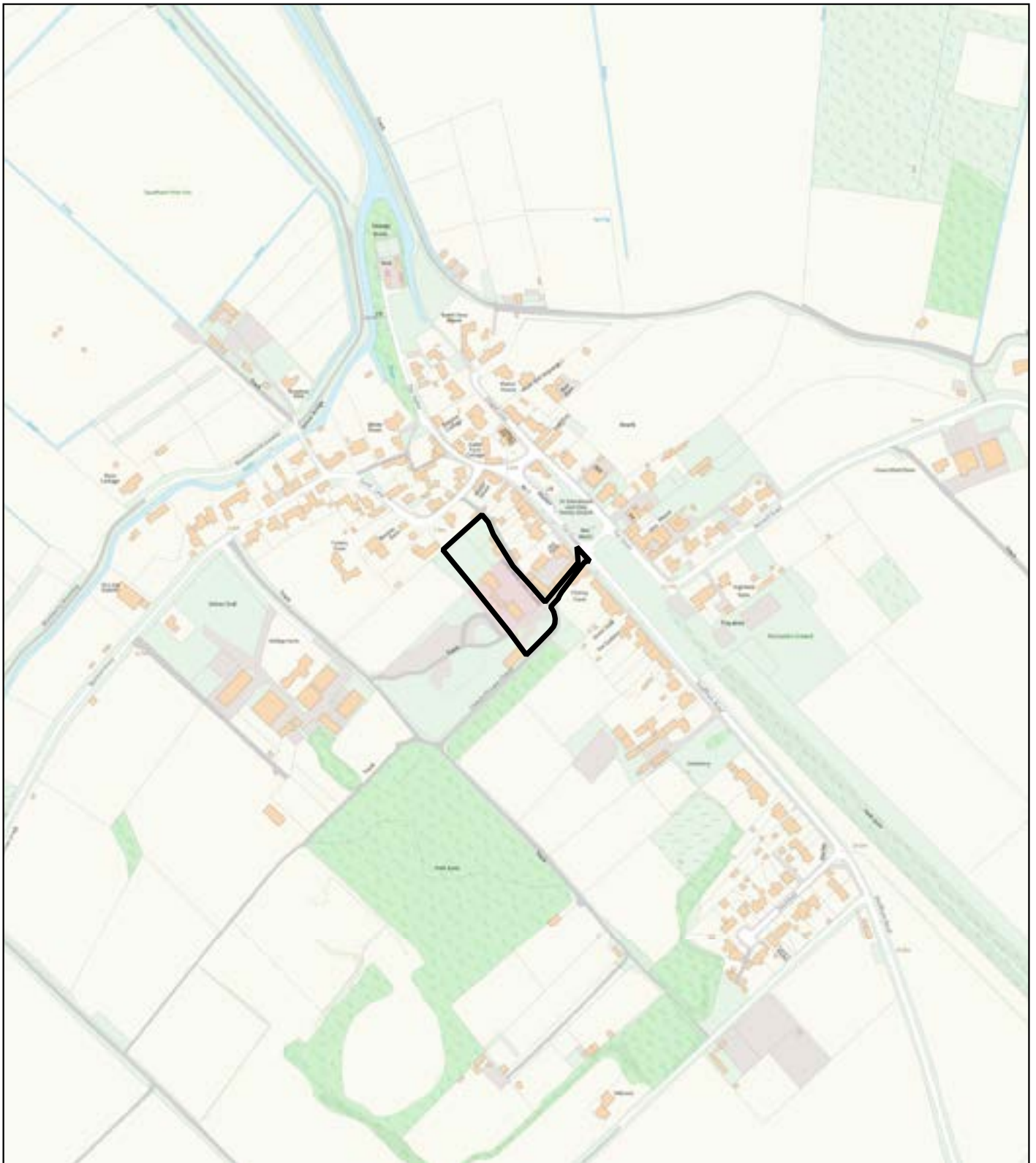
To Vary Condition 11 (width of access) of previously approved 18/01397/OUT, dated 5 April 2019 for demolition of existing agricultural buildings, construction of two detached bungalows, associated parking and infrastructure

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

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T29S7CGGHTK00>







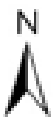
25/00966/VAR



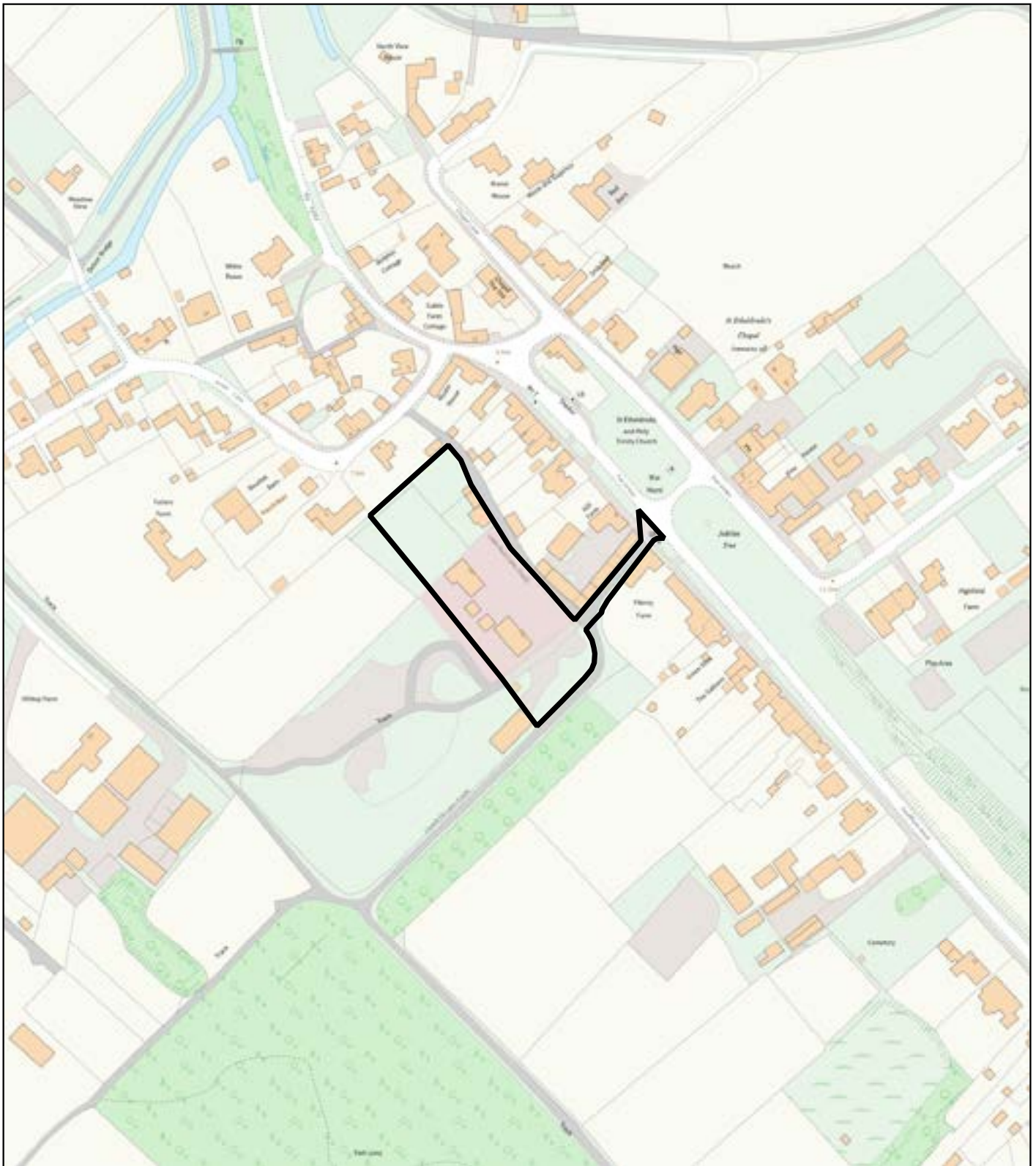
Land South West Of Hill Farm  
Fair Green  
Reach

East Cambridgeshire  
District Council

Date: 20 May 2026  
Scale: 1:5,000



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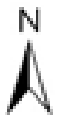
25/00966/VAR



Land South West Of Hill Farm  
Fair Green  
Reach

East Cambridgeshire  
District Council

Date: 20 May 2026  
Scale: 1:2,500



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**TITLE: 25/00966/VAR**

Committee: Planning Committee

Date: 03 June 2026

Author: Planning Officer

Report No: AB10

Contact Officer: Olivia Akroyd, Planning Officer  
Olivia.Akroyd@eastcambs.gov.uk  
01353 616240  
Room No 011 The Grange Ely

**Site Address: Land South West Of Hill Farm Fair Green Reach**

**Proposal: To Vary Condition 11 (width of access) of previously approved 18/01397/OUT, dated 5 April 2019 for demolition of existing agricultural buildings, construction of two detached bungalows, associated parking and infrastructure**

**Applicant: Mr Newman**

**Parish: Reach**

**Ward: Bottisham**

Ward Councillor/s: Charlotte Cane  
John Trapp

**Date Received: 8 September 2025**

**Expiry Date: 3 November 2025**

### **Recommendation**

1. Members are recommended to APPROVE the application for the following reason(s):
  1. The approved variation to the wording of condition 11 which seeks to amend the width of the access track is not considered to result in significant and demonstrable harm to highway safety. Furthermore, it is considered that it has been adequately justified that the widening of the access as previously agreed could not be achieved without risking the structural integrity of the Grade II Curtilage Listed Building at Hill Farm to the north west, and national planning policy requires that “when considering the impact of a proposed development on

the significance of a designated heritage asset, great weight should be given to the asset's conservation" (NPPF, Paragraph 212).

2. The application is being heard by committee because it was called in by Councillor Cane for the following reasons:

*"This variation seeks to remove a condition which was imposed "In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015." if you are minded to recommend approval, I would like it to be called in to the Planning Committee and for a site visit so they can see what a significant junction this is."*

### **Summary of Application**

3. The application seeks to vary condition 11 of previously approved application 18/01397/OUT, dated 5<sup>th</sup> April 2019 for the demolition of agricultural buildings, construction of two detached bungalows and associated parking and infrastructure. Condition 11 requires the access to be metalled in line with Cambridgeshire County Council Highways specification with a minimum width of 5m. The application seeks to revise the width of the access to 3.5m. The application is supported by a Structural Inspection Report and a Highway Technical Note which provide justification for the proposed variation in the condition wording and consider the impacts of the proposal on highway safety.
4. Application 18/01397/OUT considered the matter of access only. The reserved matters of appearance, scale, layout and landscaping were agreed under application reference 21/00374/RMA.
5. 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 [Simple Search](#).

### **Planning History**

#### **18/01397/OUT**

6. Demolition of existing agricultural buildings, construction of two detached bungalows, associated parking and infrastructure.

#### **Approved 5 April 2019**

#### **18/01397/DISA**

7. To discharge Condition 4 (Risk assessment of Contamination), 6 (Surface Water Drainage), 7 (Archaeology), 9 (Biodiversity Improvements), 11 (Access), 14 (Arboricultural Method Statement), and 15 (Arboricultural Impact Assessment) of decision dated 05/04/2019 for Demolition of existing agricultural buildings, construction of two detached bungalows, associated parking and infrastructure.

## **Partial Discharge Issued 14 October 2021**

### **21/00374/RMA**

8. Reserved matters of Appearance, Landscaping, Layout and Scale of previously approved 18/01397/OUT for Demolition of existing agricultural buildings, construction of two detached bungalows, associated parking and infrastructure.

### **Approved 16 July 2021**

## **The Site and Its Environment**

9. The application site relates to a parcel of land located outside of, but adjacent to, the established development envelope and conservation area for Reach. The site previously comprised an agricultural field with agricultural buildings, machinery and associated paraphernalia. The site is bound by Public Byways 7 to the south east and Public Byway 8 to the north east. The dwellings approved under the original applications (18/01397/OUT and 21/00374/RMA) are currently under construction, and whilst the development as a whole is yet to be completed, plot 2 (as annotated on the indicative site layout plan submitted with the outline application and on the approved plans for the reserved matters application) is currently occupied. The current application seeks to revise one of the conditions attached to the outline consent.

## **Responses from Consultees**

10. 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.

### **Reach Parish Council - 9 October 2025**

11. Reach Parish Council have advised that they are content with the access not being widened but would like to suggest that a Legal Modification Order be established to detail the legal widths of both Byways 7 and 8 (Reach). The Parish Council have commented that they are opposed to the metaling of the track due to the visual impacts and creeping urbanisation.

### **Ward Councillors - 6 October 2025**

12. Cllr Cane has noted concerns of a number of consultees under the original outline permission (The Definitive Map Team and the Cambridge Group of Ramblers), including the removal of the objection from the Local Highway Authority on the basis that the access would be a minimum of 5m wide. Notes that the Byway is frequently used by walkers but rarely by motorised vehicles other than farm vehicles. With two households and deliveries, motorised vehicles will become more frequent, becoming dangerous unless the access is widened. Notes that the Byway faces the junction across Fair Green and the idea that it would be acceptable for vehicles to wait in the road whilst vehicles exit the Byway is impractical and will impact on the

flows of traffic, pedestrians and other road users. Considers that the removal of the condition on the basis that it could not be delivered would set a precedent. If the Byway cannot be widened then nothing should be done which will increase motorised vehicle traffic. Considers that the variation should be refused.

**Local Highways Authority - 2 October 2025**

13. No objection. The Local Highway Authority have commented that no significant adverse effect upon the public highway should result from the proposal should it gain planning permission. They have commented that whilst the proposals would not provide the 3.7m width required by the Local Highway Authority's General Principles for Development, the applicant has supplied information demonstrating that sufficient visibility can be achieved as well as vehicle tracking demonstrating that emergency service vehicles can access the dwellings. Whilst it will no longer be possible for two vehicles to pass, given the modest number of dwellings served via this Byway, it is considered that the proposal would not result in any significant adverse impact on the public highway. Have suggested that Cambridgeshire Fire and Rescue are consulted with regards to access for Fire Tenders due to the Building Regulation requirements.

**Waste Strategy (ECDC) - 15 September 2025**

14. No objection. Waste vehicles will not enter onto private property and waste collections would be made at the point where private property meets the highway, in this case Fair Green. Given this, the waste team has no further comments to make concerning condition 11 of the above planning consultation.

**Asset Information Definitive Map Team - 25 March 2026**

15. No objection. Have advised that if the surface of the byway is proposed to be changed, the Authority's Change of Surface Authorisation form will be required. An informative note has also been recommended to be attached to the decision notice.

**Cambridge Ramblers Association - 22 October 2025**

16. Have advised that their concerns to the original outline application related to the potential conflict between vehicles using the access road and users of the byway. It was previously requested that a width sufficient to enable vehicles to pass users was provided for the access. Have advised that these concerns remain, however it is noted that the bungalows have now been built. Agree with the comments of Reach Parish Council suggesting that a legal modification order is required to detail the legal widths of Reach Byways 7 and 8 and the metaling of the access road, noting that it would detract from the rural nature of the track and is an unsuitable surface for a byway primarily used by walkers and equestrians. Have requested that it is made clear that no further development is permitted whilst the access road remains its current width, together with 'passing places' for non-motorised users of the highway to stand clear of passing vehicles.

**Conservation Officer - 15 September 2025**

17. No objection. The Conservation Officer has advised that the site abuts the Grade II listed C17-19 Hill Farmhouse (NHLE ref. 1126365) which includes outbuildings that are located along the north western boundary of the site access that are curtilage listed. They have advised that it is vital that no work be undertaken that would undermine the structural stability of the buildings and if compliance with a highways condition risks doing so, then the condition should be relaxed.

**Cambridgeshire Archaeology - 19 September 2025**

18. No objection. The Cambridgeshire Archaeology Team have commented that the archaeological condition (condition 7) attached to outline consent was discharged under application 18/01397/DISA. They have reviewed the information submitted as part of this application, including the Structural Inspection Report and Planning Statement and have commented that the current minimum width requirement of 5m stands to negatively impact the structural integrity of the Grade II curtilage listed buildings to the north west of the access track and note the statutory duty to mitigate impacts to their significance. The proposed amendment to the access width is supported.

**East Cambs Ecologist - 18 September 2025**

19. No objection. From the information provided the Ecologist has reviewed this application and, as of 18/09/25 supports with the information provided.

**Environmental Health - 15 September 2025**

20. No comments to make on the application.

21. **Building Control - East Cambridgeshire District Council - No Comments Received.**

22. **Cambridgeshire Fire and Rescue Service - No Comments Received.**

23. **Lead Local Flood Authority - No Comments Received.**

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

25. 5.2 A site notice was displayed near the site on 26 September 2025 and a press advert was published in the Cambridge Evening News on 18 September 2025.

26. 5.3 Neighbours – 23 neighbouring properties were notified. No responses have been received.

**The Planning Policy Context**

27. East Cambridgeshire Local Plan 2015 (as amended 2023)

ENV 1 Landscaping and settlement character

ENV 2 Design  
ENV 12 Listed Buildings  
ENV 14 Sites of archaeological interest  
COM 7 Transport impact

28. Reach Neighbourhood Plan 2024

RCH9 Heritage Assets

29. Supplementary Planning Documents

Natural Environment SPD

30. National Planning Policy Framework (December 2024)

9 Promoting sustainable transport  
12 Achieving well-designed places  
15 Conserving and enhancing the natural environment  
16 Conserving and enhancing the historic environment

31. 6.5 Draft National Planning Policy Framework (December 2025)

14 Achieving well-designed places  
15 Promoting sustainable transport  
19 Conserving and enhancing the natural environment  
20 Conserving and enhancing the historic environment

32. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. Regard has therefore been had to the NPPF published in December 2024 in assessing the current application.

33. Cambridgeshire and Peterborough Waste and Minerals Local Plan 2021

34. Cambridgeshire-Peterborough Local Nature Recovery Strategy (LNRS) (December 2025)

35. Planning Practice Guidance

## **Planning Material Considerations and Comments**

36. The main planning considerations relevant to the determination of this application relate to:

- Principle of Development
- Highway Safety
- Heritage
- Other Material Matters

## **Principle of Development**

37. The application site is located outside of the established development envelope for Reach. Permission for the demolition of the agricultural buildings and the construction of two detached bungalows was approved under application references 18/01397/OUT and 21/00374/RMA. These permissions have been implemented and the development is understood to be nearing completion. The principle of development has therefore been established by the previous planning applications, and the current application seeks to vary a condition relating to the width and surfacing of the site access.
38. The main considerations which are relevant to the determination of the current application are the impacts of the proposal on highway safety and heritage. It is not considered that the proposed changes, which seek to revise the width of the access, would impact on the other matters as discussed within the officer reports for the previous applications.

## **Highway Safety**

39. The application seeks to vary condition 11 of the outline consent (reference 18/01397/OUT) which agreed the matter of access only. A number of rounds of consultation were undertaken with the Local Highway Authority as part of the outline application. It is noted that the Local Highway Authority originally raised an objection to the outline application. The concerns raised related to width of the access, noting that the access was a shared surface and should be of a sufficient width for two vehicles to pass. The access was considered to be unsatisfactory to serve the development, by virtue of it being wide enough for only one vehicle, and concern was raised to the likely result of the stopping and manoeuvring of vehicles on the highway to the detriment of highway safety. It was advised that it was originally unclear whether there was sufficient space to the side of the access to allow it to be widened and the objection overcome.
40. Following discussions with the applicant's agent and Case Officer, the Local Highway Authority removed their objection subject to the imposition of a condition requiring the width of the access to be increased to a minimum of 5m. This condition was imposed as condition 11 on the outline consent which reads:

*Prior to first occupation of the hereby approved development, the access between the public highway of Fair Green and the main part of the application site on the south-west side of Little Back Lane shall be metalled to Cambridgeshire County Council Highways specification with a minimum width of 5m and thereafter retained in perpetuity.*

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

41. The Planning Statement submitted with the application states that the development is currently under construction, and that during the course of the carrying out the development, it has been noted that the existing earth banks which were proposed to be removed along the existing lane (off Fair Green), are playing a structural role

in supporting the existing buildings towards the entrance of the lane and the approved access width cannot be achieved for the entirety of the lane without significant risk. The application is supported by a Structural Inspection Report which provides supporting justification and a Highway Technical Note which considers the impacts of the revised width of the access on highway safety.

42. In order to prevent impacts to the structural stability of the adjacent buildings from the removal of the earth banks to either side of the access which are required to achieve the current minimum width of 5m, the application seeks to amend the wording of the condition to reduce the minimum width of the access to 3.5m. The applicants proposed wording reads as follows:

*Prior to first occupation of the hereby approved development, the access between the public highway of Fair Green and the main part of the application site on the south-west side of Little Back Lane shall be metalled to Cambridgeshire County Council Highways specification with a minimum width of 3.5m and thereafter retained in perpetuity.*

43. The proposed revision to the condition relates to the width of the access only. No further changes to the condition are proposed as part of this application and it noted that the condition also requires the access to be metalled to Cambridgeshire County Council Highways specification.

44. The Highway Technical Note submitted with the application provides a review of the proposed revisions to the width of the access which includes the compliance of the development with the national Manual for Streets document and the Cambridgeshire County Council's Highways Development Management: General Principles for Development. The Highway Technical Notes details that the revised access width would allow the visibility splays set out within the Manual for Streets to be achieved. This is demonstrated on drawing reference C-001 Rev P1 which is attached at Appendix B of the Highway Technical Notes. The Technical Notes sets out that:

*"While the reduced width of 3.5m does not allow for two vehicles to pass simultaneously within the Byway itself, the forward visibility provided will enable drivers to see if another vehicle is already using the narrowed section. In such cases, a vehicle seeking to access the Byway from Fair Green would be able to observe an egressing vehicle in advance and wait safely on Fair Green before entering. Similarly, a vehicle exiting the Byway would also be able to identify oncoming traffic and wait before the Byway until the route is clear. This arrangement ensures safe and intuitive vehicle movements, minimising the likelihood of conflict and maintaining highway safety despite the single-vehicle width".*

45. The Highway Technical Note also provides a swept path analysis to demonstrate the safe access and egress of cars and fire tender vehicles. This is demonstrated on drawing references C-002 Rev P1 and C-003 Rev P1 which are attached at Appendices B and C of the Highway Technical Note.

46. The Local Highway Authority have been consulted as part of the application and have noted that the Local Highway Authority's General Principles for Development

document requires that access for shared private drives should be a minimum of 5 metres wide for the first 8 metres, followed by a minimum width of 3.7m thereafter.

47. They have advised that whilst the proposed variation does not provide the required 3.7m width beyond the initial section from Fair Green, the applicant has supplied information demonstrating that sufficient visibility can be achieved and vehicle tracking has been provided demonstrating that emergency service vehicles can adequately access the dwellings. Whilst they have commented that it will no longer be possible for two vehicles to pass, given the modest number of dwellings served via this byway, and based on the information provided, it is considered that the proposal would not result in any significant adverse impact on the public highway.
48. The concerns of the Parish Council, Ward Member and Cambridgeshire Group of the Ramblers regarding the width of the access and the conflict between motorised vehicles and other users of the byway are noted. Consultation has taken place with the Local Highway Authority as to the impacts of the proposals on highway safety, and their comments on the proposal as part of the statutory consultee process are taken on board as highway experts with no objections raised to the variation of the access width based on the additional information that has been submitted in support of the current application. As noted above, the Local Highway Authority consider that sufficient visibility has been demonstrated, and this would apply to other users of the byway in addition to motorised vehicles. For example, in the event that a horse rider is using the byway, approaching vehicles would have visibility of the byway and would be able to wait for the horse rider to egress before entering on the narrower part of the access.
49. For these reasons, it is concluded that the proposal would not result in significant and demonstrable harm to highway safety and would accord with policy COM 7 of the East Cambridgeshire Local Plan.
50. Whilst the swept path analysis has demonstrated that safe access and egress could be achieved for a fire tender, the Local Highway Authority have noted the requirement of Building Regulations which states that:
- “Under Building Regulations Approved Document B Volume 1: Dwellinghouses, there should be a vehicle access for a pump appliance to within 45m of all points within a dwelling house. Any street or private drive forming part of such a fire access way must be no less than 3.7m wide between kerbs (though this may reduce to 3.1m for a gateway or similar short narrowing).”*
51. Cambridgeshire Fire and Rescue have been consulted as part of the application and no comments have been received. The applicant will need to demonstrate as part of Building Regulations that adequate arrangements can be made to protect the dwellings in the event of a fire. In the event that the access width is deemed insufficient to accommodate a fire tender, then alternative arrangements will need to be provided, which could include the use of sprinkler systems. This will be agreed under a separate remit to the current planning application.
52. The Cambridgeshire Group of the Ramblers have requested that passing places are provided along the access to allow non-motorised users to stand back from passing vehicles. The width of the access is proposed to be reduced due to the impacts of

the removal of the earth banks on the structural stability of the adjacent buildings. It is considered unlikely that passing places could be provided without the removal of these earth banks, which could undermine the stability of the listed building. Notwithstanding, it is considered that the proposed width of 3.5m would prevent conflict between non-motorised users and passing cars.

53. The Definitive Maps Officer (Rights of Way Team) have raised no objection to the proposals. They have advised that the County Council's 'Change of Surface Authorisation Form' will be required in order to change the surface of the byway. The Parish Council and the Cambridgeshire Group of the Ramblers have suggested that a Legal Modification Order be established to detail the legal width of both Byways 7 and 8 (Reach). Both of these matters are considered to fall outside of the remit of the current planning application, and the 'Change of Surface Authorisation Form' would be considered under a separate remit.

### **Historic Environment**

54. A secondary material consideration in the determination of the application is the impacts on heritage, specifically the listed buildings to the north west of the access.
55. The Council's Conservation Officer has been consulted as part of the application. To the north west of the access is the Grade II listed Hill Farmhouse (NHLE ref 1126365). There are outbuilding at Hill Farmhouse which form part of the historic farmstead, and are located along the boundary of the site access. As the buildings pre-date 1948, they qualify as curtilage listed and are afforded the same protections as the main dwelling under policy ENV 12 of the East Cambridgeshire Local Plan and Chapter 16 of the NPPF.
56. Paragraph 212 of the NPPF sets out that "*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation*".
57. As set out above, within the Planning Statement, and supported by the Structural Inspection Report, the removal of the earth banks to either side of the access which is required to meet the current minimum width, are considered to risk undermining the structural integrity of the buildings located along the north western boundary of the access road, particularly buildings 1 and 2 (as referred to within the Structural Inspection Report) which are located closest to the junction with Fair Green.
58. The Conservation Officer has advised that no works should be undertaken to undermine the structural stability of these buildings. Further, The County Council's Archaeology Team have noted the statutory duty to mitigate impacts to their significance. The proposed reduction in the width of the access would result in the removal of the earth banks not being required and would prevent additional risks to the structural integrity of these buildings. This is considered to be in line with policy ENV 12 of the East Cambridgeshire Local Plan and Chapter 16 of the NPPF, and weighs positively in the consideration of the application.

### **Other Material Matters**

#### *Consultee Comments*

59. Reach Parish Council and the Cambridge Ramblers Association have advised that they are opposed to the metaling of the access track due to the visual impact that this would have. It is pertinent to note that the Condition 11 of the outline application required the metalling of the access to County Council standards and the metalling of the track has therefore already been agreed. No concerns were raised to the metalling of the access track and the impacts that this would have on the character and appearance of the area as part of original outline application (18/01397/OUT).

### *Ecology*

60. The application is exempt from Mandatory Biodiversity Net Gain (BNG) as it relates to a Section 73 application (variation of conditions) on a previous planning application which was submitted prior to Mandatory BNG being adopted. The proposals are not considered to have any greater impact on ecology than as previously approved and it is not considered necessary for additional biodiversity improvements to be secured above those secured under the original outline application and agreed under application 18/01397/DISA.
61. Since the granting of the previous application, the Local Nature Recovery Strategy has been adopted. The LNRS is a statutory document which plans, maps and creates priorities for nature in a given area. Local authorities must have regard to any relevant LNRS through the exercise of its functions, including as a local planning authority (see S40(2A) of the NERC Act 2006).
62. Amongst other matters, the LNRS identifies on a map (the 'habitat map') "areas that could become of particular importance for biodiversity" (ACB sites), which have been determined to offer the potential to become important if measures were taken to improve the habitats on that particular site. For this particular application, it has been determined that a LNRS ACB site does align with the planning application site area. The Local Planning Authority therefore have a duty to determine to what degree this alignment is a material consideration and whether such a consideration is positive or negative in the planning balance.

### *Conditions*

63. The Conditions imposed under the original outline consent (18/01397/OUT) have been reviewed and re-imposed where necessary. A number of the conditions have been updated and renumbered where necessary to reflect the details agreed under application 18/01397/DISA and to accommodate conditions which have not been re-imposed. The trigger has also been amended on a number of the conditions to reflect that one of the two dwellings (plot 2) has been occupied.
64. The conditions that have not been reimposed are conditions 2 (reserved matters submission), 3 (timescale), 7 (archaeology). This is due to the fact that the reserved matters have already been agreed under application reference 21/00374/RMA and that the development has commenced and is nearing completion. Condition 7 (archaeology) has been satisfied under application 18/01397/DISA. These conditions are therefore no longer necessary.

65. The wording of condition 11 has been amended to reflect the changes proposed as part of the current application and is now condition number 8. Whilst the applicants suggested wording of the condition within the Planning Statement suggests that the works would need to be undertaken prior to first occupation of the development, it is noted that plot 2 is already occupied. As such, the trigger of this condition has been amended to require the works to be undertaken within 6 months of the granting of planning permission and before the occupation of the second dwelling (plot 1).

### **Planning Balance**

66. Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
67. The application seeks to vary a condition on outline permission 18/01397/OUT which has established the principle of development. The Local Highway Authority have been consulted and it is considered that it has been adequately demonstrated through the information provided as part of the application that the reduction in the width of the access would not result in significant and demonstrable harm to highway safety or users of the Public Byways 7 and 8 (Reach). The Structural Inspection Report concludes that the widening of the access to an extent that would require the removal of the earth banks to either side of the access risks undermining the structural integrity of the buildings located along the north western boundary which are Grade II listed, and national planning policy requires that when considering the impact of development on the significance of a heritage asset, great weight should be given to the assets conservation. The reduction in the width of the access is therefore considered to prevent risk to the structural integrity of these buildings and weighs positively in the consideration of the application. The proposal is considered to have an acceptable impact on highway safety and heritage and would not impact on the assessment of other material matters assessed as part of the original outline permission (18/01397/OUT).

### **Human Rights Act**

68. The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

## Equalities and Diversities

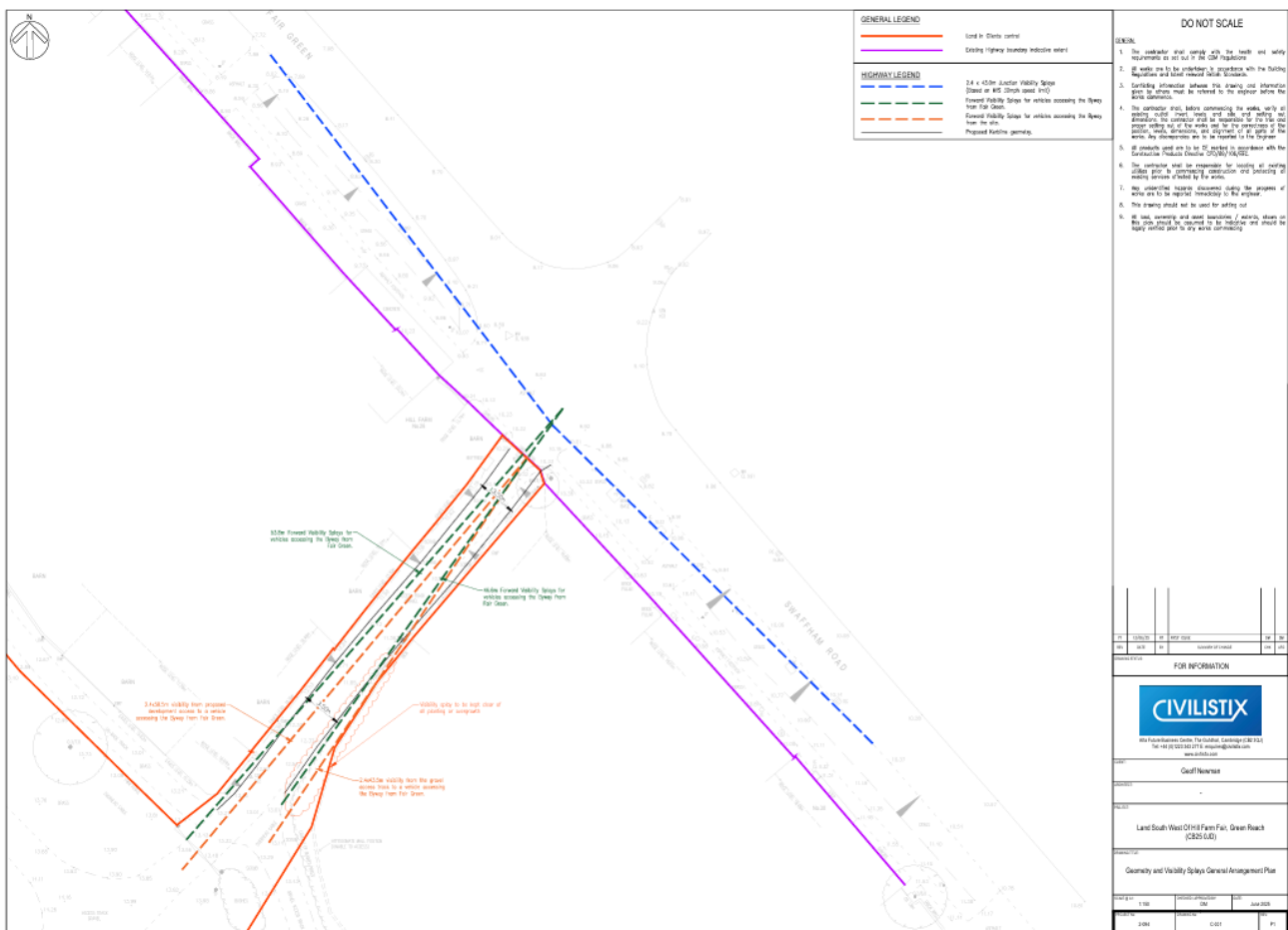
69. In considering this planning application due regard has been had to the public sector equality duty (PSED) under Section 149 of the Equality Act 2010, which means that the Council must have due regard to the need (in discharging its functions) to put an end to unlawful behaviour that is banned by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

## Appendices

70. Appendix 1 – recommended conditions

## Plans

The following plans are a selection of those submitted as part of the application and are provided to illustrate the proposed development. They may not be to scale. The full suite of plans can be found on the Council's website. The following plans are taken from the Highway Technical Note submitted as part of the application.







## Appendix 1 – Recommended Conditions

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

Plan Reference	Version No	Date Received
LOCATION PLAN		5th October 2018
OAS 18-227-TS01		5th October 2018
OAS 18-227-AR01		5th October 2018
ECOLOGY REPORT		18th October 2018
Highway Technical Note		8th September 2025

- 1 Reason: To define the scope and extent of this permission.
- 2 Within 6 months of the granting of this permission and prior to the occupation of plot 1, a Verification Report which demonstrates that the remediation objectives agreed under application reference 18/01397/DISA and detailed within the Phase I and Phase II Geo-Environmental Assessment report prepared by EPS dated 26<sup>th</sup> July 2021 have been met, shall be submitted to and approved in writing by the Local Planning Authority.
- 2 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 (as amended 2023).
- 3 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.
- 3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

- 4 The development hereby approved shall be carried out in complete accordance with the scheme of surface water drainage agreed under 18/01397/DISA and demonstrated on drawing reference 460/EX/01 Revision B. The scheme shall be implemented within 6 months of the granting of this permission and prior to the occupation of plot 1.
- 4 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 (as amended 2023).
- 5 The development hereby approved shall be carried out in accordance with the 'mitigation and impact avoidance measures' as was specified within paragraph 4.4 of the Ecology Report prepared by Applied Ecology Ltd and dated October 2018.
- 5 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 6 Within 6 months of the granting of this permission, the scheme of biodiversity improvements agreed under 18/01397/DISA and demonstrated on drawing reference 460/P/10 Revision C shall be installed and thereafter maintained in perpetuity.
- 6 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 7 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours:  
07:30-18:00 each day Monday-Friday,  
07:30-18:00 on Saturday  
None on Sundays or Bank/Public Holidays
- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 8 Within 6 months of the granting of this permission and prior to the occupation of plot 1 of the hereby approved development, the access between the public highway of Fair Green and the main part of the application site on the south-west side of Little Back Lane shall be metalled to Cambridgeshire County Council Highways specification with a minimum width of 3.5m and thereafter retained in perpetuity.
- 8 Reason: In the interests of highway safety, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 9 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the nearby public highways and public byways and retained in perpetuity.
- 9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

- 10 No trees shall be pruned or removed/felled and no hedges shall be removed without the prior written approval of the Local Planning Authority.
- 10 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 (as amended 2023).
- 11 The development hereby approved shall be carried out in complete accordance with the Arboricultural Impact Assessment and Method Statement reference OAS 21-147-AR01 agreed under application reference 18/01397/DISA.
- 11 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 (as amended 2023).

**25/01223/RMM**

Saxon Business Park

Woodfen Road

Littleport

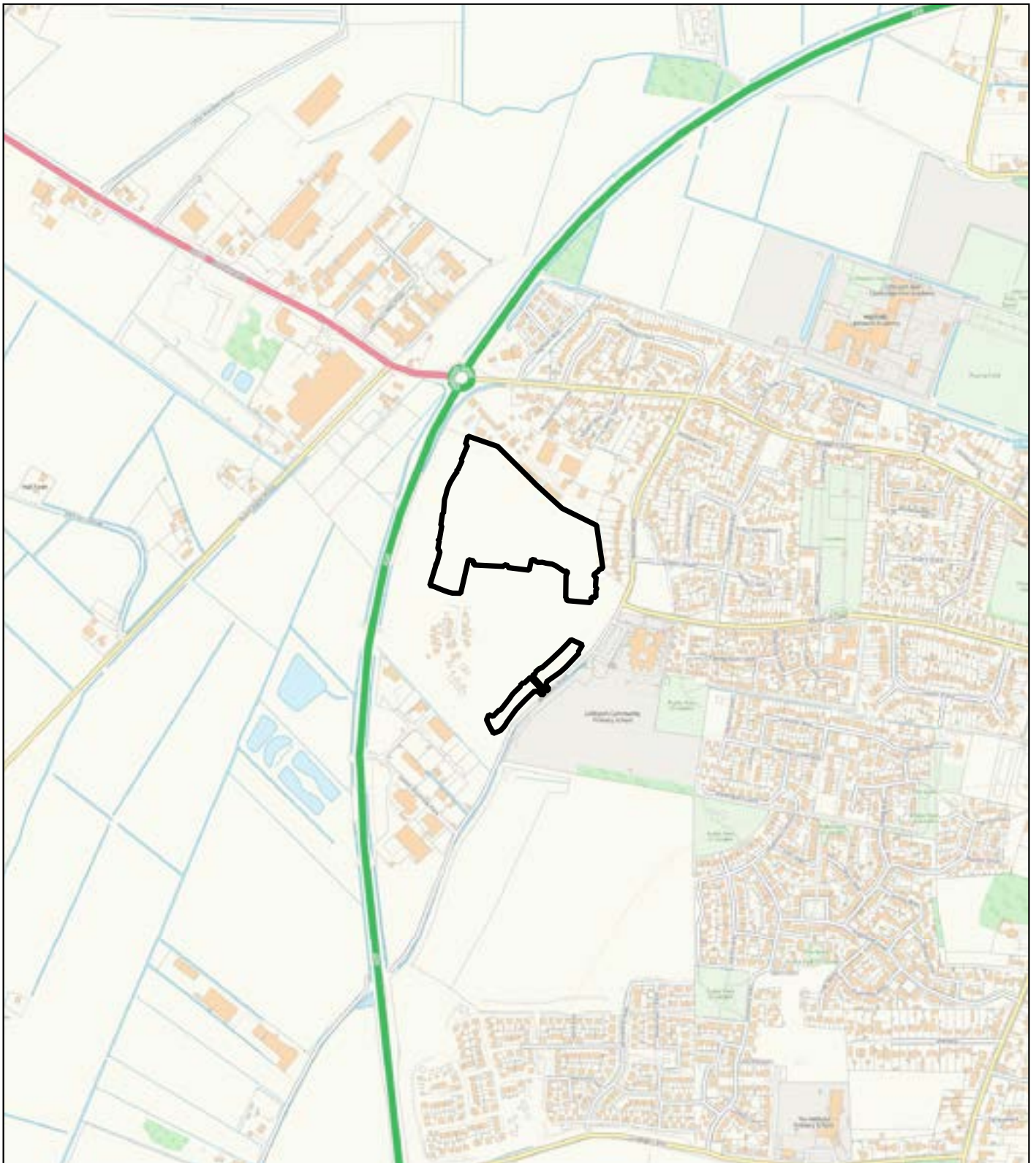
Reserved Matters application seeking approval of appearance, landscaping, layout and scale for 197 dwellings (Use Class C3) and 20 self-build unit plots pursuant to hybrid planning permission

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

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T5BBYRGGLD800>







25/01223/RMM

Land To North Of  
Saxon Business Park  
Woodfen Road  
Littleport  
Cambridgeshire

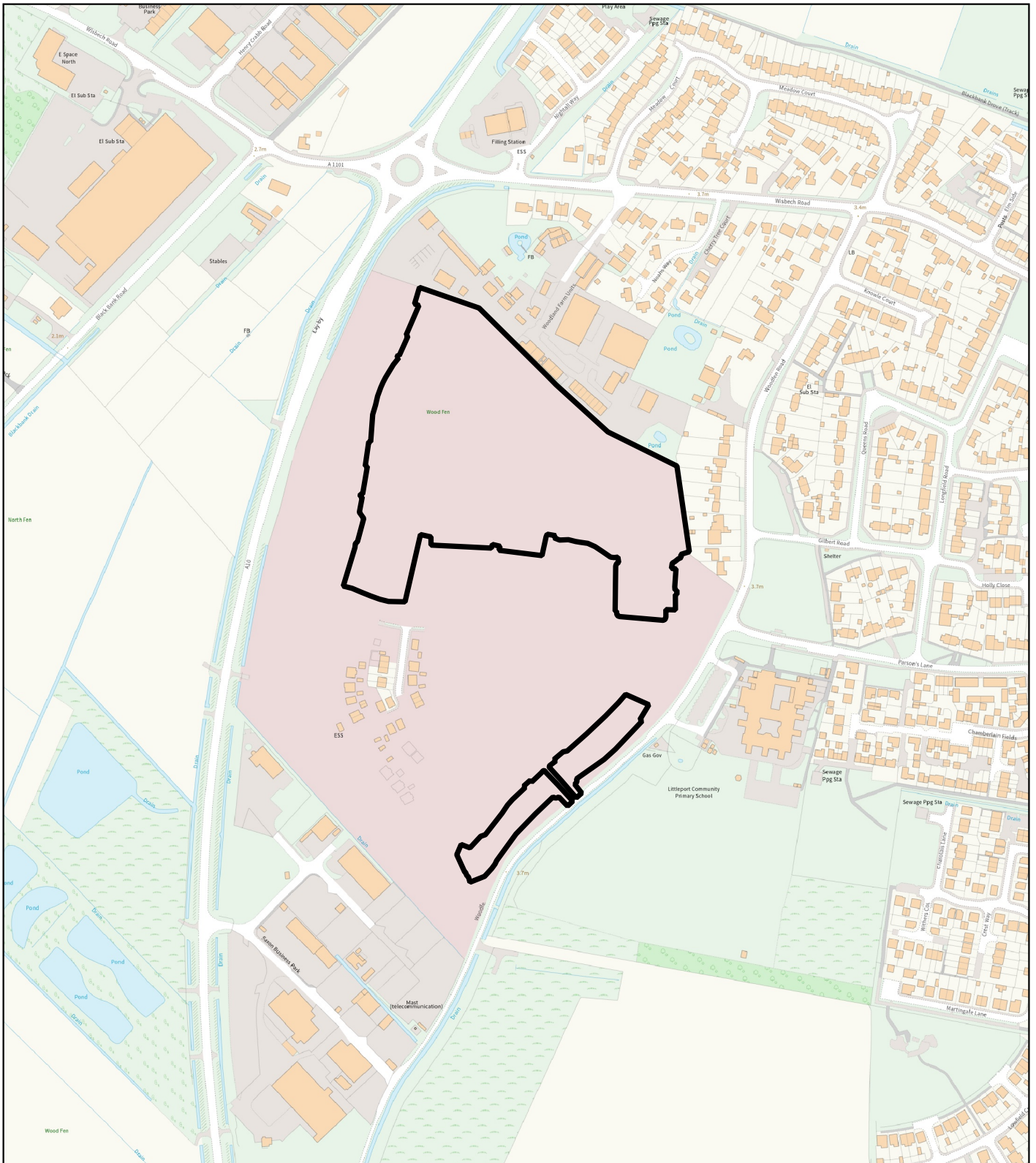


East Cambridgeshire  
District Council

Date: 20 May 2026  
Scale: 1:10,000



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25/01223/RMM

Land To North Of  
Saxon Business Park  
Woodfen Road  
Littleport  
Cambridgeshire



East Cambridgeshire  
District Council

Date: 20 May 2026  
Scale: 1:5,000



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**TITLE: 25/01223/RMM**

Committee: Planning Committee

Date: 03 June 2026

Author: Major Projects Officer

Report No: AB11

Contact Officer: Yole Medeiros, Major Projects Officer  
Yole.Medeiros@eastcambs.gov.uk  
01353 616280  
Room No 011 The Grange Ely

**Site Address: Land To North Of Saxon Business Park Woodfen Road Littleport  
Cambridgeshire**

**Proposal: Reserved Matters application seeking approval of appearance,  
landscaping, layout and scale for 217 dwellings (Use Class C3) pursuant to  
hybrid planning permission 20/01238/FUM (as varied by 20/01238/NMAA  
and 20/01238/NMAB) Phase 2**

**Applicant: Barratt David Wilson Homes Anglia (BDW)**

**Parish: Littleport**

**Ward: Littleport**

Ward Councillor/s: Christine Ambrose-Smith  
Martin Goodearl  
David Miller

**Date Received: 6 November 2025**

**Expiry Date: 10 June 2026**

**1.0 RECOMMENDATION**

- 1.1 Members are recommended to APPROVE the application subject to the recommended planning conditions set out in Appendix 2 for the following reason(s): the proposals form the reserved matters details for the second phase of the development following outline consent ref.: 20/01238/FUM, aligning with this consent, and in the absence of significant adverse impacts in terms of visual and residential amenity, highway safety and all other relevant material planning considerations.

- 1.2 The application is being heard by committee following consultation with the Chair of the Planning Committee and ward councillors, who have requested that the application was determined by the Planning Committee.

## **2.0 SUMMARY OF APPLICATION**

- 2.1 The application follows the approval of permission 20/01238/FUM to the north of Saxon Business Park, between the A10 and Woodfen Road. Full planning permission was granted for Phase 1, consisting of 180 dwellings, access, landscaping, sustainable urban drainage, public open space and associated primary infrastructure. Outline planning permission was granted for Phase 2 of the development, for up to 217 dwellings with all matters reserved except access.
- 2.2 This application relates to the details for reserved matters for Phase 2, consisting of 197 dwellings and 20 self-build dwellings. The reserved matters of appearance, landscaping, layout and scale are under consideration as part of this application. The matter of access has been approved as part of the previous application. The application also includes details requested by the following conditions on application 20/01238/FUM – 40 (Market Housing Mix), 52 (Noise Report) and 55 (Energy and Sustainability Strategy), which have been assessed in tandem.
- 2.3 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link [Simple Search](#).

## **3.0 PLANNING HISTORY**

### **3.1 20/01238/FUM**

Hybrid planning application seeking full planning permission for 180 dwellings, access, landscaping, sustainable urban drainage, public open space and associated primary infrastructure; and outline planning permission for up to 217 dwellings with all matters reserved except access. **Approved** – 25 June 2024

### **20/01238/DISD**

To discharge Condition 19 (surface water) 20 (additional surface water run-off) of decision 20/01238/FUM dated 25 June 2024 for Hybrid planning application seeking full planning permission for 180 dwellings, access, landscaping, sustainable urban drainage, public open space and associated primary infrastructure; and outline planning permission for up to 217 dwellings with all matters reserved except access. **Conditions Discharged** – 10 April 2025

### **20/01238/ELL**

Submission of details in accordance with Paragraph 1.8 of Part 1, Schedule 1 (viability review) of the S106 Agreement in relation to application reference 20/01238/FUM. **Opinion Issued** – 16 April 2026

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

- 4.1 The application site is located between the A10 (located to the west) and Woodfen Road (located to the east). The site's primary entrance is onto the A10, and access to Phase 2 is given via the spine road and new roundabout approved as part of the Phase 1 development under application reference 20/01238/FUM. The twenty self-build plots would be served via minor road/driveways leading directly from Woodfen Road. With the exception of these self-build plots, there would be no vehicular access into wider Phase 2 proposals or to Phase 1 from Woodfen Road.
- 4.2 To the north and south of the site are business/industrial sites. There are residential properties immediately adjacent to the north-east corner of the site located on Woodfen Road. Further east of the site opposite Woodfen Road is the Littleport Community Primary School and sport field. Open countryside extends beyond the A10 to west with a number of commercial/industrials developments located on the A1101 further to the north.

#### **5.0 RESPONSES FROM CONSULTEES**

- 5.1 Responses were received from the following consultees and the latest comments received from each consultee are summarised below. The full responses are available on the Council's web site.

##### **Littleport Town Council – 29 April 2026**

No objection, however, the Town Council reiterate concerns regarding highways safety in the proximity of the Saxon Business Park, suggesting mitigations. The Town Council seeks clarification on permeability through the site, particularly number of access points and whether the development would include a route through via Woodfen Road. The Town Council also enquires about Enforcement Officer attending the site.

##### **Strategic Housing – 15 April 2026**

No objection. The Strategic Housing Team supports the above application as it will deliver 20% affordable housing on site (43 dwellings) and acknowledges that this is slightly higher than the independently assessed Viability Report suggested. The Strategic Housing Team consider that the affordable housing mix proposed will meet the housing needs of those households in both the Littleport area as well as helping to meet the Councils overall affordable housing need for the district.

##### **Urban Designer (Place Services) – 29 April 2026**

No objection. Place Services have provided detailed advice on the scheme and in respect of the revised plans, they have concluded that they are supportive of the proposals which are considered acceptable from an Urban Design perspective. The revisions are mostly supported, and overall, the proposal is considered compliant with national and local design policy and guidance. A number of refinements are suggested in order for the development to adhere to all best urban design practices. These recommendations relate primarily to the layout and form of the development, the parking strategy and the pedestrian connectivity across the site.

### **Designing Out Crime Officer – 10 April 2026**

No objection. Latest response refers to initial comments, noting the area to be of medium to high risk to the vulnerability of crime and that crime prevention and security have been considered in the application. States that site layout and parking to the side or front of dwellings are acceptable and provides technical advice on different types of doors and windows, external lighting, Violence Against Women and Girls (VAWG), cycle and scooter storage, boundary treatment, gable end walls, landscaping, public open spaces, and SuDS. Provides advisory note for the security at the construction phase.

### **ECDC Ecology – 14 April 2026**

No objection. Within their latest comments, the Senior Ecologist has advised that they have no additional comments to make on the application. A condition has been recommended in relation to the submission of a scheme of biodiversity enhancements, unless this has already been appended to the hybrid consent.

### **ECDC Trees Officer – 01 May 2026**

No objection. Within their latest comments and following review of the revised landscaping details, the Trees Officer has advised that the soft landscaping scheme is acceptable and is suitable in this locality. On this basis, they have removed their original objection which related to the suitability of the location of some of the fruit bearing trees within close proximity of parking areas and footpaths. A condition has been recommended to secure compliance of the proposals with the revised landscaping scheme.

### **Local Highway Authority – 01 December 2025**

No objection. The Local Highway Authority have commented that following review of the submitted documents, the effects of the proposed development upon the Public Highway would likely be mitigated if the conditions outlined below form part of any permission. They have observed that some driveways appear to include nearly three car parking spaces but are only shown as two on the submitted plans. Whilst parking provision is ultimately determined by the Local Planning Authority, the Local Highway Authority seek to ensure that all parking spaces are practical and do not lead to overspill onto the adoptable highway. The driveway access for plots 004 and 005 does not look to be achievable, this is due to its location in relation to the ramp on the main spine road. Recommend that the location of the ramp is amended to ensure it does not conflict with the access for these dwellings. The Local Highway Authority have recommended a number of conditions to be attached to the decision notice.

### **ECDC Waste Strategy – 21 April 2026**

No objection, however the Waste Strategy Team have raised concern about the drag distances for some of the plots and note that RECAP guidelines state that storage locations for residential properties should not be more than 25 metres from the collection point. Several plots must move waste further than this, one requiring a distance of 34 metres. It would be suggestable for the collection points to be amended

or to review the roads that refuse vehicles have access to in order to minimise these distances. If bin collection points are the desired option for these plots, they will need to have a hard surfaced area and be designed of a sufficient size for their function. It has been noted that the refuse tracking seems to suggest that vehicles will need to overhang the curb outside plot 143 and 125. Similarly, the hammerhead turning at plot 108/109 appears to overhang the adoptable road.

**Active Travel England – 09 April 2026**

No comments. Active Travel England have advised in their latest response that the view of the Local Highway Authority should be appropriately considered prior to determination of the application.

**Environment Agency – 10 April 2026**

No objection. The Environment Agency have referred to their initial response, which states that the application does not raise new issues relating to flood risk or coastal change matters that have not already been considered and, where necessary, controlled at the outline stage. There are therefore no further comments to make with regard to flood risk or coastal change.

**Lead Local Flood Authority – 27 April 2026**

No objection. The Lead Local Flood Authority supports the application noting that surface water will be discharged via tanked permeable paving before discharging into the swale and attenuation basins approved as part of the Phase 1 development. As the swale was previously approved as part of Phase 1, under discharge of condition application 20/01238/DISD, the previous objection regarding gradients has been removed. A maintenance and management plan has been provided outlining maintenance practices and adoption details of all surface water drainage features.

**Anglian Water – 06 May 2026**

No objection. Anglian Water advises that the assets on the site are not owned by Anglian Water and therefore not their responsibility but of the landowner, noting that new development must comply with Building Regulations and the Water Industry Act. They have confirmed that the Water Recycling Centre can accommodate the flows from the proposed growth, and that the proposed connection point to Anglian Water existing foul sewer at manhole 5303 is acceptable. Anglian Water notes that the proposed method of surface water discharge does not relate to an Anglian Water owned asset, and therefore it is outside of their jurisdiction to provide comments on the suitability of the surface water discharge.

**Littleport and Downham Internal Drainage Board – 05 December 2025**

No objection. The Littleport and Downham Internal Drainage Board have commented that surface water would be drained via the attenuation basis installed as part of Phase 1. Following review of the submitted flow rate details, the proposals for Phase 2 are not considered to have an adverse impact on the operation of the IDB, subject to the satisfactory resolution of the works required to the receiving highway drain (watercourse) and the watercourse connecting the Highway drain to the IDB system.

This would fall under a separate remit, and it has been confirmed that this would unlikely impact on the acceptability of the Phase 2 proposals.

**Environmental Health – 09 April 2026**

No objection. The Environmental Health Officer has advised in their latest comments that the findings and recommendations within the revised Noise Impact Assessment (NIA) remain unchanged and they have no additional comments to make. In their comments of 14 November 2025, they advised that they have no objections to raise if the recommendations within the NIA are followed.

**Ward Councillors - 08 May 2026**

Cllr Martin Goodearl raised concerns about access to the 20 self-build plots via Woodfen Road during construction, noting Parsons Lane is unsuitable for this type of traffic. This and access during occupation would be against conditions imposed to the development, with access restricted to the A10 only. Advised that the conditions were introduced due to the location of the primary school in the junction between Woodfen Road and Parsons Lane, and the single-track nature of Woodfen Road past Parsons Lane. Noted to have raised these points during the presentation by the developers to Littleport Town Council, however no reply had been received.

**County Highways Transport Team - No Comments Received**

**Cambridgeshire Archaeology - No Comments Received**

**NHS England - No Comments Received**

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

**Wildfowl & Wetlands Trust - No Comments Received**

**Cambridgeshire Fire and Rescue Service - No Comments Received**

**Cadent Gas Ltd - No Comments Received**

**ECDC Strategic Planning - No Comments Received**

**ECDC Conservation Officer - No Comments Received**

**ECDC Strategic Planning - No Comments Received**

**Ambulance Service - No Comments Received**

- 5.2 Two site notices were displayed near the site on 13 November 2025, and a press advert was published in the Cambridge Evening News on 20 November 2025. Following receipt of the amended plans, a further two site notices were displayed on 15 April 2026 and a press advert was published in the Cambridge Evening News on 16 April 2026.

5.3 Neighbours – 69 neighbouring properties were notified. Three responses have been received as a result of the two rounds of publicity and are summarised below. A full copy of the responses is available on the Council's website.

- Original scheme included a green corridor along the rear of the existing houses on Woodfen Road
- Impacts from plot 104 to 32 and 34 Woodfen Road including from shading
- Plot 104 representing and overdevelopment of the site, failing to respect the character of the existing residential properties
- Impacts of the positioning of plot 104 on existing and future occupiers
- Impact of plot 104 on solar panels to existing dwelling at 30 Woodfen Road, particularly in winter
- Concern that the ecology survey has not taken into account the native hedges and the impact that this could have on wildlife
- Potential impacts of construction within close proximity to native hedge to the rear of 32 Woodfen Road on its future growth and wildlife
- Additional traffic to Woodfen Road and concern regarding impact on parking, particularly during school times
- Request safe crossings, signage and parking restrictions of Woodfen Road to ensure pedestrian safety
- The revised plans do not address the previous concerns raised
- No plan/details for the movement of construction materials for the self-build plots. This should be from the new A10 access to avoid significant impacts to pedestrians on Woodfen Road. Request the submission of a detailed construction traffic management plan prior to works commencing

## 6.0 **THE PLANNING POLICY CONTEXT**

6.1 East Cambridgeshire Local Plan 2015 (as amended 2023)

GROWTH 3	Infrastructure requirements
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
LIT 1	Housing/employment allocated, west of Woodfen Road
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations  
Design Guide

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

6.3 National Planning Policy Framework (December 2024)

- 2 Achieving sustainable development
- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

6.4 Planning Practice Guidance

**7.0 PLANNING MATERIAL CONSIDERATIONS AND COMMENTS**

7.1 The application is assessed in accordance with the development plan which comprises the East Cambridgeshire Local Plan, 2015 (as amended 2023). Also relevant are the Supplementary Planning Documents, the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

7.2 The outline permission secured the matter of access which will be taken off a new roundabout onto the A10 to the west to the site, which also serves as the access to development under Phase 1 secured under application reference 20/01238/FUM. The reserved matters of layout, scale, appearance and landscaping will be assessed in turn within the body of this report, in line with the outline permission and other material considerations.

**7.3 Environmental Impact Assessment**

7.4 An Environmental Impact Assessment (EIA) screening opinion was issued in relation to the outline permission reference 20/01238/FUM (planning reference 19/00972/SCREEN). The EIA screening opinion concluded that an Environmental Statement was not required.

7.5 Application reference 25/01223/RMM is for the approval of the reserved matters in relation to Phase 2, which have been granted outline permission as part of the 20/01238/FUM permission. Application reference 25/01223/RMM is therefore a 'subsequent application' as set out in The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and has been assessed considering the provisions in section 9 of the Regulations.

7.6 The environmental information already assessed with the screening opinion reference 19/00972/SCREEN and with the outline permission reference 20/01238/FUM is adequate to assess the significant effects of the development on the environment and has been taken into consideration in the assessment of this application for subsequent consent.

## 7.7 Principle of Development

7.8 The application site is allocated for housing and employment in the Local Plan under Policy LIT 1. The principle of development in this location has been established through the allocation of the site and the granting of outline permission for this parcel of land under application reference 20/01238/FUM.

7.9 Condition 38 of the outline permission sets out that the reserved matters application(s) shall be made within 3 years of the grant of planning permission. This is with the exception of the self-build plots where reserved matters shall be made within 5 years. The reserved matters application has been made within this timescale and therefore the principle of development is acceptable.

## 7.10 Layout

7.11 This phase of the development extends to the north of Phase 1, with the public open space which forms part of Phase 1 to the north of the spine road running along the entirety of the western boundary of this phase. The site features three different character areas which were established as part of the Phase 1 proposals; the Gateway/Central Spine which provides a strong and consistent building line along the main spine road; the Green Edge which is the lowest density area and runs along the public open space to the western boundary of the site and The Streets. There is a landscaped children's play area located towards the north.

### *Masterplan*

7.12 The design concept plan has been updated within the Planning and Design Statement Addendum (Appendix 2 of the document) to include the 'Gateway' character area which relates to plots 1 and 2 of the development. The identification of the gateway plots assists in demonstrating the overall approach to the built form and the distribution of the character areas established as part of the Phase 1 proposals.

7.13 The revised plans include the indication of the footpaths approved under Phase 1, which demonstrates a clearer understanding of how the built form integrates with the wider movement network, including the western landscape path. These revisions are considered to strengthen the scheme's pedestrian network, promote more active travel options and align with principles M1 and M2 of the National Design Guide.

7.14 Further to this, additional pedestrian links have been demonstrated on the revised plans between plots 80-81 which is considered to further enhance permeability and legibility within the layout, and the changes to the surfacing of the footpaths through the central public open space from mowed paths to one which will require less intensive long-term maintenance and management. These additions are supported.

- 7.15 Within their original comments, Place Services suggested the introduction of an additional pedestrian link between plots 105 and 106 to create a more direct route between the site and the primary school. This has been included on the revised submission, and Place Services have requested further clarity on its delivery due to it being located outside the redline boundary. As this pedestrian link is located outside of the application site, it cannot be secured as part of this phase of the development, and it would therefore not be reasonable for additional details to be requested at this stage.
- 7.16 Amendments have been made to the parking strategy to strengthen the overall scheme and to reduce the prominence of parking within key spaces and vistas. Some of the views within the site would still be terminated by frontage parking, and some parking is provided adjacent to the public open spaces, which is considered to weaken the overall relationship within the streetscape. Notwithstanding, this arrangement been sought to be avoided where possible, particularly at key vistas such as to the northwestern corner of the site, whilst ensuring that the scheme provides an adequate level of resident and visitor parking. The landscaping strategy has been amended to provide a level of screening for the parking adjacent to the public spaces which is supported, and the layout of the site as whole is acceptable.
- 7.17 In relation to the siting of the affordable housing, as demonstrated on the revised tenure plan, this would be located in clusters of no more than 15 dwellings in line with “Affordable Housing Scheme” definition of Part 1, Schedule 1 of the S106 agreement linked to the outline permission.
- 7.18 Overall it is considered that the proposed masterplan for Phase 2 will function well and add to the overall quality of the area will promote social interaction and would create a safe and accessible place, in line with Local Plan Policy ENV2 and Paragraphs 96 and 135 of the NPPF.

*Public Open Space and SuDS*

- 7.19 Policy LIT 1 of the Local requires a minimum of 1.6 hectares of public open spaces to be provided with the overall site, and the Council’s Developer Contributions SPD would require 2.69 hectares, considering the proposed housing mix in both phases. The Phase 1 scheme has approved 32,917 square metres (3.3 hectares) of public open space. Phase 2 would provide further 1,486 square metres (0.2 hectare) of open spaces, including the local play area (LAP) required in accordance with the S106 agreement. In total, Phases 1 and 2 would provide 34,403 square metres (3.4 hectares) of open spaces, beyond requirements of both Policy LIT1 and the Council’s Developer Contributions SPD. Whilst still presenting a high level of informal and amenity open space, this is supported.
- 7.20 A large section of the public open space approved as part of the Phase 1 proposals extends along the western boundary of the Phase 2 proposals, and all public open space approved as part of the Phase 1 development will be available for use by occupiers of the dwellings located on both phases of the development. Place Services have noted the inclusion of a substation to the northern corner of the central public open space. Whilst they have advised that this is disappointing as it results in the loss of valuable usable open space, they have commented that it is positive that

landscaping has been incorporated to help screen the substation as illustrated on the revised landscaping plan which will assist in mitigating the visual impacts.

- 7.21 Surface water from this phase of the development is proposed to drain into the swale running along the western boundary within the public open space that was approved as part of Phase 1. Details of the swale have been considered and approved under application reference 20/01238/DISD. The location and details of drainage are therefore not considered to impact on the layout of this phase of the development, as they have already been secured as part of Phase 1. These proposals have been designed with sufficient capacity to accommodate flows from the current phase of development. The LLFA, IDB and Anglian Water offered no objections to the SuDS and overall drainage proposals.
- 7.22 The proposed open spaces to Phase 2 will complement that in Phase 1 and will be sympathetic to the surrounding built environment and landscape setting, and will optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) , in line with Local Plan Policy ENV2 and Paragraph 135 of the NPPF.

#### *Street Layout and Parking*

- 7.23 The Local Highway Authority (LHA) has reviewed the application and have commented that the effect of the proposed development on the public highway would likely be mitigated if the requested conditions form part of any permission. These conditions relate to the drainage of hardstanding in order to prevent surface water run-off onto the public highway, the construction of the road(s), footway(s) and cycleway(s), restrictions on planting on the public highway and the provision of pedestrian visibility splays. These conditions are considered reasonable and can be attached to the decision notice.
- 7.24 The Local Highway Authority have requested a condition requiring the submission of details concerning the arrangements for the future management and maintenance of the streets. It is noted that this condition was imposed with the outline permission part of the hybrid application (condition 44), and it is not considered necessary or reasonable for this condition to be reimposed for this application.
- 7.25 Concerns were raised by Ward Members, neighbours and by the Town Council regarding highways safety along Woodfen Road in the areas in the vicinity of the junction with Parson's Lane and the existing school. Concerns were also raised in relation to access to the 20 self-build plots proposed with the development, and the increased impact on the local traffic and school children safety.
- 7.26 It is noted that improvements to Woodfen Road including speed reduction measures were secured with the outline permission 20/01238/FUM, as detailed in the approved 'Woodfen Road - General Arrangement' (drawing LP-STN-00-WR-DR-C 0110 P06). This has been reviewed by the Local Highway Authority at the time of assessing the hybrid application 20/01238/FUM, and no objection was raised by the Authority once the highways improvements were secured with the outline planning permission.
- 7.27 Furthermore, access to the 20 self-build plots (and to the development as a whole) was established with the outline permission 20/01238/FUM. The enforcement

measures relating to the Saxon Business Park are unrelated to the application site and therefore are not able to be considered as part of this assessment.

- 7.28 The Local Highway Authority have commented that the access to plots 004 and 005 does not look to be achievable due to their positioning in relation to a ramp on the spine road and they have recommended that the location of the ramp is amended to ensure that it would not conflict with the proposed access. The ramp and spine road form part of the Phase 1 proposals, and the applicant has confirmed within the Planning and Design Statement Addendum that the positioning of the ramp will be amended as part of the detailed Section 38 agreement with the Local Highway Authority. This falls under a separate remit to the current planning application.
- 7.29 The Waste Strategy Team have raised concern to the drag distances from some of the properties on the private access roads to the proposed bin collection points. They advise that RECAP guidelines state that storage locations for residential properties should not be more than 25 metres (82 feet) from the collection point. They have noted that there are several plots that must move waste further than this, some requiring a distance of 34 metres (112 feet). They have suggested that the bin collection points are amended or that the roads that refuse vehicles have access to are reviewed in order to reduce these distances. It is noted that drag distances of 30m (98 feet) were accepted as part of the Phase 1 development, and it is therefore considered reasonable for the current phase to adopt the same principles. Following review of the revised Refuse Strategy Plan, there is one instance where the drag distance would exceed 30m (98 feet) (plot 48). As this would affect one plot across the scheme, the proposals are considered to be acceptable in this instance.
- 7.30 Further to this, the Waste Strategy Team have advised that where bin collection points are the desired option for these plots, they will need to have a hardstanding surface area and be designed large enough to store two wheeled bins and a food caddy for each property in order to prevent obstruction to pedestrians and/or vehicle rights of access. It is considered reasonable to secure details of bin collection points by condition in order to prevent negative impacts to pedestrian and vehicle safety.
- 7.31 The Waste Strategy Team have commented that the refuse tracking suggests that vehicles will need to overhang the kerb outside plots 125 and 143 to be able to move round the corners. Similarly, the hammerhead turning at plot 108/109 appears to significantly overhang the adoptable road. The tracking details referenced are on roads forming part of Phase 1 of the development and have been approved based on the tracking details provided on the approved Parking Management Plan (reference CA-05-07L) as part of that phase. As these details have been approved, it is not reasonable for them to be revised as part of the current application.
- 7.32 The parking layout comprises a mixture of side-by-side spaces and tandem parking to avoid car dominated frontages and to accord with the character areas. Small private parking courts are proposed for plots 55-59 and plots 95-97. The proposals provide 392 parking spaces, provided by parking spaces and detached garages (single and double) which is an average of 2 parking spaces per dwelling. The detached garages would have an internal dimension of 3 metres (9.8 feet) by 6 metres (20 feet) which is sufficient to accommodate a vehicle. Some of the properties would benefit from integral garages, however these would not be of sufficient internal dimensions to accommodate a parking space and have therefore not been included

within the calculations above. As the parking strategy relies on the use of the detached garages to meet the requirements of policy COM 8 of the Local Plan, a condition can be imposed to prevent the use of these garages for other incidental purposes in perpetuity.

- 7.33 There are 22 visitor parking spaces proposed as part of this phase which equates to 1 parking space per 10 dwellings. Whilst this is considered to be a relatively low level of visitor parking, it is in keeping with the arrangements agreed as part of the Phase 1 proposals and is acceptable in this case.
- 7.34 Cycle storage is demonstrated on drawing reference 25039-243-XX-XX-DR-A-0104 to be located within the rear gardens for the plots. The exception to this is for the dwellings that would benefit from detached garages, where cycle storage would be accommodated within these garages. The detached garages would be relied upon for parking, and it is considered that the internal dimensions noted above would be sufficient to accommodate both a parking space and cycle storage. This arrangement is therefore acceptable.
- 7.35 It is concluded that the proposed patterns of movement, streets, and parking contribute to a high-quality design and that the proposals would provide a safe and convenient access to the highway network and provide adequate levels of car and cycle parking broadly in accordance with the Council's parking standards. The proposal therefore complies with Local Plan policies LIT 1, COM 7 and COM 8 and Paragraph 109 of the NPPF.

#### *Layout of Units and Residential Amenity*

- 7.36 There have been concerns raised by neighbouring dwellings on Woodfen Road around overshadowing from plot 104 to the existing dwellings at Nos. 30, 32 and 34. There would be approximately 15 metres (49 feet) between the side elevation of the proposed dwelling and the rear most elevation of 34 Woodfen Road and approximately 20 metres (66 feet) to the rear elevation of 32 Woodfen Road. It is considered that this separation distance would be sufficient to prevent any significant overshadowing impacts to these properties. Whilst there is the potential for some overshadowing of the rear most sections of the gardens to these properties in the afternoon due to the orientation of the plot due west, when considering the size of the rear gardens it is not considered that this would be to a level that would be harmful to the amenity of the occupiers. Plot 104 would not have a direct relationship with the property at 30 Woodfen Road and it is considered that the relationship between the plot and the existing property, together with the distance retained, would be sufficient to prevent any harmful impacts to the amenity of the occupiers. It is noted that no openings are proposed to the side of plot 104 which would prevent opportunities for overlooking towards the neighbouring properties and their private rear gardens. Any future openings within the side elevation of this dwelling at first floor level, which could present opportunities for overlooking towards the existing properties, would be limited by the restrictions of the General Permitted Development Order (GPDO).
- 7.37 Conditions have been posed to the outline permission. These conditions relate to the submission of a Construction Environmental Management Plan (CEMP), the submission of a scheme of ground piling should this method of construction be proposed and the restriction of construction hours. These conditions are considered

to minimise the impacts of construction on the amenity of existing residential properties in line with the aims of policy ENV 2 of the Local Plan.

- 7.38 There is existing, industrial development which is located along the northeastern boundary. The Environmental Health Officer has been consulted as part of the application and has not raised concern to the impacts of the existing development on the proposed dwellings by way of noise disturbance.
- 7.39 As part of the assessment of the outline proposals, Officers considered that there was the potential that some of the dwellings within this phase may require mechanical ventilation due to the proximity of dwellings to the A10. Condition 52 required the submission of a noise report as part of the reserved matters application to demonstrate how the need for mechanical ventilation has been sought to be avoided, including consideration of the layout of the plots and internal arrangements.
- 7.40 The Noise Impact Assessment (NIA) has taken into consideration the site layout, plot orientations and the acoustic measures secured as part of the Phase 1 proposals along the western site boundary (earth bund and acoustic fencing) and has concluded that subject to glazing and ventilation requirements, acceptable internal noise levels could be achieved without the need for mechanical ventilation. The Environmental Health Officer has raised no concerns to the proposals providing that the development is carried out in accordance with the findings and recommendations of the assessment. The impacts on future occupiers by way of noise disturbance is considered to be acceptable and the requirements of condition 52 have been met.
- 7.41 According to the Plot-by-Plot Schedule submitted with the application, all market and affordable units will meet Nationally Described Space Standards (NDSS), and all affordable units will also meet requirements of Category M4(2) Accessible and Adaptable Dwellings of The Building Regulations 2010 Approved Document M Volume 1. Of the 154 market dwellings, 22 (14%) will meet Category M4(2) and 132 (86%) will meet Category M4(1) VISIBLE Dwellings, of the Approved Document M. This is supported and is considered to ensure that the development would provide a high standard of amenity for future occupiers.
- 7.42 The internal layouts of the dwellings have been reviewed and are largely considered to be acceptable. There is one house type, 'Knightwood', where the second bedroom would be served only by a roof light. Whilst this arrangement is generally discouraged, this would affect 10 of the 197 dwellings. Given that a high standard of internal amenity would be achieved for future occupiers over this phase as a whole, this arrangement is acceptable.
- 7.43 The East Cambridgeshire District Council Design Guide SPD states that in most cases, garden sizes should be a minimum of 50 square metres (538 square feet). Whilst the majority of the dwellings would benefit from gardens which meet or exceed this, the gardens to 11 of the plots (approximately 6% of this phase) would fall below this recommendation. Whilst this is discouraged, given the small number of plots that would be impacted, and the high level of amenity that would be achieved across the scheme as a whole, this is acceptable.
- 7.44 Comments by Place Services suggesting the introduction of balconies to the first-floor units of the proposed eight maisonettes are noted, however the proposal is for those

units to benefit from a shared garden area. All proposed maisonettes will be one-bedroom units, and the arrangement for shared private amenity spaces – albeit limited for a few units – is acceptable.

- 7.45 The interrelationship between plots has been carefully reviewed and it is not considered that the proposals would result in detrimental harm to future occupiers. There are four instances where the recommended 20 metres (65.6 feet) separation distance between rear facing elevations as set out within the Design Guide SPD would not be achieved. Given that this is four occurrences across the scheme, and that the shortfall would be less than 1 metre (3.3 feet) in three of the cases and 1.3 metre (4.3 feet) at the fourth, this is considered to be acceptable. The relationship between the proposed plots and those approved on Phase 1 are also acceptable.
- 7.46 The set in position of the dwellings from their rear boundaries is largely in accordance with the Design Guide SPD. Whilst there are 14 plots where the dwelling would not be set in from the rear boundary shared with another plot by 10 metres (33 feet), in the majority of these cases this would be mitigated by the positioning and orientation of the dwellings. There are three instances (plots 104, 154 and 155) where it is considered that there could be a level of overlooking to the gardens of the adjacent plots. Whilst this is discouraged, given the small number of plots that would be affected across the scheme, this is acceptable in this case.
- 7.47 The development would be served by air source heat pumps (ASHPs). The exact number of plots that would be affected and the location of the heat pumps has not been confirmed and has therefore not been considered as part of the Noise Impact Assessment. A condition can be imposed requiring details of the ASHPs to be submitted which will allow for consideration of their specification and siting to ensure harmful impacts to residential amenity as a result of noise disturbance from the units would not arise.
- 7.48 It is concluded that the proposal would ensure that there is no significantly detrimental effect on the residential amenity of existing occupiers and that the occupiers of the proposed dwellings would enjoy a high standard of amenity. The proposal has demonstrated that the potential noise impacts from the A10 can be mitigated. The proposal therefore complies with Local Plan Policies, LIT1 and ENV 2 the Design Guide SPD, as well as Paragraph 135 of the NPPF.

#### *Housing Quantum and Mix (Size and Tenure)*

- 7.49 The proposed concerns 197 dwellings and 20 self-build dwellings of the wider 397-unit site. The proposal therefore seeks to deliver the maximum number of units that the consent allows, considering the 180 dwellings approved with Phase 1.
- 7.50 The proposed 197 dwellings comprise 154 dwellings (78%) for market housing, and 43 dwellings (22%) provided as affordable homes. The quantum and mix of the affordable housing have been verified by a financial viability review, in line with clauses 1.8 and 1.9 of Part 1, Schedule 1 of the S106 agreement linked to the outline permission. The viability review has been subject to an independent review which confirmed the affordable housing provision, following amendments.

7.51 The size mix proposed for the 154 market units is reflected in the Plot-by-Plot Schedule submitted with the application, demonstrating that the proposal complies with Condition 40 of the outline permission requiring that each reserved matters (excluding landscaping) demonstrates that the market housing mix follows the following:

Market Homes	Condition 40 requirement	Proposal
2 bedroom	26% (+/-1%)	26% (40 dwellings)
3 bedroom	39% (+/-1%)	39% (60 dwellings)
4 + bedroom	35% (max)	35% (54 dwellings)
Total	100%	100% (154 dwellings)

7.52 The viability review has also established the size mix which would be viable, considering Policy HOU1 and the most recent available evidence favouring rent units over ownership units. Following amendments, the affordable dwellings mix is proposed to be made of 72% (31 dwellings) affordable rent units and 28% (12 dwellings) shared ownership units, and the following size mix:

Affordable Homes	Affordable Rent	Shared Ownership
1 bedroom	8 (26%)	0 (0%)
2 bedroom	13 (42%)	7 (58%)
3 bedroom	8 (26%)	5 (42%)
4 bedroom	2 (6%)	0 (0%)
Total	31 (100%)	12 (100%)

7.53 The Council's Strategic Housing Team have reviewed the proposals and support the application as it will provide a balanced variety of affordable housing on site. They have advised that the affordable housing mix proposed will meet the housing needs of those households in both the Littleport area as well as helping to meeting the Councils overall affordable housing need for the district.

7.54 It is concluded therefore that the proposal provides an appropriate mix of sizes and the dwellings would be suitable or easily adaptable for occupation by the elderly or people with disabilities. The proportion and type of affordable housing is acceptable, considering the financial viability of the development. The mix in terms of tenure and house sizes of affordable housing has been determined based on housing need and development costs. The proposal therefore complies with the outline permission, and Local Plan Policies HOU 1 and HOU 3 and Paragraph 66 of the NPPF.

7.55 The 20 self-built plots represent 5% of the total 397 residential units permitted with the outline permission 20/01238/FUM. This is supported as in line with requirements of Part 5 of the S106 agreement linked with the outline permission.

**7.56 Scale**

7.57 The proposed dwellings are predominantly two-storey in height, however two and a half and three storey dwellings are proposed in select locations to provide architectural variation and wayfinding throughout the site. Examples of this include within the Gateway/Spine character area and at corner plots and terminating vistas within The Streets. The scale of the proposals is considered to be in keeping with the

scale of the residential developments within the wider locality which comprise dwellings that are predominantly two-storey in height. The proposals are also considered to align with the scale of the development granted under Phase 1.

- 7.58 Place Services have previously recommended that the use of terraced housing along key streets were considered in order to differentiate character areas and vary the built form in accordance with principles B2 and B3 of the National Design Guide. Whilst the use of additional terrace properties has been discounted due to the additional pressure that it was considered to introduce to the parking strategy, the design of the dwellings has taken opportunities to differentiate the character areas, and this will be discussed further with regards to the appearance of the development.
- 7.59 Place Services have advised that further opportunities could be taken to mark key corners through the introduction of L shaped dwellings and by avoiding the step down in height at plot 116. Whilst further revisions have not been made, it is noted that there are examples of L shaped dwellings within the development at plots 153 and 197 and changes have been made to the design of plot 116, including the introduction of bay windows, which is considered to contribute positively to the street scene by ensuring that both public facing elevations remain active and engaging. The scale of the dwellings is therefore supported.
- 7.60 It is concluded that the proposal would contain a variety and mix of height and types of buildings and would ensure that the scale of the dwellings relates sympathetically to the surrounding area. The proposal therefore complies with Local Plan Policies LIT 1 and ENV 2 and Paragraph 135 of the NPPF.
- 7.61 Appearance**
- 7.62 This phase of the development comprises 19 house types which have been designed to provide variations in detailing, materials and orientation in response to their positioning within the layout of the site and in order to respond to the different character areas established as part of the Phase 1 proposals. Examples of this include variations in window detailing and canopy roof forms across the character areas within this phase of the development.
- 7.63 The materials palette for the dwellings comprises buff brick, red multi brick and render. Whilst Place Services have commented that the use of three primary materials results in a relatively uniform character, variation in the use of these materials across additional house types has been welcomed in the revised plans. The use of the three primary materials has been established as part of the Phase 1 proposals and the use of a similar core palette of materials is considered to provide a level of visual cohesion across the two phases. It is considered reasonable to secure further details of the materials by condition to ensure that the proposed materials would have an acceptable visual impact across the wider development.
- 7.64 Design changes to a number of the plots are considered to strengthen the relationship between the dwellings and better frame the street scene. This includes the introduction of bay windows to a number of the house types on corner plots and the change in the materiality of plots 58-59 to render in order to match the neighbouring property at plot 43. Further opportunities have been suggested by Place Services in order for the proposals to adhere to all best urban design practices and in order to

strengthen and define the streetscape. Notwithstanding, opportunities to enhance the design of the dwellings have been taken throughout the course of the application and the proposals as a whole are considered to comply with local and national design policy and guidance.

- 7.65 As part of the revised drawings and in response to suggestions made by Place Services on the parking strategy, car ports have been introduced between dwellings at plots 79-80, 81-82, 153-154 and 155 and 156. Whilst this arrangement is acceptable and would add variation to the street scene whilst limiting the prominence of parking, in the absence of details of the appearance of the carports, it is considered reasonable for this to be secured by condition.
- 7.66 The Energy and Sustainability Strategy details that PV panels are proposed as part of the development. The positioning of PV panels and the exact plots that they would relate to have not been confirmed. In line with the Phase 1 proposals, it is considered reasonable for details of the PV panels to be secured by condition.
- 7.67 It is concluded that the form, massing, materials and colour of the dwellings relate sympathetically to the surrounding area and to each other, as well as creating a quality new scheme in its own right. The proposal therefore complies with Local Plan Policies LIT 1 and ENV 2 and Paragraph 135 of the NPPF.

## **7.68 Landscaping**

### *Play Areas*

- 7.69 Part 2 of the S106 agreement linked with the outline permission sets out that the Phase 2 Local Area of Play (LAP) is a landscaped area of approximately 100 square metres serving the development, to be provided as part of the open space provision. The S106 agreement sets out that details for the LAP are expected to be determined through reserved matters approvals.
- 7.70 Details have not been provided with the reserved matters submission, however plan 8764-FPCR-XX-XX-DR-L-0018 Rev P04 shows the LAP will have approximately 126 square metres (1,356 square foot or 0.03 acre), considering the path and landscaping surrounding the equipment area. As defined by the S106 agreement, the play areas including the LAP are part of the open spaces to be provided with the development. This is accepted and details of the three pieces of equipment and small low-key games required by the S106 are expected to be provided with the submission for approval of the Open Space Specification for Phase 2, in line with paragraph 2.2 of Part 2 of the agreement.

### *Soft landscaping and Boundary Treatments*

- 7.71 Under the current phase, the soft landscaping comprises amenity grass to the frontage and between plots with tree, hedge, shrub and herbaceous planting. At plots 126-128 and 135-138, amenity grass land (flowering) and bulb planting is proposed between the frontage of the plots and the highway.
- 7.72 The Trees Officer has reviewed the application and has advised that the landscaping scheme is acceptable and suitable for the locality. A condition has been

recommended requiring compliance with the proposed scheme. Whilst the condition is considered reasonable, the plans setting out the landscaping scheme will be approved with any permission. A condition for compliance with plans would therefore not be necessary, as development will have to be carried out in accordance with the approved plans, in this being the case, as recommended in Condition 1.

- 7.73 The introduction of trees to some of the streets and spaces is welcomed. Place Services have suggested that the landscaping strategy could be strengthened to respond more positively to principles N1 and P1 of the National Design Guide and to support the overall character and public realm of the scheme. Notwithstanding, the landscaping plan is considered to provide an acceptable range of landscaping features. Furthermore, the public open space forming part of the Phase 1 development runs along the western boundary of the site, immediately to opposite the dwellings within the Green Edge, which will provide additional landscaping features within proximity of the proposed dwellings.
- 7.74 Officers note comments by the Design Out of Crime Officer and Place Services, regarding boundary treatments, and confirm that the boundary between dwellings will be 1.80 metre (5.9 feet) high closed boarded fence and gates. Hit and miss gates are proposed for shared rear access paths and will include lock, as shown in drawing number 25039 243XXXDR A 0109 Rev C03. The same plan shows that a few corner plots will have 1.80 metre (5.9 feet) high brick wall. This is supported.
- 7.75 It is concluded that the scheme would make a clear distinction between public and private spaces, enhance the public realm and provide a variety of landscaping. The proposal therefore complies with Local Plan Policies ENV 1, ENV 2 and ENV 7 and Paragraph 96 of the NPPF.

#### *Ecology and Mandatory Biodiversity Net Gain (BNG)*

- 7.76 The Senior Ecologist has confirmed that the proposed planting details as part of the soft landscaping are acceptable in terms of the impacts on ecology. Condition 47 of the outline consent requires the submission of a scheme of biodiversity enhancement for the current phase prior to the first occupation of any dwelling within this phase.
- 7.77 The original hybrid application which secured the outline matters of the Phase 2 development was submitted and approved prior to mandatory BNG legislation coming into effect. The reserved matters application does not trigger mandatory BNG legislation. The proposals are however subject to consideration under national and local planning policies which seeks to secure opportunities for the biodiversity net gain and ecological enhancements as part of development.

#### *Cambridgeshire Local Nature Recovery Strategy (LNRS)*

- 7.78 The LNRS is a statutory document which plans, maps and creates priorities for nature in a given area. Local authorities must have regard to any relevant LNRS through the exercise of its functions, including as a local planning authority (see S40(2A) of the NERC Act 2006).
- 7.79 Amongst other matters, the LNRS identifies on a map (the 'habitat map') "areas that could become of particular importance for biodiversity" (ACB sites), which have been

determined to offer the potential to become important if measures were taken to improve the habitats on that particular site. For this particular application, it has been determined that no LNRS ACB site aligns with the planning application site area and there is no other apparent reason why the LNRS is an important determining factor for this application. As such, very little weight has been given to the content of the LNRS in reaching a recommendation for this planning application.

7.80 It is concluded that the proposed landscaping would contribute to achieving a healthy, inclusive and safe environment for the future residents, and would maximise opportunities for the creation, restoration, enhancement or connection of natural habitats. The proposal therefore accords with Local Plan Policies ENV1, ENV 2 and ENV 7, the Natural Environment SPD and Paragraphs 96 and 187 of the NPPF.

**7.81 Compliance with Outline Permission**

7.82 Conditions 38 to 56 of permission 25/01238/FUM (as varied by 20/01238/NMAB) were imposed to the outline element of the consent, some of which triggered with the submission of the reserved matters as assessed throughout this report. For clarity, the outline conditions with details recommended for approval with this assessment of reserved matters are the following:

No.	Description	Recommendation
40	Market Housing Mix	Full compliance
52	Noise report	Full discharge
55	Energy and Sustainability Strategy	Full discharge

7.83 Condition 40 relates to the housing mix of the market housing for this phase. As discussed at paragraph 7.45, the requirements of condition 40 are considered to have been met.

7.84 Condition 52 requires the first reserved matters application to be accompanied by a noise report which details how the need for mechanical ventilation has been sought to be avoided. A Noise Impact Assessment (NIA) has been submitted as part of the application and as discussed at paragraph 7.35, the requirements of condition 52 are considered to have been met and can therefore be discharged.

7.85 Condition 55 of the outline permission requires that an Energy and Sustainability Strategy is submitted prior to or as part of the reserved matters application. An Energy and Sustainability Strategy has been submitted as part of the application which sets out a number of sustainability measures that are proposed to be incorporated into the development including electric vehicle charging points, PV panels, and air source heat pumps. The requirements of the condition 55 are considered to have been met and can therefore be discharged.

7.86 In carrying out the assessment of the reserved matters, officers were of the view that further conditions were required to be imposed with the decision, as set out throughout this report and Appendix 2.

**7.87 Section 106 Agreement Compliance**

7.88 The following requirements of the S106 agreement linked to the outline permission 20/01238/FUM were detailed within this report and, for clarity, compliance with the S106 is confirmed through this reserved matters' assessment for the following clauses (paragraphs):

No.	Description	Recommendation/ Decision
Paragraph 1.8 of Part 1, Schedule 1	Submission of Viability Review as part of the Phase 2 Reserved Matters	Compliance confirmed by separate decision ref.: 20/01238/ELL
Paragraph 1.9 of Part 1, Schedule 1	Agree the Viability Review to determine the amount of Affordable Housing to be provided with Phase 2	Compliance confirmed

7.89 Further to the specific paragraphs set out in the above table, the definitions in Part 1 require that affordable housing shall not be located in clusters of more than 15 dwellings, and that all dwellings, excluding maisonettes and/or any other dwellings types as agreed in writing with the LPA, shall meet Nationally Described Space Standards (NDSS) and as a minimum, part M (Volume 1) Category 2 of Building Regulations have been assessed as part of this. These have been assessed in section 'Housing Quantum and Mix (Size and Tenure)' of this report and compliance with the S106 have been confirm in this regard.

7.90 Five per cent (20 units) of the total outline permission for a maximum of 397 residential units will be provided as self-build plots, in line with Part 5 definition of 'Self-Build and Custom Housebuilding Dwellings' of the S106 agreement. Compliance can be confirmed in this regard.

7.91 Compliance with Part 2 definition of 'Phase 2 LAP' can be confirmed through the provision of a landscaped children's play area of over 100 square metres (1,076 square foot or 0.02 acre) within Phase 2, as discussed in the landscape/layout section of this report. Details of the LAP are expected to be submitted in the future for approval, as part of the 'Open Space Specification', in line with Paragraph 2.2, Part 2 of the S106 agreement.

**7.92 Human Rights Act**

7.93 The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

## 7.94 Equalities and Diversities

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

## 8.0 APPENDICES

Appendix 1 – Outline decision notice 20/01238/FUM

Appendix 2 – List of suggested conditions

## PLANS

The following plans are a selection of those submitted as part of the application and are provided to illustrate the proposed development. They may not be to scale. The full suite of plans can be found on the Council's website.



Phase 2 – 197 dwellings



Phase 2 – 20 self-build plots

## **Appendix 1 - Outline decision notice 20/01238/FUM**

## Appendix 2

### CONDITIONS

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

Plan Reference	Version No	Date Received
25039 243 XX XX DR A 0107	C04	19th May 2026
25039-243-XX-XX-DR-A-0101	C05	1st April 2026
25039-243-XX-XX-SC-A-0001-A1	C03	1st April 2026
25039-243-XX-XX-DR-A-0100	C02	1st April 2026
25039-243-XX-XX-DR-A-0102	C03	1st April 2026
25039 243 XX XX DR A 0103	C03	1st April 2026
25039 243 XX XX DR A 0104	C03	1st April 2026
25039 243 XX XX DR A 0105	C03	1st April 2026
25039 243 XX XX DR A 0106	C03	1st April 2026
25039 243 XX XX DR A 0108	C03	1st April 2026
25039 243 XX XX DR A 0109	C03	1st April 2026
25039 243 XX XX DR A 0110	C03	1st April 2026
8764-FPCR-XX-XX-DR-L-0010	P04	1st April 2026
8764-FPCR-XX-XX-DR-L-0011	P04	1st April 2026
63072-RJL-02-XX-DR-C-1000	P03	1st April 2026
63072-RJL-02-XX-DR-C-1101	P02	1st April 2026
63072-RJL-02-XX-DR-C-2501	P02	1st April 2026
63072-RJL-02-XX-DR-C-2502	P02	1st April 2026
63072-RJL-02-XX-DR-C-2001	P02	1st April 2026
63072-RJL-02-XX-DR-C-2002	P02	1st April 2026
63072-RJL-02-XX-DR-C-2010	P02	1st April 2026
H7897-DWH-XX-XX-DR-CE	C06	1st April 2026
63072-RJL-02-XX-DR-C-9001	P02	1st April 2026
R11143-1	Rev 2	1st April 2026
Energy and Sustainability Strategy	Version 3	1st April 2026
63072-RJL-02-XX-RP-C-S3-0501-P03	Part 1	1st April 2026
63072-RJL-02-XX-RP-C-S3-0501-P03	Part 2	1st April 2026
63072-RJL-02-XX-RP-C-S3-0501-P03	Part 3	1st April 2026
63072-RJL-02-XX-RP-C-S3-0501-P03	Part 4	1st April 2026
63072-RJL-02-XX-RP-C-S3-0501-P03	Part 5	1st April 2026
63072-RJL-02-XX-RP-C-S3-0501-P03	Part 6	1st April 2026
Housetype Drawings Part 1		1st April 2026
Housetype Drawings Part 2		1st April 2026
LSG1H8	Rev 03	1st April 2026
25039-243-XX-XX-DR-A-0300	REV C03	7th April 2026
H7897-DWH-XX-XX-DR-CE-300600	REV C04	7th April 2026
Bespoke Viability Response		15th January 2026
Ecology Report for Phase 2 RMA	Draft	6th November 2025
63072-RJL-02-XX-DR-C-2711	P01	6th November 2025
Updated Bespoke Viability Response		31st March 2026

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

2. Notwithstanding the provision of Class A of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order), the detached (single and double) garage accommodation shall not be adapted or used as living accommodation unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate levels of parking is available for the lifetime of the development, in accordance with policy COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

3. No above ground construction shall take place on site until details of the external materials to be used in the construction of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

4. No above ground construction shall take place on site until details of the external materials to be used in the construction of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

5. No above ground construction shall take place on site until details of the car ports between dwellings at plots 79-80, 81-82, 153-154 and 155 and 156 hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

6. No development above ground slab level shall take place until a scheme of lighting for all unadopted shared private drives has been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed prior to first occupation of any dwelling(s) to which it relates.

Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and to protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.

7. Prior to the commencement of the use hereby permitted visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the back of the footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the highway verge/footway.

Reason: In the interests of highway safety, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

8. 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 plan reference 25039-243-XX-XX-DR-A-0101 in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in compliance with policy COM7 of the East Cambridgeshire Local Plan 2015.

9. Prior to first occupation of the dwelling(s) to which they relate, details of the design and position of the PV panels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the PV panels shall be installed in accordance with the approved details prior to first occupation to which they relate.

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 on the request by the developer.

10. Prior to first occupation of the dwelling(s) to which they relate, details of the ASHPs shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings. Where necessary, the scheme shall also provide full details of anti-vibration mounts, and all noise attenuation measures. The scheme shall be implemented as approved prior to occupation of the dwelling to which it relates and thereafter maintained as such.

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 on the request by the developer.

11. Prior to occupation of the relevant dwelling(s), details of the bin collection point(s) shall be submitted to and approved in writing by the Local Planning Authority. The bin collection point(s) shall be provided in accordance with the approved details prior to the occupation of the respective dwelling(s).

Reason: To ensure suitable provision for waste storage and collection in accordance with Policy ENV2 of the East Cambridgeshire Local Plan 2015.

12. Prior to occupation of the relevant dwelling, a scheme for the secure storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. The agreed cycle storage shall be provided prior to the occupation of the dwelling that it relates to.

Reason: To ensure suitable secure cycle storage in accordance with Policy COM8 of the East Cambridgeshire Local Plan 2015.

13. All planting to the boundary of the development will need to be within the remit of the applicant's site no planting should be placed on the public highway. The Highway Authority would request that the landscaping be planted so that at a reasonable level of maturity it does not overhang the public highway.

Reason: In the interests of highway safety, in line with policy COM7 of the East Cambridgeshire Local Plan 2015.

14. 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.

Reason: In the interests of highway safety, in compliance with policy COM7 of the East Cambridgeshire Local Plan 2015.

## **INFORMATIVE**

1. 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.



# EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,  
ELY, CAMBRIDGESHIRE CB7 4EE

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BDW Trading Ltd And Mr David Watson  
C/O Bidwells LLP  
FAO Jake Lambert  
Bidwell House  
Trumpington Road  
Cambridge  
Cambridgeshire  
CB2 9LD

*This matter is being dealt with by:*

Andrew Phillips

Telephone: 01353 616359

E-mail: [andrew.phillips@eastcambs.gov.uk](mailto:andrew.phillips@eastcambs.gov.uk)

My Ref: 20/01238/FUM

Your ref

25th June 2024

Dear Sir/Madam

## TOWN AND COUNTRY PLANNING ACT 1990

### PLANNING PERMISSION

#### Subject to conditions

The Council hereby **approves** the following development:

**Proposal:** Hybrid planning application seeking full planning permission for 180 dwellings, access, landscaping, sustainable urban drainage, public open space and associated primary infrastructure; and outline planning permission for up to 217 dwellings with all matters reserved except access

**Location:** Land To North Of Saxon Business Park Woodfen Road Littleport Cambridgeshire

**Applicant:** BDW Trading Ltd And Mr David Watson

This consent for planning permission is granted in accordance with the application reference **20/01238/FUM** registered 16th October 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  
P24019-DR3-001

LP-STN-00-WR-DR-C-0110-P06  
CA-05-12

Version No  
B

Woodfen Road GA  
Q

Date Received  
11th June 2024

8th September 2023

8th September 2023

Ecological Assessment		8th September 2023
Biodiversity Net Gain Assessment Addendum		8th September 2023
CA-05-02	F	13th October 2023
CA-05-15	M	13th October 2023
CA-05-01	W	13th October 2023
CA-05-06	M	13th October 2023
CA-05-10	L	13th October 2023
19445-RLL-20-XX-DR-C-202	V	13th October 2023
19445-RLL-20-XX-DR-C-203	P	13th October 2023
8764-L-01	X	13th October 2023
8764-L-100	K	13th October 2023
8764-L-101	K	13th October 2023
8764-L-102	K	13th October 2023
8764-L-103	K	13th October 2023
8764-L-104	K	13th October 2023
8764-L-105	K	13th October 2023
8764-L-106	K	13th October 2023
8764-L-107	K	13th October 2023
8764-L-108	K	13th October 2023
CA-05-07	L	13th October 2023
43030_5501_2801 P01		3rd May 2023
LP-STN-GN-A10-DR-CD-0101.1	P04	3rd May 2023
LP-STN-GN-A10-DR-CD-0102.1	P04	3rd May 2023
LP-STN-GN-A10-DR-CD-0103.1	P04	3rd May 2023
LP-STN-GN-A10-DR-CD-0111.1	P04	3rd May 2023
LP-STN-GN-A10-DR-CD-0112	P04	3rd May 2023
LP-STN-GN-A10-DR-CD-0113.1	P04	3rd May 2023

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

#### FULL APPLICATION

- The development hereby permitted shall be commenced within 3 years of the date of this permission.
- Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- Prior to first occupation of any dwelling, the developer shall deliver the A10/Site Access roundabout as detailed in drawing nos. LP-STN-GN-A10-DR-CD-0101.1 Rev P04, LP-STN-GN-A10-DR-CD-0102.1 Rev P04, and LP-STN-GN-A10-DR-CD-0103.1 Rev P04.
- Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015. This is a Grampian condition.
- Prior to first occupation of any dwelling, the developer shall deliver the off-site highway improvement works on Woodfen Road as shown on drawing no. LP-STN-00-WR-DR-C-0110 Rev P06.
- Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015. This is a Grampian condition.
- Prior to first occupation of any dwelling, a scheme for the upgrade to the existing bus stop on Gilbert Road to include a bus flag and pole, and Real Time Passenger Information (RTPI) unit shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to first occupation of any dwelling.

- 5 Reason: In the interests of sustainable transport, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015. This is a Grampian condition.
- 6 Prior to first occupation of any dwelling, a scheme for the upgrade to the existing bus stop on Wisbech Road to include a bus flag and pole, and RTP1 unit shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to first occupation of any dwelling.
- 6 Reason: In the interests of sustainable transport, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015. This is a Grampian condition.
- 7 Prior to first occupation of any dwelling, the developer shall deliver the junction capacity improvement works at the A10/Downham Road roundabout as detailed on drawing no.43030\_5501\_2801 Rev P01.
- 7 Reason: In the interests of highway safety and capacity, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015. This is a Grampian condition.
- 8 Prior to first occupation of any dwelling, a Residential Travel Plan shall be submitted to and agreed in writing with the Local Planning Authority. The Residential Travel Plan shall include suitable measures and incentives inclusive of bus taster and/or cycle discount vouchers to promote sustainable travel. The Residential Travel Plan shall be implemented upon first occupation of the first dwelling and shall be monitored annually until the occupation of the 300th dwelling on the site. The annual monitoring shall be submitted to the Local Planning Authority for its written approval and review all measures contained within the approved Travel Plan to ensure targets are met.
- 8 Reason: In the interests of sustainable transport, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 9 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 adopted road in accordance with the details approved on 19445-RLL-20-XX-DR-C-202 Rev V and 19445-RLL-20- XX-DR-C-203 Rev P.
- 9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 10 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across any vehicle access serving more than one dwelling, as shown on 19445-RLL-20-XX-DR-C-202 Rev V and 19445-RLL-20-XX-DR-C-203 Rev P.
- 10 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 11 Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- 11 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 12 Prior to the occupation of each dwelling the visibility splays associated with its vehicular access (single or shared) shall be provided in full accordance with the details approved on 19445-RLL-20-XX-DR-C-202 Rev V and 19445-RLL-20-XX-DR-C-203 Rev P. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway (inter-

vehicular visibility splays) or the adjacent highway footway / shared use path (pedestrian visibility splays and cycle visibility splays).

- 12 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 13 No above ground construction shall take place 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).
- 13 Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015.
- 14 No above ground construction shall take place on site until details of the external materials to be used in the construction of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 14 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 15 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the first occupation of the dwelling it relates to or adjacent to.
- 15 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 16 All hard external surface landscaping works shall be carried out in accordance with the approved details (drawing number CA-05-06M). The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.
- 16 Reason: To ensure the longevity of the landscaping scheme, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 17 All soft landscaping works shall be carried out in accordance with the approved details (8764-L-100 to 108 Rev K and 8764-L-01 REV X). The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 17 Reason: To ensure the longevity of the landscaping scheme, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 18 Prior to first occupation of any dwelling hereby permitted, a landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include:
  - a) Description and evaluation of features to be managed.

- b) Aims and objectives of management.
- c) Appropriate management options for achieving aims and objectives.
- d) Prescriptions for management actions.
- e) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- f) Details of the body or organization responsible for implementation of the plan.
- g) Ongoing monitoring and remedial measures.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details and maintained for a period of at least 30 years.

- 18 Reason: To protect and enhance species and to ensure long term strategic landscaping in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 19 No development shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed:

Flood Risk Addendum, Rogers Leask Ltd, Ref: 19445-RLL-20-RP-C-002 Rev P11, Dated: 13 October 2023

General Arrangement Sheet 1 of 2, Rogers Leask Ltd, Ref: 19445-RRL-20-XX-DR-C-202 Rev V, Dated: 13 October 2023

General Arrangement Sheet 2 of 2, Rogers Leask Ltd, Ref: 19445-RLL-20-XX-DR-C-203 Rev P, Dated: 13 October 2023

Flood Routing Plan, Rogers Leask Ltd, Ref: 19445-RLL-20-XX-DR-C-204 Rev N, Dated: 13 October 2023

and shall also include:

- a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) 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;
- b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- d) 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;
- e) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- f) Full details of the maintenance/adoption of the surface water drainage system;
- g) Measures taken to prevent pollution of the receiving groundwater and/or surface water

- 19 Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts. 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.

- 20 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 construction works begin.
- 20 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. 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.
- 21 Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an appropriately qualified independent Surveyor or Engineer shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission and condition 19 above.

Where necessary and compliance cannot be demonstrated, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority.

- 21 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.
- 22 Prior to first occupation of any dwelling a scheme of biodiversity improvements and timetable for implementation shall be submitted to and agreed in writing with the Local Planning Authority. The proposed improvements shall demonstrate how they comply with the approved Biodiversity Net Gain Assessment August 2023 and Ecological Assessment August 2023. The biodiversity improvements shall be installed in accordance with the agreed timeframe and thereafter maintained in perpetuity.
- 22 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 23 No above ground construction shall take place until a scheme for the timetable, 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 or in accordance with an agreed timeframe.
- 23 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 97 of the NPPF.
- 24 In the event of the foundations from the proposed development requiring piling, prior to the commencement of piling 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.

- 24 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 25 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.
- 25 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 26 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 construction.
- 26 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.
- 27 The bund (adjacent to the A10) and acoustic fence as detailed on drawing number 8764-L-01 X shall be completed prior to the first occupation of any dwelling and thereafter maintained in perpetuity.
- 27 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 28 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 28 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.
- 29 Prior to the commencement of any development, the remediation scheme approved in Condition 28 above shall be implemented in accordance with the agreed timetable of works and to the agreed specification. The Local Planning Authority must be given two weeks written notification of commencement of any remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
- 29 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.

- 30 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.
- 30 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.
- 31 Prior to first occupation of any dwelling a scheme detailing the NEAP, LEAP and LAP (as detailed on drawing number 8764-L-01 X) shall be submitted to and agreed in writing with Local Planning Authority. This scheme shall include how play areas being designed as accessible to all has been incorporated. Development shall commence in accordance with the approved details.
- 31 Reason: To ensure appropriate levels of play equipment as required by Policy GROWTH 3 of the Local Plan and the Developer Contributions SPD.
- 32 No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:
- a) the statement of significance and research objectives;
  - b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
  - c) The timetable for the field investigation as part of the development programme;
  - d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.
- 32 Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021) and policy ENV14 of the Local Plan.
- 33 Prior to the commencement of development a Detailed Waste Management and Minimisation Plan (DWMMP) shall be submitted to and approved in writing by the local planning authority. The DWMMP shall include details of:
- i) Construction waste infrastructure including a construction material recycling facility to be in place during all phases of construction
  - ii) anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste

iii) 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

iv) Any other steps to ensure the minimisation of waste during construction

v) the location and timing of provision of facilities pursuant to criteria i) to iv).

vi) proposed monitoring and timing of submission of monitoring reports

vii) 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

viii) a RECAP Waste Management Guide toolkit shall be completed, with supporting reference material

ix) 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.

- 33 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.
- 34 Prior to occupation of the relevant dwelling; a scheme for the secure storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. The agreed cycle storage shall be provided prior to the occupation of the dwelling that it relates to.
- 34 Reason: To ensure suitable secure cycle storage in accordance with Policy COM8 of the East Cambridgeshire Local Plan 2015.
- 35 In the event that solar photovoltaic (PV) panels are required to serve any dwellings hereby permitted, prior to first occupation of the dwelling(s) to which they relate, details of the design and position of the PV panels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the PV panels shall be installed in accordance with the approved details prior to first occupation to which they relate.
- 35 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 on the request by the developer.
- 36 In the event that air source heat pumps (ASHPs) are required to serve any dwellings hereby permitted, prior to first occupation of the dwelling(s) to which they relate, details of the ASHPs shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings. Where necessary, the scheme shall also provide full details of anti-vibration mounts, and all noise attenuation measures. The scheme shall be implemented as approved prior to occupation of the dwelling to which it relates and thereafter maintained as such.
- 36 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 on the request by the developer.

- 37 No development above ground slab level shall take place until a scheme of lighting for all unadopted shared private drives has been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed prior to first occupation of any dwelling(s) to which it relates.
- 37 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and to protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.

## OUTLINE

- 38 Approval of the details of the layout, scale, appearance, 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 3 years of the date of this permission, with the exception to any self-build plot where reserved matters shall be made within 5 years of the date of this permission.
- 38 Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 39 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 39 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 40 Each reserved matters (excluding landscaping) shall demonstrate that the proposed market housing mix is as follows:
- o 26% 2 Bedroom dwellings (+/-1%):
  - o 39% 3 Bedroom dwellings (+/-1%):
  - o 35% 4+ Bedroom dwellings (max)
- 40 Reason: In order to ensure that the proposed development has a suitable housing mix in accordance with Policy HOU1 of the Local Plan.
- 41 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.
- 41 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 42 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.
- 42 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 43 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.

- 43 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.
- 44 No above ground construction 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).
- 44 Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015.
- 45 No development shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be based upon the principles within the agreed:

Flood Risk Addendum, Rogers Leask Ltd, Ref: 19445-RLL-20-RP-C-002 Rev P11, Dated: 13 October 2023

General Arrangement Sheet 1 of 2, Rogers Leask Ltd, Ref: 19445-RRL-20-XX-DR-C-202 Rev V, Dated: 13 October 2023

General Arrangement Sheet 2 of 2, Rogers Leask Ltd, Ref: 19445-RLL-20-XX-DR-C-203 Rev P, Dated: 13 October 2023

Flood Routing Plan, Rogers Leask Ltd, Ref: 19445-RLL-20-XX-DR-C-204 Rev N, Dated: 13 October 2023

and shall also include:

a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) 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;

b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);

c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);

d) 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;

e) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;

f) Full details of the maintenance/adoption of the surface water drainage system;

g) Measures taken to prevent pollution of the receiving groundwater and/or surface water

Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

- 45 Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts. In accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.

- 46 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 construction works begin.
- 46 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. 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.
- 47 Prior to occupation of any dwelling with each phase (defined by reserved matters area) a scheme of biodiversity improvements for that phase shall be submitted to and agreed in writing with the Local Planning Authority. The proposed improvements shall demonstrate how they comply with Biodiversity Net Gain Assessment August 2023 and Ecological Assessment August 2023. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 47 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 48 No above ground construction shall take place in each reserved matters area until a scheme for the timetable, provision and location of fire hydrants to serve that reserved matters area 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 or within the agreed timeframe.
- 48 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 97 of the NPPF.
- 49 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 49 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.
- 50 Prior to the commencement of any development, the remediation scheme approved in Condition 49 above shall be implemented in accordance with the agreed timetable of works and to the agreed specification. The Local Planning Authority must be given two weeks written notification of commencement of any remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

- 50 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.
- 51 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.
- 51 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.
- 52 The first reserved matters shall include a noise report, detailing how the need for mechanical ventilation has sought to be avoided. It shall detail but not limited to how the layout of plots and internal arrangement have been considered.
- 52 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 53 No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:
- a) the statement of significance and research objectives;
  - b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
  - c) The timetable for the field investigation as part of the development programme;
  - d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.
- 53 Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021) and policy ENV14 of the Local Plan.
- 54 Prior to the commencement of any reserved matters approval, a Detailed Waste Management and Minimisation Plan (DWMMP) shall be submitted to and approved in writing by the local planning authority. The DWMMP shall include details of:
- i) Construction waste infrastructure including a construction material recycling facility to be in place during all phases of construction

- ii) anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste
  - iii) 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
  - iv) Any other steps to ensure the minimisation of waste during construction
  - v) the location and timing of provision of facilities pursuant to criteria i) to iv).
  - vi) proposed monitoring and timing of submission of monitoring reports
  - vii) 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
  - viii) a RECAP Waste Management Guide toolkit shall be completed, with supporting reference material
  - ix) 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.

- 54 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.
- 55 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.
- 55 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015.
- 56 Prior to first occupation of any dwelling within any reserved matters area, a Residential Travel Plan for the outline planning permission area shall be submitted to and agreed in writing with the Local Planning Authority. The Residential Travel Plan shall include suitable measures and incentives inclusive of bus taster and/or cycle discount vouchers to promote sustainable travel. The Residential Travel Plan shall be implemented upon first occupation of the first dwelling and shall be monitored annually until occupation of the 300th dwelling on the site. The annual monitoring shall be submitted to the Local Planning Authority for its written approval and review all measures contained within the approved Travel Plan to ensure targets are met.
- 56 Reason: In the interests of sustainable transport, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

### **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](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](mailto: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 If the method of piling involves impact driving it will be expected that any piling only takes place between 09:00 - 17:00 each day Monday to Friday and None on Saturdays, Sundays or Bank Holidays.
- 4 This decision notice should be read in conjunction with the Section 106 Obligation dated 25 June 2024 and the development completed in strict accordance with the provisions contained therein, to the satisfaction of the Local Planning Authority.
- 5 Anglian Water Informatives
  - (a) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
  - (b) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
  - (c) INFORMATIVE- Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
  - (d) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
  - (e) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

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

25th June 2024



**David Morren MRTPI**  
**Interim Planning Manager**

**26/00032/FUL**

Land South West of Willow Cottage

Upend

Erection of stables and associated stores and wash bay. Construction of a fenced outdoor arena with secure gated entrances and associated works. Installation of a surface water drainage grid, associated infrastructure and solar lighting. creation of new vehicular access with gate.

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

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T8R4ELGGHCI00>









**TITLE: 26/00032/FUL**

Committee: Planning Committee

Date: 3 June 2026

Author: Planning Officer

Report No: AB12

Contact Officer: Charlotte Sage, Planning Officer  
Charlotte.Sage@eastcamb.s.gov.uk  
01353 616353  
Room No 011 The Grange Ely

**Site Address: Land Southwest of Willow Cottage Upend Suffolk**

**Proposal: Erection of stables and associated stores and wash bay. Construction of a fenced outdoor arena with secure gated entrances and associated works. Installation of a surface water drainage grid, associated infrastructure, and solar lighting. creation of new vehicular access with gate.**

**Applicant: Dr Sarah Burley**

**Parish: Kirtling**

**Ward: Woodditton**

Ward Councillor/s: James Lay  
Alan Sharp

**Date Received: 4 February 2026**

**Expiry Date: 1 April 2026**

### **Recommendation**

1. Members are recommended to APPROVE the application for the following reason(s):
  - a. The principle of constructing stables, an outdoor arena and associated works in this location is considered to be acceptable by virtue of compliance with Policy EMP 5.
  - b. The proposals is not considered to result in a detrimental impact to the character and appearance of the Conservation Area or wider rural character of Upend.
  - c. The proposal is not considered to create detrimental impacts to residential amenity.
  - d. The proposal is considered to satisfy all other material planning considerations.

2. The application is being heard by committee because it was called in by Councillor Sharp and Councillor Ley for the following reason of significant public interest within the settlement of Upend.

### **Summary of Application**

3. This application seeks planning permission for the erection of stables and associated stores and a wash bay. Construction of a fenced outdoor arena with secure gated entrances and associated works. The installation of a surface water drainage grid, associated infrastructure and solar lighting and creation of new vehicular access with gate.
4. The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link [Simple Search](#).

### **Planning History**

5. The site has no relevant planning history.

### **The Site and its Environment**

6. The red line site boundary measurement is 0.406Ha or 1.003 acres. The land within the blue line boundary is also for use of the horses as existing paddock land. The blue line boundary measures 0.600ha or 1.483 acres.
7. The site is not located within the development envelope, however, is located within the Conservation area for Upend and is currently used for the grazing of horses by the neighbouring Fittocks Stud.
8. The site is accessed from an existing gate to the lowest end of the paddock to the south. To the northern end of the site, there is a rise in land levels with a substantial boundary verge and embankment, with an adjacent ditch. The topography of the site lowers slightly towards the northern boundary where it more closely aligns with the opposing slope of the public highway.
9. Upend is a very small rural settlement with few residential dwellings. Residential dwellings are predominantly located to the north / north east and south / south east of the site.
10. To the north of the settlement, outside of the development envelope is Fittocks Stud, who currently utilise the development site for grazing of their isolated horses.

### **Responses from Consultees**

11. Responses were received from the following consultees, and these are summarised below. The full responses are available on the Council's website.

- East Cambs Ecologist - 7 April 2026**
12. Ecology Responses - From the information provided the Ecologist has reviewed this application and, as of 02/04/26 supports only conditions applied with the information provided.
- Lead Local Flood Authority – 20 May 2026**
13. Lifted objection and require compliance condition with the site wide drainage drawing.
- Parish - 24 February 2026**
14. No objection in principle but have concerns:
1. Scale of the Proposed Facility
  2. Drainage and Flood Risk
  3. Lighting and Impact on Dark Skies
  4. Access and Highway Safety
  5. Potential for Future Commercial Use
  6. Landscaping and Disposal of Excavated Material
15. **Ward Councillors** – The ward members have called in the application due to the levels of public interest.
- Local Highways Authority - 14 April 2026**
16. Impacts can be mitigated subject to conditions.
- East Cambs Ecologist - 26 February 2026**
17. BNG Responses - From the information provided the Ecologist has reviewed this application and, as of 26/02/26 supports the information provided.
- ECDC Trees Team - 16 April 2026**
18. No objection subject to Conditions
- Conservation Officer - 4 February 2026**
19. No heritage implications
20. A site notice was displayed near the site on 16 February 2026 and a press advert was published in the Cambridge Evening News on 12 February 2026.
21. Neighbours – 12 neighbouring properties were notified directly, a total of 21 comments were received, 8 responses were received from neighbouring properties, 4 neighbouring properties wrote duplicate comments, 6 comments received lived outside of Upend. The responses received are summarised below. A full copy of the responses are available on the Council's website.
- Scale of Development
  - Arena Lighting
  - Site on elevated ground
  - Flood Risk and Drainage
  - Impact on Conservation Area

- Location of Muck Heap
- Noise of vehicles from new access
- Impact on Residential Amenity
- Use as Commercial Facility
- Removal of Hedgerow
- Dark Sky Impact
- Create additional traffic and highways safety risks
- Slope of access to the site
- Site Clearance and Excess Materials

## **The Planning Policy Context**

### 22. East Cambridgeshire Local Plan 2015 (as amended 2023)

GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 11	Conservation Areas
EMP 5	Equine development
EMP 6	Development affecting the horse racing industry
COM 7	Transport impact
COM 8	Parking provision

### 23. Supplementary Planning Documents

Design Guide  
 Flood and Water  
 Natural Environment SPD  
 Climate Change SPD

### 24. National Planning Policy Framework (December 2024)

- 2 Achieving sustainable development
- 4 Decision-making
- 8 Promoting Healthy and Safe Communities
- 11 Making Effective Use of Land
- 12 Achieving Well Designed Places
- 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change
- 15 Conserving and Enhancing the Natural Environment
- 16 Conserving and Enhancing the Historic Environment

### 25. Draft National Planning Policy Framework (December 2025)

- 3 Decision-Making Policies
- 4 Achieving Sustainable Development

- 5 Meeting The Challenge Of Climate Change
- 12 Making Effective Use Of Land
- 14 Achieving Well-Designed Places
- 17 Pollution, Public Protection And Security
- 18 Managing Flood Risk And Coastal Change
- 19 Conserving And Enhancing The Natural Environment
- 20 Conserving And Enhancing The Historic Environment

26. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. Regard has therefore been had to the NPPF published in December 2024 in assessing the current application.
27. Planning Practice Guidance

## **Planning Material Considerations and Comments**

### **Principle of Development**

28. Policy GROWTH 2 of the Local Plan 2015 (as amended 2023) seeks to strictly control development outside of the policy-defined development envelopes to protect the countryside. Development within such locations is therefore restricted to certain exceptions, provided that the development would not give rise to any significant adverse impacts on the character of the countryside, and that other relevant Local Plan policies are satisfied.
29. Policy GROWTH 2 sets out a list of exempt developments, of which Policy EMP 5 applies to this application. Subject to the development being in accordance with this Policy and being acceptable with regards to all other material planning considerations and relevant policies in the Local and Neighbourhood Plans, the principle of development is considered to be acceptable.
30. Policy EMP 5 Equine Development sets out specific criteria that development should meet in order to be considered appropriate development. The Council sets out within this policy that it will support equine development that maintains environmental quality and the character of the countryside. New building for horse related activities including stables, field shelters and tack rooms should be no larger than is essential.
31. Small scale domestic stables should be well related to dwellings, with larger scale facilities well related to existing development. This application is seeking a domestic and small scale stable and Manege developments which is directly related to the use by occupants of Willow Cottage, located opposite the proposed development entrance.
32. All equestrian development, whether domestic or commercial, should be of an appropriate scale and design and careful attention should be given to siting, materials and landscaping details to avoid an adverse impact on the countryside.

Particular care will be needed where floodlighting is proposed in order to avoid an unacceptable impact on residential amenity.

33. This proposed development demonstrates its full accordance with all requirements set out under Policy EMP 5, and all others relevant Policies within the Development Plan, and within the National Planning Policy Framework.
34. The siting of the stables and arena are located to the northern edge of the application site. The site is bound to the north and north west by mature trees and landscaping. The siting of all proposed development within the site is adjacent the linked domestic property of Willow Cottage and is closely related to the residential dwellings around the northern edge of the site.
35. The northern edge of the site is the least visible area of the wider existing paddock. To the eastern boundary is a very high embankment with hedging and a drainage ditch separating the development site from the highway.
36. The topography of the site slopes towards the southern end where there is an existing field gate. Views of the proposed development are clearest from this perspective, however, given the small scale of the development, the level of visual impact is limited substantially by the distance from the field gate, and the low impact construction and style of the development.
37. There are no existing buildings or structures on the development site that could be adapted or reused for the purpose of this development, and therefore the application has not needed to demonstrate reuse.
38. The siting, scale and design of the proposal is in keeping with the character of the area, and the development is supported by adequate pasture to support horses, both within the Red and Blue Line boundaries. Within the red line, there is approximately 0.25ha (0.622acres) of grazing land, and within the Blue Line 0.600ha (1.483acres). There is a total combined paddock space of 0.85ha (2.1acres) available for this development, under the ownership of the applicant.
39. The siting of the stables and arena has already been discussed in the above statements and are considered to be appropriate to the development site and surrounding context.
40. The stables are no larger than absolutely required by the applicant. The stables propose 3no. stalls, two of which for the applicant's horse and companion, and an isolation stall as per the requirements for managing the welfare of horses, particularly from infectious diseases and illnesses such as Strangles. The size of the stables have been designed with the isolation requirements in mind, but also to provide adequately sized stalls for a maximum of 2no. horses for the applicant's personal use.
41. Integrated within the stables block is a wash down bay, a feed, hay and tack room, and jump store. These areas are required to be under cover for the benefit of retaining clean and dry supplies for the horses on site. The incorporation of the wash down bay within the structure, maintains a more complete appearance to the building, allowing for a cleaner and cohesive design within the Conservation Area.

Additionally, the provision of a room for the storage of show jumps allows for the clearance of the arena, and mitigation of the visual effect of the development.

42. The proposed stables are 3.4m (11.1ft) to the ridge and 2.4m (7.8ft) to the eaves. The low height of these stables combined with their location within the development site, demonstrates that the proposal will not have a negative impact upon the character and appearance of the area.
43. The proposed materials of the stables are particularly high quality and of natural origin. The walls are proposed to be exterior pressure treated timber Shiplap and a single course of semi engineering bricks. The shiplap will be light golden brown in colour. The roof will be covered with Onduvilla Roof Tiles shaded in black.
44. The existing post and rail boundary treatments are to remain with a small part of the hedgerow and post/rail fencing to be removed to make way for the proposed new entrance. A 12ft 5 bar metal field gate is proposed to the new entrance, in similar styling to the existing gate on the southern edge of the site.
45. The proposed 25m by 55m arena will be constructed of Post and Rail Fencing – in Douglas Fir wood, concreted into position and treated with a wood preserver. Silica Sand and Martin Collins Clopf Fibre surface will be applied to the arena, with a woven membrane to protect sub base of arena.
46. The Majority of the arena to be covered in 100mm-125mm clean angular stone (granite or limestone ) to form firm and porous base. There is a marginal area of the arena in the root protection area (RPA) which will be a "no-dig' area as advised by the Arborist. The RPA area of the arena is to be built up having a geotextile membrane, angular stone, a further membrane and top finishing of silica sand and clopf fibre. The post and rail fencing in this area is to be hand dug to protect the RPA.
47. The site layout plan demonstrates that the development is not sited in a prominent or isolated location away from existing buildings. The link between the proposed development and the associated residential unit at Willow Cottage (opposite) is clear and logical.
48. The detailed information regarding the high quality of materials within the application form and the design and appearance of the stables and area demonstrate that the proposal has been designed to maintain the current character and appearance of the area without causing detriment to the rural character of the settlement.
49. Policy EMP 5 sets out that particular regard will be had to the cumulative effect of proposals. This development is sited on land which is already in use as grazing paddock by the nearby Fittocks Stud located to the north of Upend. The only material change to the site is the introduction of a small stable and an arena. The scale and massing of the proposed development does not constitute a significantly detrimental impact on the character and appearance of the area. Given the existing use of the site, and the rural / equine nature of the surrounding area, and the proposed non-commercial use of the site, it is not considered that the proposal would have a negative cumulative effect.

50. This development is not considered to be larger scale private or commercial and therefore this element of Policy EMP 5 is not considered to be applicable. However, the proposed development does have suitable on site exercise space through the provision of an arena, and of suitable grazing land. No Transport Statement is required of the proposals given the small scale private nature of the equine use.
51. It is not considered that the amenity of neighbouring residential properties would be adversely affect by the proposals. Policy EMP 5 makes explicit reference to impacts of floodlighting, and changes in levels of noise and disturbance. This will be considered in detail within the residential amenity section but is considered overall not to be detrimental to residential amenity.
52. The scale and use of the proposed development would not lead (itself or cumulatively) to significant adverse impacts in terms of the nature and amount of traffic generated. This is discussed further in the highways section of this report.
53. This proposal is not seeking permission for an accompanying rural workers dwelling.
54. It is therefore considered that the proposal meets all aspects required of Policy EMP 5, and by virtue of its compliance, the principle of development is considered to be acceptable.

### **Residential Amenity**

55. Policy ENV 2 of the East Cambridgeshire Local Plan 2015 requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. Paragraph 135(f) of the NPPF requires proposals to ensure that they create safe, inclusive and accessible development which promotes health and wellbeing and provides a high standard of amenity for existing and future users.
56. Comments of objection to this application have been received relating to the proposed introduction of lighting to the site. As part of this proposal, lighting is proposed to the arena in the form of a series of low impact, solar powered lights.
57. The proposed lighting is required to ensure the safety of horse and rider during the winter months, and in the evening between the hours of 18:30 and 19:30. The applicant has set out within their submission that the use of the arena for short periods of exercise (approximately 30mins) on alternate evenings to minimise the time the arena is lit, and to allow for suitable exercise for the horse.
58. The lighting specification has a low lumen with the fittings being highly directional, with a cutting off angle that ensures light is focused downwards only and contained entirely within the boundary of the arena. The directional lighting and low lumen levels will prevent spill of light onto the neighbouring dwellings, the boundary trees or the rural sky. The lighting scheme has been designed by Lite my Ride (a specialist equine lighting company) and is not considered to detrimentally impact upon the residential amenity of the neighbouring dwellings.

59. The use of lighting will be restricted in its hours of use between the hours of 06:00 and 21:00 to allow for flexibility in attending the site. The applicant has set out within their supported documentation that riding will take place between 18:30 and 19:30. The proposed condition would allow for lighting until 21:00. In order to allow some flexibility with regards to the applicant's attendance at the site, the curfew of 21:00 would allow for potential delays in daily activities such as travel from work, sickness, emergency veterinary care for the horses, and for the applicant to attend to the stables after riding and provide the relevant care for the horses. In order to mitigate any impact on the residential amenity of neighbouring dwellings, it is considered reasonable that all lighting should be turned off at 21:00 the latest to retain the dark skies within the rural landscape, and to prevent any disruption or perceived disruption from the minimal light spill onto residential dwellings.
60. It is not considered that the provision of a stable on this site alongside an arena, both for private use, would be detrimental to residential amenity through an increase in noise, odour or disturbance.
61. Upend is a small settlement surrounded by equine uses, particularly by Fittocks Stud located within the settlement to the north of the application site. The use of the application site for a small scale private stable and arena, with accompanying paddocks is not considered to detrimentally increase noise and disturbance to neighbouring residents.
62. The muck heap has been located close to the stables for purposes of maintaining a more cohesive visual appearance and away from residential dwellings. The heap will be located approximately 11m (36ft) from the watercourse, and 15m (49ft) from the public highway. Whilst there are no stables on the site, there are many instances of stabling and muck heaps within Upend close to residential dwellings, and the very small scale use of this proposed muck heap is not considered to be detrimental to residential amenity through odour or flies. The muck heap is proposed to be emptied on a volume basis rather than exact calendar date. This will be managed by the applicant and does not require a condition.
63. The proposals are therefore considered to be in accordance with Policy ENV 2 of the East Cambridgeshire District Council Local Plan 2015 (as amended 2023).

### **Visual Amenity and Heritage**

64. Section 12 of the National Planning Policy Framework (2024) is concerned with creating high quality, beautiful and sustainable buildings and places. It is necessary for new development to achieve good design to function well, establish a strong sense of place, have a suitable balance between built form and space, respond to local character and be visually attractive. It also states, development that is not well designed should be refused, especially where it fails to reflect local design policies.
65. Policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023) requires that all development proposals are designed to a high quality, enhancing and complementing local distinctiveness and public amenity by relating well to existing features and introducing appropriate new designs. Additionally, Policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023) makes it clear that all new development proposals will be expected to respect the

density and character of the surrounding area, whilst ensuring that the location, layout, scale, form, massing, materials and colour of buildings relate sympathetically to the surrounding area and each other, as well as creating quality new schemes in their own right.

66. Paragraphs 131 and 135 of the NPPF seek to secure visually attractive development which improves the overall quality of an area and is sympathetic to local character and history.
67. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 states that in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
68. Policy ENV 11 states that Development proposals, within, or affecting a Conservation Area should:
  - Be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area.
  - Seek to retain attractive traditional materials and features such as original doors, windows, chimneys and boundary walls; and
69. The siting, scale, design and massing of the proposed development has been addressed in the principle section against the criteria of Policy EMP 5.
70. The Conservation Officer has been consulted on this application as the development site falls within the Conservation Area. The Conservation Officer has stated that there would be no conservation implications as a result of the proposed development.
71. The development, of very minor scale, seeks to provide a small stables building with post and rail bounded arena. The site is in an existing equine use, and whilst there are no current buildings on this site, it is not considered that their introduction would be detrimental to the character and appearance of the Conservation Area or the wider rural setting.
72. Upend is a rural village surrounded by Equine uses characterful of its location to the south of Newmarket. Equine and equine related activities are characterful of this area and are present in the village setting.
73. A new addition to the village is the presence of lighting to the proposed arena, however, the frequency of use and design for directional low lumen lighting clearly demonstrates that their introduction would not be detrimental to the character and appearance of the conservation area.
74. Therefore, the proposed application is considered to maintain the character and appearance of the Conservation Area, and is in full compliance with the requirements set out within Policy ENV 1, ENV 2, and ENV 11 of the East Cambridgeshire District Council Local Plan 2015 (as amended 2023)

## **Highways**

75. Policy COM7 of the Local Plan seeks to ensure that new development is designed to reduce the need to travel, especially using private motor vehicles. This means new development should be focused within settlement where there is a choice of means of transport. It should also be capable of accommodating the level/type of traffic generated without detriment to the local highway network and the amenity, character and appearance of the locality.
76. Policy COM 8 of the East Cambridgeshire Local Plan 2015 (as amended 2023) requires development proposals to provide adequate levels of car and cycle parking and make provision for parking broadly in accordance with the Councils parking standards.
77. The Local Highways Authority have been consulted on this application and state that any effects of the proposed development would be mitigated following the application of conditions on any permission. The LHA comments set out that the submitted plans show the gradient and levels details for the site, which demonstrate that the proposed access would not exceed a gradient of 1 in 12.
78. It was noted by the LHA that there would be the provision of channel drainage across the access on the private side of the highway boundary together with a culvert located within the public highway. An informative has been attached in respect of the requirement for the watercourse consent for the culvert.
79. The LHA have made comment in response to direct communication received from a local member regarding the potential risk of polluted surface water entering the watercourse network. The identified ditch does not fall within the jurisdiction of the Local Highways Authority and therefore simultaneously with comments raised by members of the public, the LLFA were consulted on the proposals to gain clarification on the impact of the development on watercourses, drainage and pollution.
80. Given the proposed use of the site, it is not considered that there would be a substantial impact to volume of traffic within Upend as a result of the construction of the stables and arena.
81. The proposed development is therefore considered to be in accordance with policy COM 7 and COM 8 of the East Cambridgeshire District Council Local Plan 2015 (as amended 2023).

## **Ecology**

82. Policy ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) sets out that all development proposals will be required to protect the biodiversity value of land and buildings and minimise harm to or loss of environmental features, such as trees.
83. Paragraph 193 of the NPPF advises that development proposals should minimise impacts on biodiversity and secure net gain. Additionally, the paragraph discusses

the importance of establishing coherent ecological networks that are more resilient to current and future pressures. Opportunities to incorporate biodiversity improvements should be encouraged, stating that development should be supported where the primary objective is to conserve or enhance biodiversity. Policy ENV7 of the Local Plan 2015 seeks to maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals, seeking to deliver a net gain in biodiversity proportionate to the scale of development. The Council adopted its Natural Environment SPD on the 24th September 2020 to help make sure new development in East Cambridgeshire both protects the current natural environment but also creates new areas for wildlife to thrive.

84. The site is subject to mandatory Biodiversity Net Gain, and a standard condition will be applied to the application on this basis. The Council's Ecologists have confirmed that they agree with the submitted baseline shown within the Main Metric.
85. The Council's Ecologists have provided ecology comments to the application focusing predominantly around the introduction of lighting to the application site. The ecologists have stated that the applicant seeks lighting during the dark winter months when bats are hibernating, and that the applicant has committed to a curfew of 9pm and only switching on the lights in the winter months. Further communication has been held with the Council's Ecologists, who confirm in their response that the scheme is compliant with ILP 2023 Guidance. In the worst case scenario, if the most light adverse bat species were roosting in the boundary tree belt, the Lux level spill on the trees is lower than the amount that would impact their behaviour.
86. On this basis it is considered that as the lighting spill is of such low levels, and the specification of lighting that meets the requirements of the ILP 2023 Guidance, that the condition for the hours of lighting can be relaxed to a calendar year format. In this way, as the proposed lighting would not impact even the most light sensitive species of Bat, the use of lighting should not be limited to the winter months. Therefore, a condition for lighting shall be included to restrict hours of use.
87. As part of any planning permission a condition for Biodiversity Enhancements shall be applied to align the proposals with the requirements of Policy ENV 7. This shall include provisions such as bird boxes and hedgehog habitats/ highways.

### **Trees**

88. The Trees Officer was consulted on this application and concluded that the submitted Arboricultural Impact Assessment (AIA) demonstrates that the proposed development can be carried out with little to no impact on the trees adjacent to the development area. Additionally, there are no significant tree-related objections to this application, therefore on the basis of permission being granted, a condition should be applied for the provision of an Arboricultural Method Statement (AMS) as a pre-commencement condition, along with a detailed soft landscaping scheme that must include some mixed native species hedging.
89. Overall, the proposals are considered to be in accordance with Policy ENV 7 and the Natural Environment SPD.

## **Flood Risk and Drainage**

90. Policy ENV 8 requires all developments and re-developments to contribute to an overall flood risk reduction.
91. The site is located in Flood Zone 1 where the principle of development is considered acceptable in terms of Flood Risk. Furthermore, the application site and land within the red and blue line boundary are not subject to surface water issues as shown on the Government Flood Map for Planning.
92. Concerns have been raised by residents regarding the potential for significant surface water drainage issues, and the potential for an increase in flood risk. The public highway and ditch the boundary of the development site is shown to have likelihood of surface water flood risk.
93. In order to address the comments of residents and of ward members, the application was consulted upon by the Lead Local Flood Authority, as it was considered beneficial to fully understand the drainage scheme provided by the applicant prior to determination. Initial concerns were raised from the LLFA with regards to the drainage scheme, surface water run-off and the proposed outfall. Amendments have been submitted to the application and final comments have been received from the LLFA.
94. The LLFA have lifted their previous objections to the proposed drainage scheme, now seeking a compliance condition with the site wide drainage drawing. The most recent submitted drawings, demonstrate that surface water from the proposed development can be managed through the use of rainwater harvesting and an attenuation chamber, restricting surface water discharge to the riparian watercourse adjacent to the site at a rate no greater than 1l/s. The LLFA have requested that all other paving where possible will be permeable as set out within the supporting site layout plans. The LLFA is supportive of the use of permeable surfacing as it provides additional water quality treatment. A condition for the submission of details relating to hardstanding shall be applied to any permission.
95. The LLFA have included an informative within their comments regarding 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.
96. As part of the running of the site if permitted, the applicant would be responsible for ensuring that pollution of water is kept to a minimum. The applicant has set out in their planning statement the use of shampoos and cleaning products for the stables and horses, and how their specified products would not be a risk of creating water pollution. Whilst the use of products cannot be conditioned, it remains the applicant's responsibility.

97. A designated area has been identified for the location of the muck heap. The applicant sets out within their statement that the heap will be cleared on a volume basis rather than per calendar month and day. The levels of muck created by a maximum of two horses on this site is not considered to be excessive. The applicant's commitment to the responsible management of the muck heap will ensure that pollution on the site is controlled.
98. The proposals are considered to meet the requirements of Policy ENV 8 and are therefore considered to be appropriate with regards to flood risk and drainage.

### **Climate Change**

99. Local Plan Policy ENV4 states: 'All proposals for new development should aim for reduced or zero carbon development in accordance with the zero-carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable' and 'Applicants will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction.'
100. The adopted Climate Change SPD and Chapter 14 of the NPPF encourages all development to include sustainability measures within their proposal. No specific measures have been put forward as part of the application. While this does weigh against the application, it would not form a reason for refusal on its own merit due to the minor scale and nature of the proposed development.

### **Planning Balance**

101. Officers have considered the information submitted as part of this application and have discussed policy implications with regard to the principle of development, design, heritage and visual amenity, residential amenity, trees, ecology and flood risk. It is considered that the proposal would have minimal impact on residential amenity and the visual appearance of the area, would maintain the character and appearance of the Conservation Area, and the proposal would be compliant with the relevant local and national policies referred to above. The application is therefore recommended for approval.

### **Human Rights Act**

102. The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). Under the Act, it is unlawful for a public authority, such as East Cambridgeshire District Council, to act in a manner that is incompatible with the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance. The Council is also permitted to control the use of property in accordance with the general interest and the recommendation set out below is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

## **Equalities and Diversities**

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

## **Appendices**

104. Recommended Conditions

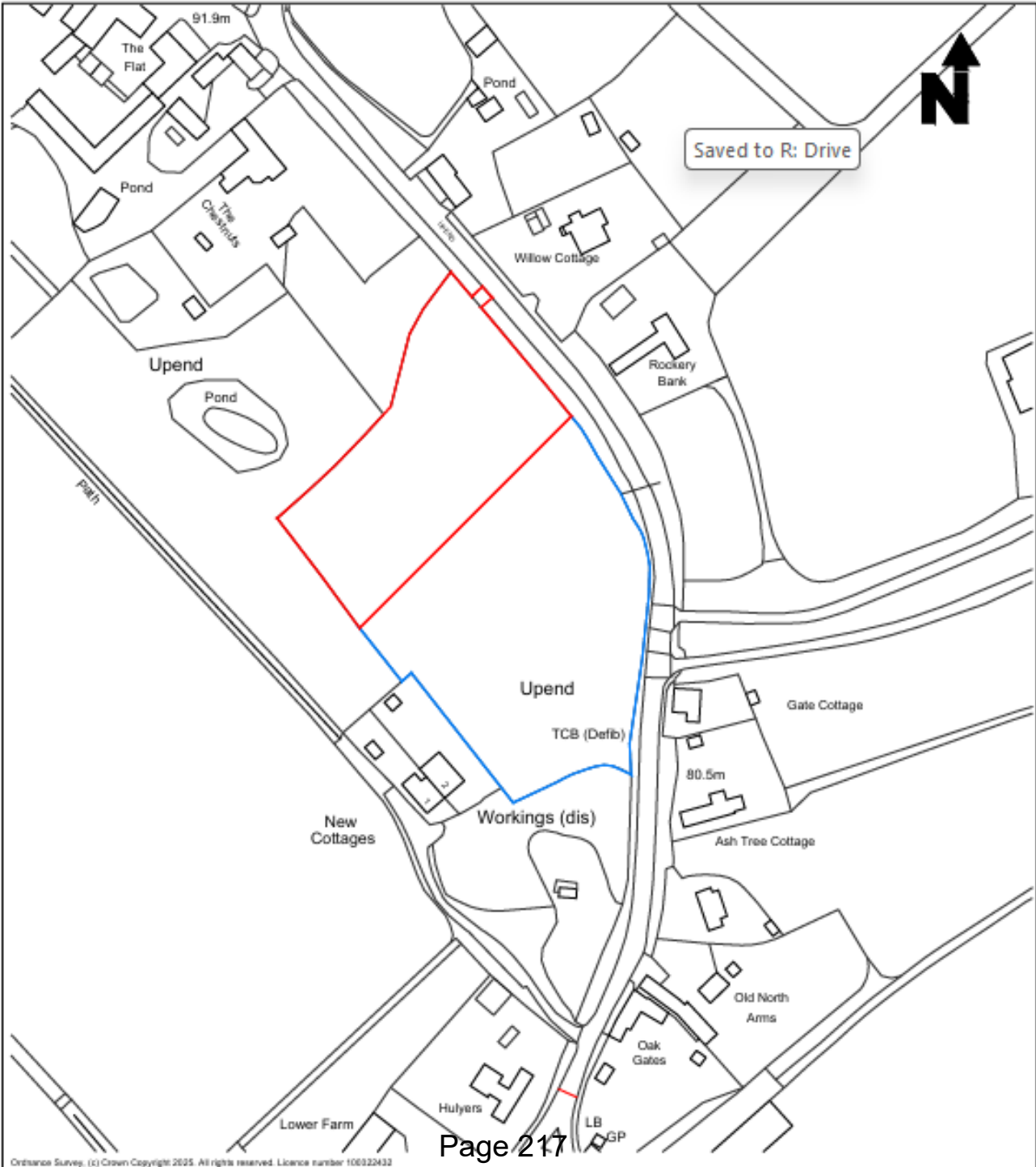
### **Plans**

The following plans are a selection of those submitted as part of the application and are provided to illustrate the proposed development. They may not be to scale. The full suite of plans can be found on the Council's website.

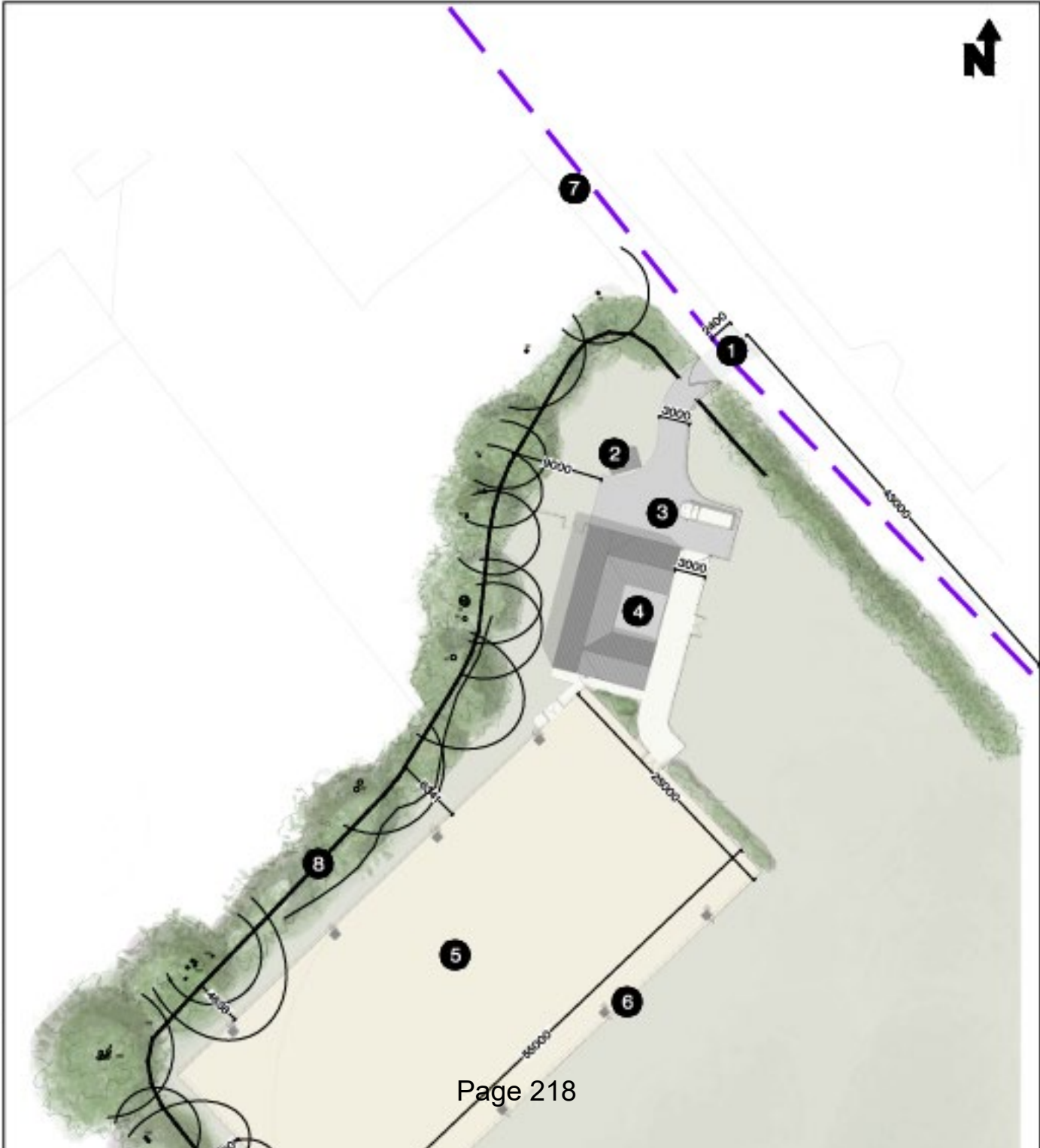
*Please add a site layout plan, and any elevations that the members will need to refer to during the site visit or the committee meeting. This will replace the need for an additional bundle being created. If in doubt, consider what plans you are intending to display on your presentation*

26/00032/FUL

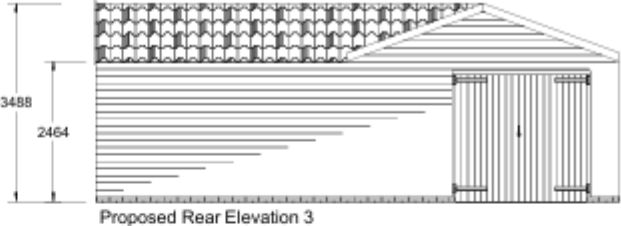
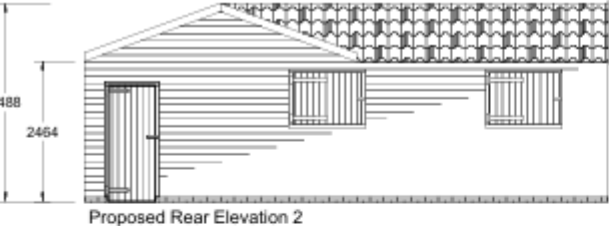
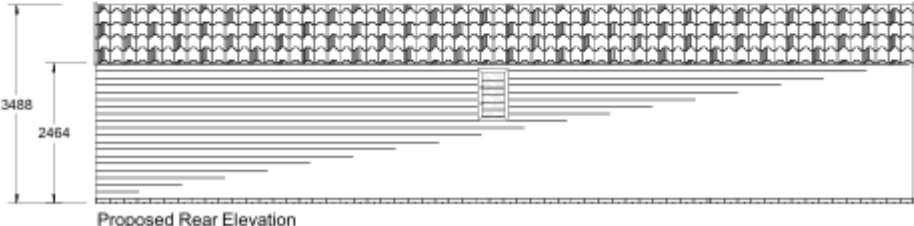
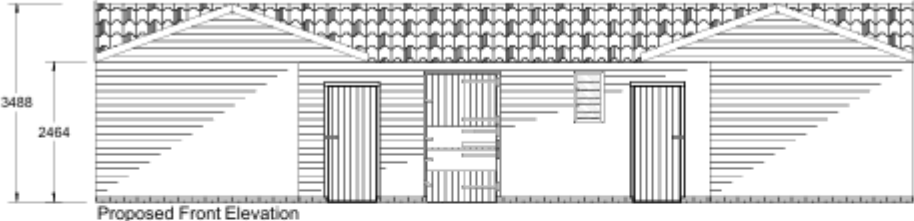
Site Location Plan



Site Layout Plan



Proposed Elevations



Appendix 1 – Recommended Conditions

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

Plan	Reference Version No.	Date Received
250723		26th January 2026
15570-9.1		23rd January 2026
15570-9.2		23rd January 2026
15570-9.3		23rd January 2026
EPA - Design Statement	V1	23rd April 2026
C-15570-S4-9.2	A	23rd April 2026
C-15570-S4-9.3	A	23rd April 2026
C-15570-S4-9.4		23rd April 2026
C-15570-S4-9.5	B	23rd April 2026
C-15570-S4-9.6		23rd April 2026
C-15570-S4-9.7A	Rev A	13th May 2026
15570 - Drainage Long Sections - 002		13th May 2026
15570 Drainage Report - 002		13th May 2026
Surface Water Drainage and Highway Infrastructure Statement		13th May 2026
30 Year Biodiversity Management Plan (BMP)		12th January 2026
Biodiversity Net Gain Assessment Issue 1.0		12th January 2026
Preliminary Ecological Appraisal Issue 2.0		12th January 2026
Appendix 1 Preliminary Ecological Appraisal BNG Metric	V2	12th January 2026
Utilities Statement		12th January 2026
Tree Survey and Arboricultural Impact Assessment		12th January 2026
12081-D-AIA		12th January 2026
Addendum: Tree Survey AIA		12th January 2026
Location Plan		12th January 2026
15570-S3-ECO-02		12th January 2026
250724 REV 1		26th January 2026
4445-250723		12th January 2026
15570-S3-SP-03		12th January 2026
25122313-01		12th January 2026
25122313-01		12th January 2026
55M X 25M Riding Arena Lighting Layout		12th January 2026

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

- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 The materials to be used in the construction of the external surfaces, including the stables, arena, and muck heap, shall be as specified within the Application Form. All works shall be carried out in accordance with the approved details.
- 3 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area, in accordance with policies ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 4 No development shall take place until a detailed Arboricultural Method Statement (AMS) has been submitted and approved in writing by the Local Planning Authority. The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.
- 4 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 (as amended 2023). 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.
- 5 No above ground construction shall commence until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include permeable and non-permeable hard surfacing materials. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme submitted to and approved in writing with the Local Planning Authority prior to first occupation.
- 5 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area, in accordance with policies ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 6 Prior to the first use of the stables and arena any gate or gates to the vehicular access shall be set back a minimum of 5m from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards. This style of access gate or gates shall be used at all times/thereafter be retained in perpetuity
- 6 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023)

- 7 Prior to the first use of the stables and arena a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 7 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area, in accordance with policies ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 8 Before the first use of the stables and arena hereby permitted, the vehicular access from the nearside footway edge shall be constructed to include the provision of a metalled/sealed surface for a minimum length of 5m from the existing carriageway edge.
- 8 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 9 Prior to the first use of the stables and arena a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 9 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 10 The access and all hardstanding within the site shall be constructed in accordance with plan reference 9.2 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 (as amended 2023).
- 11 The hereby approved scheme of lighting shall be installed and implemented in accordance with the document titled 55M X 25M RIDING ARENA LIGHTING LAYOUT dated 02.10.2025. The installed Lighting should adhere to ILP 2023 and remain compliant in perpetuity.
- 11 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 12 The lighting hereby approved shall be limited to operation between the hours of 06:00 and 21:00 Monday – Sunday.

- 12 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 13 Development shall be carried out strictly in accordance with the precautionary working measures set out in the PEA, by Arbtech, dated 26/09/26, with the addition of construction work under the supervision of an Ecological Clerk of Works (EcOW).
- 13 Reason: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), s40 of the Natural Environment and Rural Communities Act 2006, and ENV7 of the local plan.
- 14 The stables, arena and paddocks hereby approved shall not be used for the purposes of commercial use.
- 14 Reason: The application has been assessed as acceptable and complying with policy EMP 5 on this basis.
- 15 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.
- 15 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 16 The boundary treatments hereby permitted shall be constructed in accordance with the details specified on drawing number 15570-9.1. The boundary treatments shall be in situ and completed prior to the first occupation on the site. All works shall be carried out in accordance with the approved details and retained thereafter.
- 16 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area, in accordance with policies ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 17 The surface water drainage scheme shall be constructed and maintained in full accordance with the Site Wide Drainage drawing as submitted (reference 15570-9.7 Revision A) dated 12 May 2026
- 17 Reason: To reduce the impacts/risk of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

**EXT/00008/26**

Land to the East of Cambridge  
Between Burwell and Balsham

**PLANNING INSPECTORATE - Kingsway Solar Farm Development Consent  
Order -Adequacy of Consultation.**

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

[https:// national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010165](https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010165)





**TITLE: EXT/00008/26**

Committee: Planning Committee

Date: 3 June 2026

Author: Major Projects Officer

Report No: AB13

Contact Officer: Yole Medeiros, Major Projects Officer  
Yole.Medeiros@eastcambs.gov.uk  
01353 616280  
Room No 011 The Grange Ely

**Site Address: Land to the east of Cambridge between Burwell and Balsham**

**Proposal: Planning Inspectorate - Kingsway Solar Farm Development Consent Order - Adequacy of Consultation**

**Applicant: Planning Inspectorate**

**Parishes: Bottisham, Brinkley, Burwell, Reach, Swaffham Prior, Swaffham Bulbeck & Westley Waterless**

**Wards: Bottisham and Burwell**

**Ward Councillor/s: Charlotte Cane & John Trapp  
David Brown & Lavinia Edwards**

**Date Received: 2 April 2026**

**Expiry Date:**

### **Recommendation**

1. Members are recommended to:
  - (a) Approve ECDC's draft response (Appendix 1), stating that the Applicants to the Development Consent Order, Kingsway Solar Farm Limited, have complied with Sections 42 and 48, however have not complied with Section 47 of the Planning Act 2008, for the reasons set out in the proforma;
  - (b) Delegate authority to the Strategic Planning and Development Management Manager to carry out minor amendments to the response post-committee decision if required; and
  - (c) Delegate authority to the Strategic Planning and Development Management Manager to submit the response on behalf of ECDC.

2. The application is being heard by committee as Kingsway Solar Farm is a Nationally Significant Infrastructure Project (NSIP), proposed to be determined by the Secretary of State for Energy Security and Net Zero, under a Development Consent Order (DCO).
3. The object of this report is ECDC's draft statutory response to be submitted to the Secretary of State. As set out in the Planning Committee decision of the 5 November 2025, responses will be taken to Planning Committee for endorsement wherever possible.

## **Executive Summary**

4. Kingsway Solar Farm will comprise the construction, operation, maintenance and decommissioning of a solar photovoltaic (PV) and electrical battery storage generating facility with a generation capacity of up to 500MW.
5. This will include the associated development and infrastructure required to facilitate a connection to the National Grid, mostly affecting the district. The Grid Connection Corridor ('GCC') as identified in the consultation documents will comprise approximately 15 kilometres (9.3 miles) between Brinkley and Burwell, and will be formed by overhead lines, with pylons at approximately every 300 metres (0.2 mile).
6. The submission of the DCO documents in 21 May 2026 initiates the 'Acceptance' stage, whereby the Planning Inspectorate, acting on behalf of the Secretary of State to determine the DCO, decides whether to accept the application for examination. As part of this process, the Planning Inspectorate must have regard to any adequacy of consultation representations it receives from relevant local authorities when deciding whether to accept an application.
7. ECDC as a host authority is a 'relevant local authority' and has been invited to complete an 'adequacy of consultation representation proforma', which is part of ECDC's response in Appendix 1. Local authorities are asked to confirm whether they consider the applicant complied with their pre-application consultation duties as set out in sections 42, 47 and 48 of the Planning Act 2008. It is noted that guidance sets out that any representation at this stage should be about the consultation process at pre-application, and not about the merits of the project itself.
8. In reviewing the Consultation Report submitted by Kingsway Solar Farm Limited (the Applicant), officers concluded that whilst sections 42 and 48 of the Planning Act 2008 have been complied with, the consultation failed to comply with Section 47 of the Act, particularly in relation to subsections 47 (5) and (7), as set out in this report.
9. The Consultation Report, alongside other application plans and documents submitted by the Applicant can be viewed online via the [Kingsway Solar Farm - Project information](#) webpage maintained and updated by the Planning Inspectorate.

## **Main Issues**

### **Section 47(5) of the Planning Act 2008**

10. Section 47(5) of the Planning Act 2008 requires that, in preparing the consultation statement, the Applicant has regard to any response to consultation that is received by the Applicant. Officers consider that this has not been complied with as the Applicants did not have regard to ECDC's concerns regarding the information provided in the consultation process, to allow consultees to make an informed opinion regarding the development.
11. ECDC provided feedback on the draft Statement of Community Consultation (SoCC), raising concerns in relation to the absence of details preventing full comments to be provided on its acceptability or its final content. This has been acknowledged in the Applicant's Adequacy of Consultation Milestone Report (January 2026 Version 2) paragraphs 4.2.4 and 4.2.6.
12. The response provided by the Applicants did not address Section 47(5), where it requires that the Applicant must have regard to any response to consultation under subsection 47(2). Whilst it may be legally debatable that the level of information is not strictly defined by the relevant legislation, the justification for not making the information available has not been provided at any point in the consultation process. It is concluded therefore that the Applicants did not have regard to ECDC's comments in this respect.

### **Section 47(7) of the Planning Act 2008**

13. Section 47(7) of the of the Planning Act 2008 requires the Applicant to carry out consultation in accordance with the proposals set out in the Statement of Community Consultation (SoCC). The Applicant's proposal in the SoCC (and other consultation documents) to refine the development through ongoing evaluation and stakeholder engagement was not fully realised. For this reason, officers are of the view that the requirements of Section 47(7) have not been met by the Applicant.
14. Whilst the consultation documents presented the wider area affecting the district, and the two corridor options considered for the GCC (east and west), the SoCC stated that the options "have been refined through considering stage one consultation feedback and ongoing environmental and technical assessments" (Section 3.3 of the SoCC). No further information regarding the consultation feedback and assessments have been provided in the SoCC.
15. The Preliminary Environmental Information Report (PEIR) made available as part of stage two of the consultation process stated that the GCC was intended to be refined through ongoing evaluation and stakeholder engagement (Volume 1, Chapter 3, paragraph 3.6.6). Chapter 4, paragraph 4.3.45 and Table 4.1 summarised the comparison of the east and west corridors for the GCC, and paragraph 4.3.46 concluded for the selection of the east option, which once again would be "refined further having regard to feedback from the statutory consultation, ongoing engagement with stakeholders, and the findings from continuing environmental and technical surveys". No summary of the ongoing engagement

informing the design refinement, beyond the selected technical aspects on Table 4.1 was provided in the PEIR.

16. It is reasonable to assume that this initial design refinement to the GCC has not considered ongoing engagement or consultation feedback into account, particularly from ECDC and possibly from people living in the vicinity of the land. This is contrary to the Applicant's proposal to refine the development's design "having regard to feedback from the statutory consultation, ongoing engagement with stakeholders, and the findings from continuing environmental and technical surveys".

### **Section 12 of the 2017 EIA Regulations**

17. Officers have on several occasions during the consultation process raised concerns in relation to the absence of information reasonably required for ECDC to develop an informed view of the likely significant environmental effects of the development. This includes the information in the SoCC and in the PEIR.
18. Information including baseline surveys and technical studies with principles for the effective mitigation relating to the GCC have not been made available throughout the consultation process, particularly in relation to the topics of heritage, landscape and visual, ecology and trees.
19. Officers therefore the absence of this reasonably required information leads to the conclusion that requirements of Section 12 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) have not been met. Consequently, the aim set out in the SoCC to provide preliminary environmental information on the potential environmental effects and any proposed mitigation to help the consultation bodies to understand the likely significant effects of the development and inform responses regarding the proposals has not been achieved.

### **Conclusions and Recommendations**

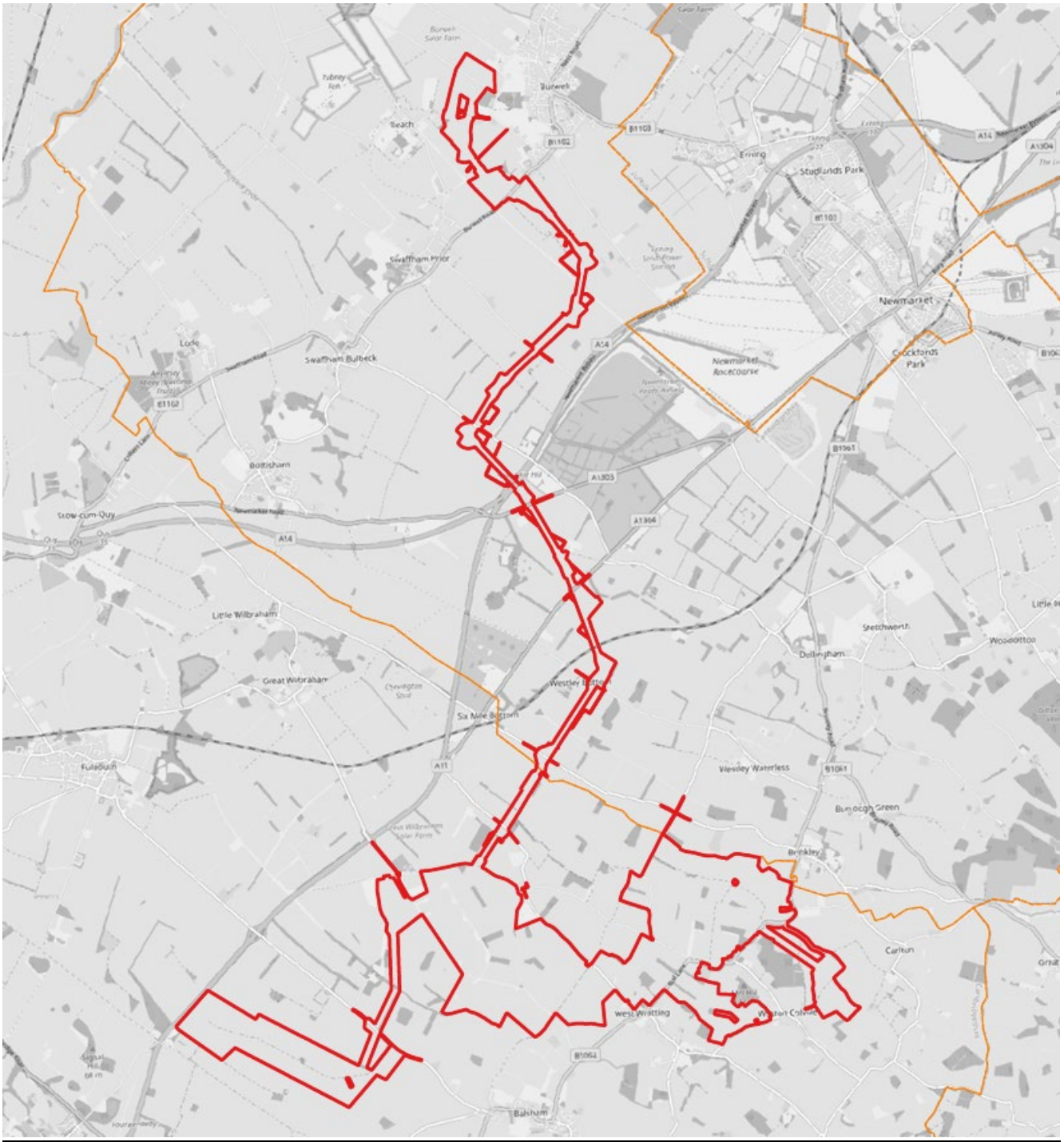
20. Considering the above context it is recommended that the draft response which includes the 'adequacy of consultation representation proforma' (Appendix 1) is approved and submitted to the Planning Inspectorate, as the Council's response to the consultation regarding the acceptance of the DCO application.

### **Appendices**

21. Appendix 1 – Draft ECDC consultation response

### **Plans**

The following plans are a selection of those submitted as part of the application and are provided to illustrate the proposed development. They may not be to scale. The full suite of plans can be found on the Planning Inspectorate's website at [Kingsway Solar Farm - Project information](#).



EXT/00008/26 – Site Location Plan

**Draft ECDC consultation response**



**Planning Inspectorate**

c/o QUADIENT  
69 Buckingham Avenue  
Slough  
SL1 4PN  
SM-

KingswaySolar@planninginspectorate.gov.uk  
(via e-mail only)

This matter is being dealt with by

**David Morren**

Strategic Planning and Development  
Management Manager

Email [david.morren@eastcambs.gov.uk](mailto:david.morren@eastcambs.gov.uk)

Phone 01353 665555

Date 10 June 2026

Our ref.: EXT/00008/26

Your ref.: EN010165

If you require this letter in large  
format, please email  
[ContactUs@eastcambs.gov.uk](mailto:ContactUs@eastcambs.gov.uk).

Dear Mr Barrowman,

**Re: Application by Kingsway Solar Farm Limited for an Order Granting Development Consent for Kingsway Solar Farm (EN010165) – Adequacy of Consultation Response**

The Planning Inspectorate's letter dated 21 May 2026 notified East Cambridgeshire District Council (ECDC) of the submission of the application for a Development Consent Order (DCO) by Kingsway Solar Farm Limited (the Applicant) in respect of the Kingsway Solar Farm Project.

The letter invites the Council to submit a representation relating to the adequacy of the Applicant's pre-application consultation. Please see below the Adequacy of Consultation Representation Proforma completed by the Council, in response to the notification.

ECDC reserves the right to make further and more detailed representations regarding consultation compliance, including compliance with section 47(5)(7) of the Planning Act 2008, once the DCO application has been submitted and the full Consultation Report is available for review.

Yours faithfully,

**David Morren**

Strategic Planning and Development Management Manager

## Adequacy of Consultation Representation Proforma

Under Section 55(4)(b) of the Planning Act 2008 (PA2008) the Planning Inspectorate, on behalf of the Secretary of State, must take any adequacy of consultation representation (AoCR) received from a local authority consultee into account when deciding whether to accept an application for development consent, and this will be published should the application be accepted for examination.

An AoCR is defined in s55(5) in PA2008 as “a representation about whether the applicant complied, in relation to that proposed application, with the applicant’s duties under sections 42, 47 and 48”.

<b>Project name</b>	Kingsway Solar Farm
<b>Date of request</b>	XX May 2026
<b>Deadline for AOCR</b>	XX May 2026
<b>Return to</b>	<a href="mailto:SM-KingswaySolar@planninginspectorate.gov.uk">SM-KingswaySolar@planninginspectorate.gov.uk</a>

Please complete the proforma outlining your AoCR on the above NSIP.

<b>Local Authority</b>	East Cambridgeshire District Council
------------------------	--------------------------------------

In the opinion of the local authority, has the applicant complied with the legislative requirements listed below?

*Please note that this is specifically about the statutory consultation(s) undertaken.*

<b>Assessment of Compliance - Required</b>	
<b>S42 Duty to consult</b>	Yes
<b>S47 Duty to consult local authority</b>	No
<b>S48 Duty to publicise</b>	Yes

If you would like to give more detail on any of the above, please do so below.

*Please keep it as succinct as possible and refer to facts and evidence related to consultation, rather than the merits of the application.*

**Additional comments - *Not compulsory***

<b>S42 Duty to consult</b>	The Applicant has consulted ECDC as a lower-tier district council where the land is located, in accordance with Section 42(1)(b).
<b>S47 Duty to consult local authority</b>	<p>The Applicant prepared a consultation statement setting out how people living in the vicinity of the land would be consulted in accordance with Section 47(1) of the PA2008. The preparation of the consultation statement then complied with Sections 47(2), (3) and (4) of the PA2008.</p> <p>Notwithstanding compliance with those requirements, ECDC submits that the Applicant did not have regard to ECDC's feedback on the draft Statement of Community Consultation (SoCC), raising concerns in relation to the absence of details preventing full comments to be provided on its acceptability or its final content. ECDC accordingly further submits that this failure contravenes the provisions of Section 47(5).</p> <p>Furthermore, ECDC contends that the purported objectives set out in the SoCC aimed at refining the design of the development through stakeholder engagement and technical information were not fully achieved thus not complying with requirements of Section 47(7).</p> <p>Regarding Section 47(6), there is no evidence available to ECDC that this section has been contravened.</p>
<b>S48 Duty to publicise</b>	No additional comments.

**Any other comments**

**Section 47(5) of the PA2008**

In preparing the consultation statement, the Applicant is required to have regard to any response to consultation that is received by the Applicant, in accordance with Section 47(5) of the PA2008. ECDC contends that this requirement has not been complied with as the Applicants did not have regard to ECDC's concerns regarding the information provided in the consultation process, to allow consultees to make an informed opinion regarding those parts of the development located within the district.

ECDC provided feedback on the draft Statement of Community Consultation (SoCC), which pointed to concerns in relation to the absence of details thus hindering provision of detailed comments on the acceptability of the content and its final conclusions. This feedback has been acknowledged in the Applicant's Adequacy of Consultation Milestone Report (January 2026 Version 2) (AoCMR) paragraphs 4.2.4 and 4.2.6.

As set out in paragraphs 4.2.7-9 of the AoCMR, the Applicant takes issue with ECDC in this respect, asserting that there is no requirement within Section 47(2) to provide a specific level of detail for consultation. This is correct, as this Section deals with the requirement for the Applicant to consult each local authority as defined in Section 43(1) with regard to the contents of the statement. ECDC is of the view, therefore, that Section 47(2) has been complied with.

Notwithstanding, this response does not address the requirements set out in Section 47(5), which stipulates that the Applicant must have regard to any response to consultation under Section 47(2). Whilst it could be argued by the Applicant that the level of information is not strictly defined by the relevant legislation, the justification for the level of information that was made available has not been provided at any point.

The Applicant stated in the AoCMR (paragraph 4.2.9) that the draft SoCC clearly outlined the nature and content of what was to be in the final SoCC which is correct. The Applicant, however, in this response continues the failure to justify and does not have regard to ECDC's response raising concerns in relation to the absence of details thus hindering ECDC's ability to adequately respond.

In ECDC's view, the submission is premature and the Applicants failed to allow enough time for itself to prepare sufficient information for the consultation process to allow consultees to come to an informed opinion regarding the impact of the project within the district.

**Section 47(7) of the PA2008**

Section 47(7) of the PA2008 requires the Applicant to carry out consultation in accordance with the proposals set out in the statement. This has not been complied with in that the Applicant's proposal to refine the development through ongoing evaluation and stakeholder engagement was not achieved.

The district is mostly affected by the Grid Connection Corridor ('GCC') proposed as part of the development. At stage one of consultation, a map was made available with two wide corridor options for the GCC

(east and west), and at stage two the map showed the chosen option (corridor east). The SoCC at stage two was updated to reflect both boundary maps, stating that the options “have been refined through considering stage one consultation feedback and ongoing environmental and technical assessments” (Section 3.3 of the SoCC). No further information regarding the consultation feedback and assessments have been provided in the SoCC.

The SoCC in Section 3.4 confirms the Preliminary Environmental Information Report (PEIR) was produced and publicised as part of the statutory consultation and that the PEIR “provides preliminary environmental information on the potential environmental effects of the Scheme and any proposed mitigation to help the local community and consultation bodies to understand the likely significant effects of the Scheme and inform responses regarding the proposals”.

The PEIR made available as part of stage two of the consultation process stated that the GCC was intended to be refined through ongoing evaluation and stakeholder engagement (Volume 1, Chapter 3, paragraph 3.6.6). Chapter 4, paragraph 4.3.45 and Table 4.1 summarised the comparison of the east and west corridors for the GCC, and paragraph 4.3.46 concluded for the selection of the east option, which once again would be “refined further having regard to feedback from the statutory consultation, ongoing engagement with stakeholders, and the findings from continuing environmental and technical surveys”. No summary of the ongoing engagement informing the design refinement, beyond the selected technical aspects on Table 4.1 was provided in the PEIR or on late stages of engagement with ECDC.

It is reasonable therefore to assume that this initial design refinement to the GCC has not considered ongoing engagement or consultation feedback into account, particularly from ECDC and possibly from people living in the vicinity of the land. In fact, ECDC’s Statutory Response dated 29 October 2025 regarding the PEIR highlighted that the baseline position for the GCC had not been established across a wide range of PEIR topics. These related particularly to trees, ecology (including bird strike), landscape and visual amenity, built heritage, soils and agriculture, and, to a lesser degree, socioeconomics and population.

In assessing the Alternatives and Design Evolution, paragraph 4.15 of ECDC’s response had already noted that the development appeared to be ‘refined’ (noting the area for the GCC was still vast), based on limited information and engagement with statutory consultees, including ECDC. Paragraph 5.6 of ECDC’s response has reiterated that it was (still) unknown how the Applicant planned on refining the routing of the pylon line, reserving comment in the absence of any baseline for the GCC being established.

Officers concluded in the 29 October 2025 response that ECDC’s ability to provide substantive and informed comments at stage two of the statutory consultation was significantly constrained. This was reiterated on several occasions, including in ECDC’s response to the draft AoCR dated 19 January 2026, and during the Technical Working Group (TWG) meetings established between January and March 2026.

The proposals to refine the development's design "having regard to feedback from the statutory consultation, ongoing engagement with stakeholders, and the findings from continuing environmental and technical surveys" has not been realised.

### **Section 12 of the EIA Regulations**

Section 12 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) relates to Section 47 of the PA2008, setting out consultation statement requirements. The proposed scheme is EIA development and Section 12(1)(b) applies, where it requires the consultation statement to set out how the Applicant intends to publicise and consult on the preliminary environmental information. ECDC considers the Applicants have complied with this requirement.

It is not however reasonable to ascertain that the Applicants have complied with Section 12(2)(b), as the preliminary environmental information reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development has not been made available during consultation and in the SoCC.

Section 12(2) refers to regulation 14(2) and the information to form the preliminary environmental information. In this regard, ECDC is of the view that the information reasonably required was not present in the PEIR, including baseline surveys and technical studies with principles for the mitigations relating to the GCC. This is particularly in relation to the topics of heritage, landscape and visual, ecology and trees, which were not shared throughout the consultation process, concluded with the final TWGs in March 2026.

ECDC's response to the PEIR and position during the TWGs have continuously reiterated the significant impact upon the landscape and its assets, and the need to explore less impactful routes for the GCC, with the use of the Landscape and Visual Impact Assessment. No visualisation or baseline photographs had been shared and, whilst the Applicant has agreed that re-routing of the GCC would be the best approach to mitigations the landscape and visual impact, it is not clear how this has been considered in the GCC refinement and positioning.

Whilst the Applicant has acknowledged that re-routing or making the GCC underground would be the only plausible mitigation to the likely significant adverse impacts from the GCC in the historic and wider rural landscape, this was not part of the agenda in any consultation event, or to the TWG meetings.

Ecological and arboricultural surveys (or a summary of their findings) were not made available during the consultation process, or during the TWG meetings. The absence of this information does not allow ECDC to take an informed view and influence the refinement of the GCC, reducing the environmental impact as much as possible. The BNG proposal (which is very limited in content, and the council has never been provided with an emerging BNG metric) is said to be concentrated in the solar panel's areas (areas ABC) and it is not clear how the trade rules will be met so the BNG from the GCC is achieved. That said, we accept BNG is presently not mandatory for this application, and instead

the applicant is proposing to follow BNG rules as if BNG was mandatory.

ECDC also highlights the missed opportunity for fully understanding and for proposing mitigations to the economic impact to the horse racing industry (HRI) from the likely resulting pollution from traffic routing and from the demand for temporary accommodation during construction.

This is intensified when considering the likely cumulative impact with other major developments in the Burwell/ Newmarket area. ECDC notes the response submitted to the Applicant on 04 February 2026 following review of the proposed shortlist of cumulative developments. ECDC has required the inclusion of more than 20 major developments, potentially not considered in the environmental assessment until very late stage. The cumulative impact assessed considering these major developments therefore was not considered in the design refinement during the consultation process.

Considering the above, ECDC is of the view that the preliminary environmental information reasonably required for ECDC as a consultation body to develop an informed view of the likely significant environmental effects of the development was not made available at any stage of the consultation.

Consequently, the aim set out in the SoCC to provide preliminary environmental information on the potential environmental effects and any proposed mitigation to help the consultation bodies to understand the likely significant effects of the development and inform responses regarding the proposals has not been achieved.

## Planning Performance – April 2026

Planning will report a summary of performance. This will be for the month before last month, as this allows for all applications to be validated and gives a true representation.

All figures include all types of planning applications.

### Determinations

	Total	Major	Minor	Householder	Other	DIS /NMA	Trees	Pre App
<b>Determinations</b>	113	2	11	32	18	19	21	10
<b>Determined on time (%)</b>	-	100% (90% within 13 weeks)	91% (80% within 8 weeks)	97% (90% within 8 weeks)	94% (90% within 8 weeks)	68% (80% within 8 weeks)	100% (100% within 8 weeks)	N/A
<b>Approved</b>	96	2	11	31	12	19	21	N/A
<b>Refused</b>	7	0	0	1	6	0	0	N/A

### Validations

49% validated within 5 working days (ECDC target is 85%).

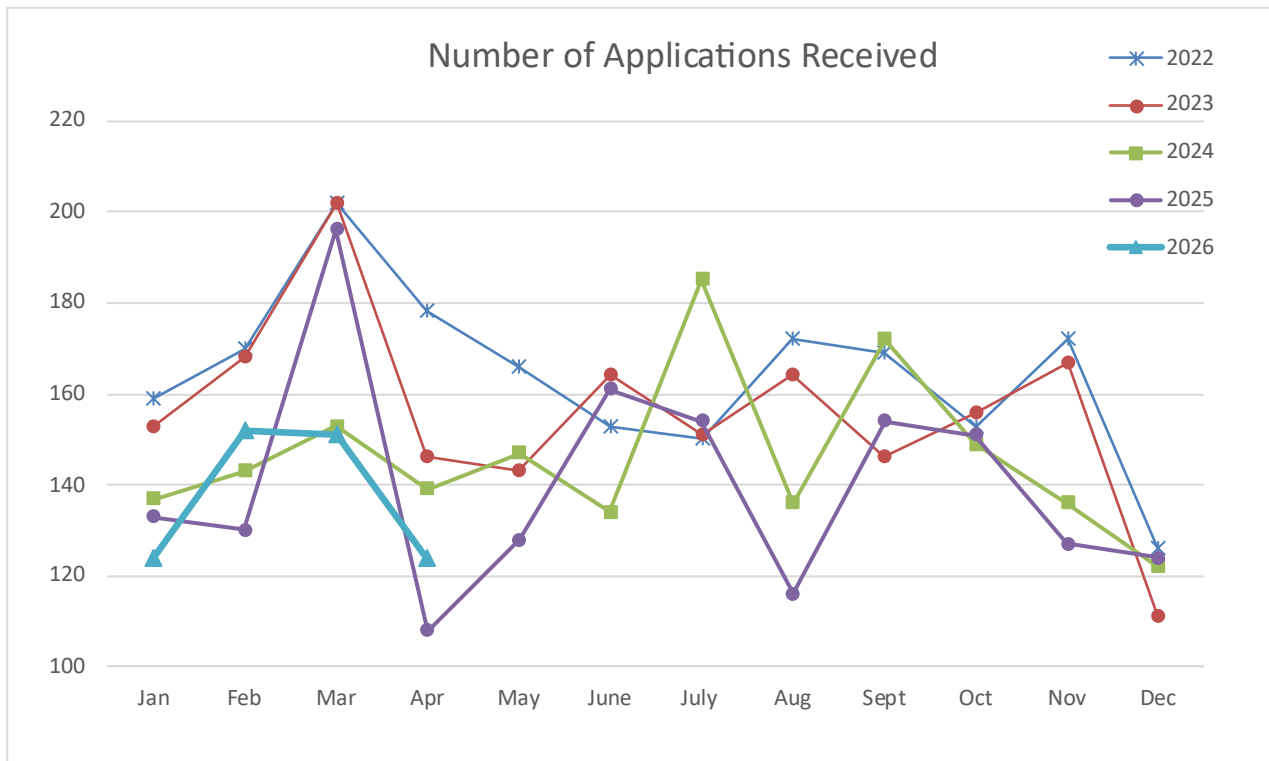
	Total	Major	Minor	Householder	Other	DIS /NMA	Trees	Pre App
<b>Validations</b>	125	6	19	25	19	19	23	14

### Open Cases by Team (as of 19 May 2026)

	Total	Major	Minor	Householder	Other	DIS /NMA	Trees	Pre App
<b>Team North (7 FTE)</b>	163	18	39	18	29	47	0	12
<b>Team South (7 FTE)</b>	142	16	23	20	30	36	0	17
<b>No Team (2 FTE)</b>	33	0	1	0	5	2	24	1

('No Team' includes: Trees Officer and Conservation Officer)

The Planning department received a total of 124 applications in April 2026 which is a 15% increase to the total received in April 2025 (108) and a 18% decrease to the total received in March 2026 (151).



**Valid Planning Appeals received in April 2026: 1**

Appeal Reference	Site Address	Decision Level *
26/00005/REFAPP	Mulberry House 17A Forehill Ely Cambridgeshire CB7 4AA	DEL

**Appeals decided: 1**

Appeal Reference	Site Address	Decision Level *	Outcome
25/00036/REFAPP	The Barn Clare Farm 88 Main Street Witchford Ely Cambridgeshire CB6 2HQ	DEL	DISMIS

**Upcoming Hearing dates: 0**

## Enforcement

**New Complaints registered in April 2026:** 24 (2 Proactive)

**Cases closed in April 2026:** 24 (0 Proactive)

**Notices served in April 2026:** 1

**Open cases per Officer (2.6fte) as of 19 May 2026:** 169 (28 Proactive) / 2.6fte = 65 FTE

### Comparison of Enforcement complaints received during April:

Code	Description	2025	2026
<b>ADVERT</b>	Reports of unauthorised adverts	1	1
<b>COND</b>	Reports of breaches of planning conditions	3	3
<b>CONSRV</b>	Reports of unauthorised works in a Conservation Area		
<b>DEM</b>	Reports of unauthorised demolition in a Conservation Area		
<b>HEDGE</b>	High Hedge complaints dealt with under the Anti-Social Behaviour Act		
<b>HEDBR</b>	High hedges breach		
<b>LEGOB</b>	Legal Obligation monitoring		
<b>LEGOR</b>	Legal Obligation report		
<b>LISTED</b>	Reports of unauthorised works to a Listed Building	1	
<b>MON</b>	Compliance Monitoring		
<b>OP</b>	Reports of operational development, such as building or engineering works	6	8
<b>OTHER</b>	Reports of activities that may not constitute development, such as the siting of a mobile home		1
<b>PLAN</b>	Reports that a development is not being built in accordance with approved plans	3	
<b>PRO</b>	Proactive cases opened by the Enforcement Team, most commonly for unauthorised advertisements and expired temporary permissions	1	2
<b>TRECON</b>	No notice of tree works in a Conservation area	1	
<b>TREHDG</b>	Hedgerow Regulations breach		
<b>TRETPO</b>	Unauthorised works to TPO tree		
<b>UNTIDY</b>	Reports of untidy land or buildings harming the visual amenity		2
<b>USE</b>	Reports of the change of use of land or buildings	7	7
<b>TOTAL</b>		<b>23</b>	<b>24</b>

\* Code descriptions:

<b>DIS</b>	Discharge of Condition	<b>DISMISS</b>	Appeal Dismissed
<b>NMA</b>	Non material Amendment	<b>ALLOW</b>	Appeal Allowed
<b>COMM</b>	Committee Decision	<b>NONDET</b>	Appeal for non determination
<b>DEL</b>	Delegated Decision	<b>APPWIT</b>	Appeal withdrawn