



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE
Telephone 01353 665555

MEETING: **PLANNING COMMITTEE**

TIME: 2:00pm

DATE: **Wednesday 7th December 2022**

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

ENQUIRIES REGARDING THIS AGENDA: Caroline Evans

TELEPHONE: (01353) 665555 EMAIL: caroline.evans@eastcambs.gov.uk

MEMBERSHIP:

Conservative Members

Cllr Bill Hunt (Chairman)
Cllr Christine Ambrose Smith
Cllr David Brown
Cllr Lavinia Edwards
Cllr Lis Every
Cllr Lisa Stubbs (Vice Chairman)

Substitutes:

Cllr David Ambrose Smith
Cllr Julia Huffer
Cllr Josh Schumann

Lead Officer

Simon Ellis, Planning Manager

Liberal Democrat Members

Cllr Matt Downey (Lead Member)
Cllr Alec Jones
Cllr John Trapp
Cllr Gareth Wilson

Substitutes:

Cllr Charlotte Cane
Cllr Simon Harries
Cllr Christine Whelan

Independent Member

Cllr Sue Austen (Lead Member)

Substitute:

Cllr Paola Trimarco

Quorum: 5 Members

PLANNING COMMITTEE MEMBERS TO MEET IN RECEPTION AT THE GRANGE AT 9:55AM

(Please note, site visit timings are approximate.)

AGENDA

1. **Apologies and Substitutions** [oral]
2. **Declarations of Interest** [oral]
To receive declarations of interest from Members for any Items on the Agenda in accordance with the Members Code of Conduct.

3. Minutes

To receive and confirm as a correct record the Minutes of the Planning Committee meeting held on 3rd November 2022.

4. Chairman's Announcements

[oral]

5. 21/01832/FUL

Demolition of outbuildings, change of use of cold store, erection of four flats, and associated works

Location: Rear Of 30-36 Market Street, Ely, CB7 4LS

Applicant: Aitus Associates Ltd

Public Access Link: <https://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R4H2BAGGJA800>

6. 22/00471/RMM

Reserved matters pursuant to outline planning permission 18/00752/ESO, to create perimeter road around the south and west sides of the site, linking the approved roundabout junctions to deliver the by-pass to the village and the main access to Kennett Garden Village

Location: Phase 1A (Perimeter Road) Kennett Garden Village, Land Southwest Of 98 To 138 Station Road, Kennett

Applicant: Bellway Homes Limited (Eastern Counties)

Public Access Link: <https://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RALDN6GGFTA00>

7. 22/00507/RMM

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

Location: Land Adjacent 43 Mepal Road, Sutton

Applicant: Vistry Homes Limited

Public Access Link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RAYAUAGGG2L00>

8. Planning Performance Report – October 2022

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/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.

2. The meeting will also be livestreamed on youtube for public viewing. The link will be available from the meeting webpage in advance of the meeting: <https://www.eastcambs.gov.uk/meetings/planning-committee-07122022> Please be aware that all attendees, including those in the public gallery, will be visible on the livestream.
3. The Council has a scheme to allow public speaking at Planning Committee. If you wish to speak on an application being considered at the Planning Committee please contact Caroline Evans, Democratic Services Officer for the Planning Committee caroline.evans@eastcambs.gov.uk, to register by 10am on Tuesday 6th December. 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 Parish/Town Council
 - National/Statutory Bodies

A leaflet with further information about the public speaking scheme is available at <https://www.eastcambs.gov.uk/committees/public-speaking-planning-committee>

4. 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.
5. Fire instructions for meetings:
 - If the fire alarm sounds please make your way out of the building by the nearest available exit i.e. the back staircase or the fire escape in the Chamber. 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.

6. Reports are attached for each agenda item unless marked "oral".
7. If required, all items on the agenda can be provided in different formats (e.g. 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
8. 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)."



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

AGENDA ITEM NO 3

Minutes of a meeting of the Planning Committee held at 10:30am on Thursday 3rd November 2022 at Mandeville Hall, Tan House Lane, Burwell, CB25 0AR.

PRESENT

Cllr Christine Ambrose Smith
Cllr David Ambrose Smith (Substitute for Cllr Brown)
Cllr Sue Austen
Cllr Lavinia Edwards
Cllr Lis Every
Cllr Bill Hunt (Chairman)
Cllr Alec Jones
Cllr Gareth Wilson

OFFICERS

Maggie Camp – Director Legal Services & Monitoring Officer
Holly Chapman – Senior Planning Officer
Simon Ellis – Planning Manager
Caroline Evans – Senior Democratic Services Officer
Andrew Phillips – Planning Team Leader

IN ATTENDANCE

Garry Chapman (Objector)
Lea Dodds (Supporter)
Edmund Fordham (Objector)
Rt Hon Lucy Frazer KC MP (MP for South East Cambridgeshire)
John James (Objector)
Paul Kelly (Applicant)
Parish Cllr Fiona Maxwell (Chippenham Parish Council)
Luke Murray (Applicant)
Chris Wall (Objector)
Nick Wright (Objector)

13 other members of the public and press.

Cllr Julia Huffer (Ward Member for Fordham & Isleham)

Sally Bonnett – Director Community
Annalise Lister – Communications Manager
Angela Tyrrell – Senior Legal Assistant
Adeel Younis – Legal Assistant

40. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Cllrs David Brown, Matthew Downey, Lisa Stubbs and John Trapp.

Cllr David Ambrose Smith was attending as a substitute for Cllr Brown.

41. DECLARATIONS OF INTEREST

No declarations of interest were made.

42. MINUTES

The Committee received the Minutes of the meeting held on 5th October 2022.

It was resolved:

That the Minutes of the Planning Committee meeting held on 5th October 2022 be confirmed as a correct record and be signed by the Chairman.

43. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- The meeting was being held in a village affected by the application because the Council wanted to ensure that members of the public had been given the maximum possible opportunity to express their opinions on the application under consideration. The public-speaking time had also been extended from the usual 5 minutes per category to 15 minutes per category.
- The Council was a consultee for the application and not the decision-maker. The Council's opinion, as decided at this meeting, would be submitted as a Written Representation and the Secretary of State would make the final decision in 2023.
- The new Planning Manager, Simon Ellis, was welcomed to his first Planning Committee meeting at ECDC.

44. SUNNICA ENERGY FARM

Andrew Phillips, Planning Team Leader, presented a report (X97, previously circulated) recommending approval of the consultation response setting out the Council's objection to elements of the proposal for an energy farm across 981 hectares (excluding the cable route) made up of solar panels and batteries, together with associated infrastructure for connection to the national grid, including an extension to the Burwell National Grid Substation. The proposal was a Nationally Significant Infrastructure Project (NSIP) because it exceeded 50 MW of solar energy. The applicants, Sunnica Ltd, were seeking approval from the Secretary of State for a Development Consent Order (DCO) that would grant the developer legislation to build, operate and decommission Sunnica. In addition to permission for development, the DCO could also remove substantial amounts of existing legislation to effectively provide a unique set of rules for Sunnica to comply with. Sunnica Ltd had confirmed on 1st November 2022 that the scheme would have 500 MW solar connection and a 500 MW per battery connection to the National Grid.

Members were shown maps of the overall site location as well as more detailed plans of Sunnica East, Sunnica West, and the grid connection between Sunnica West and the Burwell Substation. The total site would stretch from Isleham to Worlington, Red Lodge, Chippenham and Snailwell and then pass Fordham to connect to the substation at Burwell. Part of Sunnica East near Isleham, and all of

Sunnica West, was within East Cambs; overall there was roughly half of the total site area within West Suffolk and half within East Cambs.

Images and dimensions were provided for the proposed solar panels (maximum height 2.5m), Sunnica West Site Substation (maximum height 10m), and the Sunnica West Battery Energy Storage System (BESS) Compound (each container to be a maximum height of 6m, with an overall area of 83,000 sqm). At the BESS, if the battery technology necessitated water storage tanks then their maximum capacity would be 242.5 cubic metres. Option 1 at the Burwell substation had been removed from the application but Option 2 remained in case the developer was not allowed to provide 400kV cables directly into the network. Batteries would be needed in some form in order to store surplus energy since peak generation times generally did not coincide with peak demand times. Batteries could also be used to take surplus energy from the grid and then feed it back in when there was high demand.

East Cambridgeshire District Council's main considerations for the application were deemed to be as detailed below. Other elements such as highways and drainage fell within the remit of other consultees such as Cambridgeshire County Council.

- **Principle / climate change** – national legislation, National Policy Statements, the NPPF, policy ENV6 of the Local Plan, and the Renewable Energy SPD were all in favour of promoting renewable energy *via* solar farms and the Council had declared a Climate Emergency on 21st October 2019. In 2019, sufficient electricity had been generated from solar and from straw burning to power approximately 100-145k homes. The Sunnica proposal was anticipated to power approximately 200k homes. The benefits of renewable energy were considered to carry very substantial positive weight and the proposal was therefore considered to be acceptable in principle.
- **Cultural heritage** – maps and images were provided to illustrate the proximity of the proposed development to the historic grade II-listed Chippenham Park and Garden. The proposed development was considered to cause substantial harm to the setting, and the benefits of the scheme were not considered to outweigh the harm since there were other sites that could provide renewable energy.
- **Ecology** – Officers had worked with the Wildlife Trust and with ecology experts at the County Council. Several concerns had been raised, including issues with the methodology, accuracy, completion or absence of stone curlew surveys, invertebrate surveys, hedgerow surveys and badger territory mapping. In addition, the Phase 1 habitat mapping was inaccurate in places. The Councils did not agree that there would be no significant residual effects to ecological receptors during the construction and operation of the proposals. Appendix 3 of the report included detail about a long-term plan for a biodiversity area around Snailwell; although the developer had proposed an area of biodiversity protection that would enable some biodiversity connection it was smaller than had been recommended.
- **Landscape / visual amenity** – maps and images were provided to demonstrate the impact on the landscape and visual amenity by comparing various viewpoints with their projected appearance in year 1 and year 15 of the scheme. The cumulative landscape harm was considered to be significant. In addition, Members' attention was drawn to a Tree

Preservation Order in place along Chippenham Road in Snailwell to protect a maturing avenue of trees that represented an important landscape feature. The applicant's submitted tree constraints report contained significant omissions which represented poor information for a development of this scale. However, the applicant had confirmed on 1st November 2022 that a new arboricultural assessment would be submitted on 22nd November 2022.

- **Noise, vibration, dust, light / glare** – the build stage was anticipated to take 3-5 years and therefore the requirements within the DCO would need to ensure the protection of long-term residential amenity. Construction hours and piling operational hours would be limited.
- **Socio-economics** – there were many concerns both within and outside the Council regarding the socio-economic impact of the development. Key areas of concern were: the methodology of the applicant's assessment, including their assumptions and conclusions; potential significant harm to the horse-racing industry centred around Newmarket; the potential for a substantial detrimental impact to major businesses along the A142 between Snailwell and Lancaster Way, Ely, during the construction phase; and the large loss of agricultural land for at least 40 years.
- **Air quality** – there were no significant concerns with regard to vehicle air pollution during construction, operation, or decommissioning.
- **Battery safety** – BESS technology was constantly evolving and greater detail was required to ensure an appropriate Fire Safety Management Plan to protect the public, firefighters and the environment. A new plan was due to be submitted on 11th November but it was important to note that different batteries would require different safety measures.

In summary, Members were recommended to object to the development as detailed in the draft response to the Examining Authority at Appendix 1. Delegated authority was also requested to enable Officers to determine the requirements of the DCO in consultation with the Chairman of the Planning Committee if the proposal was approved by the Secretary of State.

The Chairman commended the cooperation between the various Councils affected by the application and then invited the Rt Hon Lucy Frazer KC MP to address the Committee. She stated that at least six of the villages in her South East Cambridgeshire constituency would be impacted by the proposed solar farm and highlighted that although there was widespread support within her constituency for solar energy and renewable energy sources, the overwhelming majority of residents opposed the Sunnica project. Her concerns, and those of her constituents, related to the size of the development, the use of the land, the batteries, and the consultation process. She stated that the proposed solar farm would be the largest in Europe, several times larger than any existing or planned UK solar farms, and its poor design meant that the infrastructure would effectively enclose neighbourhoods within her constituency. During the construction and/or operation period the residents would therefore suffer from a depletion of the countryside, loss of visual amenity, and significant disruption on local highways. The area was well-documented as a seedbed for quality crops and she had been informed by some local farmers and agricultural specialists that much of the soil within the proposed site was of "best and most versatile" quality which the Government's Energy Security Strategy suggested avoiding in the interests of food security. The discrepancy between the applicant's assessment of the land quality

and her constituents' assessments had been raised by her as a concern but no access to the land for further checks had been forthcoming. Regarding the extensive use of lithium-ion battery energy storage systems covering an area of 78 acres across three site compounds, she raised concerns about the potential for a major accident close to residential properties. Finally, she expressed her disappointment, and that of Matt Hancock (MP for the neighbouring constituency of West Suffolk which also included land within the Sunnica proposal), for the lack of regard shown by the applicant to their constituents. For a project of such magnitude that would affect many villages and significantly impact residents, she stressed the importance of reliable information and consultation and stated that neither had been forthcoming. As an example, she referenced the applicant's recent request for the Examination to start in July even though their proposed changes to the scheme were not due to be clarified until 30th August, and stated that many constituents had reported a consistently poor standard of communication from the applicant throughout the process. In particular, access to information and the quality of the webinar had both been poor and the applicant's changeable agenda had resulted in short notice for consultation deadlines.

In response to questions from Cllr Hunt and Cllr Every, the MP confirmed that the applicants had not attended a public meeting to which they had been invited, the Sunnica action group believed the land to be of higher quality than was claimed but had been unable to gain access to assess the land, and constituents had not found the web-based consultation during the pandemic to be constructive nor had Sunnica taken the opportunity for face-to-face consultation once restrictions had been lifted. She reiterated that, together with Matt Hancock MP, she had held a public meeting about the application, to which Sunnica had been invited. Although the notice period had been short approximately 200 members of the public had attended but Sunnica had not.

Cllr Jones referenced the stated concern about the size and scale of the application, and asked what level would have been considered to be appropriate. The MP stated that she could only comment on the application as submitted, and reiterated that its scale was not appropriate for the area and the design was poor considering the number of villages it would affect.

The Chairman then invited a group of objectors to present their views. Garry Chapman spoke of his concern about having a high voltage cable through his paddock near Burwell. He explained that there was already one solar farm nearby and another under construction but hedging that had been promised was still not planted 5 years after construction. His experience with Sunnica was that their responses were not clear and he was being pressurised to sign agreements about his land due to threats of compulsory purchase. He had found their manner to be uncaring and aggressive in their dealings with residents.

Dr Edmund Fordham detailed his background as a physicist and engineer, and explained that he had worked with the Say No to Sunnica action group. In his opinion, the size of the battery storage for the proposal suggested that overall the solar farm would in fact be a large energy trading plant. He criticised the lack of detail regarding the batteries since they would be the main industrial hazard of the development and questioned whether it would be possible to safely operate lithium ion batteries of the proposed size in proximity to residential properties. He

emphasised that no similar project had been completed anywhere in the world and he urged caution due to the lack of information about the batteries.

Chris Wall spoke about protecting the integrity and heritage of The Gallops in order to maintain it as a world-class facility. He stated that he spoke for all 75 racehorse trainers in Newmarket and Exning to express their concern about the threat to the unique setting of the Limekilns that was renowned throughout the horse-racing world. In addition, he highlighted the importance of the Tattersalls and all of the training facilities and the consequent damage to Newmarket if their national and international success was compromised by the loss of agricultural land, damage to nature and to the villages, and the introduction of an industrial backdrop in a unique and rural setting.

John James provided the perspective of a stud farmer and expressed his disappointment regarding the lack of consultation about the effects that the proposal would have on the stud farms. His stud was proposed to have solar panels within 125 yards of his house and positioned up to his boundary together with a footpath along the boundary fence of a paddock that contained mares and foals. He emphasised that, as flight animals, this presented a danger to highly expensive animals. Additionally, a battery site was proposed across the road from his property which he had not been consulted on and caused concern regarding the potential for explosion. He stressed that the proposal would be detrimental to the stud, his business, his home and his family.

Nick Wright explained that he was a chartered surveyor and a farmer of land less than 0.25 miles from Sunnica Site B. He supported solar farms in appropriate locations but considered this application to be poor due to its huge cumulative industrial impact on the area. The size would be equivalent to 2200 football pitches and would be the largest solar farm in the UK. The land would be lost for at least a generation and he disagreed with the applicant's assertion that more than 96% of the agricultural land was grade 3b or 4. He stated that three independent soil experts had reviewed Sunnica's report and disagreed with it but had three times been denied access for soil testing. He referenced the fragility of world food sources, detailed the many crops that were grown in the region, and stated that a farm the size of the Sunnica site could yield approximately 33k tonnes of produce per year and should therefore not be removed from agricultural use. He suggested that south-facing industrial roof space would be more suited to solar panels and stated his full support for the Officer's report.

In response to a question from Cllr Hunt, Mr James confirmed that he had not been personally consulted about the proposed solar panels or battery storage near his property although he had received circular letters. Most recently he had received a letter requesting purchase of land to widen the road.

Cllr Every asked Dr Fordham for more information about the "trading plant" that he had mentioned, and also whether he considered the specification of the batteries to be essential for the decision-making. Dr Fordham explained that the battery storage would enable the operator to buy electricity during cheap periods and then sell it back when there was higher demand and therefore higher prices. He considered that this was the most likely business model for the proposal and highlighted that a drawback of renewable energy was that the peak periods of

generation often did not coincide with peak periods of demand. Regarding the lack of specification, he referenced difficulties in obtaining meaningful figures from the applicant for the energy storage capacity of the batteries. However, earlier in the week Sunnica had provided a figure of 2400MWh, which had been in line with his estimates. Major explosions had taken place in considerably smaller facilities and he was therefore extremely concerned about the safety of such large energy storage facilities. In response to a query from Cllr Jones, he explained that there were other alternatives for energy storage but lithium ion batteries were the commercially available battery option and the only large-scale non-battery option was pump storage which required a hilly or mountainous landscape. He confirmed to Cllr C Ambrose Smith that the relevant technology was developing so fast that any specifications agreed at this point would likely to be superseded within a few years.

Cllr Edwards asked Mr Chapman for further details about the threat of compulsory purchase and questioned how close the proposed high voltage cable would be to his home. Mr Chapman explained that having researched the effects of such cables he was very concerned but had been unable to get helpful information from Sunnica. He had been threatened that a compulsory purchase of his land would be made if he did not sign an agreement for its use, and his neighbour had signed an agreement due to the pressure applied.

Cllr Hunt asked Mr Wright to confirm that use of the land for the solar farm would result in an annual loss of 33k tonnes of produce. Mr Wright explained that the quoted figure was simply a result of calculations using the total site area and the known local yields on a standard 8 year rotation.

The Chairman then invited Luke Murray (Director of Sunnica Ltd) and Paul Kelly to address the Committee on behalf of the applicants. Mr Murray outlined the need for renewable energy projects and referenced policy ENV6 of the Local Plan that would support the principle of the solar farm. In order to reach net-zero by 2050 significant change would be needed and a large scheme such as the Sunnica proposal would provide a nationally significant contribution to meeting the need for secure renewable energy. He emphasised that although the final decision regarding the application would be made by the Secretary of State, the DCO process guaranteed the Council and other host authorities an important role in agreeing the details of the design and management. He thanked the host authorities for their engagement throughout the process which had resulted in an improved scheme, and highlighted the environmental impact assessment and two rounds of public consultation as well as planting proposals to provide biodiversity enhancements and mitigate the impacts of the development. After 40 years the solar farm would be decommissioned and the land restored. He provided the following counterarguments to many conclusions that were included in the Council's draft Written Representation:

- The removal of some areas of the proposal would eliminate a significant amount of the scheme's energy generation potential and could therefore not be supported.
- Careful design and siting together with minimising heights, managing stand offs, and providing landscaping and screening together with minimal tree removal ensured compliance with EN-1 and draft EN-3.

- Biodiversity impacts had been extensively assessed and once operational the site would offer a significant net gain.
- There would be no long-term harm to the siting of Chippenham Park and the minor adverse effect would be reversed upon the decommissioning of the site.
- Decommissioning after 25 years would be premature and would limit the volume of renewable energy generated by the scheme, hence the requested 40 year limit.
- Safety was taken very seriously and the BESS elements would be constructed in accordance with a battery fire safety management plan that would be prepared in consultation with the local Fire Authorities and would form part of the detailed plan required by the DCO.
- No further land quality analysis was required since an assessment of the quality of the farmland had been prepared and submitted by an appropriately qualified and experienced independent expert and had concluded that 94% of the land was not of best and most versatile quality.
- The scheme would provide high employment during the construction phase and would be undertaken in accordance with a plan agreed by the host authorities in order to maximise the economic benefits.

He stated that, on balance, the local and national benefits of the scheme would outweigh its impacts and he emphasised that Sunnica had used careful design and mitigation strategies in their proposed scheme that would generate a large amount of electricity to help the national drive for a resilient and sufficient supply. If approved, Sunnica would continue to work with the Council throughout the scheme's lifetime.

Paul Kelly added that a statutory consultation had taken place during the period of Covid restrictions and had received 756 responses of which 705 were from local people. He thanked Officers for their assistance in trying to design a consultation that would be effective within the restrictions and he emphasised that the process had been sent to be fit for purpose at the time it was held.

In response to a question from Cllr D Ambrose Smith, Mr Kelly stated that a consultation booklet had been sent to more than 10k households in the area.

Cllr D Ambrose Smith asked about the budget for compulsory purchases and how many households would be affected. Cllr Wilson asked how much of the required land was already owned by Sunnica or under agreement to purchase, and questioned why it was scattered rather than grouped together with battery storage in the centre away from people and vegetation. Cllr Jones asked why more rural areas had not been considered in order to avoid the sense that some villages would be encompassed. Mr Murray explained that the entire scheme within the red line could be affected by compulsory purchase powers and Sunnica had been attempting to engage with all those who would be affected. They would seek to include such powers within the DCO in order to ensure deliverability in the event that an agreement could not be reached. There was no intention to purchase any land, rather it would be leased; a significant number of agreements were already in place and many others were at an advanced stage. In terms of the site's spread, locations had been determined from alternative site assessments for suitable land within 15km of the Burwell connection point and there was no single block of land of sufficient size. The BESS areas were located close to on-site sub-stations to

keep costs to a minimum. The purpose of the project was to deliver emissions reductions due to the need to reach net-zero within 30 years. In order to achieve this the scheme needed to be as large as possible so removal of areas of land would compromise delivery of the central purpose. He stated that a key advantage of such a scheme when compared to other electricity generation methods was that it could be built and operational in a short time frame and at the end of its lifespan could be demolished and recycled and the land returned to agriculture after a 40 year rest period.

Cllr C Ambrose Smith asked whether the Burwell substation was the driving force for the scheme's location or whether a similar scheme could be constructed elsewhere. Mr Murray replied that he and his colleagues were working on other projects of similar or bigger scale and all were constrained by the need to connect the new infrastructure to the grid and Burwell substation provided that facility.

Cllr Edwards asked whether other schemes used agricultural land, and questioned where crops should be produced instead. Mr Murray provided figures from the trade association representing the solar industry to illustrate that the land required to generate 70GW was equivalent to the land used for golf courses within the UK. He emphasised that lower grades of agricultural land were used wherever possible and that although food security was important, climate change and the cost of living and energy security were all pressing emergencies. In response to a question from Cllr Wilson about the crops currently produced on the land, Mr Murray detailed the crops and animals in the affected fields and stated that Sunnica were in regular contact with the farmers so that by consideration of their cropping schedules the developer would aim to be minimally invasive. Landowners would be eligible to hold a sheep-grazing licence with the scheme contractor.

When asked by Cllr D Ambrose Smith about the potential for using riverbanks, Mr Murray outlined his understanding that they were ecologically sensitive areas unsuitable for such uses.

Cllr Jones questioned the safety of the batteries and in particular whether there was sufficient capacity for water in the event of a fire. Mr Murray provided anecdotal information about the handling of a battery fire in Liverpool and explained that Sunnica had engaged with appropriate experts to design a scheme based on safety factors. He stated that the majority of fires to date had been in air-cooled systems rather than liquid-cooled systems and the equipment would be chosen to reduce potential accidents. Large areas had been allocated for the BESS so that significant separation distances between the containers would help to limit the spread of any incidents. The required water levels would be dictated by the separation distances and would be based on information provided by the fire services. There would also be a banded set up. Cllr Every further questioned the fire safety aspects and Mr Murray explained that an outline battery fire safety management plan had been developed with and approved by the Cambridgeshire and Suffolk Fire Authorities. A revised version would be submitted on 11th November.

Referencing the overall size and impact of the scheme, Cllr Jones asked whether it would be viable without the solar panels to be purely battery-based. Mr Murray stressed that the battery storage was classed as associated development to the

scheme and that the panels represented the majority of the land use and would generate the electricity. The battery storage would enable the electricity to be stored until it was needed and a scheme for battery storage alone would not be located far from the substation as was the case in this proposal.

Cllr C Ambrose Smith questioned whether battery storage facilities would be susceptible to targeted malicious damage but Mr Murray did not consider that to be the case and Mr Kelly emphasised the importance of schemes such as this that would provide national energy security.

The Chairman then invited Lea Dodds to address the Committee. Mr Dodds explained that although he was a member of Burwell Parish Council his statement had not been seen or approved by them and therefore he was speaking as an individual and not on behalf of the Parish Council. He referenced the climate emergency statements made by both East Cambs District Council and Burwell Parish Council, and also the comments from those who would be directly affected by the proposed solar farm, and on balance stated his support for the proposal due the necessity for swift action to reach a low-carbon economy. He considered the concerns about food security to be legitimate but exaggerated since the amount of farmland that would be lost to the scheme would be a very small fraction of the arable land in the East of England. He understood the anger and frustration of those who would be most impacted by the large infrastructure development and stated that the concerns should be addressed and accommodations found. He therefore suggested that the Council's response should support the proposal since immediate action was required to address the climate emergency, but request that the plans be improved to address local concerns.

There were no questions for Mr Dodds.

Parish Cllr Fiona Maxwell explained that she was speaking as the Chair of Chippenham Parish Council, and she was also the Chair of the Parish and Town Councils Alliance that represented approximately 12 Parish and Town Councils within the Sunnica site. She stressed that all of the Parish and Town Councils affected by Sunnica opposed the scheme. In order for the development to be large enough to qualify for a DCO, the applicant had identified multiple sites with the overall result that villages would be surrounded and would suffer from the cumulative impact; the scheme had not evolved sympathetically to the affected residential areas. Local surveys had shown that there was widespread support for renewable energy, but not for this proposal. She referenced the quality of the farmland that would be used for the solar farm and that local people disagreed with the applicant's assessment of it but had not been permitted to access it for corroboration. The scheme would result in a long-term loss of land, rather than a temporary one, due to the 40-year life span together with the construction and decommissioning timeframes. The roads that would be necessarily required for construction traffic were narrow, winding, and often within settlements, so were unsuitable for such usage. The proposal would also result in a lack of connection between villages and a transformation of the rural and agricultural landscape into an industrial landscape which would damage both the villages and the racing industry. She emphasised that the overwhelming view of residents was that the proposal should be refused.

Parish Cllr Fiona Maxwell also read aloud a statement from Anne Noble who had been unable to attend. The statement detailed calculations regarding the proposed site area and energy production values, and suggested that it would not be possible to produce the amount of electricity that had been claimed by the applicants.

In response to a question from Cllr Jones about her reference to connectivity, Parish Cllr Maxwell explained that many of the affected settlements were centuries old and there were routes between them that would be interrupted by the development, although she was unsure whether there would be any official loss of public rights of way.

Cllr Every asked for further information about the surveys that had taken place. Parish Cllr Maxwell explained that a local survey had fed into the Parishes' Interested Party Representations. She also reiterated that a public meeting had been held in Isleham and had been attended by many people from all over the affected area but Sunnica representatives had not attended.

The Chairman informed Members that Cllr Brown, Ward Member for Burwell, had requested that his support for the Officer's recommendation be placed on record. He then invited Cllr Huffer, Ward Member for Fordham & Isleham, to address the Committee.

Cllr Huffer gave an impassioned and detailed statement explaining that although she and the communities she represented were in favour of solar power, they considered that the Sunnica scheme would devastate the local area. She referenced the importance of the productive farmland and the racehorse industry, and stated that new hedging would not be able to hide the urbanisation and industrialisation that the huge area of solar panels would bring to the unique landscape. The battery storage units would also be out of keeping with the area since farm buildings were more organic and smaller in scale than the industrial nature of the storage units. The nature of the landscape was such that they would be visible from miles away. She considered that the impact of the development on buildings such as The Ark in Isleham and on areas of outstanding natural beauty such as Chippenham Park and the Limekilns would be devastating. She criticised the applicant's suggestion that biodiversity would be improved by providing biodiversity corridors, arguing that many species of mammals and birds currently roamed freely throughout the proposed Sunnica site that would be industrialised. She also questioned the applicant's claim that the land would return to farmland after 40 years, since a further application to continue the site use could be made towards the end of the solar panels' lifetime. She detailed the range of crops that were currently produced across the site and stated that the farmland was all high-quality productive land with irrigation; the land quality report from the applicants was poorly prepared and technically lacking and multiple requests for access to collect soil samples had been denied. She referenced fires in battery storage facilities elsewhere in the world and expressed concern for the devastating effects that a similar event would have on many households and on local wildlife. She considered that the predicted battery storage capacity would be far greater than would be needed for the electricity generated by the solar panels and suggested that the future operator would use the batteries to be able to buy electricity from the National Grid during low demand and sell it back at a higher price during periods of high demand. Finally, she drew attention to the significant increase in vehicle

movements on the quiet B-roads in the area during the construction phase that was estimated to take at least two years, and highlighted the dangers of the resulting exhaust fumes and increased congestion. She strongly urged the Committee to support the Officer's recommendation and object to the proposal. She also commented that although the applicant may have received many local responses to their consultation, it could not be assumed that all were in favour.

12:45 – 1:25pm The meeting was adjourned for lunch.

The Chairman invited Cllr Huffer to read aloud a statement from her fellow Ward Member for Fordham & Isleham, Cllr Joshua Schumann, who had been unable to attend the meeting. He stated his objection to the application and his full support for Cllr Huffer's previous statement; he would address different issues to those covered by Cllr Huffer to avoid duplication. He also emphasised that his objection to the scheme was neither an objection to solar energy nor a lack of recognition of the challenges faced to deliver net zero, and highlighted that East Cambs generated more renewable energy than any other district in Cambridgeshire. The Council had adopted Planning policies to protect residents from inappropriate development and he considered that the application had failed to adhere to many of them. In addition to the visual intrusion into open countryside that would be contrary to policies ENV1 and ENV2 of the local plan, he considered that the addition of vast areas of concrete and glass to 1600 acres of agricultural land would inevitably lead to an increased flood risk contrary to policy ENV8. He referenced policy ENV9 that addressed the avoidance and management of increased pollution, and stated that the vehicular movements during the construction of the scheme would result in unprecedented amounts of fuel particulates in rural village that currently benefitted from clean air. Finally, the applicant had failed to recognise the importance of local views and the wishes of the community: the role of the Council and its elected Members was to be the voice of local residents and he urged the Committee to ensure that their response to the consultation made clear the intolerable impact that the scheme would have on local residents.

Responding to points raised during the public speaking, the Planning Team Leader provided the following further information:

- The Local Impact Report had included consideration of all submitted information at the point of its preparation.
- There would be a temporary loss of some public rights of way during the construction phase and ongoing access across public rights of way would also be permitted for maintenance purposes.
- The development would not be carbon-neutral and the developer had not claimed otherwise. Relevant details were included in paragraph 6.14 of the report which demonstrated that the development would have a lower greenhouse gas impact than more traditional energy suppliers such as gas power stations.
- The Draft National Policy Statement EN3 stated that consent for solar farm proposals would typically be granted for 25 years based on the typical lifespan of the solar panels.
- Environmental Health had considered that there would be no significant concerns regarding traffic pollution during the construction phase.

Cllr Every asked whether Officers considered there to be missing information that would hinder the ability for Members to make an informed decision, and questioned whether the working relationship with the applicant had been positive. The Planning Team Leader explained that the decision-making process was ongoing and therefore additional information would regularly be submitted until March 2023. However, the Trees Officer had been unable to provide a professional opinion since blank documents had been supplied, as previously shown, although he understood that a revised arboricultural assessment would be submitted by the applicant on 22nd November. The biodiversity information was also insufficient and should have included more details about the benefits and harm of the proposal. Many questions remained about the batteries, which was somewhat inevitable since the technology progressed rapidly, and it would be a requirement of the DCO that the Council agreed all fire prevention aspects if approval was granted. Regarding the working relationship with the applicants, there had been ongoing conversations since March 2022 including requests from Officers for further information where details were lacking or concerns were raised. The developer was providing the required information but in general it was being received later in the process than Officers would ideally prefer.

Cllr Jones asked about the potential for removal of trees that were subject to Tree Protection Orders and questioned whether the overall loss of habitat would be less than had been originally envisaged. Cllr Wilson commented that very few trees had been seen during the site visits. The Planning Team Leader explained that the developer was seeking to remove the relevant regulation and therefore any protected tree could potentially be felled. Not all sites had been shown during the site visit since some were on private land and had therefore been inaccessible. There were, for example, tree belts on sites around Chippenham but on other sites there were currently no trees and the developer was seeking to plant more. Cllr Every referred to the proposed landscaping having been described as poor quality, and asked for further details. The Planning Team Leader explained that the proposed landscape scheme was generic and did not account for the difference in landscape between, for example, the fens around Isleham compared to the land around Chippenham. Good landscaping schemes were expected to use planting that responded to the existing landscape whereas the vista around Isleham would be harmed by the proposal due to it being substantially altered by the introduction of large numbers of trees. In response to Cllr C Ambrose Smith questioning why the introduction of trees to shield the solar panels would not be welcomed since the addition of trees in other planning applications was often encouraged, the Planning Team Leader explained that the landscaping should not simply be used to obscure the development but should instead blend it in to the existing surroundings.

In response to questions from Cllr Hunt, the Planning Team Leader stated that the site areas rather than the size or number of the solar panels were known at this stage and the total area excluding the cable route would be 2424 acres with the BESS compound site comprising 947224 square feet.

Cllr Wilson referred to the usual expectation of a 25 year lifespan, and the application being for a 40 year period, and questioned whether the panels would be likely to be replaced at the end of that period rather than the site being decommissioned. The Planning Team Leader stated that, if granted, the DCO

would be for a 40 year period and would require decommissioning. As with all equipment, solar panels had a limited lifespan that was currently suggested to be around 30 years. A developer could potentially submit a future application but Members were reminded to only consider the application before them. Cllr C Ambrose Smith questioned whether the applicant's lease of the land, as opposed to owning it, would necessarily limit the lifespan of the scheme: the Planning Team Leader reiterated that the DCO would be for 40 years regardless of whether the land had been leased or purchased.

Cllr Jones referred to transport elements mentioned in the Local Impact Report and, recognising the County Council's role in assessing transport issues, asked about mitigation. The Planning Team Leader stated that both County Councils were working with the developer regarding the necessary contributions and mitigations. The District Council had been assessing the impact on businesses and residents.

Cllr Wilson asked for more information about the economic impact of the proposal. In particular, he suggested that if the land was rented rather than purchased then an income would be provided for the farmers, and he asked about employment prospects. The Planning Team Leader explained that farmers were able to make money from their land however they wished, within certain constraints, and that the consideration for the Committee was simply to examine the merits of the proposed scheme and determine whether they outweighed the harm it would cause. Regarding employment, there would be many jobs available during the construction phase but a low number once the solar farm was operational. These issues were raised in the economic questions that were being asked of the developer.

The Chairman then opened the debate. Cllr D Ambrose Smith was critical of Sunnica's approach to community consultation and stated that he could not support the application because the views of the community had not been heard.

Cllr Hunt proposed that the Officer's recommendation of objection be approved since the application would have a detrimental impact on the world-renowned Newmarket horse-racing industry and on the historic Chippenham Park and Gardens. Additionally, there would be cumulative damage to the rural environment of Isleham and Chippenham and the biodiversity at Snailwell would be harmed. He also considered that there had been a lack of timely information supplied to Officers and that the public consultation by the applicant had been poor. Cllr Every seconded the proposal.

Cllr Wilson expressed his support for generating electricity *via* solar means and commented that it was common to receive objections from those who were geographically closest to proposed developments. He therefore questioned why the applicant had not made greater efforts to inform and involve the local communities. Other solar farms that had been supported in the District were better organised and the affected residents had been better informed. He considered that the application site was too large and that the proposal was not sufficiently well planned. Cllr C Ambrose Smith largely agreed. Cllr Jones commented that the impacts on the racing scene and on the rural areas would be detrimental, and that overall he agreed with the Officer's conclusions.

The Chairman reiterated that the Committee were being asked to consider the Council's consultation response rather than to make a decision on the application. In response to a query from Cllr D Ambrose Smith, the Monitoring Officer stated that the reference in the Officer's recommendation to "consultation with the Chairman" automatically included the Vice-Chairman should the Chairman be unavailable.

It was resolved unanimously:

- i) That the consultation response setting out the Council's OBJECTION to elements of the proposal, as set out in Appendix 1 of the Officer's report, be approved.
- ii) That in the event of the proposal being approved by the Examining Authority, authority be delegated to the Case Officer, in consultation with the Chairman of Planning Committee, to determine the requirements under the Development Consent Order.

The meeting concluded at 2pm.

21/01832/FUL

Rear Of 30-36 Market Street

Ely

Cambridgeshire

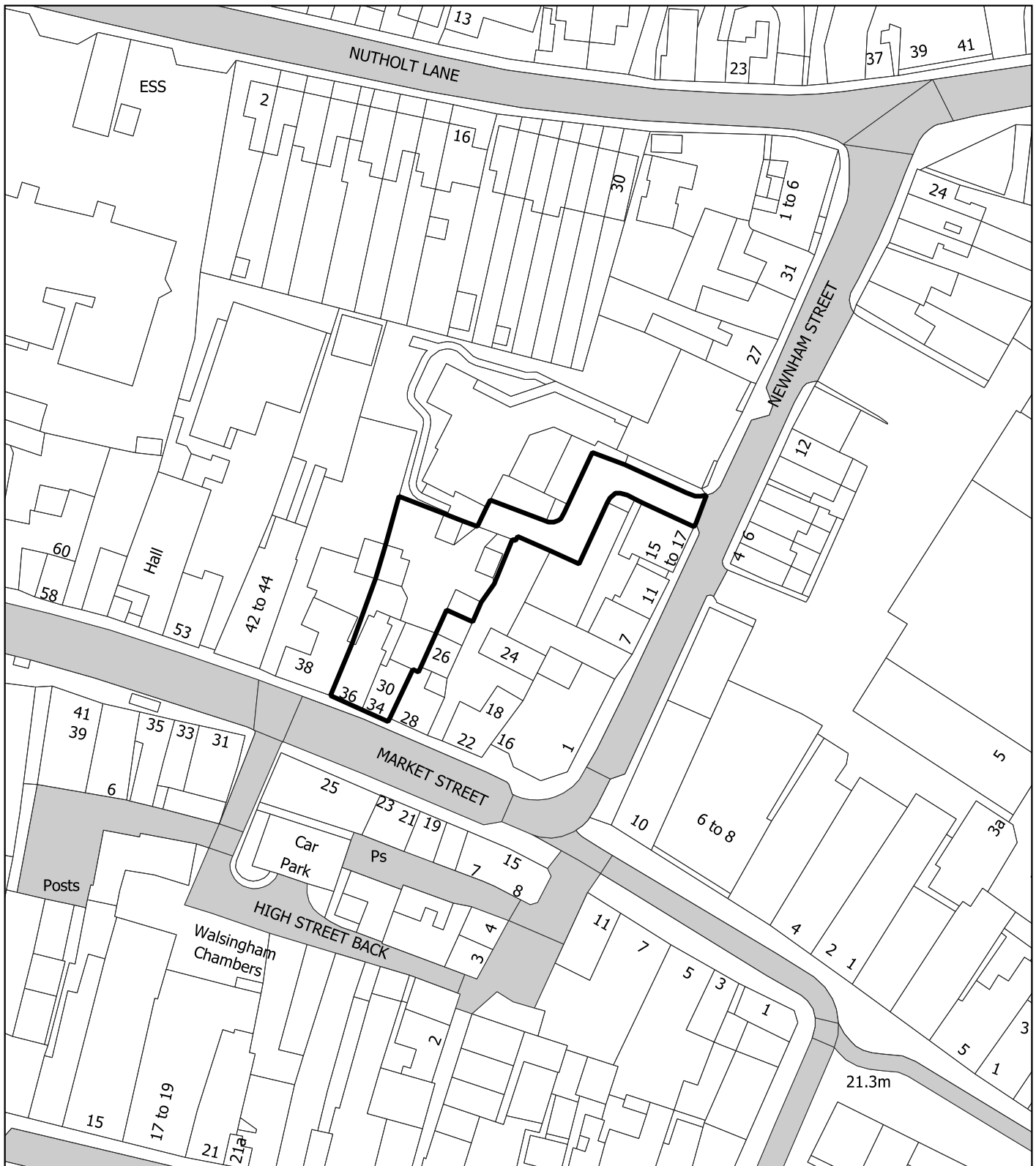
CB7 4LS

Demolition of outbuildings, change of use of cold store, erection of four flats,
and associated works

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=R4H2BAGGJA800>





21/01832/FUL



Rear Of 30-36 Market Street
Ely

East Cambridgeshire
District Council

Date: 24/11/2022
Scale: 1:1,000



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21-01832-FUL Committee Report

Reference No: 21/01832/FUL

Proposal: Demolition of outbuildings, change of use of cold store, erection of four flats, and associated works

Site Address: Rear Of 30-36 Market Street Ely Cambridgeshire CB7 4LS

Applicant: Aitus Associates Ltd

Case Officer: Holly Chapman Senior Planning Officer

Parish: Ely

Ward: Ely East
 Ward Councillor/s: Matthew Downey
 Lis Every

Date Received: 21 December 2021 **Expiry Date:** 15 February 2022
Report Number [X123]

1.0 **RECOMMENDATION**

1.1 Members are recommended to **REFUSE** the application for the following reasons:

- 1 The application proposal seeks to introduce a part single-storey and part two-storey detached flat block in close proximity to the southern/southwestern elevations of the existing flats and outdoor amenity space associated with the Woolpack Yard development. The proposed development is considered to result in significantly detrimental residential amenity effects upon existing and prospective occupiers of this section of the Woolpack Yard development. This is by virtue of the scale and proximity of the proposed development to the Woolpack Yard development, which is considered to result in an overbearing and oppressive form of development that results in a loss of outlook for occupiers of the Woolpack Yard development, and loss of amenity to the communal outdoor amenity space. This is contrary to the objectives of Policies GROWTH 2, GROWTH 5 and ENV 2 of the East Cambridgeshire District Council Local Plan 2015 and the guidance contained within the National Planning Policy Framework, which require proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers, as well as 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.
- 2 On the basis of the potentially significant inaccuracy of the submitted sun studies, there is still substantial concern over the potential for the proposed development to result in greater and potentially significantly detrimental residential amenity effects in terms of overshadowing and loss of light to the southern/southwestern elevations

of the existing flats and outdoor amenity space associated with the Woolpack Yard development. This is considered to be contrary to the objectives of Policy ENV 2 of the East Cambridgeshire District Council Local Plan 2015 and the guidance contained within the National Planning Policy Framework, which require proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers, as well as 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.

2.0 **SUMMARY OF APPLICATION**

2.1 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council’s Public Access online service, via the following link <http://pa.eastcambbs.gov.uk/online-applications/>.

2.2 The application has been called in by Cllr. Every for the following reason: *“There is a great need for small flat living accommodation in the centre of Ely. This application is for additional flats behind flats in Market Street already owned by the applicant and will add 3 flats to our housing stock in an infill site. It is being called in for the Planning Committee to determine if the benefits outweigh any issues of possible harm.”*

2.3 The proposal seeks consent for the erection of a detached part single-storey and part two-storey building, and the conversion and extension of an existing store within No.30 Market Street, to facilitate the creation of four flats. Associated works include the demolition of existing outbuildings within the application site, and relocation of the existing staircase to the flat of No. 32 Market Street above No.30-36 Market Street.

2.4 The existing brick outbuilding closest to the Woolpack Yard development within the application site to be demolished measures c.4.3 metres to ridge, c.3.6 metres in width and c.4.6 metres in depth.

2.5 A summary of the proposed development is outlined below in the following Table 1.

| | Proposed Building | Feet |
|--------------|--------------------------|--------------------|
| Ridge | c.6.6 metres | c.22 feet |
| Eaves | c.2.3 – 4.3 metres | c.7.5 to c.14 feet |
| Depth | c.18.8 metres | c.62 feet |
| Width | c.6.9 metres | c.23 feet |

Table 1 – Measurements of the proposed development

2.6 A summary of the proposed internal space standards of the proposed flats is also outlined within Table 2 below:

| Flat | Proposed Internal Space Standard | Square Feet |
|---------------|---|--------------------|
| Flat 1 | c.42 sqm | c.452 square feet |
| Flat 2 | c.42 sqm | c.452 square feet |
| Flat 3 | c.42 sqm | c.452 square feet |
| Flat 4 | c.29 sqm | c.312 square feet |

Table 2 – Proposed internal floorspace of the proposed flats

- 2.7 All flats as shown are single-bedroom flats, with Flat 4 comprising a 'studio', whereby the kitchen-diner and bedroom are shown to be in an open-plan arrangement. It is noted that the proposed studio (Flat 4) falls below the minimum space standard of 37sqm (c.398sqft) established by the Nationally Described Space Standards (NDSS) (March 2015).
- 2.8 In addition to the proposed flats, a central landscaped courtyard area is to be shown, with four parking spaces provided for the existing commercial units along Market Street. The proposed residential element of the proposal is to be car free.
- 2.9 It is important to note that the application proposals have been revised during the course of the application in response to Officer concerns. These revisions included:
- Amendment to the roof form of the proposed two-storey element of the proposed flat block from a pitched roof to hipped roof/cat-slide roof, with the introduction of a blank box dormer facing north;
 - Provision of sun-study;
 - Provision of CGIs;
- 2.10 Whilst a number of Officer concerns have been addressed through design revisions and clarification, an acceptable solution has unfortunately not been agreed upon with regard to the overall design of the proposed flat block. The reasons for this are to be outlined within this report.

3.0 PLANNING HISTORY

3.1

| | | | |
|--------------|---|----------|------------|
| 11/00863/FUL | Replacement door & window to front of shop (Retrospective) | Refused | 14.11.2011 |
| 81/00695/FUL | CHANGE OF USE FROM RECORD SHOP TO ELECTRICAL AMUSEMENT PREMISES | Approved | 25.09.1981 |
| 85/00135/FUL | CHANGE OF USE TO PHOTOGRAPHIC PROCESSING SALES AND RECEPTION | Approved | 18.04.1985 |

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site comprises an area of hardstanding to the rear of No.30-36 Market Street, Ely, within the defined development envelope for Ely and directly adjoining the town centre boundary. The site is accessed via Newnham Street via the internal access road and car parking area associated with the Woolpack Yard development. The main body of the application site totals c.450 square metres in size (c.0.045 hectares), excluding the access road from Newnham Street.

- 4.2 The site is currently used for the parking of vehicles and contains three brick and timber outbuildings to be demolished to facilitate the proposals.
- 4.3 To the north of the application site lies the Woolpack Yard development, with a number of flats associated with the development facing onto the application site; these flats are across three-storeys. An area of outdoor space and connecting footpath associated with the flats directly adjoins the application site to the north, and is separated by a low level mesh fence. This amenity space and footpath appear to be maintained and in use, as corroborated by consultation responses received from residents of the Woolpack Yard development.
- 4.4 To the east of the application site lies No.26 Market Street, an existing dwelling with a small courtyard/parking space attached to its north. A high level rear kitchen window faces onto the application site.
- 4.5 To the south of the application site lies No.30-36 Market Street, in use as a barbers and dry cleaners. Two flats are located above these properties, facing onto the application site.
- 4.6 To the west of the application site lies 38-40 Market Street. Under LPA Ref. 17/00429/FUL, the creation of a flat above No.38 Market Street was permitted, following the conversion of existing office space. No.40 Market Street – a two storey dwelling – lies behind No.38 and benefits from its own private amenity space.
- 4.7 The application site lies within Ely Conservation Area. There are no listed buildings immediately adjoining the application site, nor are there any listed structures or monuments nearby. Ely Cathedral is nevertheless visible in views from within the application site.
- 4.8 The application site also lies within the Goose and Swan Functional Land Impact Risk Zone (IRZ) and a Green Risk Zone for Great Crested Newts (GCN) (low risk).
- 4.9 The whole application site lies within an area of low flood risk (Flood Zone 1) and does not lie within an area at high risk of surface water flooding.

5.0 RESPONSES FROM CONSULTEES

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

Environmental Health - 5 January 2022

States: "As stated in Section 7 of the application form, where land is known to be contaminated, where contamination is suspected, or the proposed use would be particularly vulnerable to the presence of contamination, an appropriate contamination assessment will be required with the application. The applicant will need to supply an appropriate contamination assessment with the application. In addition, due to the proposed number of dwellings and the close proximity of existing properties I would advise that construction times and deliveries during the construction and demolition 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

I would also advise that prior to any work commencing on site a Construction Environmental Management Plan (CEMP) shall be submitted and agreed in writing with the Local Planning Authority (LPA) regarding mitigation measures for the control of pollution (including, but not limited to noise, dust and lighting etc) during the construction phase. The CEMP shall be adhered to at all times during the construction phase, unless otherwise agreed in writing with the Local Planning Authority (LPA).

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. This document should include the commitment to notifying nearby properties prior to the work commencing to advise how long the works will last. This notification should also provide a contact number so that if there are any concerns while the piling is taking place they can contact the contractor. If the method of piling involves impact driving I would request a commitment to the following restricted hours specifically for piling - 09:00 - 17:00 each day Monday - Friday and None on Saturdays, Sundays or Bank Holidays.

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.

The Planning Statement advises that the flats will be heated by ASHPs. I would recommend the following condition to control any noise associated with the ASHPs -

"The specific rated noise level emitted shall not exceed the existing background noise level by more than 5 dB. The free field sound level shall be measured and/or calculated at the boundary of the nearest noise sensitive property. The noise level shall be measured and/or calculated in accordance with BS 4142:2014+A1:2019.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy EN2 of the East Cambridgeshire Core Strategy 2009."

Finally, as the property consists of flats we would advise the developer to gain advice from the Fire Authority to ensure the correct precautions are in place.

No other comments to make at this time but please send out the environmental notes."

Cambridgeshire Archaeology - 17 January 2022

States: "Our records indicate that the site lies in an area of high archaeological potential, situated in the medieval core of the City of Ely, roughly 100m to the north of the grounds of Ely Abbey and Cathedral Precinct (Cambridgeshire Historic Environment Record reference 07322). Archaeological investigations carried out in 1987 within the north range of the Norman Cathedral revealed extensive evidence of occupation from the 10th century, including structural remains and a ditch interpreted as an early precinct boundary (Holton-Krayenbuhl, Cocke & Malim 1989,

Ely Cathedral Precincts: The North Range. In PCAS Volume LXXVIII). Archaeological monitoring at the Cross Green Swale in 2014 revealed twenty inhumation burials, three potential walls and multiple demolition layers, which possibly relate to the 14th century parish church of Holy Cross (CHER ref ECB4375). In addition, an archaeological monitoring at the Old Library, adjacent to the Cathedral south choir side identified mortar and stone foundations layers for the construction of the first two eastern bays for use as chapels in the 12th century. The last main phase of activity relate to the conversion of the two chapels into one large cell. (ECB4482).

Previous archaeological investigations a short distance to the east of the proposed development on land between Newnham Street and Brays Lane identified evidence of Neolithic, Bronze Age, Iron Age, Roman and Saxon occupation as well as medieval features, including a well backfilled with demolition material and boundary ditches. It seems likely that these related to the estate of the Bray family in the later C13 and early C14. In c 1322 the estate was left to Ely Cathedral and the field system was reorganised (ECB2454). In addition, other archaeological investigations in the vicinity, for example at the site of the former White Hart (MCB16067), and 80m south-east of the site at Market Place (CB14654) have revealed further evidence of medieval and post-medieval occupation.

We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DLUHC:

Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, 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.

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 2019).

Informatives:

Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development.

Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI.”

Local Highways Authority - 17 January 2022

States: “This proposed development is accessed from private highway. The connection to the public highway at Woolpark Yard is not to current highway standards with the main item which may impact upon highway safety being restricted inter-vehicular visibility and pedestrian visibility (recommended 2m x 2m to back of footway) to the south.

These proposals include four dwellings, each with a single vehicle parking space. The current level of parking is difficult to quantify given the ad-hoc nature of the site's existing use. Should this development result in a measurable increase in vehicular trips to and from the site, then the applicant should demonstrate that appropriate level of pedestrian visibility are achievable at the junction onto Newnham Street. I welcome further clarification from the applicant.

A 6.5m turning area has been provided to the rear of the proposed parking area. While this is suitable for domestic vehicles, I would recommend that the applicant provide suitable turning, free from the public highway, for modest sized delivery vehicles which may regularly access the site, primarily for the purpose of deliveries to the new dwellings. Turning should be appropriate for a modest delivery vehicle such as a panel or box van.

Please consult with Cambridgeshire Fire & Rescue regarding compliance with Building Regulations Part B5 (access and facilities for the fire service).

I also recommend that you consult with East Cambridgeshire District Council's Waste Team. While bin storage is proposed, I am unsure how/where bins will be collected. Should a bin collection point be required, it will need to be free from the public highway where it could otherwise cause an obstruction within this City centre location.

Upon receipt of further information from the application, please re-consult the LHA so that I can provide additional commentary or recommend conditions if appropriate.”

Conservation Officer - 18 January 2022

States: “The application site is an unlisted C19 commercial building on the north side of Market Street, within the Ely conservation area. Its rear ranges correspond to footprints shown on historic mapping but are themselves C20 postwar additions, and the outbuildings slated for demolition are utilitarian C20 structures. Market Street is part of the medieval core of Ely and the 2009 conservation area appraisal ascribes it to the same character zone as the High Street (zone E). Historic England's 2016 Advice Note 2 'Making Changes to Heritage Assets' states: 'The main issues to consider in proposals for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, relationship to adjacent assets [and] use of materials...It would not normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Replicating a particular style may be less important, though there are circumstances when it may be appropriate. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of [development] that might be appropriate.' Historic map evidence shows

that there were relatively few rear service buildings behind Market Street so the proposed new block is purely speculative in this location. Nevertheless its form, scale and language reference the kind of buildings (eg stables, coach houses) characteristically found in backland locations, and its crisp use of materials and detailing is complimentary without descending to pastiche. This fulfills Advice Note 2's criteria for development in historic settings. Recommendation - no objection subject to following conditions:

Recommendation - no objection subject to following conditions.”

In their full response, the Conservation Officer recommends conditions relating to the provision of samples of brick and slate, as well as details of external doors and windows.”

City of Ely Council – 25 January 2022

States: “The City of Ely Council has no concerns with regards to this application.”

City of Ely Council - 6 September 2022

States: “The City of Ely Council had no concerns regarding the amendments to this application.”

Waste Strategy (ECDC) – 6 April 2022

States: “• East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).

- I would ask that the waste presentation point be put along the main highway, either Market Street or Newham Street as it would be very difficult for the dust carts to enter and turn in the backstreet.

- Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.

- Each new property requires a set of receptacles; the contribution is currently £52 per set. We would recommend the developer made the contribution on behalf of the residents.

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

Waste Strategy (ECDC) – 6 July 2022 (in an email to the Applicant)

States: “I spoke to our team this morning, as collections are happening from the rear of the flats at the moment, we are happy to continue with that rather than they bring the bins to Newham Street.”

Cllr. Liz Every (Ward Councillor for the Ely East Ward) – 3 November 2022

States: ““There is a great need for small flat living accommodation in the centre of Ely. This application is for additional flats behind flats in Market Street already owned by the applicant and will add 3 flats to our housing stock in an infill site. It is being called in for the Planning Committee to determine if the benefits outweigh any issues of possible harm.”

Consultee For Other Wards In Parish - No Comments Received

Cambridgeshire Fire And Rescue Service - No Comments Received

CCC Growth & Development - No Comments Received

Building Control - East Cambridgeshire District Council - No Comments Received

- 5.2 A site notice was displayed near the site on 6 January 2022 and a press advert was published in the Cambridge Evening News on 13 January 2022.
- 5.3 Neighbours – 9 neighbouring properties were notified and the responses received are summarised below. Full copies of the responses are available on the Council’s website.

Objecting (9 comments)

- Concerns over air conditioning unit and noise;
- Poor quality of plans – do not show Woolpack Yard development windows and doors in relation to proposed development;
- Concerns over building work, vehicles and disruption;
- Concerns over loss of privacy for Woolpack Yard residents;
- Loss of views for Woolpack Yard development;
- Affects public views / loss of views to Cathedral;
- Highway safety and dangerous for those using mobility scooters/limited mobility;
- Loss of privacy;
- Noise sensitive;
- Over bearing;
- Over looking;
- Affects right of access;
- Affects right of way;
- Over shadowing
- Parking and turning, narrowness of the access roadway;
- Increased traffic;
- Pollution issues, dust;
- Loss of daylight and sunshine;
- Privacy lost when outside gardening or sitting outside the flat(s);
- Concerns over electronic gates and noise
- Concerns over access for ambulance services;
- Concerns over deliveries;
- Concerns over fire access for proposed development;
- Queries over bin store placement;
- Incorrect notification of Sanctuary Housing;
- Loss of light to private garden areas;

- Removal of designated parking space;

Support (2 comments)

- Chronic shortage of rental properties within Ely;
- Ideal starter homes;

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2 Locational strategy
GROWTH 3 Infrastructure requirements
GROWTH 5 Presumption in favour of sustainable development
HOU 2 Housing density
ENV 1 Landscape and settlement character
ENV 2 Design
ENV 4 Energy and water efficiency and renewable energy in construction
ENV 7 Biodiversity and geology
ENV 8 Flood risk
ENV 9 Pollution
ENV 11 Conservation Areas
ENV 14 Sites of archaeological interest
COM 2 Retail uses in town centres
COM 7 Transport impact
COM 8 Parking provision

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations
Design Guide
Contaminated Land
Flood and Water
Natural Environment
Climate Change
Ely Conservation Area Appraisal

6.3 National Planning Policy Framework 2021

2 Achieving sustainable development
4 Decision-making
6 Building a strong, competitive economy
7 Ensuring the vitality of town centres
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

Technical Housing Standards – Nationally Described Space Standards (March

2015)

7.0 PLANNING COMMENTS

7.1 The main issues to consider in the determination of this application are; the principle of development; the impact it may have on the residential amenity of nearby occupiers; the impact it may have on the character and appearance of the area; and the impact it may have on parking and highway safety; as well biodiversity, trees and ecology; flood risk and drainage; climate change; and contamination.

7.2 Principle of Development

7.3 The application site lies wholly within the development envelope for Ely, where Policy GROWTH 2 of the ECDC Local Plan 2015 seeks to permit development, provided there is no significant adverse effect on the character and appearance of the area and that all other material planning considerations and relevant Local Plan policies are satisfied.

7.4 Policy GROWTH 5 of the ECDC Local Plan 2015 also states that the District Council will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

7.5 As set out within the Design Guide SPD, back-land development such as that proposed will only be considered to be acceptable if the following criterion are met:

- Back land development (one dwelling built behind another) will only be acceptable if supported by a contextual analysis of the locality (particularly with reference to the point below about large houses);
- There must be sufficient space to allow for an access road to the rear, the width of which may be determined by the status of any adjoining highway;
- Adequate protection against noise and disturbance must be provided for the host dwelling;
- Consideration should be given to the inclusion of adjacent land, to avoid piecemeal development. Applications may be refused if it cannot be demonstrated that the possibility of a more comprehensive development has not been explored;
- The fact that there may be space within the curtilage to construct a dwelling, will not, in itself, be sufficient justification for doing so;
- There can be no presumption that large houses in extensive curtilages should be able to subdivide the garden ground into smaller plots.

7.6 Paragraph 119 of the NPPF sets out that, *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy*

living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land." This is caveated by Footnote 47, insofar that this presumption in favour of brownfield development does not apply *"where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity."*

- 7.7 Whilst not located within the defined town centre, Paragraph 86(f) of the NPPF sets out that planning policies should *"recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites."*
- 7.8 Following a contextual analysis of the application site and surrounding development, it is considered that the introduction of development in this location would not be uncharacteristic for this area of Market Street. There are number of dwellings and buildings 'in-depth' to the rear of Market Street, and dwellings are commonplace above retail units. The compliance of the proposals with the other criterion as stipulated within the Design Guide SPD will be discussed elsewhere within this report.
- 7.9 The proposed development is therefore acknowledged to comprise residential infill in a sustainable location adjoining the town centre boundary, and by virtue of its location has the potential to support the vitality of the town centre. On this basis, the Local Planning Authority (LPA) consider the principle of the proposed development is acceptable and accords with the general thrust of the policies of the Local Plan 2015, the Design Guide SPD and the NPPF on a locational basis.
- 7.10 The proposed dwellings would be liable to the Community Infrastructure Levy (CIL), and this payment would be in line with Policy GROWTH 3 and the Developer Contributions SPD.
- 7.11 With regard to the loss of the existing cold store to the rear of No.30 Market Street, this loss and change of use is not considered to conflict with the objectives of Policy COM 2 in retaining retail uses within the town centre boundary. As part of the city's primary shopping frontage, No.30-36 Market Street are being retained as retail units. The loss of the small cold store is not considered to impinge upon the function of these retail units, measuring less than c.4 square metres, and is considered to result in a negligible loss of retail floorspace.
- 7.12 Notwithstanding the above, for the reasons to be set out within the following section of this report, it is not considered that the development proposal accords with the objectives of the Local Plan 2015 or NPPF in terms of securing a healthy living conditions and improving the social conditions in the area.
- 7.13 On the above basis, whilst the principle of the proposed development is considered to be generally acceptable on a locational basis, for the reasons to be set out within the following section of this report, the proposed development is not considered to be acceptable in principle in accordance with Policies GROWTH 2 and GROWTH 5 of the EDC Local Plan 2015 and the guidance contained within the National Planning Policy Framework.

7.14 Residential Amenity

7.15 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 130 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. The impacts of the proposed development on separate existing and prospective occupiers is discussed in turn as follows.

Residential Amenity for Prospective Occupiers of the Proposed Flats

- 7.16 The proposal includes the provision of four flats (3 x 1-bedroom flats and 1 x studio flat). Flats 1 – 3 measure c.42 sqm internally (c.452 sqft) and Flat 4 measures c.29 sqm internally (c.312 sqft).
- 7.17 Within the submitted Planning Statement, it is stated that all flats (with the exception of the proposed studio) will satisfy the requirements of the Nationally Described Space Standards (NDSS) (March 2015) for a single occupancy, single storey development, this being 37sqm (c.398 sqft). Whilst all drawings show a double bed (thereby suggesting double occupancy), this cannot be presumed, and therefore the minimum 37sqm standard is considered to be the accepted baseline.
- 7.18 Whilst Flat 4 falls below the baseline size expected for a single occupancy flat, it is acknowledged that it is a studio apartment not reflected within the NDSS. However, it should also be noted that elsewhere in Government Legislation, namely the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), no permitted development rights are afforded to a change of use that would result in the creation of a dwelling of less than 37sqm (c.398sqft). The proposed development is therefore considered to result in the provision of a dwelling of a sub-standard level of accommodation that weighs against the application.
- 7.19 The NDSS is nevertheless a material consideration in the decision-making process, but does not form part of a specific policy within the Local Plan 2015. Compliance with the NDSS is therefore expected, but not mandated by policy. Whilst the provision of a sub-standard level of accommodation therefore weighs against the application, it would be unreasonable for the LPA to refuse the application on this basis.
- 7.20 It is acknowledged that the driving force of the development proposals is to provide compact accommodation within the city centre, and it has been demonstrated that, whilst falling below the accepted minimum standard, all flats could provide an acceptable level of internal amenity.
- 7.21 The proposed flats will benefit from a communal landscaped courtyard and this is considered to be a high quality and acceptable level of shared amenity space for the proposed flats within the city centre.
- 7.22 The ground floor flats will also benefit from an acceptable level of defensible space around the ground floor windows to protect the residential amenity of prospective

occupiers. It is further acknowledged that the site is not publicly accessible, and this will limit the amount of pedestrian and vehicular traffic in close proximity to the proposed development.

- 7.23 On the above basis, the proposed flats are considered to benefit from an acceptable level of internal and external residential amenity in accordance with Policy ENV 2 of the ECDC Local Plan 2015 and the NPPF.

Impacts of the Proposed Development on Market Street Residential Occupiers

- 7.24 For the purposes of this assessment, 'Market Street residential properties' is taken to include No.26 Market Street; No.28 Market Street; the flats above No.30-36 and 38 Market Street; and 40 Market Street. These are the immediate residential properties adjoining the application site along Market Street.
- 7.25 The proposed Flat 4 (conversion of the existing ground floor store to No.30 Market Street) is not considered to result in any significantly detrimental residential amenity effects upon surrounding Market Street residential properties in terms of overlooking, overbearing, overshadowing, loss of light or loss of privacy by virtue of its location and design.
- 7.26 The proposed flat block (Flats 1 – 3) in its revised form is not considered to result in any significantly detrimental residential amenity effects upon the nearby Market Street residential properties in terms of overshadowing, overbearing, overlooking, loss of light and loss of privacy by virtue of its siting, scale and design.
- 7.27 The modest scale of development along the shared western boundary with No.40 Market Street in particular is considered to preclude any detrimental impacts in terms of overbearing, overshadowing or loss of light to No.40 Market Street and its rear private amenity space. The high level roof lights will also preclude any significantly detrimental overlooking of this rear amenity space.

Impacts of the Proposed Development on Woolpack Yard Development

- 7.28 For the purposes of this assessment, 'Woolpack Yard development' is taken to include the south/south-west facing residential flats across three-storeys immediately adjoining the application site to the north. This includes the outdoor amenity space and footpath associated with the development.
- 7.29 During consideration of the application, the Applicant's agent was advised of concerns regarding the proximity and scale of the proposal to the Woolpack Yard development.
- 7.30 This concern related specifically to the northernmost two-storey element of the proposed flat block. This element of the flat block is proposed to be located c.4.4 metres (c.14.1 feet) from the south/south-west facing elevation of the Woolpack Yard development, and c.50 centimetres (c.1.7 feet) from the existing mesh fencing of the outdoor amenity space associated with this development. These measurements are taken at their closest points to the Woolpack Yard development, with the widest point of separation measuring c.4.8 metres (c.15.7 feet).

- 7.31 In response to Officer concerns, the Applicant provided amended plans altering the roof form of the proposed two-storey element of the flat block, as well as a sun study. Whilst the revision has made a minor change to the overall massing of the proposed development, it is not considered to have resulted in a meaningful improvement to the relationship of the proposal with the Woolpack Yard development. This is particularly given that the overall scale and proximity of the proposed development has not been reduced from that originally proposed.
- 7.32 The introduction of the proposed development in its revised form is still considered to physically enclose the Woolpack Yard development, significantly impinging upon the residential amenity of the habitable space within the ground floor and first floor flats within the existing Woolpack Yard development, as well as those residents who benefit from the outdoor amenity space immediately adjoining the application site to the north.
- 7.33 It is considered that, by virtue of the proposed development's proximity and scale to the main outlook and habitable windows (and patio doors) to the Woolpack Yard development, there would be significantly detrimental residential amenity effects upon the occupiers of the Woolpack Yard development in terms of overbearing; oppressive development and poor outlook.
- 7.34 This concern also extends to the proximity of the proposed development to the outdoor amenity space used by the Woolpack Yard residents. It is acknowledged that the outdoor amenity space is communal and currently separated from the application site by a low level mesh fence; it cannot therefore be argued that this space is entirely private. Nevertheless, this space is used by the residents of the Woolpack Yard development, as evidenced by visits to the site and from responses received from the residents themselves. It is considered that the construction of the proposed two-storey flat block in such close proximity to the outdoor space contributes to the enclosure of this space through the introduction of an overbearing and oppressive form of development, impinging upon the enjoyment of this space for the occupiers of the Woolpack Yard development.
- 7.35 There are also significant concerns with the accuracy of the submitted sun studies, which differ between the spring and autumn equinoxes (March and September); this should not be the case. There are also concerns with the sun studies, given that they appear to show a notable reduction in the shading of the Woolpack Yard development when the development is constructed. With the exception of the removal of the single-storey outbuildings, there appears to be no other element of the proposals that would warrant the notably drastic improvement in the shading of the Woolpack Yard development. On the basis of the potentially significant inaccuracies of this study, there is still substantial concern over the potential for the proposed development to result in greater and potentially significantly detrimental overshadowing and loss of light to the Woolpack Yard development.
- 7.36 The Applicant has put forward an argument to suggest that there is a great need for smaller flatted accommodation within the City of Ely, and whilst no formal evidence has been put forward to corroborate this, the provision of these flats should not come at the expense of the residential amenity of existing occupiers of established smaller flatted accommodation.

- 7.37 It is also important to recognise that the Woolpack Yard development comprises assisted living for older individuals. An overarching objective of local and national policies is for new development to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; there is therefore no presumption that specialist accommodation should enjoy any lower levels of residential amenity than the market dwellings proposed.
- 7.38 The creation of sub-standard accommodation is not supported by any local or national policy.
- 7.39 The Applicant's agent has also put forward in discussion that the Woolpack Yard development affected by the proposed development benefits from additional windows within its western elevation to lessen the impact of the proposals. This argument is not considered to be acceptable in this instance. On the basis of site visits and correspondence from residents of the Woolpack Yard development, the western facing side windows are considered to be secondary windows to the Woolpack Yard development, with the southern facing windows forming the main primary outlooks.
- 7.40 During discussions on the application, the removal of the existing outbuildings within the application site and their impact on the Woolpack Yard development was also considered. However, it is not considered that the removal of the northernmost single-storey brick outbuilding can be used to off-set the impacts of the proposed two-storey development on the Woolpack Yard development, insofar that the massing of the proposed development and existing brick outbuilding is not considered to be comparable; the proposed development is almost twice the width of the existing brick outbuilding, and over 2 metres (c.6.6ft) taller.
- 7.41 Members are advised that Officers are not objecting to the principle of providing smaller flatted accommodation within the application site. Indeed, the Applicant was encouraged to consider removing a unit of accommodation in an attempt to address Officer concerns on a number of occasions. Such a revision has not been forthcoming.
- 7.42 The introduction of the proposed development in such close proximity to the Woolpack Yard development is therefore considered to be entirely contrary to the objectives of the Local Plan 2015 and the NPPF in ensuring no significantly detrimental effects on the residential amenity of nearby occupiers; providing healthy and safe communities; well-designed and beautiful places; and development that support communities' health and social well-being. The proposal is considered to be in direct conflict with the objectives of Policy ENV 2 of the EDC Local Plan 2015 and the guidance contained within the NPPF by virtue of its siting, scale and design.
- 7.43 Character and Appearance
- 7.44 Policy ENV1 of the East Cambridgeshire Local Plan 2015 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 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.

- 7.45 Policy ENV 11 of the ECDC Local Plan 2015 requires that proposed development within a Conservation Area be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area.
- 7.46 Policy ENV 14 states that, development proposals at or affecting all sites of known or potential archaeological interest will not be permitted where the proposals would cause substantial harm to new or known nationally important sites.
- 7.47 Policy HOU 2 of the ECDC Local Plan 2015 requires that proposals take into account the existing character of the locality and densities of existing development, as well as the need to make efficient use of land; the biodiversity of the site and its surroundings; the need to accommodate other uses such as open space and parking, the levels of accessibility; and the safeguarding and provision of high levels of residential amenity.
- 7.48 The East Cambridgeshire Design Guide Supplementary Planning Document 2012 states that, in most cases, building plots should be approximately 300 square metres (3229sqft), the footprint of any proposed development should be no more than approximately one third of the plot size and rear private amenity space should be 50sqm (538sqft).
- 7.49 The recent updates to the National Planning Policy Framework (July 2021) have also resulted in a higher bar being set for design, whereby all development should seek to achieve beautiful, high-quality, well-designed and sustainable buildings.
- 7.50 With regard to plot density and the impact this would have on the character and appearance of the area, it is acknowledged that development to the rear of Market Street has grown organically, meaning that plot sizes and density are varied. Development along Market Street extends linearly to the north, with associated extensions and outbuildings. The introduction of the application proposals is not therefore considered to be uncharacteristic of the pattern of development within this area of Market Street.
- 7.51 The proposed development is considered to represent a high quality design, that respects and enhances the character and appearance of the area. As acknowledged within the submitted Design Statement, the proposed flat block follows the linear pattern of existing development along Market Street which extends back into the application site, and respects the overall scale, massing and form of the properties front Market Street in its width and scale.
- 7.52 By virtue of the site's location, the proposed development would be screened from view along Market Street by existing development. Whilst there are breaks in development along Market Street, given the scale of the proposed development and depth of existing development along Market Street, views of the proposed scheme are unlikely to be afforded.

- 7.53 The proposed development would be visible from Newnham Street given breaks in development within the street-scene. Notwithstanding, existing development is currently visible behind development along Newnham Street, and the introduction of additional development is not therefore considered to be inherently harmful or enclose important views. Indeed, by virtue of its design, siting and scale, the proposed development is considered to enhance the street-scene and the character and appearance of the area.
- 7.54 With regard to the heritage impacts of the proposed development, as noted within the Conservation Officer's formal consultation comments, historically there is no precedent for service buildings to the rear of Market Street. However, the Conservation Officer notes that the form, scale and architectural language of the proposed development is commensurate to that of buildings characteristically found in such back-land locations.
- 7.55 It is acknowledged that the site itself, whilst not untidy, is a by-product of multiple extensions and developments along Market Street, resulting in the introduction of a collection of utilitarian outbuildings and a patchwork of hard landscaping and boundary treatments.
- 7.56 The proposed development is therefore considered to result in a net enhancement to the Conservation Area, by introducing a high quality and comprehensively designed development proposal. This aligns strongly with the objectives of Policy ENV 11. The proposed development is not considered to have any impact upon the setting or significance of Ely Cathedral.
- 7.57 The detailed materials of the proposed flat block have not been provided with the application itself, and it is critical that these are of a high quality to ensure the successful delivery of a high quality scheme. The indicative materials shown are considered to be generally acceptable in their assimilation with existing development. Nevertheless, specific materials would need to be secured via a condition upon any grant of planning approval, as well as specific details of external doors and windows to ensure this quality is universal throughout the development.
- 7.58 With regard to archaeological heritage assets, the County Council Historic Environment Team raise no objections to the proposed development, subject to a pre-commencement condition being imposed to secure an archaeological investigation within the application site. This is a standard conditional approach for areas of high archaeological potential, such as the application site, and the development proposals are therefore considered to be acceptable subject to the imposition of such a condition in accordance with Policy ENV 14 of the ECDC Local Plan 2015 and the NPPF.
- 7.59 For the above reasons, the introduction of the proposed development is considered to result in a complementary form of development that enhances the character or appearance of the area, and would provide a net enhancement to the setting and significance of the Ely Conservation Area. The proposals are therefore considered to comply with Policies ENV 1, ENV 2, ENV 11, ENV 14 and HOU 2 of the ECDC

Local Plan 2015, the Design Guide SPD, the Ely Conservation Area Appraisal and the NPPF.

7.60 Highways, Parking and Access

- 7.61 Policy COM 8 of the ECDC Local Plan 2015 seeks to ensure that proposals provide adequate levels of parking (two spaces for a dwelling in this location), and Policy COM 7 of the ECDC Local Plan 2015 requires proposals to provide safe and convenient access to the highway network. Section 9 of the NPPF seeks to secure sustainable transport.
- 7.62 The application site is currently used for the informal parking of staff vehicles associated with the retail uses within 30-36 Market Street. Four parking spaces have been formally shown on the submitted plans to serve the retained retail uses.
- 7.63 Within the Applicant's Planning Statement, it is clarified that the two businesses currently each benefit from two parking spaces within the application site (four in total). The application proposals therefore seek to re-provide this provision, and on the basis of the requirements set out within Policy COM 8, this level of parking is considered to be acceptable.
- 7.64 Comments from No.32 Market Street have advised that the proposed development would preclude their use of an allocated parking space for their flat. It is considered that this is a land ownership matter outside of the formal planning application process.
- 7.65 The proposed development is to be a car-free development. Policy COM 8 states that: *"In appropriate circumstances, parking standards may be relaxed in order to reflect accessibility of by non-car modes, and/or if lower levels of provision would protect or enhance the character of Conservation Areas or other sensitive locations. Car free development may be considered acceptable where there is clear justification having regard to the location and the current and proposed availability of alternative transport modes."*
- 7.66 It is accepted that, on the basis of the size of the dwellings; their central location within the City of Ely and its services; and their proximity to a high number of alternative modes of transport, the principle of a car-free development is acceptable within the application site. It is also to be noted that a secure cycle store is denoted on the plans for the benefit of prospective occupiers. Whilst specific details of the cycle store have not been put forward, these could be secured via a condition.
- 7.67 The Local Highways Authority have provided comments on the application, raising concerns over the visibility splays of the access onto Newnham Street should there be a marked increase in vehicle trips to the site; space for delivery vehicles; and requested that the Waste Team, Building Control and Fire and Rescue Service be consulted.
- 7.68 As a car-free development, there is to be no increase in vehicle movements associated with the site with the exception of deliveries to the proposed flats. The four parking spaces for the retained retail uses are to be retained, and therefore

vehicular movements associated with the retail uses are expected to remain unchanged.

- 7.69 With regard to deliveries, there are existing dwellings above No.30-36 Market Street, and it is expected that the delivery arrangements for the proposed dwellings will be comparable to these existing properties.
- 7.70 The Waste Team have raised no objections to the proposed development in terms of collection of waste from the proposed dwellings in an email to the Applicant's agent dated 6th July 2022. This is on the basis that waste collections are already being made behind the properties along Market Street, meaning that this relationship can continue so as to serve the proposed development.
- 7.71 Building Control and the Cambridgeshire Fire and Rescue Service have been consulted on the application, and have not provided any comments.
- 7.72 Concerns have been raised by residents of the Woolpack Yard development regarding highway safety and vulnerable individuals or those of impaired mobility. Concerns have also been raised in relation to emergency service access. For the reasons outlined above, it is expected that the vehicle movements associated with the proposed development are to be comparable to those existing, with the exception of a slight increase in deliveries to the site. Emergency vehicle access to Woolpack Yard remains unchanged. It is not therefore considered that the proposed development would result in an increased risk to highway or pedestrian safety, or access for emergency services, to warrant a reason for refusal on this basis.
- 7.73 For the above reasons, the proposals are not considered to result in any adverse highway safety concerns, and the proposals are therefore considered to be compliant with Policies COM 7 and COM 8 of the ECDC Local Plan 2015 and the NPPF.
- 7.74 Ecology, Trees and Biodiversity
- 7.75 Policy ENV 7 of the East Cambridgeshire Local Plan, 2015 states that all applications for development that may affect biodiversity and geology interests 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. Policy ENV 1 states that development proposals should protect, conserve and where possible enhance the pattern of distinctive historic and traditional landscape features such as watercourses, characteristic vegetation, individual and woodland trees, field patterns, hedgerows and walls and their function as ecological corridors for wildlife dispersal. Policy ENV 2 states that all development proposals will be expected to make efficient use of land while respecting the density, urban and village character, public spaces, landscape and biodiversity of the surrounding area.
- 7.76 The Natural Environment SPD also requires that all new development demonstrates a biodiversity net gain (Policy NE.6).
- 7.77 The application site comprises existing hard-standing and a number of outbuildings.

- 7.78 The submitted Preliminary Ecological Appraisal (PEA) concludes the following: *“The Site comprised man-made habitats of negligible conservation or biodiversity value that do not present a significant development constraint.”*
- 7.79 The submitted PEA also concludes in relation to fauna: *“With the exception of the potential presence of small numbers of nesting birds using the residential building (not to be affected by the proposed Development) the Site was considered to be of negligible value to protected species. 4.4 The buildings proposed for removal to enable development were assessed, in line with best practice guidance, as being of negligible bat roost suitability.”*
- 7.80 The conclusions of the PEA are not disputed by the LPA, and the PEA goes on to set out a number of enhancement opportunities within the application site. These amount to:
- 130 mm square gaps at the base of any replacement or new boundary walls or fences to allow passage of hedgehogs through the Site;
 - The provision of integrated bat roost boxes into new buildings
- 7.81 The enhancement measures are considered to be limited, and it is considered that a full soft landscaping strategy would also need to be secured via a condition to further provided a biodiversity enhancement. It is considered that the site provides sufficient opportunity to facilitate this.
- 7.82 The proposed development would not result in the loss off or impact upon any trees.
- 7.83 Whilst located within the Goose and Swan Functional Land Impact Risk Zone (IRZ), it is not considered that the proposed development would impinge upon the availability of suitable habitat for geese and swan given the nature and location of the application site within the built up development envelope of Ely.
- 7.84 On the above basis, the proposed development is considered to be acceptable in accordance with Policy ENV 7 of the ECDC Local Plan 2015, the Natural Environment SPD and the NPPF subject to securing the identified enhancement opportunities and soft landscaping via appropriately worded conditions.
- 7.85 Flood Risk and Drainage
- 7.86 Policy ENV8 of the Local Plan 2015 makes it clear 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. Policy ENV 8 states that all developments and re-developments should contribute to an overall flood risk reduction.
- 7.87 The application site lies within Flood Zone 1 and is therefore at the lowest risk of flooding and where residential development should be focused.
- 7.88 No details of the proposed foul or surface water details have been submitted with the application proposals. As such, a condition would need to be imposed to secure these details. The Planning Statement submitted with the application

proposals accepts that such a condition would be necessary upon any grant of consent.

- 7.89 For these reasons, subject to the imposition of an appropriately worded condition, the proposals are considered to be acceptable in accordance with Policy ENV 8 of the ECDC Local Plan and the Flood and Water SPD.
- 7.90 Other Material Matters
- 7.91 The Environmental Health Officer has recommended the imposition of a site investigation for contamination on the basis that the end use of the application site is susceptible to contamination. Within the submitted Planning Statement, it is acknowledged that such a condition would likely be necessary upon any grant of consent. Subject to the imposition of a site investigation condition, the proposal is therefore considered to be acceptable in accordance with Policy ENV 9 of the ECDC Local Plan 2015.
- 7.92 The Environmental Health Officer has also recommended the imposition of conditions upon any grant of consent relating to a restriction upon hours of construction; a restriction upon ground piling; the provision of a Construction Environmental Management Plan (CEMP); and a control over the noise limits from the proposed Air Source Heat Pump (ASHP). All conditions are considered necessary in the interests of residential amenity in accordance with Policy ENV 2 of the ECDC Local Plan 2015.
- 7.93 The Council's Climate Change SPD supports Policy ENV 4 of the ECDC Local Plan 2015 in improving efficiency during construction and in development proposals. As the total number of units proposed does not total five or more, there is no policy requirement for a detailed energy strategy. Notwithstanding, it is acknowledged that the proposals are located in a sustainable location and would benefit from an ASHP to provide a renewable form of energy generation. Subject to conditions, the proposals could also include the provision of a biodiversity net gain and sustainable drainage measures. On this basis, the proposals are considered to satisfy the above policies given the scale of the development proposed
- 7.94 In the neighbour comments received, concerns were also raised over the accuracy and quality of the submitted plans and the number of individuals notified. Whilst the plans do not show the relationship of the proposed development with the habitable windows of the Woolpack Yard development, visits to the site have informed Officer opinions of this relationship. It is also relevant that a meeting with the Woolpack Yard residents was offered by the case officer on a number of occasions. However, no meeting was formally accepted by Woolpack Yard residents and did not therefore take place. Notwithstanding, it is considered that the notification and advertisement of the application has been sufficient in line with standard practice.
- 7.95 The impact of the proposed development over loss of views of the cathedral has been raised by residents of the Woolpack Yard development. This is however not a material consideration in the decision-making process.

7.96 Planning Balance

- 7.97 The application site is located within the development envelope for Ely, and proposes the erection of a detached flat block, as well as the conversion and extension of an existing store, to form the creation of four flats. Whilst the principle of the proposed development in a sustainable location is considered to be acceptable on a locational basis, the proposals are considered to result in significantly detrimental residential amenity effects upon the existing and prospective occupiers of the Woolpack Yard development. This is by virtue of the scale and proximity of the proposed development to the Woolpack Yard development, which is considered to result in an overbearing and oppressive form of development that results in a loss of outlook for occupiers of the Woolpack Yard development, and loss of amenity to the communal outdoor amenity space. This is contrary to the objectives of Policies GROWTH 2, GROWTH 5 and ENV 2 of the ECDC Local Plan 2015 and the guidance contained within the NPPF.
- 7.98 On the basis of the potential significant inaccuracies of this study. Therefore, there is still substantial concern over the potential for the proposed development to result in greater and potentially significantly detrimental overshadowing and loss of light to the Woolpack Yard development. This is considered therefore to be contrary to the objectives of ENV 2 and the NPPF in protecting residential amenity of existing and prospective occupiers.
- 7.99 Whilst there are a number of benefits to the application proposal, the proposed development seeks to introduce additional smaller flatted accommodation at the cost of the residential amenity of existing smaller flatted accommodation. It is not therefore considered that these benefits outweigh the significantly detrimental residential amenity effects upon the residents of the Woolpack Yard development. It is also important to acknowledged that the proposed development provides a unit of accommodation that is not fully compliant with the national requirements for minimum internal space standards, which is considered to weigh against the application proposals.
- 7.100 The proposal would in all other respects provide a safe and acceptable means of vehicular and pedestrian access and incorporate measures to deliver a biodiversity net. The proposals are also considered to be acceptable in terms of flood risk, drainage, climate change and contamination.
- 7.101 For the above reason, the application is therefore recommended for refusal, on the basis that it fails to comply with the policies contained within the ECDC Local Plan 2015, the adopted Supplementary Planning Documents and the NPPF.

Background Documents

Location

Contact Officer(s)

21/01832/FUL
11/00863/FUL
81/00695/FUL
85/00135/FUL

Holly Chapman
Room No. 011
The Grange
Ely

Holly Chapman
Senior Planning Officer
01353 665555
holly.chapman@eastcambs.gov.uk

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcamb.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

22/00471/RMM

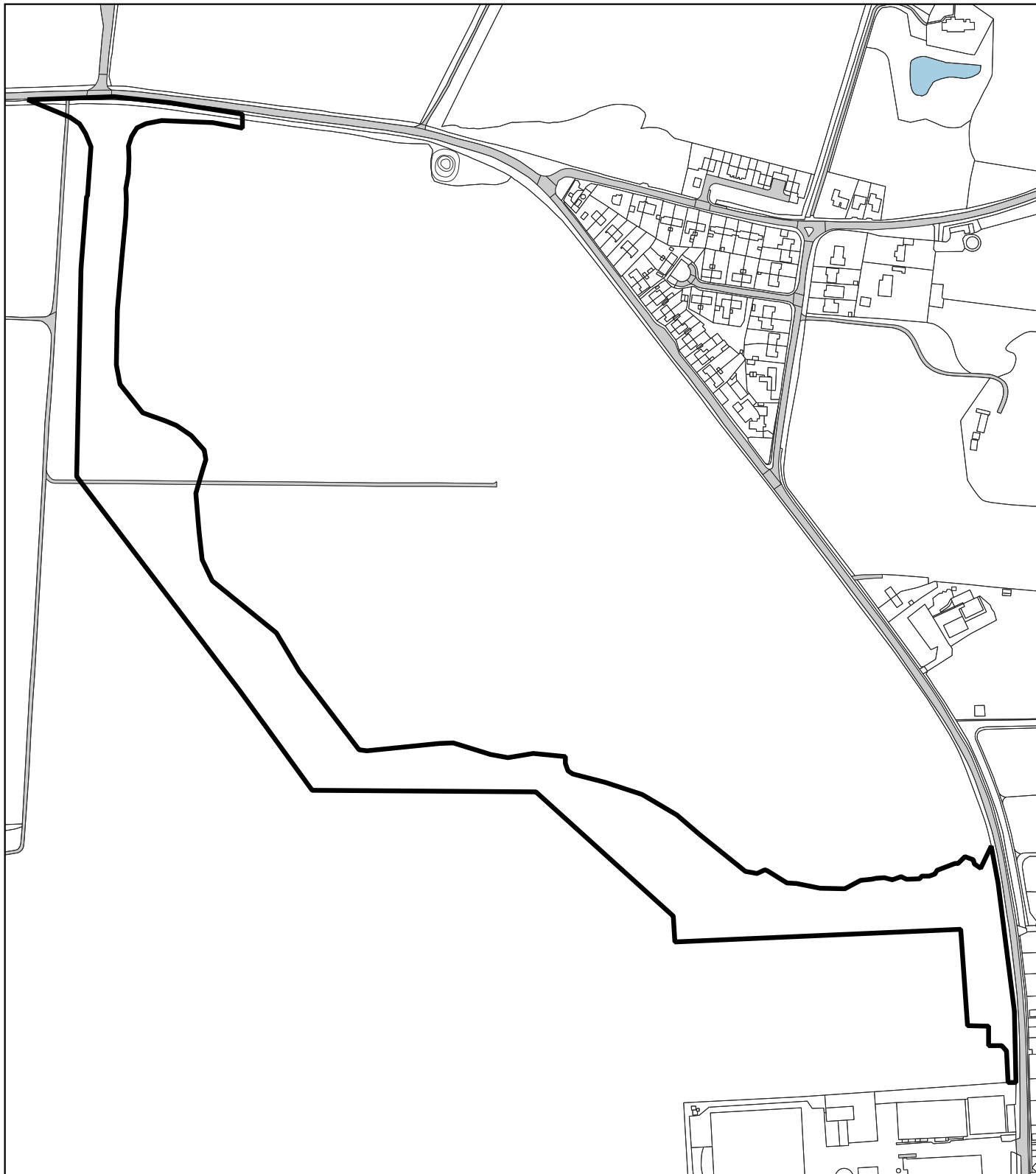
Phase 1A (Perimeter Road)
Kennett Garden Village
Land Southwest Of 98 To 138
Station Road
Kennett
Suffolk

Reserved matters pursuant to outline planning permission 18/00752/ESO, to create perimeter road around the south and west sides of the site, linking the approved roundabout junctions to deliver the by-pass to the village and the main access to Kennett Garden Village

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=RALDN6GGFTA00>





22/00471/RMM

Phase 1A (Perimeter Road)
Kennett Garden Village
Land Southwest Of 98 To 138
Station Road
Kennett



East Cambridgeshire
District Council

Date: 11/11/2022
Scale: 1:4,900



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22/00471/RMM Committee Report

Reference No: 22/00471/RMM

Proposal: Reserved matters pursuant to outline planning permission 18/00752/ESO, to create perimeter road around the south and west sides of the site, linking the approved roundabout junctions to deliver the by-pass to the village and the main access to Kennett Garden Village

Site Address: Phase 1A (Perimeter Road) Kennett Garden Village Land Southwest Of 98 To 138 Station Road Kennett Suffolk

Applicant: Bellway Homes Limited (Eastern Counties)

Case Officer: Anne James Planning Consultant

Parish: Kennett

Ward: Fordham And Isleham
 Ward Councillor/s: Julia Huffer
 Joshua Schumann

Date Received: 29 April 2022 **Expiry Date:** 9th December 2022
Report Number [X124]

1.0 RECOMMENDATION

1.1 Members are recommended to APPROVE subject to the recommended conditions below: A summary of the conditions is listed below and can be read in full on the attached Appendix 1.

1. Approved Plans
2. Time Limit
3. Construction Traffic Management Plan
4. Perimeter Road constructed to finished standard
5. Cycle Infrastructure
6. Roads, footways and cycleways
7. Adoptable standard of highway
8. Details of Hard Landscaping
9. Details of Public Realm
10. Details of Tree planting

2.0 SUMMARY OF APPLICATION

2.1 An outline planning application (18/00752/ESO), in respect of a Sustainable 'Garden Village' extension to Kennett was considered by the Council on 24th April

2019 and approved subject to the satisfactory signing of the S106 Agreement. The outline application comprised a residential-led development with associated employment and community uses (including care home and/or sheltered housing) and a new primary school with a pre-school (nursery) facilities, supporting infrastructure and open space/landscaping.

- 2.2 The outline application was accompanied by an Environmental Statement and considered access only, with the Reserved Matters of appearance, landscaping, layout and scale to be considered at a later stage. A number of conditions imposed on the outline permission, required details to be submitted prior to or with the submission of the first of the reserved matters application or prior to commencement of development within a relevant phase. These comprise a site-wide Phasing Plan (Condition 9), a site-wide Green Infrastructure Strategy (Condition 10), Green Infrastructure relating to a particular phase (Condition 11), a site-wide Biodiversity Strategy (Condition 12), a Drainage Strategy (Condition 21), Noise Management Plan (Condition 29) an Energy and Sustainability Strategy (Condition 32) and a Connectivity Strategy (Condition 43). Details submitted with any reserved matters application would also be required to demonstrate how the application accords with the approved Design Code (Condition 6) refers. Condition 9 relating to the Phasing Plan has already been discharged.
- 2.3 The application to be considered by Committee represents the reserved matters application for Phase 1a (Perimeter Road) of the outline planning application 18/00752/ESO. The Perimeter Road forms the principal entrance into the site and creates access through the development from the north of the site in Dane Hill Road through to the south in Station Road. A number of amendments have been made to the scheme under advisement of the Local Highways Authority (LHA). These amendments relate to increasing the speed of the road from Roundabout 1 taken from Dane Hill Road to Roundabout 2 which is to be set at 60mph. This section will be referenced within the report as the 'northern section'. To the south of Roundabout 2 up to Roundabout 3, in Station Road, the speed of traffic on the new road would be 30mph and this area is referenced as the 'southern section'. Other amendments to highway and roundabout alignment as well as footpath, field accesses and surface water run-off were resolved with the assistance of the LHA.
- 2.4 The following documents have been submitted with the application, namely:
- Planning, Design and Access Statement
 - Connectivity Strategy
 - Green Infrastructure Strategy
 - Statement of Community Involvement
 - Noise Assessment and Mitigation Strategy
 - Site Wide Biodiversity Strategy
 - Flood Risk Assessment, Drainage Strategy and Addendum V1.
 - Road Safety Audit 1
 - Road Safety Audit Response Sheet
- 2.5 The application is being considered by Committee due to the size and scale of the development and as a matter of public interest.

2.6 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

3.0 **PLANNING HISTORY**

3.1

| | | | |
|---------------|---|-----------------------|------------|
| 22/00472/RMM | Reserved matters pursuant to outline planning permission 18/00752/ESO, to construct 324no. one, two, three and four bedroom dwellings, 15no. plots for self-build and custom housing, CLT office, associated infrastructure and public open space as the first phase of the residential development at Kennett Garden Village | Pending Consideration | |
| 18/00752/DISA | Sustainable 'Garden Village' extension to Kennett - residential-led development with associated employment and community uses (including care home and/or sheltered housing) and a new primary school with a pre-school (nursery) facilities, supporting infrastructure and open space/landscaping. | Discharged | 15.09.2022 |
| 18/00752/DISB | To discharge Condition 17 (Archaeology) of decision dated 15.04.2020 for 18/00752/ESO Sustainable 'Garden Village' extension to Kennett - residential-led development with associated employment and community uses (including care home and/or sheltered housing) and a new primary school with a pre-school (nursery) facilities, supporting infrastructure and open space/landscaping. | | |
| 18/00752/NMAA | Non material amendment to previously approved 18/00949/ESO for | Approved | 22.11.2022 |

| | | | |
|----------------|---|----------------|------------|
| 18/00752/ESO | Sustainable 'Garden Village' extension to Kennett - residential-led development with associated employment and community uses (including care home and/or sheltered housing) and a new primary school with a pre-school (nursery) facilities, supporting infrastructure and open space/landscaping | Approved | 24.04.2019 |
| 18/00186/SCOPE | Sustainable 'Garden Village' extension to Kennett - residential-led development with associated employment and community uses (including care home and/or sheltered housing) and a new primary school with a pre-school (nursery) facilities, supporting infrastructure and open space/landscaping. SCOPING OPINION - Residential-led development with associated employment and community uses (including care home and/or extra care units) and new primary school with pre-school (nursery) facilities, playing fields, supporting infrastructure and open space/landscaping. | Opinion Issued | 27.03.2018 |

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The whole of the Kennett Garden Village application site comprises an irregular shaped area of arable land measuring 40 hectares (99 acres) which falls within a similar character area of open large scale geometric arable farmland.
- 4.2 The site abuts Dane Hill Road to the north with Station Road abutting its eastern boundary which is bounded by a mature hedgerow. To the south of the site is an industrial estate and beyond this is Kennett Railway Station. The A14 runs in parallel with the railway line also to the south. Open farmland abuts its western edge. Kennett Village comprises sporadic groups of housing along the Station Road boundary.
- 4.3 There are no buildings on the site which is relatively level with a fall of approximately 4m from east to west. The Howe Hill Tumulus Scheduled Ancient

Monument (SAM) is located to the north-east of the site and this mound is screened by trees which are growing on and around the SAM.

4.4 The settlements of Kentford lies 500m (1640ft) to the south-east of the site with Red Lodge 2km (1.242 miles) to the north-east and Newmarket 6km (3.72 miles) to the south-west of the site.

4.5 The site lies within Flood Zone 1.

5.0 **RESPONSES FROM CONSULTEES**

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

Local Authorities

Kennett Parish - No Comments Received

Kennett Ward Councillors - No Comments Received

Moulton Parish Council - No Comments Received

Newmarket Town Council – 09.09.2022 - Objects

The Development & Planning Committee of Newmarket Town Council strongly objects to this application with no additional services being provided on the development. The Committee requested a meeting with East Cambs to discuss the impact of the development and details of services to be located in the village rather than residents using the oversubscribed services in Newmarket, which will add to the traffic grid lock and to request that Section 106 monies be allocated to provide services in the village and to improve the infrastructure of Newmarket.

17.05.2022 The Committee of Newmarket Town Council noted that this development would place a further burden on the already over- stretched infrastructure of the neighbouring Town of Newmarket and therefore seeks a significant contribution for support from the developers to improve the infrastructure.

Red Lodge Parish Council - No Comments Received

Suffolk County Council Highways – 26th May 2022 – No objection

We note this development is a short distance beyond the county boundary and, as far as I have been able to ascertain, will not require any highway works on highway maintained by SCC. We note the recommended conditions and that a speed change TRO is deemed necessary. We will look forward to being consulted on that order when made.

West Suffolk District Council –

No Comments Received

Kentford Parish Council - No Comments Received

Mildenhall Parish Council - No Comments Received

Outside Organisations

Anglian Water Services Ltd - No Comments Received

Civil Aviation Authority - No Comments Received

Cadent Gas Ltd - 4 May 2022

A site plan highlighting the extent of works will need to be provided following the request from the relevant network.

Please ensure that you include all relevant information regarding your works on your request to enable us to make an accurate assessment.

Please do not commence with any works until you have received authorisation and guidance.

Cambs Wildlife Trust – 11th November 2022

The Green Infrastructure Strategy covers the on-site green infrastructure but has not addressed the off-site requirements required by condition 10. The submitted documents therefore do not provide the information to fully discharge this condition. The additional information required to discharge Condition 10 must be submitted to and approved by ECDC in writing ideally prior to construction of the first phase of the development but certainly prior to first occupation of any new dwellings.

The Biodiversity Strategy is generally sound. Section 2 of the strategy covers principles, which are mostly acceptable. However, in section 2.8, it is suggested that the on-site green infrastructure (GI) is sufficient to avoid recreational impacts on the nearby Red Lodge SSSI. The amount of space and length of walking routes are insufficient to do this so the statement is incorrect, as the on-site GI will only partially contribute to GI requirements and will need to be supplemented with additional off-site measures as required by Condition 10. However, these off-site measures have not been provided and are still outstanding. The text in section 2.8 should be amended to be fully accurate.

Section 3 covers the measures required to avoid and mitigate impacts on protected species and on-site retained habitats. These are also summarised in Table 3. These are broadly acceptable, including the proposed off-site measures for skylark, corn bunting or yellow wagtail. However, the strategy doesn't clearly state precisely where these measures will be delivered off-site or how they will be secured? This needs to be addressed and set out in the Strategy before it is approved. Section 3.20 covers the on-site design principles for GI to help mitigate recreational pressures on nearby designated nature conservation sites. While the measures set out are acceptable, they are insufficient in themselves without the additional off-site measures. The proposed information to be included in the welcome packs for new residents will also need to include details of the off-site provision and walking routes.

Section 4 sets out the main ecological features within the scope of the long-term management & monitoring plan for the site, which are listed in Table 2 and include, woodland / scrub (including hedgerows & orchard), grasslands (wildflower & amenity), bats and birds, badgers, amphibians and reptiles and finally hedgehogs. These form a sound basis on which to focus habitat design and long-term management.

Section 5 sets out the conservation objectives for the on-site GI and landscaping scheme as well as the management prescriptions for both the establishment and long-term management phases.

The establishment phase and long-term management prescriptions are also summarised in Section 8, Table 4 and Table 5 respectively. These generally appear to follow standard landscape management practice and I therefore have no comment to make on the majority of this section. I do however have the following observations: • While the species of orchard trees are specified, it would be better to specify a list of varieties to be planted including a good proportion of traditional local East Anglian orchard tree varieties. • The management of wildflower grasslands in years 2 & 3, as set out in paragraphs 5.33 & 5.34 does not appear to be correct and does not tally with Table 4. The annual hay cutting management should commence in year 2, though there might be a need for additional targeted weed control as set out in 5.33 / 5.34. • The number of bird boxes are extremely low and there would appear to be no reason why there could not be a much higher proportion of the dwellings provided with suitable nest boxes including a much higher number of swift and sparrow boxes. • It would also be better to have a higher number of bat boxes, particularly integrated bat bricks on new dwellings in suitable locations. • Hedgerow cutting should be delayed to Jan / Feb where possible to allow the fruit to be available as winter food to birds. This also needs to be included in Tables 4 & 5. Section 6 sets out the monitoring requirements and we welcome the intention to supply biological records to CPERC. Section 7 sets out responsibility for management and section 8 provides a works schedule including Tables, 3, 4 & 5 previously referred to. The works schedules are appropriate.

C P R E - No Comments Received

Defence Infrastructure Organisation Safeguarding (Wind Turb) – 25th July 2022

In principle, the MOD has no safeguarding objections to dwellinghouses being erected at this location. The MOD should be consulted on any further applications to ensure that the capacity of any new structures to impact on the capability and operation of safeguarded sites and assets is not compromised. After reviewing the application documents, I can confirm the MOD has no safeguarding objections to this proposal.

The Ely Group Of Internal Drainage Board - No Comments Received

Environment Agency - 9 May 2022

We have no comments to make on the reserved matters

National Air Traffic Services Ltd - 4 May 2022

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

NHS England - No Comments Received

The National Trust - No Comments Received

Natural England - 19 May 2022

Natural England has no comments to make on this reserved matters application.

Network Rail - No Comments Received

Planning Casework Unit - No Comments Received

Ramblers Association South - No Comments Received

Suffolk Preservation Society - No Comments Received

Sport England - No Comments Received

Rural Development Service - No Comments Received

Technical Officer Access - No Comments Received

Highways England - 20 May 2022

Offers no objection. The principle of development was established with the grant of outline planning permission, 18/00752/ESO. The reserved matters addressed within this application relate to the perimeter road and are considered unlikely to have a material impact on the SRN. Consequently, we offer no objection to this application.

Historic England - 23 May 2022

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

UK Power Networks – 10th May 2022

No objection to the proposed works.

Cambridgeshire County Council

Asset Information Definitive Map Team - No Comments Received

Archaeology - No Comments Received

Design Out Crime Officers - No Comments Received

Education - No Comments Received

Fire And Rescue Service - No Comments Received

Growth & Development - No Comments Received

Local Highways Authority - 18th October 2022 – No Objection

Following extensive dialogue, meetings, and site visits with the applicant, I can confirm that I can remove any remaining objection to this application. The maintenance provision on the three roundabout circulatory islands is however unacceptable as it encourages vehicle overrun, overtaking on the circulatory and see-through type risks. From subsequent dialogue with the applicant and CCC Highway Maintenance, I understand these areas are to be removed. While preferable to have all applicable planning drawings updated in reflection of this change, I am also content that the matter can be resolved during the S278 / S38 process if needed. The adoption of perimeter road will be subject to a Section 38 Agreement of the Highway Act 1980 and comments made within this response are done so on a without prejudice basis to any such agreement taking place. In the interest of avoiding any abortive construction works, I strongly advised that should the applicant be granted planning approval, no construction works take place for proposed adoptable highway prior to the applicant entering into a Section 38 Agreement with the Local Highway Authority. Below is a response / update to my previously outstanding comments. Roundabout 1 The position of roundabout 1, as shown on drawing 18963-KENN-400-27 Rev A, in the north of the scheme has been set so that a minimum spacing between the roundabout circulatory and highway boundary across the private track of 5m is achievable. In many cases the spacing is

greater and the gates are currently set back again. This is sufficient to mitigate the risk of a vehicle overhanging the roundabout while opening or closing the gates. This roundabout positioning is such that the necessary visibility splays can be contained within the highway boundary on approach from the west and the construction is within highway land, albeit there is little margin for error. Roundabout 3 The vehicle tracking provided on drawing 18963-KENN-400-72, demonstrates that the roundabout will not prohibit access to the stud. Large vehicles which may enter or exit the existing access will continue to be able to do so in a similar manner. While this may utilise the opposing side of the carriageway, this is no different to the current arrangement. Road 1 Field accesses have been re-introduced and are acceptable. Road 2 The footway west of Road 26, on the south side of Road 2 has been upgraded to a shared use path in response to my previous comments, thus enabling cycle journeys between the residential development and commercial land. Station Road between Roundabout 3 and Kennett Station Following on from an on-site meeting, it is apparent that there is insufficient highway to provide a 3m shared path between the development and Kennett Station. In some instances, the full highway verge width cannot be utilised due to tie-in constraints with the neighbouring boundary. As such, a shared use path will in places reduce to 2.5m and possibly further to 2m at some pinch points. While not ideal, these narrow widths will be kept to a minimum and are still preferable to either no cycle infrastructure or an on-carriageway transition for a very short length. It is still unclear how the highway works are to be drained but the applicant is aware of the challenge and LHA requirements. I have not yet had sight of a viable scheme, but I will defer to the LPA as to whether this is needed now or is it as the applicant states, a matter outside the scope of this application, noting we can only enter into a S278 Agreement for that which has planning permission. I am unsure if the outline consent gives sufficient permission for the cycle infrastructure, noting the approved parameters plans show an indicative shared use route devoid of dimensions. I will need to seek LPA advice on this matter. If the shared use path is outside the scope of this application, drawings which show the path should be omitted from the approved list as it is unclear at this time if the works they show are feasible. For the record, my preference is that a proposal be submitted for planning approval now or as a separate reserved matters application to provide the opportunity for public commentary as public engagement does not form part of the S278 process. If the applicant is minded to prepare a submission now, the cycle crossing of the allotments access needs to be updated to remove the pedestrian and cycle priority across the carriageway.

16th August 2022 – objects

I can confirm acceptance of the submitted Road Safety Audit. But there are still comments outstanding from my response dated 1st August which must be addressed and until such time as they are I object to the application. For convenience, I have repeated the outstanding actions / comments below, noting that some of my previous questions have been resolved in subsequent email correspondence with the applicant's consultants. Roundabout 1 I previously stated that by moving the roundabout offline to the south, the skew of forward visibility to the roundabout circulatory increases so the applicant needed to demonstrate that forward visibility to the roundabout give-way line from the west, can be fully contained within land under their control or within the public highway. The applicant has subsequently demonstrated to me that the forward visibility passes through

third party land for which they have landowner consent. This arrangement is insufficient as it does not provide certainty that the splay will be retained free from obstruction. All highway works, including necessary visibility splays, must be fully contained within either the existing public highway or the application redline boundary with notice served on any impacted landowner. Such a visibility splay in any case needs to be included in land which is to be dedicated to the LHA. If the application boundary cannot be amended, then the roundabout location needs to be revisited. The applicant should include the highway boundary on this and other submission drawings. Roundabout 3 The vehicle tracking for Roundabout 3 is acceptable but as per my previous response, vehicle tracking is also needed for the stud access immediately south of the roundabout. Road 1 I note that the previously proposed field accesses to the west have been omitted from the latest scheme. If they are still required, they should be included in the revised drawings inclusive of geometry and inter-vehicle visibility. Road 2 I recommend that the island immediately east of Road 26 be upgraded to an uncontrolled pedestrian and cyclist crossing, or alternatively the footway west of Road 26 be upgraded to a shared use path. Otherwise, cyclists travelling between the residential development and the commercial land would need to divert to Roundabout 3 which is off their desire line. Station Road between Roundabout 3 and Kennett Station As per my previous comments, where a 3m path is being provided between the commercial development access and the Station, in absence of an overlaid highway boundary it is unclear if sufficient highway verge is available for the construction. At present, I do not have confidence the cycle track is deliverable as proposed. While I note it does not form a basis for objection, I strongly advise that the applicant give consideration at this stage, to the drainage of Station Road where the shared use path will remove any opportunity for over edge drainage. Otherwise a solution will need to be explored during the S278 which may be prohibitively costly. The applicant will need to demonstrate appropriate inter-vehicular visibility for a 40mph stopping sight distance at the proposed vehicular access to the allotments.

1st August 2022 – objects

The revised scheme, submitted 25th July 2022, is a substantial betterment of the original proposals. But while this revision addresses many of my previous comments, some items remain unanswered. As per my previous comments, for all junctions and highway links, I would like to request a plan/table which demonstrates how the design complies with the relevant standards. While the revision includes (some) visibility splays and cross sections, the drawings should also detail items such as circulatory widths, entry/exit radii, right turn lane lengths/ taper lengths/ direct taper/ turning length, inter-vehicle visibility, entry path radius etc. In other words, the drawings should be suitable annotated and dimensioned. As per my previous comments, the proposals for Roundabout 1, Roundabout 3 and other works along Station Road, need to show the proposals in context of the existing highway boundary, otherwise it is unclear if the works are deliverable.

9th June 2022 - objects

For all junctions and highway links, I would like to request a plan/table which demonstrates how the design complies with the relevant standards, which will be Design Manual for Road and Bridges for most of the scheme. This should include items such as lane widths, circulatory widths, entry/exit radii, visibility, right turn lane

lengths/ taper lengths/ direct taper/ turning length, entry path radius, deflection etc. Otherwise, I am unable to undertake a meaningful review of the proposals. The proposals for Roundabout 1, Roundabout 3 and other works along Station Road, need to show the proposals in context of the existing highway boundary, otherwise it is unclear if the works are deliverable. The applicant will need to procure a copy of the detailed highway boundary from CCC's Searches team and plot the boundary on the submission. The boundary can be procured by following the instructions at the link below. All works need to be fully contained within the application boundary or the public highway.

Lead Local Flood Authority – 6th August 2022 – no objection

We have reviewed the following documents: • Flood Risk Compliance Report and Maintenance Plan, Woods Hardwick, Ref: 18963/FRA_C, Dated: 18 March 2022 • Drainage Strategy RMA 1 – Sheet 1, Woods Hardwick, Ref: 18963-KENN-100-40, Dated: February 2022 • Drainage Strategy RMA 1 – Sheet 2, Woods Hardwick, Ref: 18963-KENN-100-41, Dated: February 2022 • Drainage Strategy RMA 1 – Sheet 3, Woods Hardwick, Ref: 18963-KENN-100-42, Dated: February 2022 • FRA-C Addendum v1.1, Woods Hardwick, Dated: July 2022 Based on these, as Lead Local Flood Authority (LLFA) we are able to remove our objection to the reserved matters application. The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving, geocellular attenuation, and infiltration basins. Surface water will infiltrate to groundwater in order to discharge from the site.

The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment which is of particular importance when discharging into a watercourse. Infiltrations also provides multiple benefits to the development, including surface water treatment, biodiversity and amenity impacts. Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

17th June 2022

At present we maintain our objection to the grant of planning permission for the following reasons: 1. Flood Routing It is acknowledged that additional information has been submitted to provide explanation for the surcharging that is modelled to occur within the system, and it is stated that Appendix G has been included that provides the flood routing plan. However, it appears that Appendix G has not been included within the supplied drainage strategy. Until flood routing details are provided, the LLFA is unable to support this application. 2. Basin Details It is proposed that attenuation basins will be used throughout the site, and this is supported by the LLFA as they provide surface water treatment, amenity, and biodiversity benefits in addition to their attenuation capacity. However, as stated in our previous response, the details of these basins have not been provided and so the LLFA is unable to assess the performance and safety of the features. It is therefore required that the dimensions, and cross sections of the proposed basins are provided in order for the LLFA to support this application.

25th May 2022

Object for the following reasons:

1. Incomplete Documents A document has been submitted, and is shown on the planning portal as 18963 - FRA-C AND MAINTENANCE PLAN_PART2. However, Part 1 of this document cannot be seen, and therefore the bulk of the report cannot currently be reviewed by the LLFA. Until the full document is submitted, the LLFA is unable to support this application. 2. Hydraulic Calculations Hydraulic calculations have been submitted that demonstrate the performance of the drainage system with regards to discharge rates, attenuation volumes, and peak discharge volumes for rainfall events up to and including the 1% Annual Exceedance Probability (AEP) event +40% climate change. The following is currently predicted: Storm network 1: Surcharging in 50% AEP event, and flooding throughout the system in the 1% AEP event; Storm network 2: Flooding in 1% AEP event; Storm network 3: Surcharging in 50% AEP event, and flooding throughout the system in the 1% AEP event; Storm network 4: Surcharging in 50% AEP event. There should be no surcharging in the 50% AEP storm. If there is any exceedance within the 1% AEP storm + 40% allowance for climate change, this must be managed within the red line boundary without increasing the risk of flooding to any surrounding land or property. Finished floor levels of any properties near exceedance routes should be raised to 300mm above surrounding ground levels to protect them from internal flooding. Until the above is demonstrated by the submitted hydraulic calculations, the LLFA is unable to support this application. 3. Additional Details The details of the outfall from the site are currently unclear. The location, and properties of all outfalls from the site should be clearly shown on the submitted drainage layout, to enable the LLFA to assess the potential impacts on the receiving waters. Such details are required in order for the LLFA to support this application. It is proposed that attenuation basins will be used throughout the site, and this is supported by the LLFA as they provide surface water treatment, amenity, and biodiversity benefits in addition to their attenuation capacity. However, the details of these basins have not been provided and so the LLFA is unable to assess the performance and safety of the features. It is therefore required that the dimensions, and cross sections of the proposed basins are provided in order for the LLFA to support this application.

Minerals And Waste Development Control Team –

No Comments Received

East Cambridgeshire District Council

Conservation Officer - No Comments Received

Economic Development - No Comments Received

Environmental Health – 17th August 2022

I understand that the speed limit on the northern section of the perimeter road is to be raised from 40mph to 60mph and that this will have an impact on phase 2 of the development. The report advises that noise levels within the central part of the perimeter road adjacent to Phase 2, will increase by up to 3 dB(A) and that “With

this level of increase, the mitigation strategy outlined within our report may not be sufficient to ensure an acceptable noise environment within the properties". The report advises that in order to address this increase, the layout of Phase 2 within this part of the development will be amended to address the increase in noise. I have no issues to raise with this and will await further information from the applicant when the application for Phase 2 is submitted.

6 May 2022

I have no issues to raise with regard to sound levels in external amenity spaces.

With regard to internal sound levels the report advises that a number of plots (Figures 3 and 4 for the day and night-time periods respectively) will have noise levels which would be considered to be unacceptable with an open window. Habitable rooms within the identified properties (which have windows opening onto the road) are proposed to have assisted ventilation provided. The report advises that this would allow the occupants to maintain windows closed should they choose, ensuring a satisfactory noise environment is maintained.

This is in line with national guidance and so I would not wish to raise any objections but I am aware that the LPA usually seek for internal sound levels to be achieved with a partially open window. As the initial permission was granted some time ago you may wish to discuss this element with me further which I'd be happy to do.

Strategic Planning - No Comments Received

Trees Team – 23rd November 2022

Agrees to condition the consent subject to details of tree planting on the the western side of the perimeter road at its northern end and would except it as not needing to be pre commencement but with a time limit of 8 weeks from commencement of construction related activities for example.

17th June 2022

With the attenuation basins adjacent to the village centre and between roundabouts 1 and 2 these should include Willow trees on their margins either as small groups or a single trees. The planting of willow species that are native to the locality such as Crack Willow , White Willow, Goat Willow, Grey Willow and common Osier) this would soften the man made appearance of the pond. Guidance for the design of SUDS states that SUDS including attenuation ponds should look to create new habitats enhancing nature conservation and amenity space. The use of native Willow trees should be considered as part of the design as they have an important ecological role that relates to their affiliation with wet areas. Willows have a high wildlife value, providing rich habitat and food for a diverse range of organisms. There is evidence of up to 450 species of insect associated with Willows and 160 Lichen species. Willows aid fast stabilization of chemically degraded land surfaces and the re-establishment of a biologically active soil can be achieved using Willow species, which possess the major requirements for plant survival in environmentally disrupted areas such as development sites. Tolerance of soil chemical contamination is an important requirement for survival in many situations and Willow trees potential can be emphasized by the fact that, of the seven most important

metal contaminants in soil, Willow has been reported to have tolerance to at least four (cadmium, copper, zinc, lead). Willows ability to sequester heavy metals and other contaminants in their root systems, halting their circulation within the environment, can be of great practical use when dealing with water runoff. Willows dense root system and high transpiration rates provide efficient control of soil water and high filtering capacity for pollutants, along with continuous growth of some species during the whole growing season, create an efficient dehydration plant that locks up the pollutants. The fast growth of willow can sequester more carbon than softwoods within a single growing season which could prove invaluable in the pursuit of being carbon neutral. The size of the trees can be easily managed by pollarding or coppicing. The cutting rotation cycle depends on species and growing conditions, and ranges from 3–5 years. Pollarding/Coppicing, minimizes wind damage, enhances branching appearance of willows and supports a higher density of breeding birds. There appears to be a distinct lack of tree planting between boundary of the site and the road with some sections having no trees at all, this seems to be a missed opportunity for planting a few large scale trees natives such as oak, Hornbeam and Beech as well as some more exotic/ornamental tree such as Ginkgo biloba, Platanus × acerifolia, Quercus palustris, one of the resistant Elm species or even a Redwood these could become the landscape features of the future.

Waste Strategy - 16 May 2022

No comment as this relates to the perimeter road and not waste and recycling collections.

Parks And Open Space - No Comments Received

Strategic Planning - No Comments Received

Housing Section - 9 May 2022

The Strategic Housing Team has no comment with regards to the above application as the Reserved matters pursuant to outline planning permission 18/00752/ESO, is to create perimeter road around the south and west sides of the site, linking the approved roundabout junctions to deliver the by-pass to the village and the main access to Kennett Garden Village and therefore doesn't discuss the provision of affordable housing.

- 5.2 A site notice was displayed near the site on 10 May 2022 and a press advert was published in the Cambridge Evening News on 12 May 2022.
- 5.3 Neighbours – 110 neighbouring properties were notified and the responses received are summarised below. Two letters of representation have been received raising the following concerns. A full copy of the responses is available on the Council's website.
- Active Travel includes the equestrian user. This development has omitted to include equestrian PROW within the design, and thus the PROW network in the locality used by local equestrians has not been considered. The development accommodates many active travel strands, but is discriminatory to the equestrian. The British Horse Society representatives have been active

regarding discussions about provision within the development - and are rather surprised that design elements discussed, and in principal agreed, have been omitted in the final design;

- The owners of Longstone Stud object to the roundabout layout and consider the Safety Audit fails to address the every evident safety issues of the Longstones access which is significantly deficient in this respect. They ask that the layout is changed to allow safe access and egress to the Stud

6.0 THE PLANNING POLICY CONTEXT

6.1 East Cambridgeshire Local Plan 2015

- GROWTH 2 Locational Strategy
- GROWTH 3 Infrastructure requirements
- GROWTH 4 Delivery of growth
- GROWTH 5 Presumption in favour of sustainable development
- GROWTH 6 Community-led development
- ENV1 Landscape and settlement character
- ENV2 Design
- ENV4 Energy efficiency and renewable energy in construction
- ENV7 Biodiversity and geology
- ENV8 Flood risk
- ENV9 Pollution
- ENV14 Sites of Archaeological interest
- COM5 Strategic Green Infrastructure
- COM7 Transport Impact

6.2 Supplementary Planning Documents

Contaminated Land
Developer Contributions and Planning Obligations
Community Led Development
Design Guide
Flood and Water
Natural Environment
Climate Change
Self-Build

6.3 National Planning Policy Framework 2021 (NPPF)

Section 2 – Achieving Sustainable Development
Section 5 – Delivering a sufficient supply of homes
Section 6 – Building a strong, competitive economy
Section 8 - Promoting health and safe communities
Section 9 - Promoting sustainable transport
Section 12 – Achieving well-designed places
Section 14 – Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 – Conserving and enhancing the historic environment

6.4 Planning Practice Guidance (PPG) & National Design Guide (NDG)

Due regard has been had to the PPG and the NDG.

7.0 **PLANNING COMMENTS**

7.1 The key issues are considered to be:

- Principle of development;
- Residential Amenity;
- Visual Amenity;
- Highways and Access;
- Ecology and Biodiversity;
- Historic Environment;
- Drainage and Flood Risk;
- Other Issues.

7.2 **Principle of Development**

7.2.1 The starting point is whether the development proposed complies with the Development Plan considered as a whole. Legislation specifically requires the decision maker must have regard to the development plan and other material considerations and that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and (Section 38(6) of the Planning and Compulsory Purchase Act 2004. The Development Plan against which the application falls to be considered is the East Cambridgeshire Local Plan 2015.

7.2.2 At the time the outline planning application was approved in 2019, the application site had not been allocated in the adopted Local Plan 2015. The Council also did not benefit from a 5 year land supply and therefore, as set out in the NPPF, the presumption in favour of sustainable development applied.

7.2.3 The outline scheme was submitted on behalf of the Kennett Community Land Trust and Policy GROWTH 6 of the adopted Local Plan 2015 relates to Community led development where the Council will work “proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area”. The Community Led Development SPD sets out the Council’s planning policy approach and is aimed at local communities, parish council and landowners. Kennett Garden Village is a community-led development established by the Kennett Community Land Trust (KCLT) a Community Benefit Society with Charitable objectives in November 2016. The KCLT would have a long term stewardship role owning and managing homes, community facilities and land for both existing and future generations of the Kennett Garden Village. The perimeter road formed part of the overarching objectives of this development to alleviate traffic on Dane Hill Road and Station Road.

- 7.2.4 The principle of development of this site, considering access, has therefore been established by the outline permission 18/00752/ESO. The current application seeks approval for the first reserved matters dealing with layout, appearance, scale and landscaping.
- 7.2.5 It was approved at outline that Phase I would include a total of 240 homes with the following infrastructure:
- The main principal road creates access through the Development and provides the main entrance;
 - The southern part of the primary street with allocation of a proposed bus stop;
 - The local centre which includes; the CLT office, pub, restaurant, café, health care building, food store and apartments;
 - Custom build area;
 - Primary school;
 - The Village Green with a children's play area and doorstep green (including play areas);
 - Community orchards;
 - Herbal walk and allotments; and
 - Sustainable drainage ponds.
- 7.2.6 This reserved matters application relates to Phase 1a, forming the principal road, and referred to throughout this report as the Perimeter Road. It has been designed to take heavy goods vehicles away from Station Road, the school and playing fields and designed to convey traffic at speeds of between 30mph – 60mph in order to improve highway and pedestrian safety along the B1085. A range of traffic calming measures on Dane Hill Road and Station Road (B1085) as well as junction improvements at the Bell Inn junction and the introduction of a signalised pedestrian crossing at the railway overbridge have all been set out within the S106 Agreement pertaining to 18/00752/ESO.
- 7.2.7 A further reserved matters application relating to Phase 1b is currently 'pending consideration' dealing with 328 dwellings, the CLT office, self-build plots, the Village Green, Village Square and doorstep greens.
- 7.2.8 Cambridgeshire County Council are also in consultation with East Cambridgeshire District Council to bring forward the Primary School and it is anticipated that an application by Cambridgeshire County Council will be submitted shortly.
- 7.2.9 Further reserved matters applications are anticipated in due course for the other phases of the scheme, relating to the Local Centre (including retail, café, pub, health care building), commercial areas, children day care and train station car park, care home/sheltered housing facilities and housing.
- 7.2.10 It is worth reminding Members of the community benefits of the Kennett Garden Village scheme which includes:
- Village centre buildings (healthcare eg GP surgery, pharmacy, and/or dentist, food store, café)

- Village School (application to be submitted shortly)
- Affordable and market housing for local people
- Mains drainage and good broadband services
- Dedicated play facilities for children and young people
- 12.5 ha (30.8 acres) of greenspace (including playgrounds, footpaths and cycle tracks to be gifted to the CLT for all Kennett residents to enjoy in perpetuity)
- Enhancement of and access to a scheduled ancient monument (Howe Hill)
- Dedicated green space (play areas, woodland, open space and a 1.5 acre village green)
- A comprehensive solution to congestion at the Bell Inn crossroads
- An upgraded train service between Kennett, Cambridge and Ipswich from December 2019

7.2.11 Further benefits would include the creation of full and part-time jobs, to boost the local economy, as well as Community Infrastructure payments via the original S106 Agreement, CIL and by conditions on the outline consent.

7.2.12 Following engagement with the Local Highways Authority, modifications to the speed limit and therefore the alignment of the road have been made to their satisfaction.

7.2.13 A landscaping scheme has been proposed which would ameliorate the integration of the scheme within the existing countryside. A satisfactory distance has been retained from the perimeter road and any new occupiers of the future housing proposed.

7.2.14 A Green Infrastructure Strategy, Biodiversity Strategy and Connectivity Strategy have been submitted in support of Conditions 10, 12 and 43 and these promote and enhance biodiversity interests on the site as well as permeability and legibility through the development and easy connection to existing public rights of way.

7.2.15 The scheme follows the principles established at outline and no issues have been identified such that the principle of development of this site is no longer acceptable.

7.2.16 The scheme is therefore considered acceptable in principle.

7.3 **Residential Amenity**

7.3.1 The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings. Policy ENV2 of the Local Plan requires development to respect the residential amenity of existing and future occupiers.

7.3.2 Whilst there would be noise and general disturbance to existing occupiers in Dane Hill Road and parts of Station Road during the construction of the Perimeter Road, however, post construction the amenity of existing occupiers would be considerably improved as this would alleviate the heavy traffic using Dane Hill Road and Station Road and thus the noise and general disturbance presently suffered. As no dwellings are proposed within Phase 1a, this matter cannot be assessed in any great detail. However, the Design Code, which accompanied the outline scheme, developed a frontage character which refers to the relationship between the fronts of dwellings and the adjacent street or green space. In this instance, in a later phase of the scheme

there would be two residential land parcels abutting the perimeter road to the north of the site. As no details have been submitted to indicate the design, layout, and external appearance, these issues would need to be assessed at a later stage when the reserved matters application is submitted.

7.3.3 To the south of the site Phase 1B of the scheme, a separate planning application has been submitted in tandem with this application, which is currently 'pending consideration'. The impact on the residential amenity of these future occupiers will be comprehensively assessed and dealt with in a further report to Committee.

7.3.4 A Noise Assessment and Mitigation Scheme (NAMS) [LFAcoustics dated March 2022] has been submitted with the application and is to be considered in conjunction with Condition 29 of 18/00752/ESO. This condition requires:

[Con 29] Development in a particular phase approved pursuant to condition 9 shall not commence until a Noise Management Plan (NMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. NMPs shall set out proposed mitigation measures for the end use (operational use) of development in that phase, including measures relating to road traffic noise, rail noise, and noise from permitted uses in the Local Centre. All fixed plant shall achieve a noise rating level of 5dB below the background level noise (to be approved by the Local Planning Authority) at noise sensitive properties when undertaken in accordance with BS4142:1997.

7.3.5 An assessment of the noise levels against the requirements of BS8233 and the NAMS has been made which indicates that a number of properties have been identified, where noise levels would be considered to be unacceptable and these properties would need assisted ventilation. A comprehensive assessment of noise from the Perimeter Road would be undertaken when assessing the residential phases of the scheme, however, the Perimeter Road would run through a 'green corridor, with an open landscape character and reduced speed limit to the southern section of the site.

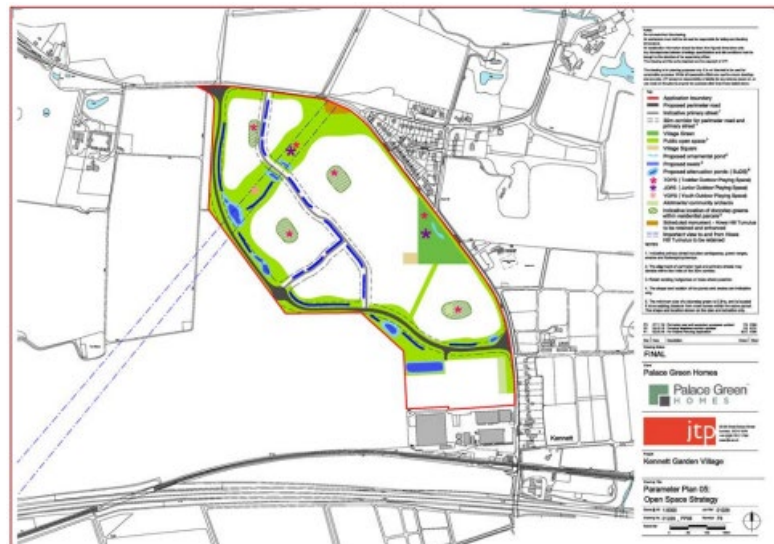
7.3.6 The Environmental Health Officer has raised no objection to the increased speed limit now proposed to the northern section of the perimeter road as a comprehensive assessment would be undertaken when evaluating the impact on residential amenity in phases containing residential development.

7.3.7 In this respect the scheme would comply with Policy ENV2 of the adopted Local Plan 2015 and meet with the requirements of Condition 29 of 18/00752/ESO and is considered acceptable.

7.4 Visual Amenity

7.4.1 Policy ENV1 of the Local Plan 2015 requires new development to provide a complementary relationship with existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlement. Policy ENV2 of the Local Plan 2015 requires that new development should ensure its location, layout, form, scale and massing and materials are sympathetic to the surrounding areas.

7.4.2 Bearing in mind this is an undeveloped area of land on the edge of Kennett, the impact on the visual amenities of the area were assessed at the outline stage and therefore landscaping plays a significant role in both ameliorating the development within the context of its landscape setting and by providing green infrastructure corridors within the site to connect to areas outside of the site. Condition 10 requires that a Green Infrastructure Strategy (GIS) be submitted as part of or prior to the submission of the first Reserved Matters application, in accordance with Parameter Plan 05: Open Space Strategy, which was submitted at outline. The Open Space Parameter Plan is indicated below:



7.4.3 Condition 10 requires that:

- a) Details of complementary measures including provision of Suitable Alternative Natural Greenspaces (SANGs), promotion of walking routes of different lengths and how information will be displayed on nearby protected sites and how to use/not use them;
- b) Details of public access and how that is to be achieved including access points, fencing and surface finishes;
- c) The timescale for the implementation of each aspect of Green Infrastructure within each phase of development approved pursuant to condition 9. (Site wide phasing plan)
- d) Details of long term management.

7.4.4 A Green Infrastructure Strategy has been submitted (JCN dated March 2022) and has been considered by the Wildlife Trust who were instrumental in requesting this condition initially, as it had reservations over the increase in population to Kennett and the impact that human activity would have on existing, particularly sensitive areas of nature conservation interest, ie nearby SSSI. A contribution to the nearby Suitable Alternative Natural Greenspace (SANG) at the Half Moon Plantation County Wildlife Site (CWS) was therefore requested and this is contained within the S106. The promotion of walking routes and how members of the public would have access to different walking routes and how these areas would be accessed would also be considered. However, work on the completion of the CWS is still ongoing and therefore parts a) and b) of Condition 10 cannot be dealt with as yet. It is therefore considered appropriate, and agreed with the Wildlife Trust, the GIS be amended and

submitted prior to commencement of development. This provides the applicant with an opportunity re-submit the GIS when further details of the Half Moon Plantation County Wildlife Site is known.

- 7.4.5 During the assessment of the application in outline, it was acknowledged that the development would alter the character of the application site from one of open farmland to garden village, expanding Kennett from a small village into a large village. It was also considered that the proposed development would extend the village into open countryside but as the site was fairly well contained being bounded on the eastern boundary by existing development, views of the development and its impact on the wider countryside would be curtailed to the west and south by the existing A11 and A14. Views across open countryside to the west would be seen against the backdrop of the existing built development comprising the village such that it was not considered to appear overly intrusive. Given the degree of physical containment provided by the existing development surrounding the site, it was considered the proposal would not appear as a significant intrusion into the open countryside.
- 7.4.6 The Design Code required a range of mitigation measures in the form of hedge height management bordering Station Road, advance planting along the cycleway/pedestrian corridor along Station Road as well as strengthening of existing landscaping and implementing garden vegetation, a green corridor and site levelling.
- 7.4.7 The Perimeter Road would run the entire length of the site from north to south adjacent to the western boundary of the site. According to the Design Code, at the Northern roundabout, the landscaping treatment would comprise a 'Woodland Edge' with the aim of extending the existing wooded character represented in Dane Hill Road into the site "to create a vertical element to the Northern Gateway" which would allow views into the "more open landscape beyond". Planting here with Pine and Broadleaf trees as well as some shrub planting softening the hard edges of the new road network and to act as a barrier between the perimeter road and the housing proposed in future phases. As required by the Design Code the Woodland Edge would extend further into the site and ameliorate the transition from Dane Hill Road into the Garden Village.
- 7.4.8 The 'Wetland Edge' also within this part of the site, comprises a series of attenuation basins which would also act as a gateway and wildlife corridor into the site. This area extends along either side of the Perimeter Road corridor all the way to the southern roundabout where it meets Station Road.
- 7.4.9 Again the Design Code required a degree of landscaping within the Wetland Edge comprising random groups of canopy trees as well as wildflower meadows.
- 7.4.10 In the southern section of the site where perimeter road meets the third roundabout and Station Road there is an area of 16 allotments of varying sizes. This area has been set aside for residents who wish to grow their own food as well as a community orchard which is to be located to the south of the site adjacent to the Enterprise Park. Again this concept contributes to the health and wellbeing of communities with access to open space and exercise and accords with both local and national policy. This area is set back from Station Road by a continuous cycle/footpath. Most of the landscaping here is amenity grass land with small pockets of trees and shrubs.

- 7.4.11 The landscaping proposals have been considered by the Council's Tree Officer who has been negotiating with the applicants on species and size of tree planting with the agreement that further details can be agreed by condition.
- 7.4.12 It is acknowledged that the proposed development would extend the village into open countryside. The landscaping measures proposed would sufficiently ameliorate the development into the surrounding agricultural setting by judicious planting of trees and shrubs. These measures would also integrate the scheme into the existing village such that the proposal complies with Policies ENV1 and ENV2 of the adopted Local Plan 2015 and the Design Code.

7.5 Highways and Access

- 7.5.1 Policy COM7 of the Local Plan also requires development to be designed in order to reduce the need to travel, particularly by car, and to promote sustainable forms of transport appropriate to its particular location.
- 7.5.2 Highway and pedestrian safety were repeatedly raised initially when the scheme was considered at outline stage. A major priority for the Council then was to reduce the speed and the volume of traffic on the B1085 and reduce the speed within Kennett village to improve the safety of residents.
- 7.5.3 The B1085 is a designated HGV route providing a conduit for a high volume of traffic accessing either the A11 or the A14 and as such there has always been a high proportion of HGVs using Dane Hill Road and Station Road to access the strategic highway routes. In particular the location of the Station overbridge, which is a single lane carriageway width controlled by traffic signals, is a major restriction due to its position outside of the site boundary.
- 7.5.4 The Perimeter Road would therefore attract users off of the B1085 and divert traffic away from Station Road. Further traffic calming measures would be proposed to Station Road to slow the speed of traffic thus making it an unattractive option. In terms of the volume of traffic, this subject was raised by existing residents concerning the additional amount of traffic generated by the creation of a garden village. A huge emphasis has therefore been placed on the sustainability credentials of the garden village. The ability of residents to access services, infrastructure and facilities either within walking distance or attainable by sustainable means of transport. The close proximity of the Station, the new school, as well as shopping and entertainment venues, and the commercial area would provide employment opportunities for new residents and would avoid out-commuting. The inclusion of six bus stops would provide an opportunity for the diversion of the existing bus route through the garden village.
- 7.5.5 As the first reserved matter of the outline consent granted in 2019, the Perimeter Road is the key to unlocking the site and providing access to construction vehicles. The design of the Perimeter Road would follow a similar orientation as agreed at outline stage and proposes 3 new roundabouts. Roundabout 1 is located to the north of the site in Dane Hill Road, which currently benefits from a 60mph speed limit. Following negotiation with the Local Highways Authority, the speed of traffic would need to be set at 60mph until the second roundabout, located in the centre of the site. This was a requirement of the Cambridgeshire Constabulary as they would only enforce speed

limits on new roads where they would be self-enforcing. As the northern section did not meet this criterion it had to be designed for de-restricted speeds of 60mph. However, from Roundabout 2 the speed limit would reduce to 30mph until the roundabout with Station Road. This speed limit will tie in with the 40mph limit currently operating on Station Road.

- 7.5.6 Two new ghost island junctions will be provided between Roundabouts 2 and 3 and two new field accesses for low volume agricultural use will be provided between Roundabouts 1 and 2.

Pedestrian and cycle connectivity

- 7.5.7 A 3m (ft) shared use footway/cycleway adjacent to the Perimeter Road would be provided from Dane Hill Road to Station Road. These would also criss-cross the wider site area and will be considered in successive phases coming forward.
- 7.5.8 The majority of these footway/cycleways would be in full compliance with LTN 1/20, however, insufficient width is available from the development to Kennett Station and as such a shared use path would need to be reduced to 2.5m or even 2m at some pinch points. The Local Highways Authority has commented that “some dedication of land as highway will be required so that the path can be holistically maintained as it would otherwise be partially public highway and partially private”. Bearing in mind that a shared pathway is desirable between the development and Kennett Station in this instance, the reduced width is acceptable.
- 7.5.9 A number of matters were highlighted within the RSA Stage 1 dated 26th July 2022 and the applicants were invited to provide a road safety audit response report. This has duly been submitted by Woods Hardwick on 1st August 2022.
- 7.5.10 The Local Highways Authority has worked closely with the applicants in trying to resolve issues of tracking for service vehicles, realignment of footpaths/cyclepaths so that pedestrians and cyclist would be encouraged to use these foot/cycle paths along the Perimeter Road. Inter-vehicle visibility and the design of pedestrian crossings have also been adapted. The LHA have confirmed acceptance of the RSA Stage 1 Audit and the adoption of the Perimeter Road will be subject to a Section 38 Agreement of the Highway Act 1980 and that no construction works take place prior to entering into this agreement with the LHA.
- 7.5.11 At the junction with Station Road and the new perimeter road, discussions have taken place with the owners of Longstone Stud who have continued to express concern regarding the location of the roundabout and its proximity to the entrance into Longstone Stud. They consider that insufficient space exists for large vehicles to access and egress their site after leaving the roundabout. However, plans have been submitted to indicate that whilst the introduction of the Garden Village would present a greater volume of traffic using the roundabout the entrance would still be able to operate in the same fashion as it does presently. Vehicle tracking diagrams have been submitted to indicate HGVs and buses can manoeuvre safely at these junctions to the satisfaction of the LHA.

Connectivity Strategy

- 7.5.12 A Connectivity Strategy has been submitted in support of this scheme [JCN dated March 2022] which aims to enhance existing or the create new links to the existing PROW network of footpaths, bridleways and cycle routes. Condition 43 of 18/00752/ESO refers.
- 7.5.13 When considering the scheme in outline, the Ramblers Association and the County Public Rights' of Way Officer required the scheme to improve the local rights of way network.
- 7.5.14 There is an existing PROW located to the north of the site which leads to Red Lodge. It is proposed to provide a footpath within the application site which would provide a direct connection to this Right of Way. A further PROW to the east of the site gained from Church Lane would also be accessible from the site.
- 7.5.15 In any event, the applicants are liaising with County to progress this document and this would be finalised prior to any development taking place on the site.
- 7.5.16 Concerns have also been raised by the British Horse Society as there are no bridleways proposed adjacent to the Perimeter Road. This is intentional, as the speed of traffic along the Perimeter Road would be hazardous to horse-riders. It is anticipated that once the Perimeter Road is operational and through traffic is no longer using the B1085, then this road would be a quieter and safer option for horse riders.

Lighting

- 7.5.17 A Light Management Plan would be submitted prior to any above ground construction work in any particular phase of development in accordance with Condition 16 of 18/00752/ESO and require details of proposed permanent external lighting of external spaces in that phase, including street, open spaces, playground and sports pitches.

Parking

- 7.5.18 There would be no parking provision within this phase of the site as it purely deals with the trajectory of the perimeter road and the design of main junctions.

Bus Route

- 7.5.19 The bus route would run through the Garden Village and enter the perimeter road at the 2nd roundabout and leave the site via Roundabout 3. Equally, buses would enter the site via Roundabout 3 and continue into the Garden Village via Roundabout 2.
- 7.5.20 The information submitted with the application indicates that the design of the perimeter road and its three junctions would be safe and accessible for vehicles, pedestrians and cyclists to use and would attract users off of the B1085 and divert traffic away from Station Road. Further traffic calming measures would be proposed to Station Road to slow the speed traffic thus making it an unattractive option. The

proposal would comply with the aims and objectives of Policy COM 7 of the adopted Local Plan 2015.

7.6 Ecology

- 7.6.1 A Preliminary Ecological Appraisal (PEA) and desk study was submitted at outline stage and these identified the nature conservation designations of protected sites and legally protected species recorded within a 2km radius. As part of the PEA a number of surveys were also undertaken (Phase 1 Habitat Survey, Breeding bird and protected species scoping survey). Natural England had raised no objection, subject to appropriate mitigation, through the implementation and long-term management of a Green Infrastructure Strategy for the site, being secured through planning conditions. As such NE was satisfied that the proposed development would be unlikely to have any adverse impact on designated sites including the Red Lodge Heath SSSI.
- 7.6.2 In commenting on the outline scheme, the Wildlife Trust supported the integration of green infrastructure and the aspirations to support wildlife habitats. A contribution towards a SANG at the Half Moon Plantation Pit had been suggested as a potential site which could fulfil this function and is opposite the application site and likely to be completed with 4-5 years, which would bring the occupation of Kennett Garden Village in line with progress on the CWS. A contribution has been allocated within the S106 Agreement. However, as mentioned previously the CWS has not been completed yet.
- 7.6.3 A Site Wide Biodiversity Strategy [SES dated March 2022] in accordance with Condition 12 of 18/00752/ESO, has been submitted with the application and this document provides details of the habitat and species surveys required and where necessary appropriate mitigation measures; identification of habitats and species worthy of management and enhancement; a summary work schedule and monitoring for all ecological features associated with the site and provide an ongoing 25 year management programme.
- 7.6.4 The following broad principles have been identified in relation to the baseline protected species and habitats onsite:
- Significant areas of interconnected onsite recreational space designed to avoid increases on recreational pressure on nearby designated sites including Red Lodge Heath SSSI.
 - Continue to manage the site in an unsuitable condition for amphibians prior to construction and other species that might benefit from successional change.
 - Works to habitats onsite to avoid periods of the year that could impact nesting birds, reptiles and mammals.
 - Provide offsite mitigation for skylark, corn bunting and yellow wagtail. • Provide habitat features for bat, bird, reptile and hedgehog.
 - Design an appropriate lighting strategy to retain dark corridors across the site.

- Manage the site with measures to protect notable and other protected species that include: hedgehog, polecat, toad, harvest mouse and brown hare.
- Avoid and protect existing trees onsite and enhance the area with increased tree planting.
- Create wider flower rich margins along the boundary features of the existing site. • Provide open water features to attract invertebrates, providing a food source for other species.

7.6.5 The Wildlife Trust have commented that the Strategy is “sound” but have also made some recommendations which would need to be incorporated into the Site Wide Biodiversity Strategy.

7.6.6 It is considered the information submitted with the application provides a sound basis for the management and enhancement of habitats and species across the site. As such, amendments can be submitted post decision in order to discharge Condition 12 prior to the commencement of development.

7.7 Historic Environment

7.7.1 Policy ENV14 of the adopted Local Plan sets out the criteria for development proposals at or affecting sites of known or potential archaeological interest.

7.7.2 The application site contains the Howe Hill Barrow (SAM). To the north-east is a Grade II Listed School House and a Grade II* Listed Church. The Kennett End Crossroads lies to the south of the site within the medieval roadside settlement of Kennett.

7.7.3 The scheme was comprehensively assessed initially and advice taken from Historic England. Historic England has declined to comment on the reserved matters application for the perimeter road, advising instead to seek comments from the respective Archaeological and Conservation experts. Bearing in mind Condition 17 of 18/00752/ESO requires a Written Scheme of Investigation to be submitted prior to the commencement of development in any phase of the development, it is considered any impacts can be managed by the existing Condition.

7.7.4 The location of the perimeter road is sufficiently distant from the SAM and Grade II Listed School House and a Grade II* Listed Church and is not considered to affect the setting of these heritage assets.

7.7.5 The proposal would comply with Policy ENV14 of the adopted Local Plan 2015.

7.8 Flood Risk and Drainage

7.8.1 Flooding and drainage was considered at outline where it was recorded that the existing site is 100% greenfield and therefore the development would result in an increased impermeable area as a result of hardstanding. As such there would be an increase in surface water runoff elsewhere. The surface water drainage strategy agreed at the outline sought to convey runoff via a number of swales and piped systems into infiltration basins located in areas of public open space. The

sustainable drainage features had been sized to accommodate the 1% annual exceedance probability (AEP) rainfall event inclusive of a 40% allowance for climate change and a half drain time of 1440 minutes.

- 7.8.2 A Flood Risk Compliance Report and Maintenance Plan [Woods Hardwick dated March 2022], Assessment as well as Drainage Strategy and FRA-C Addendum v1.1 [Woods Hardwick dated July 2022] have been submitted with the application, in which surface water to infiltration devices would be feasible at the site, but additional storage capacity would be needed in areas where the rates were slower.
- 7.8.3 During the assessment of the scheme a number of amendments were necessary at the request of the Local Highways Authority who requested that all swales taking only highway drainage were replaced with infiltration trenches. As such the calculations had to be re-run with the increased catchments included. The revised calculations showed there would be no significant differences from those calculations previously provided.
- 7.8.4 The Environment Agency has no comments to make on the FRA/Drainage Strategy and the Lead Local Flood Authority (LLHA) has raised no objection to the amended scheme as the FRA and Drainage Strategy demonstrated that surface water from the proposed development could be managed through the use of permeable paving, geo-cellular attenuation and infiltration basins. The LLHA is supportive of the use of permeable paving as “in addition to controlling the rate of surface water leaving the site it also provides water quality treatment which is of particular importance when discharging into a water course. Infiltrations also provides multiple benefits to the development including surface water treatment, biodiversity and amenity impacts”
- 7.8.5 Whilst the Design Code supports SUDs features in the form of swales and attenuation basins, at the request of the LHA, the swale features taking only highway drainage have been replaced with infiltration trenches, and this is considered acceptable.

7.9 **Other Material Matters**

- 7.9.1 In line with Condition 21 of the outline planning application an Energy and Sustainability Strategy has been submitted with the tandem application for Phase 1b (22/00472/RMM).
- 7.9.2 A Statement of Community Involvement [Connect dated March 2022] has been submitted with the application and this provides details of the various community engagement activities undertaken by the applicants.

8 **PLANNING BALANCE**

- 8.1 This application has been evaluated against the extant Development Plan which is the starting point for all decision making. The Development Plan comprises the East Cambridgeshire Local Plan 2015.
- 8.2 Kennett Garden Village is a community-led development established by the Kennett Community Land Trust (KCLT) a Community Benefit Society with Charitable objectives in November 2016. The KCLT would have a long term stewardship role

owning and managing homes, community facilities and land for both existing and future generations of the Kennett Garden Village. The perimeter road formed part of the overarching objectives of this development to alleviate traffic on Dane Hill Road and Station Road

- 8.3 The principle of development of this site, considering access, has therefore been established by the outline permission 18/00752/ESO. The current application seeks approval for the first reserved matters dealing with layout, appearance, scale and landscaping.
- 8.4 Following engagement with the Local Highways Authority, modifications to the speed limit and therefore the alignment of the road have been made to their satisfaction. The scheme promotes the principles of legibility and permeability including links to existing highway and footpaths.
- 8.5 A landscaping scheme has been proposed which would ameliorate the integration of the scheme within the existing countryside.
- 8.6 As this phase does not include dwellings, the impact of the scheme on future occupiers has not been assessed. The scheme would improve the residential amenity of existing residents adjacent to the site.
- 8.7 A Green Infrastructure Strategy, Biodiversity Strategy and Connectivity Strategy have been submitted and these promote and enhance biodiversity interests on the site as well as permeability and legibility through the development and easy connection to existing public rights of way.
- 8.8 The scheme accords with both national and local planning policy and is considered to meet with the aims and objectives of the Design Code such that it represents sustainable development, and there are no material considerations that indicate permission should not be granted in this instance.
- 8.9 The application is therefore recommended for APPROVAL subject to conditions.

9 COSTS

- 9.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.
- 9.2 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.
- 9.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for

costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

9.4 In this case members' attention is particularly drawn to the following points:

The development is not in conflict with GROWTH6 of the adopted Local Plan 2015.

10 **APPENDICES**

10.1 Appendix 1 Conditions

| <u>Background Documents</u> | <u>Location</u> | <u>Contact Officer(s)</u> |
|------------------------------------|---|--|
| 22/00471/RMM 18/00752/ESO | Anne James Room No. 011 The Grange Ely | Anne James Planning Consultant 01353 665555 anne.james@eastcambs.gov.uk |

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX 1

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

| Plan Ref | Version No | Date received |
|----------------------------------|---------------------|---------------------|
| Technical Note - Noise | | 11th August 2022 |
| Road Safety Audit Stage 1 | | 11th August 2022 |
| Road Safety Audit Response Sheet | | 11th August 2022 |
| 18963-KENN-400-31 | D | 18th October 2022 |
| GL1698 17 | Allotment proposals | 19th April 2022 |
| GL1698 08E | | 21st November 2022 |
| GL1698 09E | | 21st November 2022 |
| GL1698 10E | | 21st November 2022 |
| 18963-KENN-200-15 | B | 20th September 2022 |
| 18963-KENN-200-13 | B | 20th September 2022 |
| 18963-KENN-200-17 | B | 20th September 2022 |
| 18963-KENN-200-18 | B | 20th September 2022 |
| 18963-KENN-400-58 | B | 20th September 2022 |
| 18963 FRA Part 1 | C | 19th April 2022 |
| 18963 FRA Part 2 | C | 19th April 2022 |
| Noise Assessment & Mitigation | | 19th April 2022 |
| Addendum FRA-C | V1.1 | 26th July 2022 |
| 18963-KENN-200-14 | A | 25th July 2022 |
| 18963-KENN-200-16 | A | 25th July 2022 |
| 18963-KENN-400-57 | A | 25th July 2022 |

- 1 Reason: To define the scope and extent of this permission.
- 2 The first phase of development to which this permission relates (and approved pursuant to Condition 9 of 18/00752/ES0) shall be begun not later than the expiration of 3 years from the date of the grant of the outline permission.

- 2 Reason: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended) and to allow for the progressive process of approvals to enable the development to commence as soon as reasonably practicable and within a realistic timetable.
- 3 No development shall take place until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:
Construction traffic management plan.
- 3 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 4 Prior to the first occupation of any dwelling, the length of perimeter road used for access of that dwelling shall be constructed to a finished standard as defined by Cambridgeshire County Council Housing Estate Road Construction Specification
- 4 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 5 All necessary off site cycle infrastructure between the development and Kennet Railway Station (off-carriageway cycle track of no less than 2.5m width - 3m where possible - plus associated drainage infrastructure) required by the Highway Authority through the S278 agreement process associated with this development shall be implemented in full and be fully operational within the public highway prior to the occupation of the 100th dwelling of the development hereby permitted.
- 5 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 6 Prior to 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 18963-KENN-400-31 D (northern roundabout); 18963-KENN-200-13 B; 18963-KENN-200-14 A; 18963-KENN-200-15 B (middle roundabout); 18963-KENN-200-16 A; 18963-KENN-200-17 B; 18963-KENN-200-18 B; 18963-KENN-400-57 A (southern roundabout); 18963-KENN-400-58 B in writing by the Local Planning Authority.
- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 The highway shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) before the last dwelling is occupied.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 8 Notwithstanding the plans, hereby approved, prior to the commencement of hard landscaping of the development the subject of this reserved matters application as shown on plans 18963-KENN-400-31 D (northern roundabout); 18963-KENN-200-13 B; 18963-KENN-200-14 A; 18963-KENN-200-15 B (middle roundabout); 18963-KENN-200-16 A; 18963-KENN-200-17 B; 18963-KENN-200-18 B; 18963-KENN-400-57 A (southern roundabout); 18963-KENN-400-58 B (allotments access) precise details of the hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. The hard landscaping shall thereafter be carried out in full accordance with the approved details.

- 8 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 9 Notwithstanding the plans, hereby approved, Drawing Nos: GL1698 08E; GL1698 09E; GL1698 10E and GL1698 17 further details of the design of public realm including timber bridges, seats or litter bins, the subject of this phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling. All works shall thereafter be carried out in full accordance with the approved details.
- 9 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 Notwithstanding the plans hereby approved GL1698 08E; GL1698 09E; GL1698 10E and GL1698 17 details of tree planting and tree protection/safeguarding planting plans within the north-western edge of the site and within the SUDs basins shall be submitted within 8 weeks of any construction works taking place on the perimeter road.
- 10 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

22/00507/RMM

Land Adjacent 43

Mepal Road

Sutton

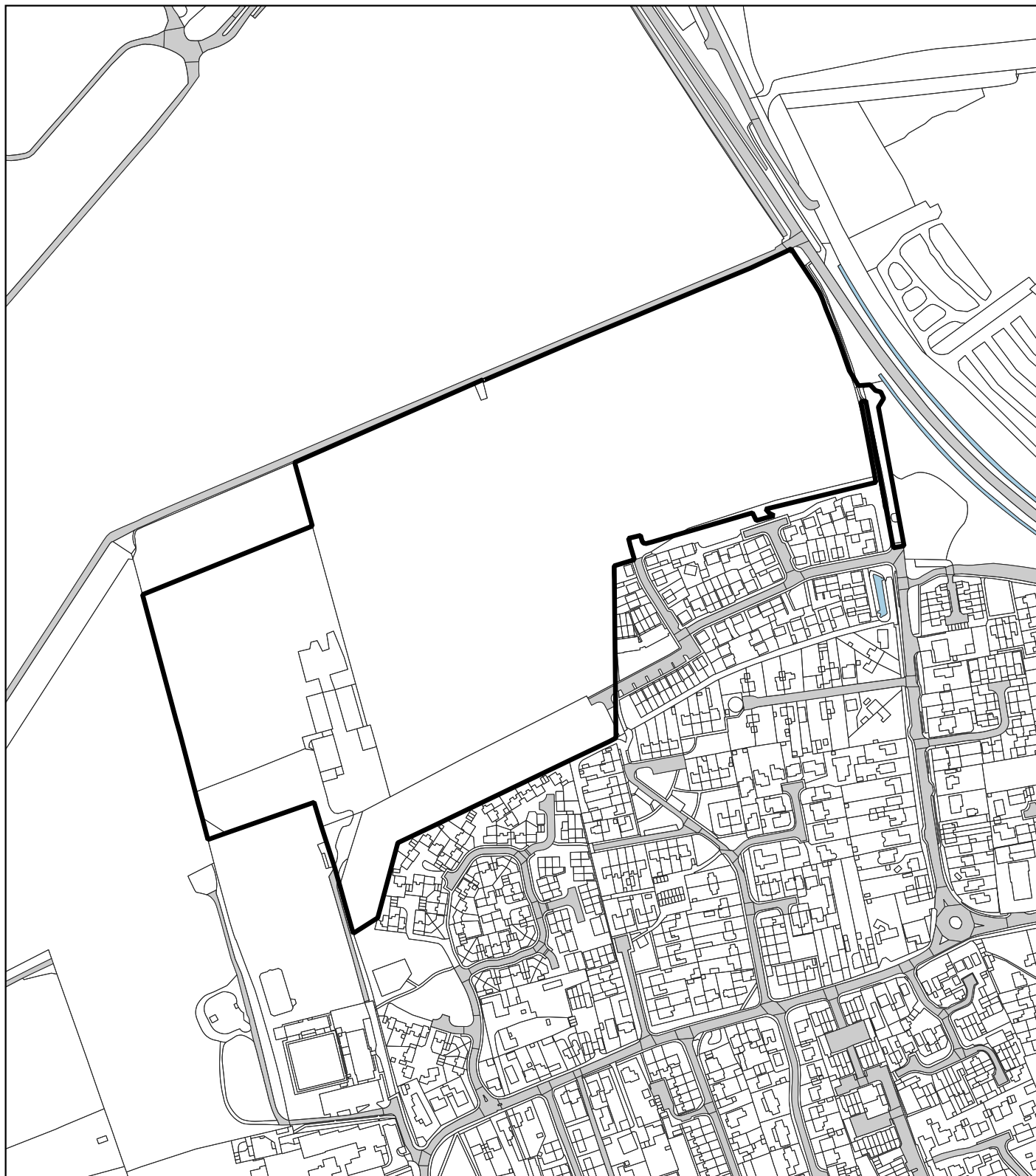
Cambridgeshire

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

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=RAYAUAGGG2L00>





22/00507/RMM

Land Adjacent 43
Mepal Road
Sutton



East Cambridgeshire
District Council

Date: 24/11/2022
Scale: 1:4,500



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22/00507/RMM Committee Report

Reference No: 22/00507/RMM

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

Site Address: Land Adjacent 43 Mepal Road Sutton Cambridgeshire

Applicant: Vistry Homes Limited

Case Officer: Gavin Taylor Planning Contractor

Parish: Sutton

Ward: Sutton
Ward Councillor/s: Lorna Dupre
Mark Inskip

Date Received: 10 May 2022 Expiry Date: 31 October 2022
Report Number [X125]

1.0 **RECOMMENDATION**

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

- 1 Development shall be carried out in accordance with the approved plans.
- 2 Noise mitigation scheme.
- 3 Lighting scheme.
- 4 Open space footpaths scheme.
- 5 Hedgerow and Woodland Management and Creation Scheme.
- 6 Bird and bat boxes and hibernacula delivery.
- 7 Soft landscaping implementation.
- 8 Road(s), footway(s) and cycleway(s) to at least binder course on occupation.
- 9 Private driveways prior to first occupation.
- 10 Arrangements for future management and maintenance of streets.
- 11 Emergency vehicle link provision.
- 12 Gate security

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks approval of reserved matters in respect layout, scale, appearance and landscaping for 164 dwellings and associated infrastructure. It follows the grant of outline planning permission with access committed under 19/01707/OUM. The outline permission also requires that details in respect of site-wide biodiversity, noise assessment and mitigation and an energy and sustainability strategy is also agreed either prior to or within the reserved matters submission. The applicant is therefore seeking to agree these matters within this submission as set out below.
- 2.2 The development is arranged around a central spine road which runs east to west through the site, with secondary roads serving frontage development. The secondary roads lead onto private tertiary roads serving small pockets of houses on the fringes where they face onto open space. An area is allocated to the west of the site for a further 9no. self-build/ custom-build housing as required under the outline permission. Details of these particular properties are reserved for future submission.
- 2.3 The main areas of informal open space are located along the northern and south-western edge of the development and incorporates footpaths connecting to the wider settlement to the south and to the sports pitches to the west. A Local Equipped Area of Play (LEAP) is proposed within the western side of the development and Local Area of Play (LAP) is proposed along the north-eastern edge of the development.
- 2.4 An array of SuDS features are proposed along the perimeters of the development area. A foul pumping station is proposed at the eastern edge of the site at the access. Opposite this structure, a temporary sales parking area is proposed, with the temporary sales building occupying the double garage at plot 78.
- 2.5 As part of the landscaping scheme a 2.5m high noise bund is proposed at the north eastern corner of the site which follows recommendations of the noise assessments undertaken. This is proposed to be planted out to assimilate into the wider landscaping of the scheme.
- 2.6 An area to the far north west is allocated for a burial ground, and an area immediately south of this is reserved for sports pitches, with details required to be agreed separately under conditions and S106 agreement tied to the outline permission.
- 2.7 The proposal has undergone several revisions since submission, to address matters in relation to drainage, landscaping, noise mitigation and highways. Officers have also used the services of Urban Design consultants, Place Services, to advise on urban design aspects of the scheme.
- 2.8 The application is brought to Planning Committee as it was requested by Members upon resolution to grant permission for the Outline application, that future reserved matters applications should also be considered by the Planning Committee.

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

3.0 PLANNING HISTORY

3.1

| Reference | Description | Decision |
|------------------|---|-----------------------|
| 19/01707/OUM | Outline planning application for the demolition of existing buildings and erection of up to 173 dwellings and provision of land for community facilities (sports pitches and burial ground), including access (not internal roads), open space, sustainable urban drainage systems and associated landscaping. All matters reserved apart from access. | Granted 12.04.2022 |
| 19/01707/DISB | To discharge Condition 19 (CEMP), and 24 (Waste Management Plan) of decision dated 12/04/2022 for 19/01707/OUM | Pending |
| 19/01707/DISA | To discharge Conditions 13 (Contamination), 16 (Foul Water Drainage), 17 (Surface Water Drainage), 26 (Trees), and 28 (Archaeology) of decision dated 12.04.2022 for 19/01707/OUM Outline planning application for the demolition of existing buildings and erection of up to 173 dwellings and provision of land for community facilities (sports pitches and burial ground), including access (not internal roads), open space, sustainable urban drainage systems and associated landscaping. All matters reserved apart from access. | Pending |

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site comprises circa 15.39 ha/30.02 acres of agricultural land and associated buildings located to the north of the village of Sutton. The site comprises a large eastern arable field and a smaller western grassland/pasture field.

4.2 Mature trees and hedgerows are scattered along its boundaries, however there is generally very little in the way of vegetation.

4.3 The site is relatively flat, with an almost imperceptible rise from approximately 22m/75 ft AOD (Above Ordnance Data) at the eastern corner to 25m/82ft AOD in the western part of the site.

4.4 To the south-east of the site lies Phase 1 which has been recently constructed by Vistry for 77 dwellings (Ref: 16/01772/FUM). The remainder of the southern boundary is defined by rear garden boundaries of properties on St Andrew's Close and The Orchards, with further residential properties beyond.

4.5 To the north, lies a farm track with further agricultural land beyond. To the west, lies agricultural fields and to the east lies Mepal Road and the A142 carriageway.

5.0 RESPONSES FROM CONSULTEES

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

Parish - 28 September 2022

No concerns

Parish - 25 May 2022

Ward Councillors - No Comments Received

Local Highways Authority - 3 October 2022

Upon review of the latest submission documents, it is clear that considerable effort has been made by the applicant to address my previous comments, for which I am grateful. Changes have been made to the layout to rationalise the site, and while various vehicular routes through the site have been included, it is clear which is the primary route. Other routing options have been suitably set out to discourage rat-running and high vehicle speeds. This in tandem with other design choices, will contribute to a low-speed residential environment.

I therefore have no objection to this application.

However, the LPA should be satisfied that suitable vehicular access to the playing fields on the west of the site, suitable for grounds maintenance can be achieved.

The following comments are for information only and set out points which the applicant will need to take on board when preparing a Section 38 application for the adoption of internal roads. These comments are however made without prejudice to any such agreement in the near future.

- In the interest of avoiding any abortive construction works, I advise that should the applicant be granted planning approval, no construction works take place for proposed adoptable highway prior to the applicant entering into a Section 38 Agreement with the Local Highway Authority.
 - Adoption of highway will be considered only where the construction aligns with CCC's Housing Estate Road Construction Specification.
 - Where trees are planted within 5m of the highway, a root protection barrier to a depth of 1.2m is needed.
 - The temporary sales parking will need to be removed and a full height footway reinstated prior to adoption taking place.
 - Where permeable paving is used on private roads/parking, additional surface water drainage (gullies, channel drains etc.) is needed if the area in question falls towards the highway.
 - Visitor parking spaces on shared surface streets should be designed to fall away from the carriageway.
 - All new adoptable streets must now be subject to a formal 20mph Traffic Regulation Order to be promoted and implemented at the developer's expense. This will be secured as part of any S38 agreement.
- Please append the following conditions and informative to any permission granted:

Conditions

HW2A: Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on drawing 482-SK-01 Revision A in writing by the Local Planning Authority.

HW14A: 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.

HW23A: No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Non-standard condition: Prior to the 100th occupation of the development, an emergency vehicle link shall be provided as shown on the drawing 482-SK-01 Revision A.

Informatives

Works in the Public Highway

This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

Local Highways Authority - 24 May 2022

Access The main site access from Mepal Road was approved within the application 19/01707/OUM and this submission aligns with that which was approved. An emergency vehicle link has been included in the south on the site which is welcome. This link will need to be in place prior to the 100th occupation of the site so I suggest the applicant considers this when planning any phased build out. Layout In the north-west of the development, a road is provided which I understand is for future access to burial grounds. This road should therefore extend fully to the application boundary. If a through connection is no longer needed, then the footway will need to extend around the full perimeter of the turning head. No vehicular access is provided to the playing fields on the west side of the development. The applicant should ensure that the access provided (footpaths) is sufficient for playing field maintenance.

Accesses to shared private roads need to be a minimum of 5m for a short initial length (at least 8m) to allow two vehicles to pass. As such, the private roads at the following locations need to be revised: • South of Plot 101 • Private road serving Plots 167 & 177-181 The short length of carriageway, prior to the commencement of a shared space street, should be widened to 6m at the following locations, to avoid a change in carriageway width at the ramped transition: • South of Plot 122 • East of

Plot 163 Between Plots 131 and 142, the shared surface carriageway widens beyond 6m. The carriageway width needs to be consistent throughout. I recommend that the applicant revise the road layout in this location and provide suitably revised refuse vehicle tracking to demonstrate suitability. I understand that green verge has been included around the staggered junction at Plot 244 on the primary road, to act as a gateway feature. However, the result is that the footway alignment is not on the pedestrian desire line and east-west and north_south crossing will likely take place over the verge. The footway should abut the carriageway edge, similar to the junction immediately to the west. This would also contain the visibility splays within the paved footway. Otherwise, the grassed area would need to remain in private ownership except for the splay area. Should the internal roads be adopted, this highway verge will be cut no more than twice a year, and likely at different times to the adjoining green space. This maintenance arrangement is both impractical and potentially unsightly. If ECDC's waste team, advise that bin collection points are needed on private roads, these will need to be placed offline so that they do not obstruct the highway

Parking Once the temporary sales parking is removed, a full height footway needs to be reinstated. Car parking for Plot 101 needs to be re-located. It will be accessed in such a way that it is likely to cause damage to the carriageway kerbing over time and will likely require vehicles to overrun the grass verge. Similarly, the parking for Plot 225 needs to be revised so it is not accessed from a corner. This can be addressed by slightly extending the length of turning head. Where parking spaces are provided to the rear of shared surface streets, they should align with the carriageway edge and not the back of maintenance strip. Parking at the following locations therefore needs to move (by 0.5m); • Plot 107 and • Plot 133

Parking for Plot 163 will need to move so that it does not clash with the vehicular crossover. To access the western spaces as shown, vehicles will need to manoeuvre longitudinally over a footway which could pose a danger to pedestrians and result in undue wear and tear. It is unclear why a parking space for Plot 63 appears to be located in front of Plot 140. Vehicle Tracking Tracking is needed to demonstrate that two large cars can enter and exit the private road serving Plots 185-189 at the same time. Due to the angle at which the road joins the main carriageway, I am unconvinced that a car can turn left-in at the same time another is leaving. The refuse vehicle tracking is for a vehicle which I understand to be smaller than the largest in ECDC waste team's fleet. I recommend you consult them on this matter. Visibility Can the applicant demonstrate that a 25m forward visibility at the bend of the primary road within the public open space, is contained within the footway? If not, then the landscape plan will need to ensure the area needed for visibility is kept free from obstruction. Future plot owners need to be made aware of the pedestrian visibility splays and their requirement to maintain it free from obstruction from at least a height of 0.6m conveyed to them.

Surface Water Drainage I understand the drainage strategy to consist of a series of private and adoptable swales / attenuation basins which then discharge water at a controlled rate. I do not object to the principle, but the applicant should be aware of the following LHA adoption criteria: • The LHA will not adopt SUDS (except for pre-cast concrete soakaways) and will only adopt roads drained to SUDS if they are first adopted by Anglian Water, the District or Parish Council. • If roads drain to a SUDS system which is privately maintained, then the intervening piped system must first be adopted by Anglian Water. I understand the swales are for primarily for

conveyance rather than infiltrations, but an impermeable barrier may be needed between swales and highway (where the offset is less than 5m). This can be further investigated during the Section 38 application process.

Cross-sections of swales have been provided but I am unable to view a cross-section of private swales behind the footway on the primary east-west road. I would like to request such cross-sections from the applicant so that I can ensure the swales will not act as a fall hazard to pedestrians. The applicant states that this is not a suitable location for infiltration based on ground conditions. I therefore question the use of permeable paving for private parking bays. In any case, the LHA do not accept the use of permeable paving in isolation due to the onerous maintenance liabilities. Where permeable paving is used on private roads/parking, additional surface water drainage (gullies, channel drains etc.) is needed if the area in question falls towards the highway. Adoption The adoption of proposed highway will be subject to a Section 38 Agreement of the Highway Act 1980 and comments made within this response are done so on a without prejudice basis to any such agreement taking place. In the interest of avoiding any abortive construction works, I strongly advised that should the applicant be granted planning approval, no construction works take place for proposed adoptable highway prior to the applicant entering into a Section 38 Agreement with the Local Highway Authority. Adoption of highway will be considered only where the construction aligns with CCC's Housing Estate Road Construction Specification. I strongly advise that the applicant familiarise themselves with this document as some criteria can have knock-on implications for planning e.g., road gradients and building heights. Where trees are planted within 5m of the highway, a root protection barrier to a depth of 1.2m is needed, not 1m as shown in the landscape strategy.

County Highways Transport Team - No Comments Received

Lead Local Flood Authority - 20 October 2022

Thank you for your re-consultation which we received on 7th October 2022.

We have reviewed the following documents:

- Application 19/01707/OUM Planning Condition Support Condition 16 and 17, Infrastructure Design Limited, Ref: 985-00-001 Rev C
- Exceedance Details, Infrastructure Design Limited, Ref: 985-00-200, Dated: October 2022

Based on these, as Lead Local Flood Authority (LLFA) we can remove our objection to the reserved matters application.

The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving across parking areas and swales to collect and convey surface water to the attenuation basin before discharge into the adjacent watercourse at 18.3 l/s in all storms up to and including the 100 year including a 40% allowance for climate change.

Informatives

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.

Lead Local Flood Authority - 29 September 2022

Thank you for your re-consultation which we received on 14th September 2022.

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

1. Pond Details and Calculations

The Pond Sections plan in Appendix C show the details of the proposed basin, and water levels during storm events up to 100 year + 40% climate change and 10% uplift on impermeable area of urban creep. The values on this plan are labelled as the FEH rainfall data. The LLFA supports the use of FEH rainfall data, as this uses up to date rainfall data and updated algorithms. However, the calculations appear to be using FSR rainfall data. This leads to a disparity in the information provided. The calculations should be updated to FEH rainfall data to ensure that the system is suitably designed in line with the information provided.

2. Exceedance Flows

It is noted that there is flooding modelled within the 100 year calculations submitted as part of the drainage strategy pack. It is acknowledged that this may not be excessive in any one manhole, however this can build up over the site. Whilst the exceedance plan indicates where these flows will generally be directed, it should be investigated where surface water would pond in in this event. Any dwellings in the vicinity of overland flood routing should be suitably raised. Until it is clear that this exceedance of the system can be managed within the red line boundary of the site, we are unable to support the application.

Informatives

Ordinary Watercourse Consent

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

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

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

Pollution Control

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

Lead Local Flood Authority - 31 May 2022

Comments from Lead Local Flood Authority (LLFA)

Dear Madam,

Thank you for your consultation which we received on 11th May 2022.

We have reviewed the following documents:

- Planning Conditions Support Condition 16 and 17, Infrastructure Design Limited, Ref: 985-00-001 Rev A, Dated: April 2022

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the reserved matters application.

The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving across driveways that are not discharging into the proposed conveyance swales. Swales will then convey water to the proposed attenuation basin in the east of the site. Surface water will then discharge at a rate of 18.3 l/s into the adjacent watercourse. It's noted that as a part of the previous outline planning approval granted on 12th April 2022 (ref: 19/01707/OUM), planning conditions were set, including condition 17 which relates to the provision of a detailed drainage strategy. A discharge of condition application will need to be submitted in due course, and once this has been submitted, we look forward to reviewing the detailed drainage strategy for the development.

Informatives

OW Consent

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

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

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

Pollution Control

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

Environment Agency - 27 May 2022

We have reviewed the information submitted and have no comments to add to those made at outline stage. We hope this is of assistance to you. If you have any further queries, please do not hesitate to contact us.

The Ely Group Of Internal Drainage Board - 12 September 2022

This should be Middle Level Commissioners and not us.

Middle Level Commissioners Internal Drainage Board - No Comments Received

Anglian Water Services Ltd - 13 September 2022

Thank you for your email consultation for the above reserved matters application

The foul water drainage strategy submitted with this application is acceptable to Anglian Water, which makes a reference to the condition 16 which we have responded previously recommending the discharge of condition 16

We note the applicant states the SuDS scheme may / will be adopted by Anglian Water. As yet the applicant has not engaged with us, therefore we cannot comment, at this stage, on the proposal's suitability. Anglian Water encourage the use of SuDS and if the developer wishes us to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Planning Strategic Enquiry, please contact planningliaison@anglianwater.co.uk

Anglian Water Services Ltd - 13 May 2022

We have responded based on the submitted drainage document makes reference to these conditions however we can confirm that the foul water drainage strategy is acceptable to Anglian Water

Environmental Health - 23 November 2022

Thank you for reconsulting us on the above application with regard to amendments to some of the house types to address the noise.

I understand that this is in the form of additional windows on quieter facades and the inclusion of mechanical ventilation where openable windows are not possible without breaching acceptable internal noise levels.

I will have no concerns to raise with this approach as it complies with national guidance.

I would advise that Building Control are consulted on the mechanical ventilation to be utilised but it may be that this can be a planning condition to be discharged at a later date.

Environmental Health - 14 September 2022

I have nothing to add to my previous comments below.

Environmental Health - 12 September 2022

Thank you for consulting us on the above application.

Since I gave my last comments there has been a new [noise impact assessment] NIA uploaded to the Portal dated the 21st July 2022. This is essentially the same report submitted on the 2nd March 2022 but with some minor amendments on pages 17 and 18. The report has adjusted the number of plots with facades which require closed windows in order to meet 'reasonable' internal criteria from BS8233. This is the result of allowing 15dB mitigation from a partially open window rather than the 10dB which had been previously modelled. I have no issues to raise with this.

Figures 8 and 9 identify several plots with facades which will not achieve acceptable internal sound levels with a partially open window. However, all of these plots appear to have an alternative façade where sensitive rooms could potentially be placed. This model has included a 2.5m bund along the boundary so if you do not find this acceptable we will need to discuss this further.

I have not checked to see if there are any floor plans for these plots (included below for ease) but if there are and there are sensitive rooms (bedrooms and living rooms) on a red façade we will need to discuss this further -

Environmental Health - 13 May 2022

I have read the NIA dated the 2nd March 2022.

Figures 8 and 9 identify several plots with facades which will not achieve acceptable internal sound levels with a partially open window. However, all of these plots appear to have an alternative façade where sensitive rooms could potentially be placed. This model has included a 2.5m bund along the boundary so if you do not find this acceptable we will need to discuss this further. It has also assumed a 10dB reduction with a partially open window where I would usually assume a 15dB reduction so it is possible that some of the facades identified as needing closed windows may not require this. We can discuss this further if you advise me that sensitive rooms cannot be located/relocated on to the quieter facades.

I have no concerns to raise with regard to external amenity areas.

Natural England - 27 May 2022

Natural England has no comments to make on this reserved matters application.

Cambs Wildlife Trust - 26 September 2022

This professional ecological advice has been provided in accordance with the Service Level Agreement held with East Cambridgeshire District Council.

I have reviewed the additional ecological document prepared by James Blake Associates and uploaded to the planning portal on 1st September 2022. This provides an accurate assessment of the biodiversity implications of the development with respect to achieving a measurable net gain in biodiversity, and would appear to address the comments made in our previous advice to you dated 23rd May 2022.

The Wildlife Trust therefore has no further comments to make on this application.

Cambs Wildlife Trust - 23 May 2022

This professional ecological advice has been provided in accordance with the Service Level Agreement held with East Cambridgeshire District Council.

The submitted scheme reflects that approved at outline application, which was assessed at the time as delivering a marginal net gain in biodiversity, which was in line with adopted planning policy at the time.

A revised biodiversity net gain statement and Defra Biodiversity Metric 3.0 has been submitted with this reserved matters application. This claims a net biodiversity gain of 14%. However, on looking through the plans and associated documentation there does not appear to be any reason for the increase from 1.3% net gain calculated at the outline application stage. I've looked through the submitted biodiversity metric and identified the reasons for the discrepancy as moderate condition being assigned to areas of amenity grassland and turf within the proposed village green.

These areas will be regularly close mown and should be allocated a poor condition. I've attached the biodiversity metric with my reviewer comments and these changes added. This reduces the predicted net biodiversity gain to just over 1%, which accords with the original assessment.

While a 1% net gain cannot be considered significant and is well below the 10% figure included within the Environment Act, this is a reserve matters application. Should the Council wish for this development to achieve more by way of biodiversity net gain, more detailed landscape and habitat creation plans will be required. Opportunities for creating areas of wildlife habitat within the village green and sports fields will need to be explored and if possible an ecological management plan covering a minimum period of 30 years will be required. If the council wishes this development to achieve a significant net gain but this cannot be delivered on site then the applicants should enter into a biodiversity offsetting arrangement with a local provider.

Other biodiversity measures, including species conservation mitigation, included in the ecological assessment submitted with the outline application should be incorporated into the development design, as appropriate, and as specified in planning conditions.

ECDC Trees Team - 13 October 2022

No further comments to those made 17th June 2022

ECDC Trees Team - 17 June 2022

The submitted soft landscaping is acceptable, please condition that a Hedgerow and Woodland Management and Creation Scheme should be produced and submitted to the LPA for approval. The Woodland Management and Creation Scheme (hereafter referred to as HWMCS) is required to contain details on the following:

- 1) The areas of woodland and hedgerows to be retained and/or enhanced;
- 2) Areas where new woodland and hedgerows will be established;
- 3) The methodology for the establishment of new areas of native woodland and hedgerows; (timings and details for plot thinning and coppicing operations and removal of protective fencing/guards)
- 4) Management of existing woodland and hedgerows to enhance its amenity and ecological value; (timings and details for plot thinning and coppicing operations)
- 5) Details of responsibility for the future management of the woodland areas and hedgerows.
- 6) Details to cover a period of no less than 20 years or until decommission of the development"

Informative:

The following British Standards should be referred to as appropriate:

- a) BS: 3882:2015 Specification for topsoil
- b) BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
- c) BS: 3998:2010 Tree work - Recommendations
- d) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
- e) BS: 4043:1989 Recommendations for Transplanting root-balled trees
- f) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations

- g) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
- h) BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations

As the provision of details relating to the ongoing management of new hedgerows and woodland/bulk planting areas ensures that the initial vision is deliverable, possible and managed with a continuity of purpose, to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to enhance its setting within the immediate locality in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.

Design Out Crime Officers - 20 September 2022

Thank you for the opportunity to comment on this application. I can see some changes have been made. However, some of my previous comments dated 24th May 2022 still apply. Please could you provide an update for the following.

- Footpaths (Rear access) - Properties that have a footpath for access to the rear garden, such as 107/108, 109/110, 149/150 & 151. Our recommendation is for the gate to be positioned as close to the front building line as possible, shared gates are fitted with self-closers, and private gates are fitted with self-closers and lockable from both sides.

- External lighting - Our recommendation for external lighting is that all adopted and un-adopted roads, private roads, shared drives, footpaths, and parking areas/courts, should be lit with columns to BS5489:1 2020. Care should be taken in relation to the location of lighting columns with the entry method for most of the dwelling burglary being via rear gardens, especially where there is little surveillance from neighbouring properties as they can be used as a climbing aid if positioned too close to the fence/wall. Home security lights to the front and rear of the properties should be dusk to dawn LED bulkhead lights. Please note: Bollard lighting should be used as wayfinding only and not as a main source of lighting. I would like to see the lighting plan, including lux levels and calculations when available please.

Our office would be happy to discuss Secured by Design and measures to reduce the risk to vulnerability to crime prior to receiving the above-mentioned applications.

Design Out Crime Officers - 24 May 2022

Thank you for the opportunity to comment on this application. I have viewed the documents in relation to crime, disorder, and community safety. I have researched the constabulary crime and incident systems for this location and surrounding streets covering the last 12 months and I consider this to be an area of low vulnerability to crime at present.

The proposed layout appears to be acceptable in relation to crime prevention and the fear of crime providing reasonable levels of natural surveillance from neighbouring properties with many of the homes facing each other along with defensible space to the front. Many of the homes have back to back protected rear gardens, with some parking spaces in curtilage or to the front/side of properties. The green open spaces are well overlooked. Pedestrian and vehicle routes are aligned together, is well overlooked and pedestrian safety has been considered. This should encourage some level of territoriality amongst residents.

o External lighting - Our recommendation for external lighting is that all adopted and un-adopted roads, private roads, shared drives, footpaths and parking areas/courts, should be lit with columns to BS5489:1 2020. Care should be taken in relation to the location of lighting columns with the entry method for the majority of dwelling burglary being via rear gardens, especially where there is little surveillance from neighbouring properties as they can be used as a climbing aid if positioned too close to the fence/wall. Home security lights to the front and rear of the properties should be dusk to dawn LED bulkhead lights. I would like to see the lighting plan, including lux levels and calculations when available please. Please note: Bollard lighting should be used as wayfinding only and not as a main source of lighting.

o Cycle storage sheds - Our recommendation for cycle storage sheds within accessible locations in rear gardens are provided with a ground anchor fixed to a concrete sub-base to allow the resident to secure their bike/s. We also recommend a solid secure, gold rated hasp and lock for the door.

- Landscaping - Consideration should be given to the planting of trees too close to fencing as they can also act as a climbing aid to gain entry to rear gardens. It is also important to ensure that there is a management plan in place to ensure all tree crowns are maintained and raised above 2m in height and ground planting and hedging is kept to a minimum of 1 - 1.2m in height, this will allow for ongoing natural surveillance across the development, open spaces and footpaths and to reduce possible conflict with lighting.

- Parking - There are many parking bays that have good natural surveillance from active windows. However, there are plots that do not allow the residents to see their own vehicle due the positioning of parking spaces, fencing or a brick wall, such as plots 104, 122, 134, 136, 137, 138, 144, 178, 179, 180, 181, 218, 235, 243, 248. Where possible, especially those with close board fencing, I would recommend that the fence is lowered to 1.5m with 300mm of trellis to improve the natural surveillance.

- Boundary Treatment & Rear access footpaths - Properties that have a footpath for access to the rear garden, such as; 103, 109, 213, 214, 237 & 238. Our recommendation is for the gate to be positioned as close to the front building line as possible. Plots 181-182 - Our recommendation is that a gate is placed at the entrance of the footpath to the rear of these properties. By leaving that open it will leave them vulnerable as most burglaries occur to the rear of the property. There isn't enough natural surveillance in that area to help mitigate that concern. Please ensure that any shared gates are fitted with self-closers, and private gates are fitted with self-closers and lockable from both sides

Cambridgeshire Fire and Rescue Service - No Comments Received

NHS England - 12 September 2022

Thank you for consulting Cambridgeshire and Peterborough Integrated Care System (CAPICS) on the above planning application. I refer to the above planning application and advise that, further to a review of the applicants' submission, the following comments are with regard to the primary healthcare provision on behalf of CAPICS.

The proposed development is likely to have an impact on the services of the GP Practice operating within the vicinity of the application Fenland Group Practice: Priors Field Surgery. This practice has a registered patient list size of 6026 and this development of 164 dwellings would see an increase patient pressure of 394 new residents which would require additional GP/Nurse / (Admin support) workforce to support increase in appointments: GP = 0.20 / Nurse = 0.13 and Admin = 0.38 with a resulting increase on estate demand of 26.99 sqm net internal area.

A developer contribution will be required to mitigate the impacts of this proposal. CAPICS calculates the level of contribution required, in this instance to be £98,566.44. CAPICS therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission.

In its capacity as the healthcare provider, CAPICS has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development. Assuming the above is considered in conjunction with the current application process, CAPICS would not wish to raise an objection to the proposed development. Otherwise, the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

The terms set out above are those that CAPICS deem appropriate having regard to the formulated needs arising from the development. CAPICS are satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

Sport England - 1 June 2022

Sport England commented on outline planning application ref: 19/01707/OUM by letter dated 22 May 2020, where we supported the scheme.

With regard to the submitted reserved matters, Sport England would like to make the following representations:

We support this application, as it will provide two football pitches. This scheme is also supported by Cambs FA who comment:

Cambridgeshire FA support this project and welcome an additional 2 pitch site due to demand on the recreation ground. Toilet / wash facilities would be required to facilitate football, if not within reasonable distance to the facilities on the rec.

Sport England and Cambs FA would prefer to see toilets incorporated into the scheme. It is a concern that there is no dedicated car parking for these pitches, which will result in people parking in residential areas.

Recommendation:

Sport England considers the details submitted to be satisfactory and raise no objection to this application.

Should the application be approved the following condition will be required:

(a) No development shall commence [or other specified time period] until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:

(i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and

(ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

(b) The approved scheme shall be carried out in full and in accordance with the approved programme of implementation [or other specified time frame - e.g. before first occupation of the educational establishment]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy **.

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

Housing Section - 28 September 2022

Thank you for advising us of amendments to the above application.

The Strategic Housing Team have reviewed the changes and are pleased to note that the affordable dwellings have now been more evenly distributed across the development. We do note, however, there are still no provisions to include a 5 bed affordable unit on site. If possible we would like to see an addition of a larger size unit to reflect the current Housing Register need for 5 bed affordable units and to reflect the latest SHMA data which indicates an increasing need within the District for larger properties.

We also still recommend that the "Flanders" bungalows be built to M4(2) standards.

As the number of affordable dwellings and tenure split remains the same, we do however continue to support this application.

Infrastructure & Strategic Housing Manager - ECDC - 23 June 2022

The Strategic Housing Team supports the above application as it will deliver 30% affordable housing (52 affordable dwellings) on site.

The affordable housing mix proposed is acceptable with one adjustment which is to include 1X5bed affordable rented property. I am willing to be flexible regarding which dwelling type this can be swapped with dependent on the site constraints.

We also acknowledge that the affordable dwellings are within NDS standards.

Policy HO3 states 'The affordable housing shall be physically integrated into the open market housing development by using appropriate design methods' to the west of the site there is a concentration of 25 affordable rented dwellings. In order to create a balanced community, we would recommend dispersing some of these affordable rented dwellings more evenly throughout the site.

Referring to policy HOU 1 we would also recommend the 'Flanders' bungalows are built to M4(2) standards.

Should consent be granted, I would request the s106 Agreement contains the following Affordable Housing provisions:

1. That the dwellings will be Affordable Housing in accordance with the definition contained in NPPF.
2. That the dwellings will transfer to a provider of social housing approved by the Council, either a Private Registered Provider or an alternative affordable housing provider (including but not limited to a housing trust or company, a community land trust or an almshouses society).
3. That the tenure of each dwelling will be Affordable Rent, Social Rent or Shared Ownership, and no subsequent alteration will be permitted without the Council's prior approval.
4. That the rent charged for the Affordable Rented properties will not exceed Local Housing Allowance rate for the equivalent property size.
5. That the Affordable Dwellings are constructed to DCLG, National Described Space Standards or as a minimum all new dwellings should meet Building Regulation Part M (Volume 1), Category 2, unless there are exceptional design reasons why this is not possible.
6. That the Provider will not dispose of any dwelling by outright sale (except any sale to a tenant under statutory provisions)
7. That occupation will be in accordance with a nomination agreement.
8. That these affordable housing conditions shall be binding on successors in title, with exceptions for mortgagees in possession and protected tenants.

Housing Section - 28 September 2022

Thank you for advising us of amendments to the above application.

The Strategic Housing Team have reviewed the changes and are pleased to note that the affordable dwellings have now been more evenly distributed across the development. We do note, however, there are still no provisions to include a 5 bed affordable unit on site. If possible we would like to see an addition of a larger size unit to reflect the current Housing Register need for 5 bed affordable units and to reflect the latest SHMA data which indicates an increasing need within the District for larger properties.

We also still recommend that the "Flanders" bungalows be built to M4(2) standards.

As the number of affordable dwellings and tenure split remains the same, we do however continue to support this application.

Housing Section - 1 June 2022

The Strategic Housing Team supports the above application as it will deliver 30% affordable housing (52 affordable dwellings) on site. The affordable housing mix

proposed is acceptable. We also acknowledge that the affordable dwellings are within NDS standards.

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6. That the Provider will not dispose of any dwelling by outright sale (except any sale to a tenant under statutory provisions)
7. That occupation will be in accordance with a nomination agreement.
8. That these affordable housing conditions shall be binding on successors in title, with exceptions for mortgagees in possession and protected tenants.

Waste Strategy (ECDC) – 03 November 2022

- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).
- Provided the shared surface streets are adopted by the Highway Authority, we assume they will withstand the weight of our waste and recycling vehicles as specified in the RECAP Waste Management and Design Guide. The areas that are not intended for adoption will need to clarify the bin collection points as we will not enter these areas with a vehicle to collect therefore bins will need to be brought to where these roads meet the public highway.

- Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision (delivery and administration) of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.
- Each new property requires a set of receptacles; the contribution is currently £53 per set. We would recommend the developer made the contribution on behalf of the residents. Please note that the bins remain the property of East Cambridgeshire District Council.
- Payment must be made in advance of bins being delivered; East Cambs District Council Account Number 43135897, Sort Code 52-41-19, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number.

Cambridgeshire Archaeology - 25 May 2022

Whilst we have no objection to this application for Reserved Matters, I am writing to advise that the implementation of the archaeological programme of work required against condition 28 of associated permission reference 19/01707/OUM remains outstanding. A Written Scheme of Investigation provided by the applicants' appointed contractor was received by this office on 06/05/22 which is currently in the process of being approved by this office and there is a proposed start date for the evaluation of 30/05/22 which represents the first phase of the archaeological programme. Until such time as the archaeological programme is completed the condition should be retained, or carried over to any permission intended to supersede. Please see below, the justification and condition as previously recommended for 19/01707/OUM.

Our records indicate that this site lies in an area of archaeological potential within the bounds of the former Mepal Airfield. The document submitted in support of this latest application which is incorrectly labelled as 'Archaeological Evaluation Report' on the planning portal is not an evaluation report, it is a desk-based assessment which incorporates data from the Cambridgeshire Historic Environment Record (CHER). This document correctly identifies that an evaluation of the south-eastern portion of the field (not south-western as per 7.2.1) was conducted in advance of 77 houses comprising Phase 1 of the development and revealed little of archaeological interest other than evidence of medieval and post-medieval agricultural activity in the form of ridge and furrow cultivation on varying alignments, along with small quantities of medieval and post-medieval pottery and remains relating to the airfield (CHER refs ECB5555, MCB26926). However, evaluation of a large land-parcel north of The Brook (and immediately adjacent to the south-western boundary of the area proposed for development under 19/01707/OUM) revealed part of a previously unknown settlement of Mid-Iron Age to Roman date in the north-west corner of the investigation area, in close proximity to the boundary (MCB16274). A large watering hole for cattle was excavated and found to contain large quantities of domestic refuse including Middle Iron Age and early Roman pottery, animal bone and daub with wattle impressions, with environmental evidence showing that crop processing was taking place in the vicinity. Remains dating from the Iron Age through to the medieval period were also identified to the south-west during two phases of archaeological investigations on land adjacent to Sutton Primary School (MCB17411). Whilst truncation due to activity on the former airfield is possible in

this location, if further archaeological remains do survive within the application area they are likely to be damaged or destroyed by the proposed development.

We therefore do not object to development proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG:

Archaeology

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work which has been secured in accordance with a written scheme of investigation (WSI) which 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 site 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

Informatives:

Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development.

Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure that the significance of historic environment assets is conserved in line with NPPF section 16

CCC Growth & Development - No Comments Received

Economic Development - No Comments Received

Ambulance Service - No Comments Received

NHS England - 19 May 2022

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

1. I refer to your consultation letter on the above planning application and advise that, following a review of the applicants' submission the following comments are with regard to the primary healthcare provision on behalf of Cambridgeshire and Peterborough Clinical Commissioning Group (CCG).

Background

2. The proposal comprises a development of up to 164 residential dwellings, which is likely to have an impact of the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. The CCG would therefore expect these impacts to be fully assessed and mitigated by way of a developer contribution secured through the Community Infrastructure Levy (CIL).

Review of Planning Application

3. There is 1 x GP practice within a 2km radius of the proposed development. This Practice does not have sufficient capacity for the additional growth resulting from this development and cumulative development growth in the area. Therefore a developer contribution, via CIL processes, towards the capital funding to increase capacity within the GP Catchment Area would be sought to mitigate the impact.

Healthcare Needs Arising from the Proposed Development Health & Wellbeing Statement

As an Integrated Care System it is our ambition that every one of the one million people living in Cambridgeshire and Peterborough is able to live as healthy a life as possible and has access to the help and treatment that they need in the right place, with good outcomes and experience of the care they receive.

Cambridgeshire and Peterborough Integrated Care System, recognises and supports the role of planning to create healthy, inclusive communities and reduce health inequalities whilst supporting local strategies to improve health, social and cultural wellbeing for all aligned to the guidance in the NPPF section 91.

The way health and care is being delivered is evolving, partly due to advances in digital technology and workforce challenges. Infrastructure changes. Therefore, CIL funds received as a result of this development may incorporate not only extensions, refurbishments, reconfigurations or new buildings but will also look to address workforce issues, allow for future digital innovations and support initiatives that prevent poor health or improve health and wellbeing.

The NHS Long term plan requires a move to increase investment in the wider health and care system and support reducing health inequalities in the population. This includes investment in primary medical, community health services, the voluntary and community sector and services provided by local authorities so to boost out of hospital care and dissolve the historic divide between primary and community health services. As such, a move to health hubs incorporating health and wellbeing teams delivering a number of primary and secondary care services including mental health professionals, are being developed. The Acute hospitals will be focussing on providing specialist treatments and will need to expand these services to cope with additional growth. Any services which do not need to be delivered in an acute setting will look to be delivered in the community, closer to people's homes.

The health impact assessment (HIA) submitted with the planning application will be used to assess the application. This HIA will be cross-referenced with local health evidence/needs assessments and commissioners/providers own strategies so to ensure that the proposal impacts positively on health and wellbeing whilst any unintended consequences arising are suitably mitigated against. The primary healthcare services directly impacted by the proposed development and the current capacity position is shown in Table 1.

4. This development is not of a size and nature that would attract a specific Section 106 planning obligation. Therefore, a proportion of the required funding for the provision of increased capacity by 4. This development is not of a size and nature that would attract a specific Section 106 planning obligation. Therefore, a proportion of the required funding for the provision of increased capacity by way of extension, refurbishment or reconfiguration at Priors Field Surgery servicing the residents of this development, would be sought from the

CIL contributions collected by the District Council.

5. Although, due to the unknown quantities associated with CIL, it is difficult to identify an exact allocation of funding, it is anticipated that any funds received as a result of this development will be utilised to extend the above-mentioned surgery. Should the level of growth in this area prove this to be unviable, the relocation of services would be considered and funds would contribute towards the cost of new premises, thereby increasing the capacity and service provisions for the local community.

Developer Contribution required to meet the Cost of Additional Capital Funding for Health Service Provision Arising

6. In line with the Government's presumption for the planning system to deliver sustainable development and specific advice within the National Planning Policy Framework and the CIL Regulations, which provide for development contributions to be secured to mitigate a development's impact, a financial contribution is sought.

7. Assuming the above is considered in conjunction with the current application process, Cambridgeshire and Peterborough would not wish to raise an objection to the proposed development.

Cambridgeshire County Council Education - No Comments Received

Technical Officer Access - 19 May 2022

Shared surfaces need tactile paving for partially sighted users. Shared surfaces are not preferred as it is not marked for the users.

Good general lighting required.

As a play area is indicated, consideration and design should include disabled users.

5.2 A site notice was displayed near the site on 1 June 2022 and a press advert was published in the Cambridge Evening News on 19 May 2022.

5.3 Neighbours – 116 neighbouring properties were notified and the 2 responses received are summarised below. A full copy of the responses are available on the Council's website;

- The additional houses would increase and support current amenities in the community
- Questions whether it would improve regularity of public transport
- Affects public views
- Affects street scene
- Groundwater issues
- Landscape impact
- Loss of privacy

- Noise sensitive
- Over bearing
- Over looking
- Over shadowing
- Loss of light
- Residential amenity
- Surface water drainage/ flooding
- Visual amenity
- Density too great

6.0 The Planning Policy Context

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

6.2 *East Cambridgeshire Local Plan 2015 ('ECLP')*

GROWTH 2: Locational strategy

GROWTH 3: Infrastructure requirements

GROWTH 4: Delivery of growth

GROWTH 5: Presumption in favour of sustainable development

HOU 1: Housing mix

HOU 2: Housing density

HOU 3: Affordable housing provision

ENV 1: Landscape and settlement character

ENV 2: Design

ENV 4: Energy and water efficiency and renewable energy in construction

ENV 5: Carbon offsetting

ENV 7: Biodiversity and geology

ENV 8: Flood risk

ENV 9: Pollution

ENV 14: Sites of archaeological interest

COM 4: New community facilities

COM 7: Transport impact

COM 8: Parking provision

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

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

6.4 *Sutton Neighbourhood Plan 2019 ('SNP')*

Policy NP2 – Protecting and Maintaining Features of Landscape and Biodiversity Value

Policy NP3 – Sutton Development Envelope

Policy NP4 - Land north of The Brook and west of Mepal Road

Policy NP7 – Housing Mix

Policy NP8 – Preserving the Historic Characteristics of Sutton

Policy NP9 - Protecting existing services and facilities

Policy NP12 – Sport and Recreation Facilities

6.5 *Supplementary Planning Documents ('SPD')*

- East Cambridgeshire Design Guide
- Developer Contributions and Planning Obligations
- Flood and Water
- Contaminated Land
- Natural Environment
- Climate Change
- RECAP Waste Management Design Guide

6.6 *National Planning Policy Framework 2021 ('NPPF')*

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

6.7 *Planning Practice Guidance ('PPG')*

- Noise

ProPG: Planning and Noise for New Residential Development, May 2017 (ProPG)

7.0 PLANNING COMMENTS

7.1 Officers consider that the main issues in the determination of this application are;

- Principle of Development
- Housing mix
- Layout
- Scale, Appearance and Landscaping
- Residential Amenity
- Biodiversity and Ecology
- Flood Risk and drainage
- Historic Environment/ Archaeology
- Energy & Sustainability
- Other Material Matters

7.2 Principle of Development

7.2.1 The site is subject to extant outline planning permission under 19/01707/OUM as set out in the history section above. Notwithstanding, the Sutton Neighbourhood Plan allocates the site under NP4 for development as follows;

- i) Approximately 250 homes, providing a mix of house types and sizes from starter homes to family homes and retirement homes to meet the requirements of the village;
- ii) integrated and expanded community facilities including:
 - a) a new village green, all weather pitch and sports pitches located adjacent to the existing facilities at the primary school and Brooklands Centre;

- b) areas of play for infants, juniors and youths at appropriate locations throughout the development in accordance with adopted guidelines;
- c) the provision of land for a burial ground on-site, or the facilitation of provision at a suitable location elsewhere in the village;
- iii) the retention of existing landscape features and provision of new extensive landscape and wildlife areas and landscape screening from the A142;
- iv) safe routes for pedestrians and cyclists from the site to the village centre (through The Orchards), primary school and recreation facilities (through Stirling Way); and
- v) vehicular access from Mepal Road.

7.2.2 The southern section of the allocation has already been built out under 16/01772/FUM for 77 dwellings (see history section above). It is considered therefore that the overriding principle of development is acceptable.

7.3 Housing mix

7.3.1 The site comprises the following housing mix;

8no. 1-bedroom dwellings
 37no. 2-bedroom dwellings (including 4no. bungalows)
 63no. 3-bedroom dwellings
 56no. 4-bedroom dwellings

7.3.2 The Sutton neighbourhood Plan (para. 8.11) notes that Sutton has a smaller proportion of two-bedroomed homes than the other designated “Larger Villages” in the Local Plan. Consequently, Policy NP7 seeks to ensure that Housing development contributes to meeting the needs of the village, particularly in the need for two bedroomed dwellings as well as the needs of an ageing population looking to downsize into homes suitable for lifetime occupation.

7.3.3 The latest Strategic Housing Market Assessment (SHMA) published in 2021 sets out a suggested mix of housing - both market and affordable, in order to meet likely future housing needs in the Cambridgeshire and west Suffolk region.

7.3.4 The SHMA indicates that in respect for market homes, there will likely be a highest need for 3-bedroom dwellings (40-50%), followed by need for 2-bedroom and 4-bedroom dwellings (both 20-30%), with an affordable housing mix requirement identifying a higher percentage of 2-bedroom dwellings (35-45%), followed by 3-bedroom (25%-35%), then 1 bedroom (15-25%) and finally 4+ bedroom (5-15%).

7.3.5 It's considered that the mix broadly aligns with this, with the majority of housing proposed to be 3-bedroom, with 2-bedroom and 4-bedroom being the next most common with between 23% and 34% of the dwelling types and 1-bedroom accounting for c.5% of the site. In respect of affordable housing mix however; 2-bedroom dwellings account for c.28% of the mix, with 3-bedroom (14%) and 1-bedroom (8%) and 4-bedrooms around 2% of the total provision.

7.3.6 The Council's housing team has confirmed that they are supportive of the scheme, confirming that the mix is acceptable. Whilst they have sought a single 5-bedroom affordable dwelling for this site, the applicant has declined to provide this, advising

that in discussions with registered providers, this is not something that they would be seeking at this time. Whilst there therefore appears to be a contradictory position between parties, it is not considered that it would be reasonable to refuse the application solely on the basis of this. It does nonetheless carry some negative weight.

7.3.7 On balance however, it is concluded that the housing mix generally accords with the SHMA evidence and would also secure a substantial number of 2-bedroom dwellings, in accordance with the ambitions of the Sutton Neighbourhood Plan.

7.4 Layout

7.4.1 Policy COM 7 of the Local Plan requires that all development must ensure a safe and convenient access to the public highway. It also requires development to be designed in order to reduce the need to travel, particularly by car and should promote sustainable forms of transport appropriate to its particular location.

Policy COM 8 of the adopted Local Plan requires development proposals to provide adequate levels of car and cycle parking.

7.4.2 The use of a main spine road with a hierarchy of secondary and tertiary roads throughout the site enables good movement and connectivity. The application is supported by tracking details which demonstrate refuse collection and fire appliances would be able to satisfactorily manoeuvre within the site. In this regard, bin collection points are located at the end of private drives, where they meet adopted highway which accords with RECA guidance.

Each dwelling would accommodate at least 2 parking spaces in-line with COM 8, with the exception of the 1-bedroom maisonettes which is not anticipated to be severely harmful and follows previously approved scheme for similar developments in the district. Notwithstanding this, visitor parking bays are also located across the site to provide additional off-street parking. Furthermore, cycle parking is provided, either within the garages, or through cycle sheds located in rear gardens.

7.4.3 Excluding the c3.8Ha site reserved for community facilities (sports pitches) and the burial ground, the average density of dwellings is c.16dph - with a tighter concentration of dwellings toward the core of the development area and a looser, less regimented arrangement of dwellings along the fringes of the site, adjacent to the areas of open space.

7.4.4 A network of paths provide access to the wider areas of informal open space and the LAP at the north east, as well as the formal sports pitches to the west. A road including footpath also provides direct access to the future burial ground and community facilities to the north west of the site. Connections leading south into the Phase 1 scheme, Stimpson Street, Stirling Way and the Orchard Way estate ensure good permeability into the established built settlement and would encourage sustainable modes of travel to local services and facilities. It is recommended to secure further details in respect of the widths and surfacing for the footway links within the open space, in order to ensure they cater for multi-modes of travel and mobility. Notwithstanding, the layout is considered to follow the concept statement as set out under Policy NP4 of the Sutton Neighbourhood Plan.

7.4.5 The site is also connected to the wider development to the south by an emergency access road. This road would be available for pedestrians and cyclists, but

restricted to emergency vehicle access only ensuring that access would still be available in emergencies, should the main vehicular access be cut off for any reason, in-line with the County Council's current Highways design guide.

7.4.6 Whilst the Access Group has raised concerns over the use of shared surfaces, which are proposed to serve secondary routes and private driveways, this is a common design feature, providing legibility in street hierarchy. Notwithstanding, the main spine road and that leading to the burial ground and community facilities accommodated footpaths on both sides.

7.4.7 In conclusion, the proposed layout, provision of formal and informal open space and connectivity to the wider settlement are considered to be satisfactory and would accord with the aims of NP2 and NP4 of the Sutton Neighbourhood Plan and policies COM 4, COM 7 and COM8 of the Local Plan.

7.5 Scale, Appearance and Landscaping

7.5.1 Policy ENV 1 of the Local Plan 2015 requires new development to provide a complementary relationship with existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlement. Policy ENV 2 of the Local Plan 2015 requires that new development should ensure its location, layout, form, scale and massing and materials are sympathetic to the surrounding areas. NP2 of the Sutton Neighbourhood Plan seeks to retain existing features of landscape and biodiversity value. Paragraphs 127 and 130 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. The NPPF indicates that development should be refused which fails to improve the character and quality of an area and the way it functions.

7.5.2 The development relies on 14 house types and a mixture of buff blend, and red-blend facing brick, render finish and grey and red roof tiles. Most properties incorporate canopies or porch roofs. A number of properties also incorporate chimneys and these are mainly located at the north east end of the site and will therefore be most visible from the approaching A142 Mepal Road and when entering the site. Further negotiation with the applicant has also been undertaken in respect of introducing 'blind' or 'tax' windows to certain elevations, where facets would otherwise be a mass of continuous brickwork. This is considered to be an effective way to add interest to these elevations when viewed from the public realm.

7.5.3 The dwellings are primarily 2-storey, with the exception of a grouping of 4 no. bungalows to the north, mid-section of the site and 4 no. 3-storey properties (with room in the roof) set along the northern side of the spine road. The range of dwelling types provides varying ridge which adds interest to the roofscape of the development. Corner-turning units are located at junctions to ensure a coherent flow of built-form throughout the scheme and rendered properties are also positioned at key junctions, acting as way marker buildings to improve legibility throughout the site.

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

- 7.5.5 The spine road is proposed to be lined with trees along the back-edges of the footpath and further tree planting is proposed around the SuDS features and throughout the areas of open space to provide shade and visual amenity. The site would also benefit from hedgerows and shrub planting and wildflower planting which, with the trees and green space would enhance the overall area and assimilate the site into the wider countryside, with its continuance secured through a condition for a long-term Hedgerow and Woodland Management and Creation Scheme as recommended by the Council's Tree Officer.
- 7.5.6 A 2.5m high bund with planting is proposed at the northeast corner of the site, primarily to act a noise defence but will also partially screen the site and soften its visual impact when approaching from the north east.
- 7.5.7 It is considered that the general design of the development would complement and enhance the adjacent developments to the south and through established soft landscaping, would assimilate successfully into this fringe site where is transitions from urban to rural countryside. It is therefore considered that the development would accord with the aims of Policy ENV 2 of the Local Plan 2015, NP2 of the Sutton Neighbourhood Plan and paragraphs 127 and 130 of the NPPF.
- 7.6 Residential Amenity
- 7.6.1 Policy ENV2 of the Local Plan requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers and that occupiers of new dwellings enjoy high standards of amenity. This policy accords with Chapter 12 (particularly paragraph 130) of the National Planning Policy Framework (NPPF) which aims to achieve high standards of amenity.
- 7.6.2 The developed area of the site is separated from existing properties by areas of open space and SuDS features, with the closest dwelling to an existing curtilage of c.18m and it is considered highly unlikely that residents would experience any severe overlooking, overshadowing, loss of light or overbearing from the development. Likewise, having regard to the design, orientation and separation of the proposed dwellings, the residential amenity of future occupiers would also be safeguarded.
- 7.6.3 The development would provide sufficient room for wheeled bin storage for each property and adequate access on site to enable future occupiers to present their bins for weekly collection in accordance with current RECAP waste management guidance.
- Site Security*
- 7.6.4 The police's designing out crime team has reviewed the proposals and made recommendations, mostly in respect of improving surveillance e.g., through re-positioning some parking spaces as well as positions of gates serving rear gardens - to prevent creating tunnels and serving these with self-closing and lockable gates they've also sought to understand the lighting scheme for the site.
- 7.6.5 The applicant has undertaken revisions to some of the gate positions which mostly addresses the Police's concerns and generally removes the possibility for people to hide down passageways. The applicant has advised that lighting is a matter yet to

be finalised and would accept a planning condition to secure this detail at a later point, which is considered to be reasonable, given that the adopted road design process undertaken with the LHA would also influence specification and locations of street lighting. Furthermore, private street lighting would also require consideration, to ensure that it provides adequate light whilst not adversely affecting the wider countryside setting. The Police has recommended that shared gates are fitted with self-closers, with private gates fitted with locks on both sides. This can be reasonably secured by planning condition.

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

Noise

- 7.6.7 One of the most notable constraints of the site is the A142 Mepal Road which generates traffic noise levels which requires mitigating, in order to achieve acceptable living environments. The most affected area is that closest to the access and 11 dwellings in total are affected.

- 7.6.8 The applicant has undertaken extensive modelling of the site to fully understand the constraints and opportunities associated with noise mitigation, in accordance with the requirements of condition 23 of the Outline permission. Firstly, as noted above, the introduction of an earth bund at the north east corner of the site will defend traffic noise at ground level, ensuring that internal noise levels and external garden levels for all dwellings are within acceptable levels – meaning that occupiers can open windows at ground level in all properties and enjoy rear private amenity areas, without experiencing unacceptable levels of noise nuisance. The details of the noise bund, including planting plans are considered to be acceptable and satisfies condition 21 of the Outline permission, subject to its installation prior to occupation of the development.

- 7.6.9 Despite this mitigation however, a number of dwellings along the fringes at the north east are affected by noise at first-floor level, which exceeds acceptable internal noise levels in accordance with current guidance, which seeks to achieve internal levels no higher than 35dB. The modelling indicates that levels could be exceeded by up to c.7dB on some facets.

- 7.6.10 The modelling also shows that if 2-storey dwellings were not located along the eastern edge of the site, noise would penetrate deeper onto the site, absorbing around 30% of the total developable area. As such, it is concluded that the layout as proposed is necessary in order ensure that the site allocation and the quantum envisaged can come forward. It does however mean that a degree of compromise is required, whilst ensuring that acceptable internal noise levels are achieved in-line with ProPg noise guidance and the guidance as set out in the PPG.

- 7.6.11 The developer has sought to revise some of the dwellings, mostly to include additional windows in facets serving bedrooms, in order to enable openable windows for these rooms where possible and which achieve acceptable internal noise levels and will allow occupiers to naturally cool/ ventilate rooms. Furthermore, glazing is proposed to be upgraded on some windows to further reduce noise. However, this is not practical on all dwellings and as such, some bedrooms will rely

on mechanical means of extraction, with windows closed most of the time, in order to manage noise. Having regard to the modelling, it is anticipated that of the 11 dwellings seriously affected, 23 of the bedrooms will rely on this method of noise mitigation/ ventilation. The PPG states that façade sound insulation with an alternative means of ventilation is a valid form of noise mitigation.

7.6.12 It is considered that relying on such methods does not necessarily secure high quality living environments, with occupiers unable to open windows to connect to the outside world or to naturally ventilate, which can lead to isolating living environments. However, in this instance, it has been established that the affected dwellings are necessary in order to develop the wider allocated site. Furthermore, rear gardens and ground floor rooms would achieve acceptable internal noise levels, with windows being able to be opened without significant detrimental effect. Furthermore, most of the 11 dwellings affected will still include bedrooms where windows can be opened without excessive internal noise levels, thereby enabling natural ventilation - with only 3 dwellings that rely wholly on mechanical means of ventilation in first floor level bedrooms.

7.6.13 On balance, given that the reliance on less than ideal means of mechanical ventilation is not significant against the delivery of 164 dwellings, it is considered that in this instance it is acceptable and in general, a high-quality living environment would be achieved for this development in accordance with Policy ENV2 of the Local and Chapter 12 (particularly paragraph 130) of the NPPF.

7.7 Biodiversity and Ecology

7.7.1 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 Council have recently adopted a Natural Environment SPD and all development proposals would be expected to provide environmental enhancements proportionate to the scale and degree of the development proposed.

7.7.2 Condition 18 of the outline permission requires agreement of a site-wide Biodiversity Strategy through the reserved matters process. The submitted strategy, supported by a biodiversity metric (JBA21-307_ECO01 (and 01A) Rev B) and as detailed within the landscaping plans includes retention of and planting of new trees, hedgerows and wildflower grassland, the inclusion of bird and bat boxes throughout the development, the provision of hedgehog gaps in fences to ensure small mammal movement is maintained throughout the site and hibernacula/ refuges to benefit reptiles, amphibians etc.

7.7.3 The Wildlife Trust has reviewed the proposal and has concluded that the strategy would achieve a measurable net gain in biodiversity in accordance with Local Plan policy ENV 7, NP2 of the Neighbourhood Plan and the ambitions of the SPD.

7.8 Flood Risk and drainage

The application site is generally agreed to be in an area at low risk of flooding. The application is supported by a flood risk assessment which demonstrates that surface water can be adequately managed on site without causing flooding elsewhere. This would be subject to further demonstration a detailed design stage –

but nonetheless the Lead Local Flood Authority has accepted the outline drainage strategy and it is considered that the proposal complies at this stage with the aims of Local Plan policy ENV 8.

Conditions 16 and 17 of the outline permission requires agreement of drainage details in advance of development commencing. Whilst drainage details would need to be discharged under a separate application route, nonetheless Anglian Water and the LLFA has indicated that the drainage strategy would be acceptable, thereby providing confidence that the layout including the SuDS features and foul drainage infrastructure would adequately manage drainage the site, without causing flooding elsewhere.

7.9 Energy & Sustainability

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

7.9.2 The application is supported by an energy and sustainability strategy ('ESS'). It is proposed that the development is designed to incorporate guidance contained within Policies CC1 and ENV4 relating to renewable energy provision and the construction of highly efficient buildings which seek to minimise energy demand and CO2 emissions. The calculations demonstrate that the development as a whole will deliver estimated carbon emission savings of 86,371 kgCO2/year, equivalent to 29.45% improvement from Part L 2013 compliant development, significantly exceeding the requirements of Policies CC1 and ENV4.

7.9.3 Furthermore, water efficiency measures including the use of efficient dual flush WCs, low flow showers and taps and appropriately sized baths will be encouraged with the aim to limit the use of water during the operation of the development to limit water use. In this regard, the ESS anticipates a total water consumption of c.105.9 Litres/Person/Day, therefore below the maximum of 110 Litres/Person/Day required by Policy CC1.

7.9.4 In summary, the measures as set out in the submitted ESS would accord with the aims of Local Plan policy ENV 4 in respect of sustainable development.

7.10 Other Material Matters

Public Transport

7.10.1 One resident has queried whether the development would encourage further/ an increased frequency of buses. The application seeks approval of reserved matters – specifically matters of appearance, scale, layout and landscaping. Transport matters have already been considered at Outline stage and it is not appropriate therefore to re-visit this. Notwithstanding this, Condition 5 of the Outline permission requires the submission of an agreed Travel Plan, which would include taster tickets for public transport. Whilst this would not enhance existing provision, it aims to encourage more sustainable modes of travel for future occupiers. Ultimately however, the ability to increase the frequency of public transport would sit outside of the remit of planning.

NHS England

- 7.10.2 NHS England has requested that the impacts of the development should be fully assessed and mitigated by way of a developer contribution secured through the Community Infrastructure Levy (CIL). It is noted that the NHS did not respond to the consultation request at Outline stage, with NHS England, NHS Cambridgeshire and the Ambulance Trust all consulted at that time. As noted above, the application seeks approval of reserved matters – specifically matters of appearance, scale, layout and landscaping and therefore, the impacts of the development would need to have been considered at Outline stage. Their comments regarding securing CIL contributions toward healthcare are noted and have been passed to the CIL team – however, it would not be possible under this application to secure contributions and matters of CIL funding falls outside of the regulatory framework of the planning system.

Archaeology

- 7.10.3 Cambridgeshire Archaeology has requested that a condition is imposed to safeguard potential archaeology within the site. Such a condition is imposed under Condition 28 of the Outline permission and it is therefore not necessary to impose it again.

Football pitches and Burial Site

- 7.10.4 Sport England's comments have been noted through this application. Their conditional requirements for the pitches are already captured through the S106 agreement tied to this planning permission, whereby a community facilities specification is required. Likewise, a burial ground specification is also required to be agreed through the S106 agreement. Notwithstanding this, Condition 4 of the outline permission also secures the detailed ground condition assessment as requested by Sport England and it is therefore not necessary to repeat this.

- 7.10.5 With regards to their concerns over the lack of toilets as part of the sports pitches, it is noted that these were not specifically requested through the outline stage – with the community facilities as set out in the S106 comprising;
“...a new village green and new grass football pitches (one main youth pitch approximately 60m x 100m² and one ‘nine vs nine’ pitch approximately 80x50m²) to be provided on the Site as set out in the Community facilities specification”

The Community facilities specification as set in the S106 is specified as follows;
“Means a specification to be submitted and approved by the Council which sets out the location, design, laying out, transfer, management and maintenance arrangements for the community facilities”.

The applicant has advised that the intention of the sports pitches is to act as an extension to the existing pitches and pavilion immediately south adjoining the site, which already provides toilet and parking facilities. Given the wording of the S106 agreement and the existing facilities, it is not considered reasonable to seek these facilities this scheme. The roadway serving the burial ground should terminate at the burial ground, but link through to the pitches via pedestrian and cycle route – details of which can be secured through the burial ground specification required under the S106 agreement.

7.11 **Planning Balance and Conclusion**

- 7.11.1 The development largely accords with the concept plan as set out under Policy NP4 of the Sutton Neighbourhood Plan. The scheme would secure a good level of formal and informal open space, with sustainable links to promote healthier lifestyles and access to key services and facilities within the settlement. The visual impact of the development would be softened through a robust soft landscaping design and the design and layout of the development would enable a satisfactory assimilation into the wider settlement.
- 7.11.2 The scheme does include a number of dwellings which would need to rely on mechanical means of ventilation in order to achieve acceptable internal noise levels to some first-floor bedrooms. Whilst this weighs negatively against the scheme, it is acknowledged that alternative designs and mitigation has been explored and that only a small number of dwellings are reliant on this design. It is considered that on-balance, in this instance, this is acceptable having regard to the wider development and the generally high-quality environment that it would provide.
- 7.11.3 It is considered therefore that the proposal accords with the development plan when taken as a whole, would constitute a sustainable form of development and can therefore be supported.

8.0 **COSTS**

- 8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.
- 8.2 Unreasonable behaviour can be either procedural i.e., relating to the way a matter has been dealt with or substantive i.e., relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.
- 8.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

9.0 **APPENDICES**

- 9.1 Draft list of Conditions
9.2 OUTLINE permission Decision Notice

| <u>Background Documents</u> | <u>Location</u> | <u>Contact Officer(s)</u> |
|------------------------------------|---|--|
| 22/00507/RMM 19/01707/OUM | Gavin Taylor Room No. 011 The Grange Ely | Gavin Taylor Planning Contractor 01353 665555 Gavin.Taylor@eastcambs.gov.uk |

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcamb.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX 1 - 22/00507/RMM Conditions

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

| Plan Reference | Version | Date Received |
|---|---------|---------------|
| 482-LP-01 Boundary Plan | A | 01.09.2022 |
| 482-SK-01 Planning Site Layout | B | 21.11.2022 |
| 482-SK-02 Planning Site Layout (colour) | B | 21.11.2022 |
| 482-SK-08 Materials Plan | B | 21.11.2022 |
| 482-SK-07 Boundary and Bin Plan | B | 21.11.2022 |
| 482-SK-05 Affordable Tenure Plan | B | 21.11.2022 |
| 482-SK-09 Parking Provision Plan | B | 21.11.2022 |
| HWK.pe1 Hardwick V1 Floor Plans and Elevations | | 26.04.2022 |
| HWK.pe2 Hardwick V2 Floor Plans and Elevations | | 01.09.2022 |
| EVE.pe1 Eveleigh V1 Floor Plans and Elevations | A | 01.09.2022 |
| EVE.pe2 Eveleigh V2 Floor Plans and Elevations | | 26.04.2022 |
| EVE.pe3 Eveleigh V3 Floor Plans and Elevations | | 01.09.2022 |
| MOU.pe1 Mountford (standard) V1 Floor Plans and Elevations | A | 01.09.2022 |
| MOU.pe2 Mountford (standard) V2 Floor Plans and Elevations | A | 01.09.2022 |
| MOU.pe3 Mountford (standard) V3 Floor Plans and Elevations | | 26.04.2022 |
| MOU.pe4 Mountford (standard) V4 Floor Plans and Elevations | | 01.09.2022 |
| MOUv1.pe1 Mountford (Version 1) V1 Floor Plans and Elevations | | 26.04.2022 |
| MOUv1.pe2 Mountford (Version 1) V2 Floor Plans and Elevations | | 26.04.2022 |
| MOUv1.pe3 Mountford (Version 1) V3 Floor Plans and Elevations | | 26.04.2022 |
| GOO.pe1 Goodridge V1 Floor Plans and Elevations | B | 21.11.2022 |
| MYL.pe1 Mylne V1 Floor Plans and Elevations | B | 21.11.2022 |
| MYL.pe2 Mylne V2 Floor Plans and Elevations | | 01.09.2022 |
| GRA.pe1 Grainger V1 Floor Plans and Elevations | B | 21.11.2022 |
| PEM.pe1 Pembroke V1 Floor Plans and Elevations | C | 21.11.2022 |
| PEM.pe2 Pembroke V2 Floor Plans and Elevations | | 26.04.2022 |
| PEM.pe3 Pembroke V3 Floor Plans and Elevations | | 01.09.2022 |
| PEM.pe4 Pembroke V4 Floor Plans and Elevations | B | 21.11.2022 |
| ASL.pe1 Aslin V1 Floor Plans and Elevations | A | 01.09.2022 |
| KNI.pe1 Knightley V1 Floor Plans and Elevations | | 26.04.2022 |
| KNI.pe2 Knightley V2 Floor Plans and Elevations | | 26.04.2022 |
| KNI.pe3 Knightley V3 Floor Plans and Elevations | | 26.04.2022 |
| KNI.pe4 Knightley V4 Floor Plans and Elevations | | 01.09.2022 |
| KNI.pe5 Knightley V5 Floor Plans and Elevations | | 21.11.2022 |
| KNI.pe6 Knightley V6 Floor Plans and Elevations | | 21.11.2022 |
| KNI.pe7 Knightley V7 Floor Plans and Elevations | | 21.11.2022 |
| GROUP-PAR-BASR01-XX-D2-A-AS-B801 Asher V1 Floor Plans and Elevations | B | 21.11.2022 |
| GROUP-PAR-BASR01-XX-D2-A-AS-B802 Asher V2 Floor Plans and Elevations | 2 | 21.11.2022 |
| GROUP-PAR-BCOP01-XX-D2-A-AS-B801 Cooper V1 Floor Plans and Elevations | B | 21.11.2022 |
| GROUP-PAR-BFLA00-XX-D2-A-AS-B801 Flanders Floor Plans and Elevations | A | 01.09.2022 |
| KNI.pe6 Knightley V6 Floor Plans and Elevations | | 21.11.2022 |
| KNI.pe7 Knightley V7 Floor Plans and Elevations | | 21.11.2022 |

| | | |
|---|----|------------|
| GROUP-PAR-BASR01-XX-D2-A-AS-B801 Asher V1 Floor Plans and Elevations | B | 21.11.2022 |
| GROUP-PAR-BASR01-XX-D2-A-AS-B802 Asher V2 Floor Plans and Elevations | 2 | 21.11.2022 |
| GROUP-PAR-BCOP01-XX-D2-A-AS-B801 Cooper V1 Floor Plans and Elevations | B | 21.11.2022 |
| GROUP-PAR-BFLA00-XX-D2-A-AS-B801 Flanders Floor Plans and Elevations | A | 01.09.2022 |
| GROUP-PAR-CSP01-XX-D2-A-AS-0801 Speirs Floor Plans and Elevations | A | 01.09.2022 |
| GROUP-PAR-BWOR00-XX-D2-A-AS-B801 Worsley Floor Plans and Elevations | | 26.04.2022 |
| GROUP-PAR-BWOR00-XX-D2-A-AS-B801 Worsley V2 Floor Plans and Elevations | | 01.09.2022 |
| CGAR01-XX-D2-A-AS-0401 Single Garage - Hipped Roof | | 01.09.2022 |
| CGAR05-XX-D2-A-AS-0801 Double Garage - Hipped Roof | | 01.09.2022 |
| EDMS-200 Marketing Suite Hipped Floor Plan Linden | A | 21.11.2022 |
| EDMS-600 Marketing Suite Hipped Front and Side Elevations Linden | A | 21.11.2022 |
| EDMS-601 Marketing Suite Hipped Rear and Side Elevations Linden | | 21.11.2022 |
| JBA 21-307-01 Detailed Landscape Proposals | C | 01.09.2022 |
| JBA 21-307-02 Detailed Landscape Proposals | D | 01.09.2022 |
| JBA 21-307-03 Detailed Landscape Proposals | C | 01.09.2022 |
| JBA 21-307-04 Detailed Landscape Proposals | D | 01.09.2022 |
| JBA 21-307-05 Detailed Landscape Proposals | D | 01.09.2022 |
| JBA 21-307-06 Detailed Landscape Proposals | C | 01.09.2022 |
| JBA 21-307-07 Detailed Landscape Proposals | C | 01.09.2022 |
| JBA 21-307-08 Detailed Landscape Proposals | C | 01.09.2022 |
| JBA 21-307-09 Detailed Landscape Proposals | C | 01.09.2022 |
| JBA 21-307-10 Detailed Landscape Proposals | D | 01.09.2022 |
| JBA 21-307-11 Detailed Landscape Proposals | C | 01.09.2022 |
| JBA 21-307-12 Detailed Landscape Proposals | C | 01.09.2022 |
| JBA 21-307-13 Detailed Landscape Proposals | C | 01.09.2022 |
| JBA 21-307 SK01 - Illustrative Section Through Noise Bund | | 26.04.2022 |
| JBA 21-307 Tree Pit Detail | | 26.04.2022 |
| GROUP-VIS-S-EX-D2-A-FC-0210 Timber Knee Rail (450MM) | | 26.04.2022 |
| GROUP-VIS-S-EX-D2-A-FC-0213 Close Boarded Fence 1800MM | | 26.04.2022 |
| GROUP-VIS-S-EX-D2-A-FC-0215 Panel Fence | | 26.04.2022 |
| GROUP-VIS-S-EX-D2-A-FC-0261 1800mm Screen Wall | | 26.04.2022 |
| 985-00-25 RM Finished Levels Strategy | B | 01.09.2022 |
| Noise Risk Assessment & Acoustic Design Statement | R1 | 01.09.2022 |
| Noise Memo | | 21.11.2022 |
| Energy and Sustainability Strategy | | 26.04.2022 |
| GROUP-VIS-S-EX-D2-A-FC-207-00 Cycle timber shed | | 01.09.2022 |
| GTC-E-SS-0012_R2-1 Substation drawing | | 01.09.2022 |

- 1 Reason: To define the scope and extent of this permission.
- 2 Prior to works proceeding above ground level, a scheme for noise mitigation for each specific dwelling affected by external facade noise levels exceeding 50dB as set out in the Noise Risk Assessment & Acoustic Design Statement, and Noise Memo dated 4th November 2022, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include manufacturers specification for mechanical ventilation, acoustic ventilation/ trickle vents, and upgraded glazing specification where so required.

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

- 2 Reason: To safeguard the residential amenity of occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 3 Prior to works proceeding above ground level, a lighting scheme for all streets shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be accompanied by a technical report prepared by a qualified competent person setting out;
- i) the specification of lights,
 - ii) locations and heights of lighting columns,
 - iii) the light levels to be achieved over the intended area and at the development site boundaries and the surrounding area.

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

- 3 Reason: To safeguard the residential amenity of occupiers, the visual impact of the development and protection of nocturnal biodiversity in accordance with policy ENV 1, ENV 2 and ENV 7 of the East Cambridgeshire Local Plan 2015.
- 4 Prior to works proceeding above ground level, a scheme detailing the precise design of the footpaths proposed within the areas of open space shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following;
- i) the precise route,
 - ii) widths,
 - iii) surface and drainage treatment,
 - iv) connectivity to adjacent land, and
 - v) a timeframe for implementation

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

- 4 Reason: To ensure provision of effective, accessible and sustainable links into the established built settlement and to encourage sustainable modes of travel in accordance with policy ENV 2 and COM 7 of the East Cambridgeshire Local Plan 2015.
- 5 Prior to works proceeding above ground level, a Hedgerow and Tree Management Scheme ('the scheme') shall be submitted to and approved in writing by the Local Planning Authority. The scheme is required to contain details of the following:
- 1) The areas of trees and hedgerows to be retained and/or enhanced;
 - 2) Areas where new trees and hedgerows will be established;
 - 3) The methodology for the establishment of new areas of native trees and hedgerows; (timings and details for plot thinning and coppicing operations and removal of protective fencing/guards)
 - 4) Management of existing trees and hedgerows to enhance its amenity and ecological value; (timings and details for plot thinning and coppicing operations)
 - 5) Details of responsibility for the future management of the scheme.
 - 6) Details to cover a period of no less than 20 years or until decommission of the development

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

- 5 Reason: To ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the landscape value of the site in accordance with policies ENV 1, ENV 2 and ENV7 of the East Cambridgeshire Local Plan, 2015.
- 6 The bird and bat boxes and hibernacula as detailed on all plans referenced: JBA 21/307 (01 to 13) and shall be installed prior to the first occupation of the development or in agreed phases and thereafter retained in perpetuity.
- 6 Reason: To ensure the protection and enhancement of wildlife and the habitat which supports it in accordance with policies ENV7 of the East Cambridgeshire Local Plan, 2015.
- 7 All soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased (except those contained in enclosed rear gardens to individual dwellings) shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.
- 7 Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity and biodiversity value of the development in accordance with Policies ENV 1, ENV 2 and ENV 7 of the East Cambridgeshire Local Plan, 2015.
- 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 drawing 482-SK-01 Revision B in writing by the Local Planning Authority.
- 8 Reason: In the interests of highway safety in accordance with policy COM 7 of the East Cambridgeshire Local Plan, 2015
- 9 Prior to first occupation of the development, the private driveways serving each dwelling shall be levelled, surfaced in a bound material and drained and thereafter retained for that specific use.
- 9 Reason: In the interests of residential amenity and highway safety in accordance with policies ENV 2, COM 7 and COM 8 of the East Cambridgeshire Local Plan, 2015.
- 10 Prior to works proceeding above ground level, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into onto Section

38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

- 10 Reason: In the interests of residential amenity and highway safety in accordance with policies ENV 2, COM 7 and COM 8 of the East Cambridgeshire Local Plan, 2015.
- 11 The emergency vehicle link, as detailed on plan reference: 482-SK-01 Revision B shall be provided prior to the occupation of the 100th dwelling and thereafter maintained in perpetuity.
- 11 Reason: In the interests of highway safety in accordance with policy COM 7 of the East Cambridgeshire Local Plan, 2015.
- 12 The gates serving properties as denoted on the 482-SK-07 Boundary and Bin Plan revision B shall be fitted with self-closing mechanisms where they serve shared entry with 2 or more properties, and with locks on both sides of each gate where they serve individual properties.
- 12 Reason: In the interests of creating safe environments addressing crime prevention and community safety in accordance with Local Plan policy ENV 2 and NPPF Chapter 12.



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

This matter is being dealt with by:

Angela Briggs

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

12th April 2022

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

OUTLINE PLANNING PERMISSION

Subject to conditions

The Council hereby approves the following:

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

Location: Land Adjacent 43 Mepal Road Sutton Cambridgeshire

Applicant: Linden Limited

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

Subject to the additional conditions set out below:

ADDITIONAL CONDITIONS

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

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

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

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

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

- 6 Prior to first occupation of any dwelling, the applicant shall deliver the off-site pedestrian improvement works comprising:
1. Provision of a 2.5m wide footway along the northern section of Mepal Road on the western side of the carriageway from the development site access off Mepal Road to the site access junction of the adjacent development site (ref: 16/01772/FUM);
 2. 2m wide pedestrian access into the site from The Orchards, via the adjacent consented scheme (subject to land ownership confirmation);
 3. Enhancement of the uncontrolled pedestrian crossing points along the eastern footway on The Orchards in the form of tactile paving;
 4. Installation of tactile paving at the uncontrolled pedestrian crossing at The Brook/Brookside junction, on the Brookside arm; and
 5. Installation of an uncontrolled pedestrian crossing on The Brook, to the east of its junction with Pound Lane, to include dropped kerbs and tactile paving.
- Details shall be submitted to and agreed in writing with the Local Planning Authority, prior to the occupation of any dwelling, hereby approved, and the works shall be completed in accordance with the approved details.
- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015, and Policy NP4 of the Sutton Neighbourhood Plan, 2019
- 7 Prior to the first occupation of any dwelling, the existing B1381 Ely Road/A142/Elean Business Park roundabout shall be upgraded to include a two lane approach on the western arm for a length of 50m. Details shall be submitted to and agreed in writing with the Local Planning Authority and the development shall be completed only in accordance with the approved details.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 8 Prior to first occupation of any dwelling, the existing A142/Haddenham Road (Witcham Toll) priority junction shall be upgraded, as shown in principle on drawing no. 005-1 Issue 1. Details shall be submitted to and agreed in writing with the Local Planning Authority and the development shall be completed only in accordance with the approved details.
- 8 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 9 Prior to the occupation of the first dwelling, the access, hereby approved, shall be constructed in accordance with drawing no. C5081-M-012 001 rev A. The works shall be completed only in accordance with approved details.
- 9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015, and Policy NP4 of the Sutton Neighbourhood Plan, 2019.
- 10 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 10 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015.
- 11 All burials on the site shall be:

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

- 11 Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with Policy ENV9 of the East Cambridgeshire Local Plan, 2015, Policy NP4 of the Sutton Neighbourhood Plan, 2019, National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater Protection Position Statements.
- 12 Prior to the commencement of any burial ground development, a remediation strategy and risk management plan detailing any measures and ongoing groundwater monitoring that may be required in the interests of groundwater protection shall be submitted to and approved by the Local Planning Authority. The measures and monitoring specified in this plan shall be implemented as agreed.
- 12 Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with Policy ENV9 of the East Cambridgeshire Local Plan, 2015, Policy NP4 of the Sutton Neighbourhood Plan, 2019, National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater Protection Position Statements.
- 13 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
- (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s).

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

- 13 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 14 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where

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

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

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

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

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

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

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

- 22 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.
- 22 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 23 As part of a reserved matters application, a full noise impact assessment shall be submitted to and approved in writing by the local planning authority. The noise impact assessment shall be based upon the Acoustics report by Hoare-Lea dated 6th November 2019 and shall set out how the development will mitigate against noise pollution from future occupiers. All development shall be carried out in accordance with the approved strategy.
- 23 Reason: To safeguard the residential amenity of future occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 24 Prior to the commencement of development a Detailed Waste Management and Minimisation Plan (DWMMP) shall be submitted to and approved in writing by the local planning authority. The DWMMP shall include details of:
- a) Construction waste infrastructure including a construction material recycling facility to be in place during all phases of construction
 - b) anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste.
 - c) measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site.
 - d) any other steps to ensure the minimisation of waste during construction
 - e) the location and timing of provision of facilities pursuant to criteria a/b/c/d.
 - f) proposed monitoring and timing of submission of monitoring reports.
 - g) the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development.
 - h) a RECAP Waste Management Guide toolkit shall be completed, with supporting reference material
 - i) proposals for the management of municipal waste generated during the occupation phase of the development, to include the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable material; access to storage and collection points by users and waste collection vehicles

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

- 24 Reason: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with the National Planning Policy for Waste October 2014; and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 25 Prior to or as part of the first reserved matters application, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 25 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 and Policy CC1 of the Climate Change SPD, 2020
- 26 No development shall take place until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.
- 26 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 27 Prior to the commencement of development, a strategy for the facilitation of latest technology broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, open access ducting to industry standards to facilitate the provision of a broadband service to that dwelling, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.
- 27 Reason: To ensure that the needs of future residents to connect to the internet do not necessarily entail engineering works to an otherwise finished and high quality environment, and to assist community integration, economic vibrancy and home working, in accordance with Policies ENV2 and COM6 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it

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

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

INFORMATIVES RELATING TO THIS APPLICATION

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

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

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

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

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

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

Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, 2003, as well as the Localism Act of 2011.

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

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

7 Nesting Birds

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

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

- 8 The decision to approve this application has been taken, having regard to the policies and proposals in the Local Development Plan and all relevant material considerations, including the NPPF. The proposal is considered to be in accordance with the policies of the Development Plan, that are considered to be up to date, and represents 'sustainable' development in compliance with the provisions of the NPPF. The application has been subject to pre-application advice/extensive discussion and amendments have been made that address officer concerns in regards to Highway safety and biodiversity
- 9 The Applicant should be aware that this decision is for outline only and fixes the matters of means of access . Any subsequent Reserved Matters applications must comply with the matters agreed under this permission.
- 10 This decision notice should be read in conjunction with the Section 106 Obligation dated 12 April 2022 and the development completed in strict accordance with the provisions contained therein, to the satisfaction of the Local Planning Authority.

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



Rebecca Saunt

Planning Manager

Dated: 12th April 2022

Planning Performance Report– October 2022

Report X126

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 |
|-------------------------------|------------|--------------------------------------|------------------------------------|------------------------------------|------------------------------------|------------------------------------|--------------------------------------|
| Determinations | 131 | 8 | 23 | 28 | 15 | 19 | 38 |
| Determined on time (%) | | 100% (90% within 13 weeks) | 87% (80% within 8 weeks) | 82% (90% within 8 weeks) | 73% (90% within 8 weeks) | 84% (80% within 8 weeks) | 100% (100% within 8 weeks) |
| Approved | 113 | 6 | 21 | 24 | 8 | 19 | 35 |
| Refused | 18 | 2 | 2 | 4 | 7 | 0 | 3 |

Validations – 94% validated within 5 working days (ECDC target is 75%)

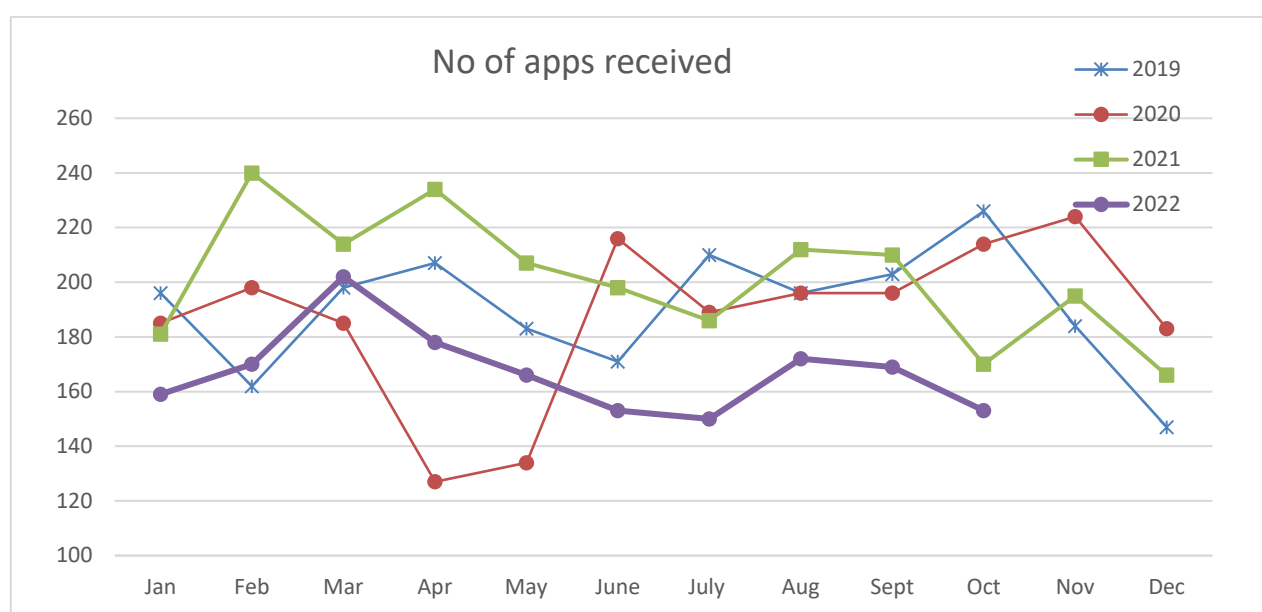
| | Total | Major | Minor | Householder | Other | DIS /NMA | Trees |
|--------------------|------------|----------|-----------|-------------|-----------|-----------|-----------|
| Validations | 146 | 6 | 22 | 40 | 15 | 27 | 37 |

Open Cases by Team (as at 21/11/2022)

| | Total | Major | Minor | Householder | Other | DIS /NMA | Trees |
|-------------------------|------------|-----------|-----------|-------------|-----------|-----------|-----------|
| Team 1 (3 FTE) | 95 | 6 | 23 | 21 | 14 | 31 | 0 |
| Team 2 (2 FTE) | 84 | 7 | 5 | 27 | 16 | 29 | 0 |
| Team 3 (3 FTE) | 125 | 6 | 42 | 21 | 27 | 29 | 0 |
| Team 4 (1.8 FTE) | 104 | 3 | 9 | 30 | 16 | 46 | 0 |
| No Team (5 FTE) | 146 | 36 | 32 | 2 | 16 | 23 | 37 |

(No Team includes – Trees Officer, Conservation Officer and 3 x Agency Workers.)

The Planning department received a total of 153 applications during October which is a 10% decrease of number received during October 2021 (170) and 2% decrease to the number received during September 2022 (169).



Valid Appeals received – 8

| Planning reference | Site Address | Decision Level |
|--------------------|--|----------------|
| 21/00406/FUM | Hadham Farm Norwich Road Kennett | Delegated |
| 22/00087/FUL | Land South Of 7 Northfield Road Soham | Delegated |
| 22/00248/FUL | 81 Qua Fen Common Soham | Delegated |
| 22/00345/FUL | Site South East Of 91 The Row Sutton | Delegated |
| 22/00680/FUL | 32 Celandine View Soham | Delegated |
| 22/00764/FUL | 4 Darbys Yard Sutton | Delegated |
| 22/00842/FUL | Bloodstock Barn Mill Road Ashley Newmarket | Delegated |
| ENFORCEMENT | 23 Forehill Ely | NA |

Appeals decided – 3

| Planning reference | Site address | Decision Level | Appeal Outcome |
|--------------------|---|----------------|----------------|
| 20/01728/FUL | Hope Hall Stud Brinkley Road Dullingham | Delegated | Dismissed |
| 21/01608/FUL | 10 Fourth Drove Little Downham | Delegated | Dismissed |
| 22/00122/FUL | 83 Downham Road Ely | Delegated | Dismissed |

Upcoming Hearing dates – 1

| Planning reference | Site address | Decision Level | Date of Hearing |
|--------------------|---|----------------|-----------------|
| 20/00591/FUL | Land Rear Of The Rectory Main Street Little Downham | Delegated | 24/01/2023 |

Enforcement

New Complaints registered – 17 (1 Proactive)

Cases closed – 18 (2 Proactive)

Open cases/officer (2.6FTE) – 194 cases (25 Proactive)/2.6 = 75 per FTE

Notices served – 2

| Notice Type | Site address | Date Served |
|--------------------|-------------------------------------|-------------|
| Enforcement Notice | Land West Of 4 Coates Drove Isleham | 25/10/2022 |

Comparison of Enforcement complaints received during October

| Code | Description | 2021 | 2022 |
|---------------|---|-----------|-----------|
| ADVERT | Reports of unauthorised adverts | 0 | 0 |
| COND | Reports of breaches of planning conditions | 5 | 3 |
| CONSRV | Reports of unauthorised works in a Conservation Area | 0 | 0 |
| DEM | Reports of unauthorised demolition in a Conservation Area | 0 | 0 |
| HEDGE | High Hedge complaints dealt with under the Anti-Social Behaviour Act | 0 | 0 |
| LISTED | Reports of unauthorised works to a Listed Building | 0 | 0 |
| MON | Compliance Monitoring (NEW TYPE) | 0 | 0 |
| OP | Reports of operational development, such as building or engineering works | 3 | 4 |
| OTHER | Reports of activities that may not constitute development, such as the siting of a mobile home | 0 | 2 |
| PLAN | Reports that a development is not being built in accordance with approved plans | 1 | 1 |
| PRO | Proactive cases opened by the Enforcement Team, most commonly for unauthorised advertisements and expired temporary permissions | 0 | 1 |
| UNTIDY | Reports of untidy land or buildings harming the visual amenity | 0 | 1 |
| USE | Reports of the change of use of land or buildings | 3 | 5 |
| TOTAL | | 12 | 17 |