



# East Cambridgeshire District Council

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## Meeting: Planning Committee

Time: 2:00pm

Date: Wednesday 7 August 2024

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

Enquiries regarding this agenda: Leah Mickleborough

Telephone: (01353) 665555

Email: [leah.mickleborough@eastcambs.gov.uk](mailto:leah.mickleborough@eastcambs.gov.uk)

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## Committee membership

**Quorum:** 5 members

### Conservative members

Cllr Christine Ambrose Smith  
Cllr David Brown (Vice-Chair)  
Cllr Lavinia Edwards  
Cllr Martin Goodearl  
Cllr Bill Hunt (Chair)  
Cllr James Lay

### Conservative substitutes

Cllr Keith Horgan  
Cllr Julia Huffer  
Cllr Alan Sharp

### Liberal Democrat members

Cllr Chika Akinwale  
Cllr Ross Trent  
Cllr John Trapp  
Cllr Christine Whelan  
Cllr Gareth Wilson (Lead Member)

### Liberal Democrat substitutes

Cllr Christine Colbert  
Cllr Lorna Dupré  
Cllr Mary Wade

**Lead Officer:** David Morren, Interim Planning Manager

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**10:05am:** Planning Committee members meet at The Grange reception for site visits.

## AGENDA

1. **Apologies and substitutions** [oral]
2. **Declarations of interests** [oral]

To receive declarations of interests from Members for any items on the agenda in accordance with the Members Code of Conduct.

- 3. Minutes** **Page 5**
- To confirm as a correct record the minutes of the meeting of the Planning Committee held on 9 July 2024
- 4. Chairman's announcements** **[oral]**
- 5. 24/00479/FUL** **Page 15**
- Single storey extension, detached cart lodge and associated works  
Location: 48 Mill Lane, Stetchworth, Newmarket, Cambridgeshire, CB8 9TR  
Applicant: Ms K Bartlett  
Public access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SD4D4YGGLU500>
- 6. 23/00237/HYBM** **Page 30**
- Hybrid Application: Outline planning permission including details of access for erection of up to 4,527sqm of commercial floor space falling within use classes E, B2 and B8. Full planning permission for construction of access and erection of two warehouse buildings (B8) totalling 3,730sqm  
Location: White Hall Warehouse, Lynn Road, Littleport, Cambridgeshire, CB7 4TB  
Applicant: Unit One Store Ltd  
Public access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RQJHRKGGIYB00>
- 7. Planning performance report – June 2024** **Page 73**
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## Notes

1. Members of the public are welcome to attend this meeting. Please report to the main reception desk on arrival at The Grange. Visitor car parking on-site is limited to 1h but there are several [free public car parks close by](https://www.eastcambs.gov.uk/parking/car-parks-ely) (<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.

The livestream of this meeting will be available on [the committee meeting's webpage](https://www.eastcambs.gov.uk/meetings/planning-committee-070824) (<https://www.eastcambs.gov.uk/meetings/planning-committee-070824>). Please be aware that all attendees, including those in the public gallery, will be visible on the livestream.

2. The Council has a scheme to allow [public speaking at Planning Committee](https://www.eastcambs.gov.uk/committees/public-speaking-planning-committee) (<https://www.eastcambs.gov.uk/committees/public-speaking-planning-committee>). If you wish to speak on an application being considered at the Planning Committee please contact the Democratic Services Officer for the Planning Committee [democratic.services@eastcambs.gov.uk](mailto:democratic.services@eastcambs.gov.uk), to **register by 10am on Tuesday 6<sup>th</sup> August**.

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

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

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

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# East Cambridgeshire District Council

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

Held at The Lighthouse, Lynn Road Ely, CB7 4EG at 2:00pm  
on Tuesday 9 July 2024

### **Present:**

Cllr David Brown  
Cllr Lavinia Edwards  
Cllr Martin Goodearl  
Cllr Keith Horgan (substitute for Cllr Christine Ambrose-Smith)  
Cllr Bill Hunt (Chair)  
Cllr James Lay  
Cllr Ross Trent  
Cllr Christine Whelan  
Cllr Gareth Wilson

### **Officers:**

Kevin Drane – Trees Officer  
Gemma Driver – Planning Officer  
Rachael Forbes – Planning Officer  
Leah Mickleborough – Interim Senior Democratic Services Officer  
David Morren – Interim Planning Manager  
Angela Tyrrell – Senior Legal Assistant

### **In attendance:**

Cllr Mark Goldsack (Local Member, Agenda Item 6)

Alistair Morbey (Applicant, Agenda Item 5)  
Amy Richardson (Applicant's representative, Agenda Item 6)  
Richard Seamark (Agent, Agenda Item 5)  
Simon Smith (Objector, Agenda Item 6)

3 other members of the public

Melanie Wright – Communications Officer

## **11. Apologies and substitutions**

Apologies for absence were received from Cllrs Chika Akinwale, Christine Ambrose-Smith and John Trapp

Cllr Keith Horgan was attending as a substitute for Cllr Christine Ambrose-Smith

**12. Declarations of interest**

No declarations of interest were made.

**13. Minutes**

The Committee received the Minutes of the meeting held on 5 June 2024.

It was resolved unanimously:

That the Minutes of the Planning Committee meeting held on 5 June 2024 be confirmed as a correct record and be signed by the Chairman.

**14. Chairman's announcements**

The Chair reminded members of their personal responsibility to seek a substitute when they are unable to attend the Committee.

**15. 23/01056/VARM – Ben's Yard, Soham Road, Stuntney**

Gemma Driver, Senior Planning Officer, presented a report (Z29, previously circulated) recommending refusal of an application seeking to vary condition 18 of application 18/01793/FUM, relating to the opening hours of the restaurant and café on the site.

The Senior Planning Officer reminded members of the history of the planning application on the site and that the variation sought to extend the opening hours of the café and restaurant to 11pm. The current permission allowed the café to operate from 7am to 7pm on Monday to Saturday, and 8am to 5pm on Sunday and bank holidays. The main considerations were the principle of development and highways and parking.

To accompany the original application 18/01793/FUM, a retail impact assessment had been undertaken to understand how the site may affect existing business enterprises. The proposal at the time was for a unique artisan experience, with the café and restaurant being ancillary to the primary retail elements of the site.

Planning Policy EMP7 supports proposals to expand existing attractions where an identified need to ensure continued viability has been demonstrated. The senior planning officer identified that the costs in the current application were based on a full-time operation, and it was not clear how the applicant had worked to reduce costs nor demonstrated how the current café was unviable. The current proposals would not extend the facility, but instead be tantamount to a new restaurant development in the countryside.

The Senior Planning Officer drew members attention to policy COM1 which seeks to focus leisure uses into town and village centres unless it can be demonstrated there would be no adverse impact on the nearest town centre.

A new impact assessment had been undertaken to support the application, which demonstrated that 35% of the turnover from the café and restaurant would be secured during the proposed extended hours, this equates to £0.89 million.

The Senior Planning Officer concluded by confirming that the Local Highways Authority had not objected to the application and noted the benefit of creating 12.6 new full time equivalent jobs. However due to the proposal constituting a new facility in the countryside and the potential impact on local town centres, it was recommended to refuse the application.

The applicant, Richard Morbey, addressed the Committee. He confirmed since opening Ben's Yard had become home to 11 businesses employing over 100 individuals. Analysis of visitors and internet enquiries confirmed the site was attracting many people from outside of East Cambridgeshire.

Mr Morbey explained that when the site opened, his family operated the café but it had now been transferred to a separate provider. As the business developed, they were gaining intelligence on the type of offer required from the café and restaurant, and changes were necessary beyond what the current permission allowed.

The impact assessment for the current application demonstrated that there would be a very low impact on Ely and Soham of less than 1%, and that the £0.89m trade in the report would include from venues outside of East Cambridgeshire. He highlighted that there had been no objections from either neighbours or the Council's own technical officers.

Members asked questions of the applicant. In response to a question from Councillor Horgan, the applicant confirmed the café and restaurant were two separate units but run as one business, and in response to Cllr Lay, that the café could serve 100 covers.

Councillor Horgan asked the Senior Planning Officer how the operating hours had been determined in the original application, the outcome of the impact assessment and whether the size of the café and restaurant would determine whether it would have a significant impact. The Senior Planning Officer explained she had not been the planning officer for the original application, but understood the operating hours had been based on recommended hours from the retail impact assessment and from consultation between the local planning authority and the applicant. Her understanding of the planning policy was that if there were proposals for a smaller restaurant and café, they would not necessarily require an impact assessment but their overall impact on the local economy would still need to be assessed in determining whether to award planning permission. She reminded members of the outcome of the latest impact assessment and that officers had reached their conclusions based on the report received.

Following questions, members debated the merits of the proposal. Councillor Lay felt that now the business was established outside of the town centres, it

would not be advantageous for it to fail. Councillor Wilson highlighted that the licensing committee had recently given permission for a rock festival on site.

The Interim Planning Manager reminded members that there was not evidence available to demonstrate that the business was unviable with this application, and that the existing permission did allow extended operating hours on several occasions each year to support events.

Councillor Goodearl noted that competition to other local businesses could be healthy, and Councillor Horgan felt that the site had a growing local reputation and offered a place to bring the community together.

Councillor Brown believed the application was challenging. He wanted the business to succeed, but developments should accord with planning policy and it wasn't clear if there was sufficient demand for the service or the business viability relied upon it.

Concluding, Councillor Hunt, as Chair, noted the views of other local bodies. He particularly highlighted City of Ely Council, which had concerns but no formal objections, and the destination management organisation, Visit Ely, had no comments. The Council's policies do allow development where there is no adverse impact, and he felt on balance that there was not sufficient adverse impact identified to justify refusal. With that in mind, he proposed approval of the application, which was seconded by Councillor Goodearl.

It was resolved with 7 votes in favour and two abstentions

That planning application 23/01056/VARM be **APPROVED**, contrary to the officer recommendation, on the grounds that the application would not cause significantly detrimental to the vitality or viability of nearby town centres and thus accords with local plan policies COM1 and EMP7

## **16. 24/00300/VAR**

Rachael Forbes, Planning Officer, presented a report (Z30, previously circulated) recommending refusal of an application seeking to remove clause 10 of the previously approved application E/91/0367/0 and clause 2b of the associated s.106 agreement, which required that the premises be occupied by those involved in the management of the adjacent livery business.

In terms of the principle of development, policy GROWTH2 restricts development outside the development envelope unless an exemption applies. The exemption includes development for rural workers under policy HOU5, whereby a restriction would be placed on the property. Policy HOU5 allows for occupation restrictions to be removed in specific circumstances, namely that the restriction is no longer required, it has been marketed for at least a year and at least 3 registered social landlords have been approached to let the property to rural workers as an affordable rent, and this option has been refused by the registered social landlords.



In terms of need, the original livery business has moved to a separate location. Prior to this, the business rented grazing land for horses as the site is not big enough to provide sufficient grazing. The rental agreement for additional land has come to an end. The applicant had not provided further information about why agreement has ended and there could be the possibility to vary the occupancy condition to allow occupation associated with other rural businesses on the site.

The Planning Officer addressed the requirement for marketing. No marketing had been carried out on site. The planning officer noted other sites where, at appeal, it had been determined marketing was not required, however that did not provide sufficient grounds in this case to justify the lack of marketing.

The Planning Officer highlighted no evidence had been submitted to demonstrate the applicant had approached Registered Social Landlords. With this in mind, it was felt that the requirements of criteria 3 of policy HOU5 had not been met.

Turning to the s.106 agreement, the application highlighted there was not sufficient land to operate a livery business, and that two other properties had been given permission on the site without such a restriction. The planning officer reminded members that those properties had been granted permission when the Council did not have a 5 year land supply, which constituted a material consideration at the time. This was no longer the case. With the lack of information on available rental land, the view remained that the s.106 agreement served a useful purpose.

The Planning Officer confirmed that there had been no objections from the Local Highways Authority, and whilst Environmental Health had raised concerns, there were no formal objections. She referred members to the objections raised by local residents.

In concluding, the Planning Officer confirmed that there were no material considerations that would outweigh the lack of compliance with policy HOU5, and therefore it was recommended to refuse permission.

Simon Smith, a local resident, addressed the committee to object to the application. He identified he owned the paddock land which had been rented to the livery stables previously, which was still potentially available to a future operator on the site. He believed the site had not been marketed, and indicated to the committee he would be interested in purchasing the site himself and indicated that he may look to operate a livery yard from the site.

In response to questions from Councillors Wilson and Horgan, Mr Smith confirmed he would be interested in purchasing the whole site, including the house, if made available for sale.

Amy Richardson spoke on behalf of the applicant. She drew members attention to the need to follow policy, unless there are material considerations

otherwise. The present planning condition related to the livery business. The applicant had wanted to purchase further grazing land on the site, but this had not been made available. She highlighted it would be challenging for any livery operator to invest in the site if the grazing land could be at risk of being withdrawn.

Ms Richardson recognised the policy requirement for the site to be marketed, and reminded members of appeal cases where this had been deemed not required. She highlighted that whilst officers had indicated the condition could be varied, there were other properties which had been granted permission on site without this condition, and that the Council itself had allowed a change of use at the applicant's new site to allow for livery. She also refuted the comments made by the objector, highlighting he was not experienced in operating a livery business and potentially was the only individual who may be capable of complying with the existing planning clauses.

In conclusion, she felt given the situation, there was sufficient grounds for the Council to vary from its policy.

The Chair invited members to ask questions of the Applicant's representative. Councillor Horgan referred to the land between the applicant's site and the objector's site, which it was confirmed was owned by a relative of the applicant.

Local ward member, Councillor Mark Goldsack, was invited to speak. He confirmed in his view this application was not straightforward. He drew members attention to a letter submitted by the British Riding Schools Association, which confirmed the site was inadequate for livery stables, and that in granting permission for two other properties on site, the Council had further reduced its viability. He recognised the potential to vary the permission to allow other rural uses of the site, however this could cause other impacts for neighbouring properties. He felt that calling in the application would enable the wider considerations on the site to be debated.

In response to the point raised by Councillor Goldsack, the Chair sought clarity on the extent of the site occupied by the two other residential dwellings. Whilst an exact answer could not be provided, it was felt that the properties did not constitute a significant part of the site.

The Interim Planning Manager reminded members that the main consideration was whether the clause in the permission should be lifted. When the property was built, an agricultural tie would have been required. The two other properties on site were granted permission when the Council did not have a 5 year land supply. He noted that the wording of the condition was unusual, in that it specifically referred to a livery business, but that did not have to be Old Tiger Stables, the previous business on the site, and that there had always been an under provision of grazing land on the site.

Councillor Horgan queried how it is decided whether a s.106 restriction still serves a useful purpose. The Interim Planning Manager emphasised that

members need to consider how the requirement fits to current planning policy. In the view of officers, as the land is still present, and the case to remove the restriction not otherwise proven, the s.106 restriction still has purpose.

Councillor Lay sought confirmation on the size of the stabling and land, and whether, given the site constraints, it was viable to operate a business on the site. In response, it was confirmed that the land totalled between 1 and 1.5 acres with 30 stables. As information on the availability of grazing land had not been provided, and the property not market tested, there was insufficient evidence to confirm the site was not viable.

Councillor Hunt sought clarity on the potential other uses of the site. In response, the Interim Planning Manager confirmed a marketing exercise could test appetite for other business uses, but this would require planning permission.

Members debated the application. Councillor Wilson felt that the planning policy is clear and highlighted the risk that removal of the condition and subsequent market disposal of the property could make the whole site unviable as a business. Councillor Goodearl noted the applicant was satisfied with the restrictions when the property was built, but the change in the applicant's business circumstances does not warrant removal of the restriction. He proposed that the application be refused, which was seconded by Councillor Hunt.

Councillor Brown agreed with Councillors Goodearl and Wilson, and noted that in his experience the site may be suitable for other rural businesses. Councillor Horgan wanted to see the site in use, but the temporary change in material planning considerations when the Council did not have a 5 year land supply was not sufficient justification to allow the restrictions to be lifted now. He confirmed he would have welcomed marketing of the site to support the application.

It was resolved with 8 votes in favour and one abstention

That planning application 24/00300/VAR is **REFUSED** for the reasons set out in paragraph 1.1 of the Committee report

## **17. Planning Performance Report – May 2024**

David Morren, Interim Planning Manager, presented a report (Z31, previously circulated) highlighting the performance of the planning service in May 2024. In presenting, he drew members attention to the changes expected to the National Planning Policy Framework following the change in government the week before, in particular that the government had already changed policy wording relating to on-shore wind turbine applications and announced mandatory housing targets would be re-introduced. It was also expected that

large scale wind turbine development would be treated as a nationally significant infrastructure project moving forwards.

The Committee **NOTED** the planning performance report in May 2024.

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

Councillor Wilson queried why application TPO/E/01/24 was being considered as a confidential item. The Interim Democratic Services Officer confirmed that the Council was currently reviewing the processes used for handling representations on Tree Preservation Orders and their compliance with the General Data Protection Regulations, as the processes were different to standard planning applications. Until the review is complete, it was considered prudent to withhold the information as it could likely contain information exempt under sections 1 and 2 of Schedule 12A of the Local Government Act 1972.

It was resolved that the press and public be excluded during the consideration of the remaining items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items there would be disclosure to them of exempt information of Categories 1 & 3 of Part 1 Schedule 12A to the Local Government Act 1972 (as amended).

## **19. TPO/E/01/24**

Kevin Drane, Trees Officer, presented a report (previously circulated) recommending confirmation of a tree preservation order at 56 Commercial End, Swaffham Bulbeck.

The two trees in question had been scored using the Tree Evaluation Method for Preservation Orders (TEMPO) methodology to justify the Tree Preservation Order and there was insufficient information received to justify the Order should be removed. The effect of the Preservation Order would be that anyone wanting to do work on the trees would be required to seek permission and the Council could require replacement of the tree if necessary.

The trees officer drew members attention to representations received from local residents and an insurance report received which raised concern the trees may be causing damage to other local properties.

The Chair requested the Interim Senior Democratic Services Officer read a statement which had been received from local ward member, Councillor Trapp. Councillor Trapp felt that the trees were not clearly visible from the public highway, and given the potential for damage to nearby properties, he supported the lifting of the Tree Preservation Order.

Councillor Whelan queried the extent to which the insurance report had considered the damage was being caused by the specific trees subject to the

Tree Preservation Order versus other trees within the vicinity. The Trees Officer outlined the work that had been performed but highlighted other trees which had not clearly been considered in the insurance report, and therefore could be contributing to property damage.

In response to a question from Councillor Lay, the Trees Officer confirmed the Council would not have a financial liability to any party if the Tree Preservation Order was confirmed.

In response to questions from Councillors Wilson and Horgan, the Trees Officer explained the TEMPO scoring methodology used. Public visibility is one feature, as well as factors such as its age, potential lifespan, span and biodiversity. He highlighted that the trees were both native species and therefore likely to have some positive biodiversity impact. He confirmed that three trees had been identified in the insurance report but only two justified a Tree Preservation Order.

In debating the item, Councillor Horgan noted that the trees were well established and there was no clear reason to justify removing the Tree Preservation Order. For this reason, he proposed confirming the Tree Preservation Order which was seconded by Councillor Wilson.

Before the Chair called the vote, Councillor Lay confirmed he would be abstaining as he had not been able to visit the site.

It was resolved with 10 votes in favour and 1 abstention that  
TPO/E/01/24 be **CONFIRMED**

The meeting concluded at 3:47pm

Chairman.....

Date.....



**24/00479/FUL**

48 Mill Lane  
Stetchworth  
Newmarket  
Suffolk  
CB8 9TR

Single storey extension and detached cart lodge and associated works

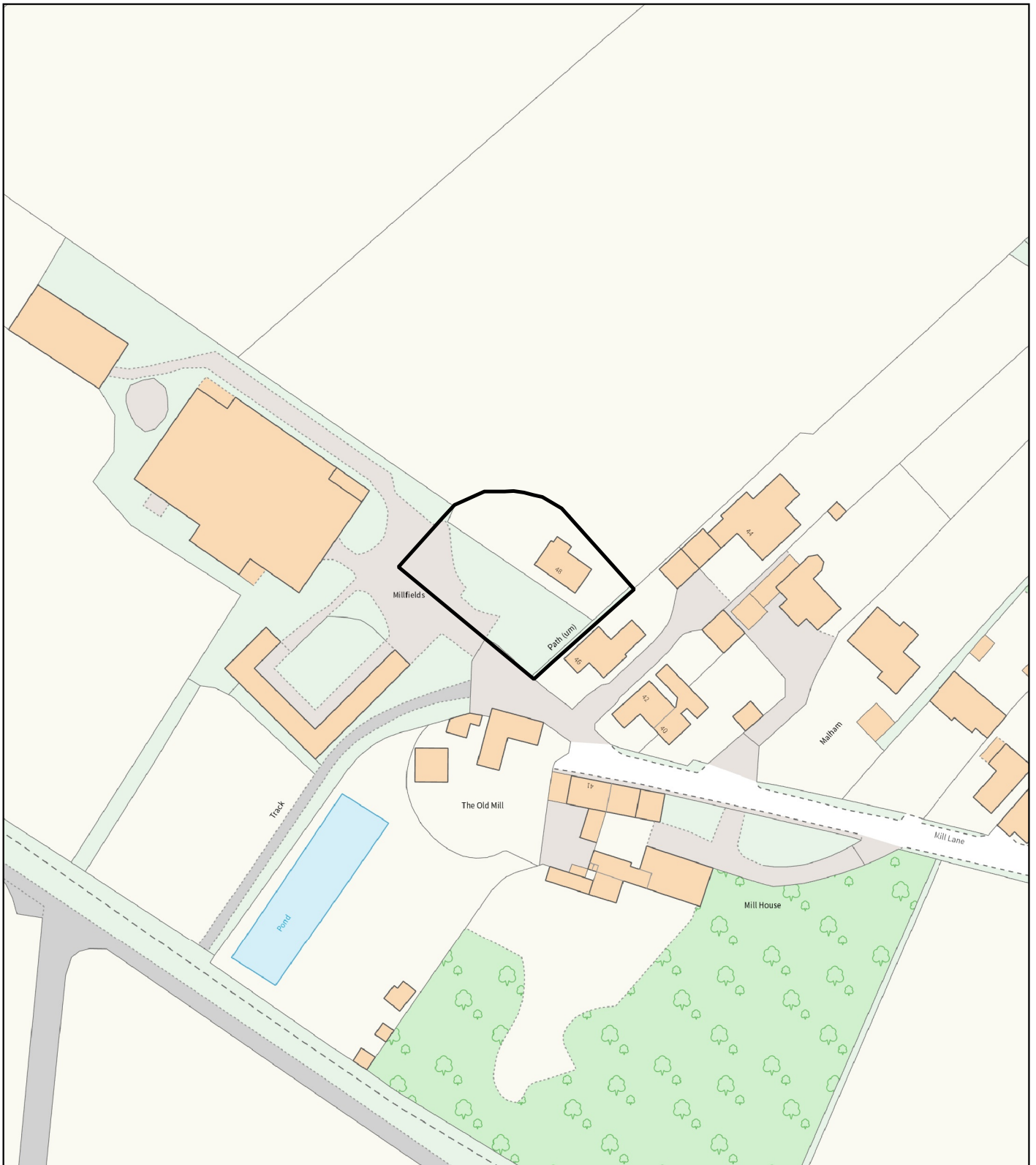
To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<https://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SD4D4YGGLU500>









24/00479/FUL

48 Mill Lane  
Stetchworth

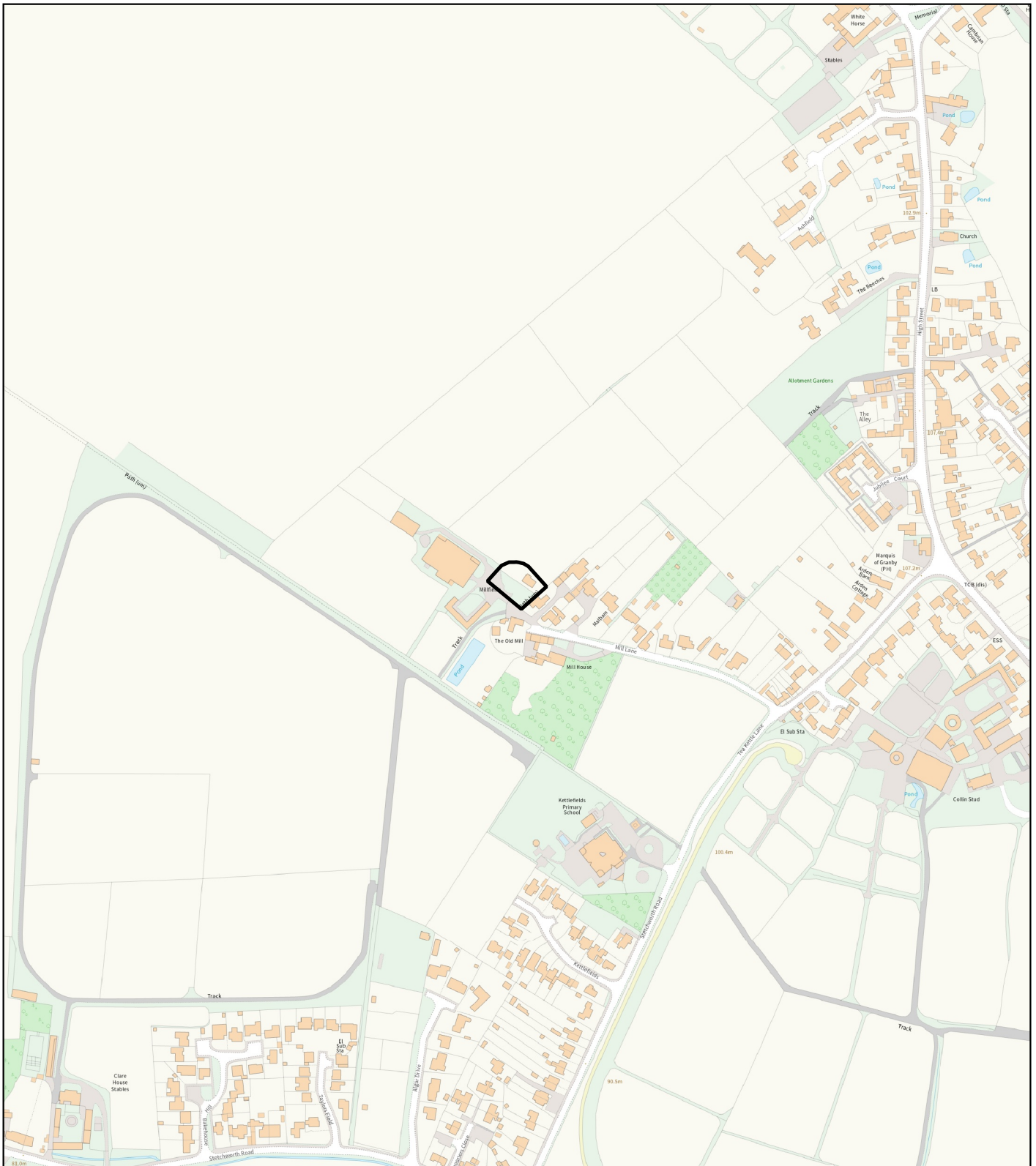


East Cambridgeshire  
District Council

Date: 22/07/2024  
Scale: 1:1,250



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24/00479/FUL

48 Mill Lane  
Stetchworth



East Cambridgeshire  
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**TITLE: 24/00479/FUL**

Committee: Planning Committee

Date: 7 August 2024

Author: Planning Assistant

Report No: Z45

Contact Officer: Jasmine Moffat, Planning Assistant  
Jasmine.Moffat@eastcambs.gov.uk  
01353616368  
Room No 011 The Grange Ely

**Site Address: 48 Mill Lane Stetchworth Newmarket Suffolk CB8 9TR**

**Proposal: Single storey extension and detached cart lodge and associated works**

**Applicant: Ms K Bartlett**

**Parish: Stetchworth**

**Ward: Woodditton**

Ward Councillor/s: James Lay  
Alan Sharp

**Date Received: 7 May 2024**

**Expiry Date: 16 August 2024**

**1.0 RECOMMENDATION**

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

1. The proposed front extension and detached garage, by virtue of their inappropriate building form, excessive scale and inadequate design would fail to visually protect or enhance the existing character and appearance of the host dwelling or surrounding area. The proposal would form a prominent mass of development, not considered to be of a high standard of beautiful design. Therefore, the proposal would not be considered to comply with policies ENV1, ENV2 and HOU8 of the East Cambridgeshire Local Plan 2015, as amended 2023 and the aims and objectives of Chapter 12 of the National Planning Policy Framework which states “the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”. It is for this reason the proposed development also opposes policy GROWTH 2 as the development would provide a “significant

adverse impact on the character of the countryside” and does not satisfy other policies within the Local Plan.

2. Insufficient supporting information has been provided regarding the ecology of the site. The development could provide substantial disturbance to any bats within the existing cladding during construction, a potential criminal offence under section 9 of the Wildlife and Countryside Act 1981. This would also be contrary to Policy ENV 7 of the East Cambridgeshire Local Plan, as amended 2023, which states “all development proposals will be required to protect the biodiversity and geological value of land and buildings.” The proposal is also in opposition to section 15 of the National Planning Policy Framework and the aims and objectives of the Natural Environment SPD.

## 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.eastcambs.gov.uk/online-applications/>.
- 2.2 The application seeks permission for a single storey extension located forward to the principle elevation of the original dwellinghouse. Additionally, the application incorporates the erection of a detached cart lodge. The measurements of the proposed extension and detached cart lodge are set out in the following table:

	Front extension (metres)	(feet)	Detached cart lodge (metres)	(feet)
Width	9.56	31.36	8.10	26.57
Length	9.91	32.51	6.62	21.72
Eaves Height	2.4	7.87	2.4	7.87
Ridge Height	4.3	14.10	4.2	14.11
Materials	To match the existing			

2.3

- 2.4 The extension will provide an overall floor area coverage of approximately 61 square metres (656.599 square feet). The proposed cart lodge will provide approximately 45.71 square metres (492 square feet) of internal floor area.
- 2.5 The current application has been called into Planning Committee by Councillor Sharp on the basis of a wider discussion of the proposal. “I have spent a lot of time looking

at the application and the comments of the planning officers. The key issue appears to be how much the proposed extension has taken away from the original dwelling, per planning policy. The applicant has made changes after the pre-app discussion and I feel that committee should examine the current proposal as to whether those changes are sufficient.”

### **3.0 PLANNING HISTORY**

3.1 The relevant planning history to the application is provided below:

**10/00019/CLE**

Residential dwelling within a defined curtilage

**Permitted**

26/02/2010

**13/00084/FUL**

Erection of a stable block

**Permitted**

25/04/2013

**13/00188/FUL**

Replacement dwelling and associated works

**Permitted**

11/06/2013

**13/00188/DISA**

To discharge condition 2 (materials) and 5 (landscaping) of decision notice dates 11/06/2013 for replacement dwelling and associated works

**Conditions Discharged**

20/05/2014

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

4.1 Located on the western boundary of Stetchworth, the application site is outside of the policy defined development envelope. Consequently, the surrounding environment is rural. This is characterised by vast open fields, agricultural buildings, irregular housing forms, low post boundary treatments and vegetation. The application site comprises of an existing detached dwelling with a stable block also shown to be within the occupiers' ownership. The site is accessed by an unclassified road with limited vehicle usage. A public right of way runs past the South- Western boundary of the site and adjacent to the South- Eastern boundary. The application site is not located on article 2(3) land or within close proximity to a listed building or monument. However, a detached dwelling is located adjacent to 45 Mill Lane which is incorporated into the council's adopted local list.

### **5.0 RESPONSES FROM CONSULTEES**

5.1 Responses were received from the following consultees as summarised below. The full responses are available on the Council's website.

**Parish - 19 June 2024**  
no objection

**Ward Councillors – 17 July 2024**

“I have spent a lot of time looking at the application and the comments of the planning officers.

The key issue appears to be how much the proposed extension has taken away from the original dwelling, per planning policy.

The applicant has made changes after the pre-app discussions and I feel that committee should examine the current proposal, as to whether those changes are sufficient.”

**Local Highways Authority - 4 June 2024**

Recommendation

On behalf of the Local Highway Authority, I raise no objections to the proposals.

**Asset Information Definitive Map Team - 20 May 2024**

Public Footpath number 19, Stetchworth runs alongside the proposed planning application site and will possibly be used to access the site. To view the location of the ROW please view our interactive map online which can be found at <http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>.

Whilst the Definitive Map Team has no objection to this proposal, the footpath must remain open and unobstructed at all times.

**Cambridge Ramblers Association - No Comments Received**

**East Cambs Ecologist - 21 May 2024**

I confirm this is exempt from mandatory BNG. This application is in an SSSI IRZ but no impact is expected.

I see there is cladding on the side of the building this could provide habitat for bats, which should be investigated prior to approving the application, as the presence of bats is a material consideration when determining planning applications. If bats are present, then suitable mitigation and licence will need to be provided.

If no bats present, please also note ENV 7: "Maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals". This could easily be achieved with the inclusion of nest boxes or similar targeting species such as swifts, house sparrows and bats which can be conditioned

**Conservation Officer**

During informal conversations regarding the application, the conservation officer clearly stated no concerns with the proposal, mentioning by virtue of its location, the proposed development is disconnected from the non- designated heritage asset.

- 5.2 A site notice was displayed near the site on 24<sup>th</sup> May 2024 and a press advert was published in the Cambridge Evening News on 23<sup>rd</sup> May 2024.

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

- Concerns of the proposed cart lodge causing a loss of light and view from the neighbouring kitchen/ dining/ living space at 46 Mill Lane.

## **6.0 THE PLANNING POLICY CONTEXT**

6.1 East Cambridgeshire Local Plan 2015 (as amended 2023)

GROWTH 2 (Locational Strategy)  
HOU 8 (Extension and replacement of dwellings in the countryside)  
ENV 1 (Landscape and settlement character)  
ENV 2 (Design)  
ENV 4 (Energy and water efficiency and renewable energy in construction)  
ENV 7 (Biodiversity and geology)  
ENV 13 (Local register of buildings and structures)  
COM 7 (Transport impact)  
COM 8 (Parking provision)

6.2 National Planning Policy Framework (December 2023)

9 (Promoting sustainable transport)  
12 (Achieving well- designed and beautiful places)  
14 (Meeting the challenge of climate change, flooding and coastal change)  
15 (Conserving and enhancing the natural environment)  
16 (Conserving and enhancing the historic environment)

6.3 Supplementary Planning Documents

Design Guide  
Climate Change SPD  
Natural Environment SPD

## **7.0 PLANNING COMMENTS**

The material planning considerations of importance to review when determining this application are:

- Principle of development
- Visual amenity
- Residential amenity
- Impact upon the non- designated heritage asset within close proximity
- Climate change
- Highways safety
- Ecology

**7.1 Principle of Development**

**7.2** Policy GROWTH 2 of the East Cambridgeshire Local Plan seeks to strictly control development outside of the policy defined development envelopes, restricting acceptable development to specific named categories including the extension and replacement of dwellings in the countryside. The policy clarifies development would be considered acceptable provided “there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied.”

The application proposes development of a minor scale within an existing residential curtilage. Therefore, the principle of development has previously been established and is compliant to GROWTH 2 in this respect. However, for reasons stated below, it is considered the supporting information submitted illustrates the proposed development does not meet other Local Plan policies, including ENV 1, ENV 2 and HOU8. It is for this reason the proposed development cannot be considered compliant with this aspect of GROWTH 2.

### **7.3 Residential Amenity**

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 the nearby occupiers.

Concern has been raised by the occupiers of 46 Mill Lane with regards to the detached cart lodge preventing natural lighting and outlook from their kitchen area. Upon request, a site visit was conducted to the neighbouring property to gain further understanding of the proposal’s potential effects on the neighbouring occupiers.

It is considered the proposed outbuilding would not significantly worsen the existing situation. With an existing public right of way running adjacent to the habitable room and windows in question, large scale fences already dramatically limit natural views, lighting and contain an overbearing presence into the kitchen/ dining area. The previously mentioned habitable interior room would still retain adequate natural lighting and views provided from generously sized additional fenestration located on the ground floor North- Eastern facing elevation. Therefore, the proposed outbuilding is considered to preserve the already substandard situation and cause neutral impacts to the residential amenity of the nearby occupier.

Due to the front extension’s proximity to any neighbouring dwellings and single storey nature, this aspect of the proposal is not considered to cause any detrimental effects onto the residential amenity of the nearby occupiers.

### **7.4 Visual Amenity and Heritage Impact**

Policy ENV 1 of the East Cambridgeshire Local Plan 2015 states that “development proposals should demonstrate that their location, scale, form, materials, colour, edge treatment and structural landscaping will protect, conserve and where possible enhance” the surrounding environment.

Policy ENV 2 states that development should be designed sympathetically to the local area with their location, layout, scale, form, massing, materials and colour.



Policy HOU 8 of the East Cambridgeshire Local Plan 2015 states “proposals which seek to extend or replace an existing dwelling in the countryside will only be supported where the extension to an existing dwelling is in keeping with the height, scale and character of the original dwelling and does not adversely affect the character and appearance of the locality or its countryside setting.”

Policy ENV 13 of the East Cambridgeshire Local Plan states that “proposals that affect a building or structure on the Local Register will not be permitted where it would have a detrimental impact on the visual, architectural or historic significance of the asset.

Section 12 of the National Planning Policy Framework requires the creation of high quality, beautiful and sustainable buildings and places. Paragraph 139 also states that development that is not well designed should be refused where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and design codes.”

Although 45 Mill Lane is not a formally listed building, the structure is considered to be a non- designated heritage asset of local heritage significance and is included within the councils adopted local list. It is considered any proposed development should respect the integrity, character and intrinsic merits of the host dwelling. However, since the application site is located within close proximity to 45 Mill Lane, preserving and enhancing the irreplaceable structure is of great importance.

It is considered the relationship between the host dwelling of 48 Mill Lane and the non- designated heritage asset, 45 Mill Lane, is weak. The substantial distance between the structures disconnects the two sites and helps to alleviate any damage to the heritage asset. Therefore, by virtue of the proposals disarticulate location, the harm to the non- designated heritage asset is concluded to be neutral.

There are fundamental concerns with the design of the proposed development. The design guide states “when a dwelling has been extended, the original building should still be clearly legible and pre-dominate”. The guide also mentions that “in the countryside, existing dwellings should not be regarded as building plots. The size of the original dwelling will determine the extent to which it can be enlarged. The visual impact should be minimised in all cases.” With the proposed extension providing an additional gross area of 61 square metres, the proposal is considered to significantly increase the scale and mass of the building on its primary elevation, increasing its prominence within the site.

It is considered there is no significant reason to warrant an extension forward to the principle elevation, contrary to policy, within this application site. The open site contains the potential for the extension of the host dwelling in a much more complementary location containing more sympathetic forms and designs. Through extending from the front elevation, the original building form is disrupted, creating a visually jarring, asymmetrical building form, diminishing and concealing the host dwelling.

Whilst the materials have been sympathetically selected to match the existing agricultural nature, it is considered the use of fenestration and decorative

architectural ornamentation reads separate and creates a contrasting language to the host dwelling, further detracting from the elevation.

The application also seeks permission for a detached cart lodge located towards the South- Eastern boundary of the site. The design guide mentions “it will rarely be acceptable to construct a garage between the front elevation and the highway.” Small ancillary buildings and structures can help to give scale to their superiors and cause a noticeable impact to the character and identity to a place. By virtue of the structures excessive scale, inappropriate location, and inadequate design, the cart-lodge is made to be a prominent feature of the site, along with the proposed extension, adding visual clutter to the country views not compliant with policies ENV1, ENV2, HOU8 or GROWTH 2 of the East Cambridgeshire Local Plan.

Officers first viewed the proposal as part of a confidential pre-application submission. This incorporated a proposal of a similar nature for which officers provided a written response raising concerns in particular regarding the design of the structures and their scale. Officers note and acknowledge some of the minor suggestions have been incorporated into the proposal but feel many critical points raised have not been addressed. Therefore, no amendments were sought to the proposal in line with the council’s adopted negotiation protocol.

Officers acknowledge the proposal would provide enlarged accommodation for the occupier of the dwelling and that the design has had minor amendments from the earlier scheme in an attempt to overcome objections. However, these insufficient amendments and points are not considered to outweigh the harm that would result to the character and appearance of the host dwelling within the application site and wider street scene.

Notwithstanding the lack of heritage concern, officers consider the proposed extension to detract from the character and visual appearance for the host dwelling and believe the additions of the structures would represent poor design in this context. Therefore, the proposed extension and detached cart lodge are not considered to comply with Policies ENV1, ENV2 and HOU8. Given the additional scale and mass being extended from the principle elevation, the character is consequently harmed.

## **7.5 Highways**

Policy COM 7 of the East Cambridgeshire Local Plan 2015 states development proposals should provide a safe and convenient access to the highway network.

Policy COM 8 mentions that “development proposals should provide adequate levels of cycle parking and make provision for parking broadly in accordance with the councils parking standards.”

Plan referenced P-6521-02 illustrates a new turning area is proposed onto the site. It is noted that the principle for the new access shown has previously been approved as part of application 18/00774/FUL. However, no additional information has been provided with regards to the proposed materials for the hardstanding. Therefore, this aspect of the proposal was not fully assessed due to insufficient information.

The application site already contains a suitable access, hard surfacing and sufficient exterior space to accommodate two off street parking spaces in line with the councils parking standards. These two exterior parking spaces were previously approved within application 13/00188/FUL and illustrated within the approved block plan to be located where the extension is proposed.

The scale and proportions of the proposed cart lodge as illustrated on plan referenced P-6521-02 would provide a suitable additional parking space for vehicles, meeting the required measurements of the Councils parking standards, in accordance with policy COM 8.

The Definitive Map Team was consulted as part of the application due to a public right of way being located forward to the South- Western boundary of the site and adjacent to the South- Eastern boundary. The Definitive Map Team raised no objection to the proposed development but stated that the footpath must remain open and unobstructed at all times.

## **7.6 Ecology**

Policy ENV 7 states that “all development proposals will be required to maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals.”

The Council’s ecologist was consulted on the proposal due to the rural location and the application site being located within a SSSI impact zone. The ecologist mentioned there is a chance the existing cladding could provide a habitat for bats, which is required to be investigated prior to determination. Due to the outcome of this application, further investigation regarding the protection and mitigation of existing ecology was not sought by officers. Notwithstanding this, full assessment of this aspect of the proposal was not possible due to the insufficient information initially provided. Therefore, this has been incorporated as a reason for refusal.

Additionally, the ecologist mentioned that opportunities for habitat creation and enhancement could easily be achieved on site in line with policy ENV 7. Due to the minor nature of the proposal, officers did not consider this necessary to obtain in line with the natural environment SPD.

## **7.7 Climate Change**

Local Plan Policy ENV 4 states: ‘All proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on- site as far as practicable’ and ‘Applicant will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction.’ Chapter 14 of the NPPF encourages all development to include sustainability measures within their proposal. No measures have been put forward as part of the application. While this does weigh against the application, it would not form a reason for refusal on its own merit.

## **7.8 Planning Balance**

Although the proposal does not raise any concerns with regards to heritage, it is considered the proposal would provide the site with an inappropriate form of development which provides detrimental impacts to the character and appearance of the area contrary to policies ENV 1, ENV 2 and HOU 8 of the East Cambridgeshire Local Plan 2015, as amended 2023. Given the proposal does not comply with HOU8, the proposal also fails GROWTH2. The proposed development is considered to oppose the aims and objectives of section 12 of the National Planning Policy Framework and the principles of the Design Guide.

Additionally, it is considered key supporting information was excluded from the application with regards to ecology.

### Background Documents

24/00479/FUL

National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

East Cambridgeshire Local Plan 2015 -

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



**23/00237/HYBM**

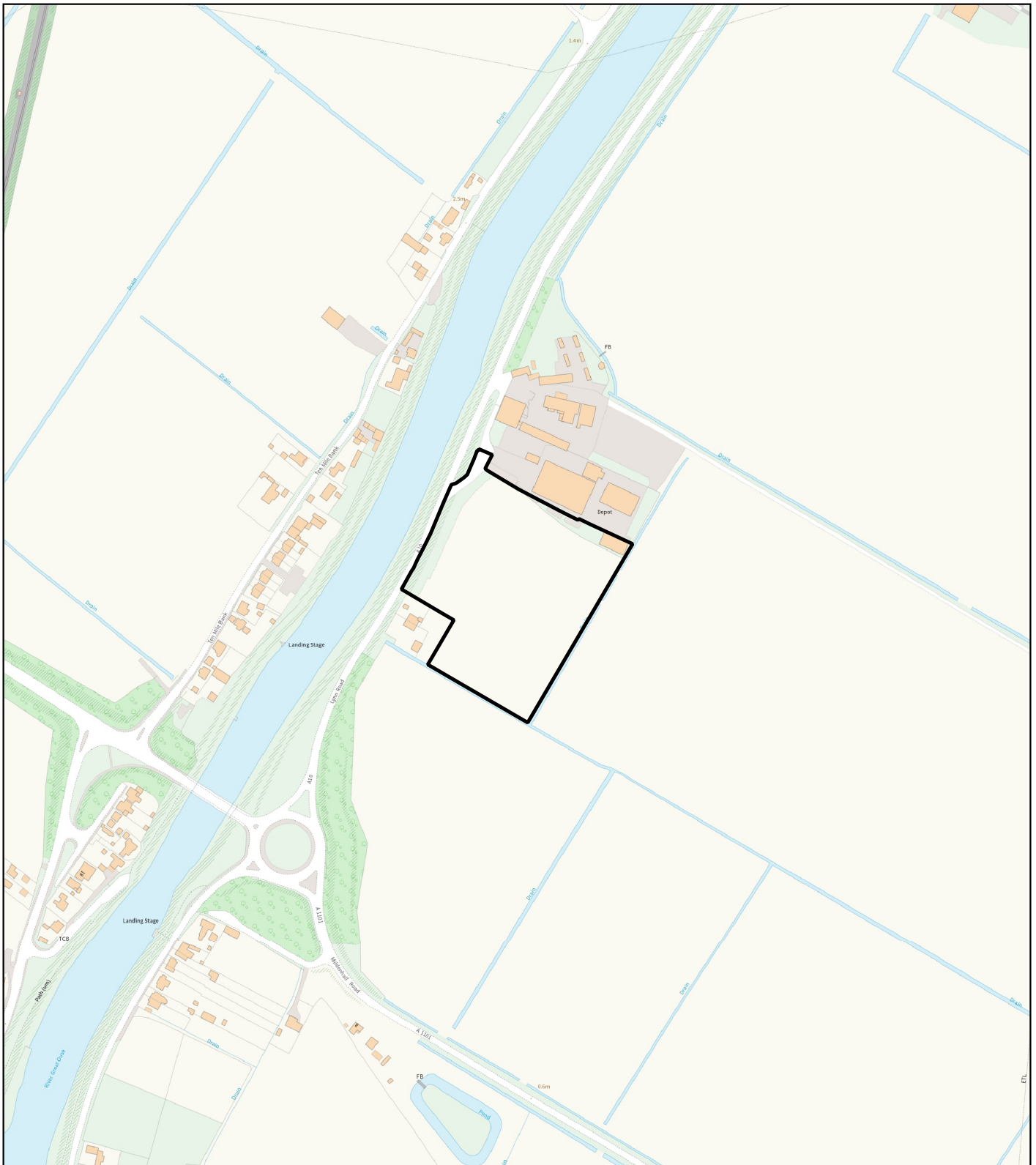
White Hall Warehouse  
Lynn Road  
Littleport  
Cambridgeshire  
CB7 4TB

Hybrid Application: Outline planning permission including details of access for erection of up to 4,527sqm of commercial floor space falling within use classes E, B2 and B8. Full planning permission for construction of access and erection of two warehouse buildings (B8) totalling 3,730sqm

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

<https://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RQJHRKGGIYB00>





23/00237/HYBM



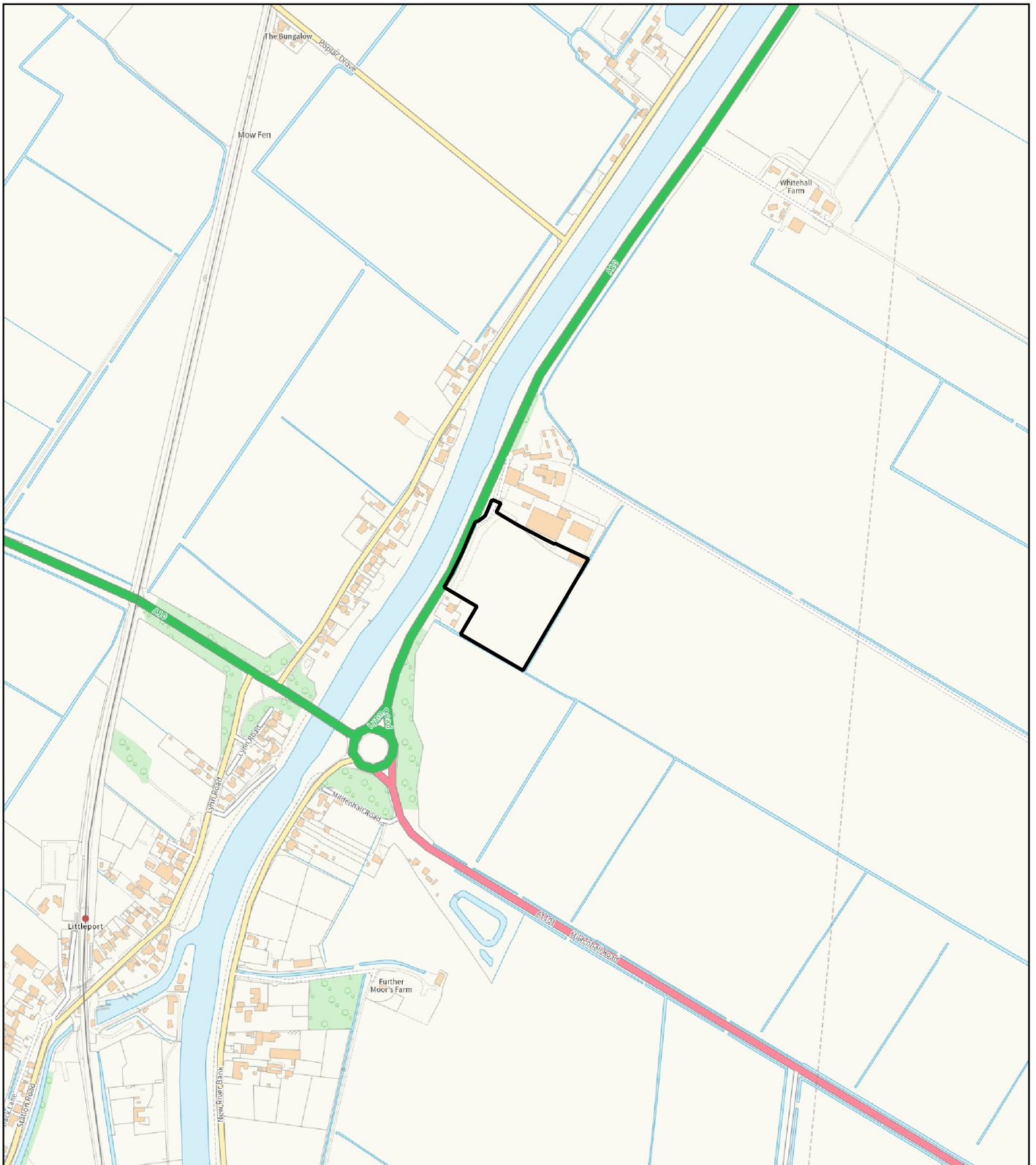
White Hall Warehouse  
Lynn Road  
Littleport

East Cambridgeshire  
District Council

Date: 22/07/2024  
Scale: 1:5,000



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23/00237/HYBM



White Hall Warehouse  
Lynn Road  
Littleport

East Cambridgeshire  
District Council

Date: 22/07/2024  
Scale: 1:8,000



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**TITLE: 23/00237/HYBM**

Committee: Planning Committee

Date: 6 August 2024

Author: Planning Team Leader

Report No: Z46

Contact Officer: Toni Hylton, Planning Team Leader  
toni.hylton@eastcambs.gov.uk  
01353 616499  
Room No 011 The Grange Ely

**Site Address: White Hall Warehouse Lynn Road Littleport Cambridgeshire CB7 4TB**

**Proposal: Hybrid Application: Outline planning permission including details of access for erection of up to 4,527sqm of commercial floor space falling within use classes E, B2 and B8. Full planning permission for construction of access and erection of two warehouse buildings (B8) totalling 3,730sqm**

**Applicant: Unit One Store Ltd**

**Parish: Littleport**

**Ward: Littleport**

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

**Date Received: 7 March 2023**

**Expiry Date: 8<sup>th</sup> August 2024**

**1.0 RECOMMENDATION**

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

Conditions relating to full planning permission

- 1 Approved Plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Materials
- 4 Surface Water Condition
- 5 Full details
- 6 Highways stop up access

- 7 Highway - no gates
- 8 Highways - parking area
- 9 Fire Protection (Hydrants)
- 10 Construction times - Standard hours
- 11 Piling foundations
- 12 Hours - Full Application
- 13 Lighting
- 14 CCTV
- 15 cycle parking
- 16 External plant
- 17 Sustainable development - Full
- 18 Soft landscaping scheme
- 19 Hard landscaping
- 20 Boundary Treatments
- 21 Biodiversity
- 22 Biodiversity
- 23 Flood Contingency Plan

Conditions relating to outline planning permission (all matters reserved except for access)

- 24 Time Limit - OUT/OUM
- 25 Time Limit - OUT/OUM/RMA/RMM
- 26 Sustainable development -General Outline
- 27 Outline - Contamination
- 28 Drainage
- 29 Highways
- 30 Access
- 31 Restrict gates
- 32 Parking
- 33 Fire hydrants
- 34 Hours
- 35 Piling
- 36 Hours of Use
- 37 lighting
- 38 No CCTV
- 39 Cycle Parking
- 40 external plant
- 41 Boundary treatments
- 42 Biodiversity
- 43 Biodiversity
- 44 flood contingency plan

## **2.0 SUMMARY OF APPLICATION**

- 2.1 The proposal is in part a full and an outline planning application for the development of a mix of uses. The full application for the creation of an access and erection of 2 warehouse buildings, in B8 use. (Storage and distribution).

- 2.2 The company operates as a specialist arts facility and stores art (including sculptures) for museums, private collectors, galleries and artists. All the work is stored in crates within the existing storage buildings. The company also undertakes restoration as well as photography for recording the condition of pieces, record keeping and insurance claims. The company also works for Customs and stores art coming into and out of the country.
- 2.3 The company provides logistics for the transportation of the artwork and makes the crates for each piece, as these are not standard sized pieces. There are no customers to the site and deliveries are sporadic throughout the week.
- 2.4 The 2 warehouse units are labelled A and B. Each measure 37 metres (121 feet) by 50 metres (164 feet) with a height of 10 metres (32 feet). Each has a first floor office facility, however this is provided as a mezzanine, to enable the full height of the building to be used for storage. The materials proposed are a mix of cladding in grey and green. Some signage is proposed, however this would need to be submitted separately as an advert application. Each warehouse building would provide 19 parking spaces and cycle parking provision.
- 2.5 The outline part of the application would seek to secure additional employment development of up to 4,527 square metres (48728.22 square feet).
- 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

##### **14/00020/FUL**

Proposed Storage Unit (Resubmission)

**Approved**

29 April 2014

##### **14/00020/DISA**

To discharge conditions ( 4 ) ( Road signage Signs ) ( 5 ) ( On-site access arrangement ) ( 10 ) ( Soft Landscape ) ( 11 ) ( Maintenance of soft landscaping ) of decision dated 02.05.2014 for Proposed Storage Unit (Resubmission)

**Discharged**

10 August 2015

##### **13/00072/FUL**

Proposed Storage Unit. ( 602sqm )

**Refused**

14 May 2013

##### **23/01180/FUN**

Change of use from an agricultural building to a flexible commercial use

**Not Required**

5 January 2024

**87/00914/FUL**  
ERECTION OF LOADING BAYS  
**Approved**  
14 September 1987

**84/00637/FUL**  
PROPOSED 2ND COOL STORAGE BUILDING  
**Approved**  
1 October 1984

**83/00348/FUL**  
ERECTION OF COOL STORAGE BUILDING  
**Approved**  
26 May 1983

**82/00083/FUL**  
PROPOSED COVERED LOADING AND UNLOADING BAY  
**Approved**  
1 April 1982

**83/00565/FUL**  
PROPOSED ALTERATIONS AND EXTENSION  
**Approved**  
18 August 1983

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

- 4.1 The site is outside the development envelope for Littleport, in an area predominantly open countryside. On the northern boundary to the site are large storage buildings, open fields to the east boundary, river and A10 to the west and residential dwellings to the south west.
- 4.2 The site itself sits lower than the road and is a parcel of land between an existing employment use and residential dwellings. To the rear are open fields where there are distant views of sporadic planting and other agricultural buildings. This land has not been actively farmed for a number of years and is currently redundant.

#### **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** - 29 May 2024  
recommend approval

**Parish** - 30 April 2024  
Confirmation that Littleport Town Council resolved to support the application.

**Parish** - 15 January 2024

The council resolved to support this application/amendment assuming that the Highways department are happy with the access.

**Parish - 11 September 2023**

LTC resolved to support the application and leave the decision about access to the Highways Department.

**Parish - 31 March 2023**

Please accept this email as confirmation that Littleport Town Council support this application.

**Ward Councillors - No Comments Received**

**The Ely Group Of Internal Drainage Board - 14 May 2024**

Our comments in our letter dated 7th September 2023 remain the same.

Previous comments have been provided by the Board with it being confirmed that on the basis of the discharge from the site being limited to the rate of 1.11/s/ha the Board has no objection to the proposals.

The latest information includes a revised drawing setting out the drainage strategy for the site, and on which it confirms that the discharge remains as being limited to the rate of 1.11/s/ha. The proposals therefore continuing to be in compliance with the Board's requirements.

It is, however, also noted that the proposals for discharge of the treated foul water from the site is also to the Board's system. The discharge rate for the foul water not being stated. As the discharge will be relatively low it is suggested the additional resulting flow can be accommodated by the Board, but this is on the basis of there being a contribution paid by the applicant for the foul water flow to be accepted, as the total discharge from the development will exceed the rate of 1.11/s/ha as a consequence. (A contribution being paid to allow foul water discharge to be accepted by the Board being the norm). It is further suggested that the contribution can be determined at the time of the application for Byelaw consent as is required to be made. The need to apply for Byelaw Consent having been identified to the applicant in previous correspondence. The Byelaw Consent application requiring to be made, and consent received, prior to works commencing on site.

**The Ely Group Of Internal Drainage Board - 8 September 2023**

This site is within the Burnt Fen Internal Drainage District.

The Floor Risk Assessment (FRA) has been modified to take into account the Board discharge requirements.

Therefore, subject to the applicant obtaining the Board's consent, the Board do not have any objections to the application.

**The Ely Group Of Internal Drainage Board - 17 March 2023**

The site is within the Burnt Fen Internal Drainage District.

The board's system has a limit capacity based on the design of our Whitehall Pumping Station. The Board's greenfield run off rate for this area is 1.1 litres/ second/ hectare, therefore the surface water design for this site will need to be revised to reflect this figure.

The application will also require the Boards consent for any new water drainage into our district. This is separate from the planning process and the granting of planning permission does not guarantee the boards consent. It is vital consent is obtained before any work starts on site, to avoid unnecessary enforcement action.

### **Environment Agency - 12 June 2024**

Thank you for the consultation dated 23 May 2024. We have reviewed the documents as submitted and have no objection to this application. The comments we've raised in previous letters relate to Flood Risk, however we'd like to raise some comments regarding Foul Drainage. Please see the relevant section below.

All other comments made in previous responses still stand, particularly referenced AE/2023/128118/04 and dated 29 April 2024.

### **Foul Drainage**

The applicant has indicated that their method of Foul Drainage will be a package treatment plant. Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality - considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank Foul drainage should be connected to the main sewer.

### **Environmental Permit**

Where a public sewer connection is not possible, under the Environmental Permitting Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

### **Further details**

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must

comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at: Septic tanks and treatment plants: permits and general binding rules

**Environment Agency - 16 May 2024**

There doesn't seem to be any additional documents submitted for review since our last consultation response, and so we have no further comment.

**Environment Agency - 29 April 2024**

Thank you for the consultation dated 09 April 2024. We have reviewed the documents as submitted, and are now in a position to remove our objection. Please see the relevant sections below for further detail on our position.

Flood Risk

We have reviewed the revised Flood Risk Assessment (FRA) dated 5 April 2024, together with the letter from Parsons Consulting Engineers dated 5 April 2024, and are able to withdraw our objection to the proposed development on Flood Risk grounds.

Further information

Please note that although the revised FRA includes flood warning and evacuation guidance in Appendix E, no Flood Warning and Evacuation Plan has been included in the FRA.

In all circumstances where flood warning and emergency response is fundamental to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

We strongly recommend you consult with your Emergency Planners on these matters.

**Environment Agency - 3 April 2024**

As per our correspondence on 30 January 2024, our objection to this planning application still stands in the absence of an acceptable FRA being submitted. We look forward to being re-consulted when this has been provided

**Environment Agency - 30 January 2024**

We raised an objection to this application in the absence of an acceptable Flood Risk Assessment (FRA) in our letter referenced AE/2023/128118/01 on 30 March 2023. As per correspondence on 23 August 2023, our objection to this application still stands in the absence of an acceptable Flood Risk Assessment being submitted. We look forward to being re-consulted when this has been provided.

**Environment Agency - 23 August 2023**

Thank you for your re-consultation. As set out in our letter ref AE/2023/128118/01-L01 dated 30th March 2023, to remove our holding objection, a revised FRA would need to be submitted. We cannot see that this has been done and therefore our comments still stand.

**Environment Agency - 30 March 2023**

We have reviewed the documents, as submitted, and are raising a holding objection on flood risk grounds. We have set out our position below, as well as detailing how the applicant can overcome our objection.

**Flood Risk**

In the absence of an acceptable Flood Risk Assessment (FRA), we object to this application and recommend that planning permission is refused. The FRA submitted with this application does not comply with the requirements for site specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change section of the Planning Practice Guidance (PPG) and its site-specific flood risk assessment checklist. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- o Include all the available information on flood risk at the site.
- o Adequately assess the residual risk of flooding at the site in the event of a breach of the Ely Ouse flood defences.
- o Demonstrate that any residual risk of flooding in the event of a breach or overtopping of the Ely Ouse flood defences can be safely managed and there will be no increase flood risk elsewhere.
- o Demonstrate that the proposed development will have no adverse impact on the Ely Ouse flood defences or our access requirements.

Advice for the Applicant - Residual Risk Although the FRA refers to the residual risk of flooding at the site in the event of a failure of the adjacent flood defences, breach analysis/modelling needs to be undertaken as part of the FRA to assess this risk. The method used to assess the residual risk in the event of a breach should be justified in the FRA and any limitations of the method used clearly set out. The FRA needs to demonstrate that occupants of the proposed development will be safe for the lifetime of the development and there will be no impact on flood flow routes in the event of a breach.

Advice for the Applicant - Safe Access and Escape The National Planning Policy Framework (NPPF) requires that safe access and escape is available to/from new development in flood risk areas. Table 13.1 of the Defra/EA 'Flood Risk Assessment Guidance for New Developments Phase 2' (FD2320/TR2) provides useful guidance



on the danger to people for different combinations of depths and velocities. The FRA needs to demonstrate that safe access and egress would be available in the event of flooding. Advice for the Applicant - Impact on Flood Defences As the A10 forms part of the flood defence embankment for the Ely Ouse, the FRA should provide details of any proposed changes to the existing access road from the A10 to the site. The FRA needs to demonstrate that any proposed changes to the access will have no adverse impact on the flood defence or our access requirements for maintenance purposes. Advice for the Applicant - Flood risk information Our Customers and Engagement Team can provide any relevant flood risk information that we have available in this location. Please email [Enquiries\\_EastAnglia@environment-agency.gov.uk](mailto:Enquiries_EastAnglia@environment-agency.gov.uk) to request this information.

Overcoming our Objection To overcome our objection, the applicant should submit a revised FRA that addresses the points highlighted above. The FRA must demonstrate that the development will be safe for its lifetime and will not increase flood risk elsewhere. If this cannot be achieved, we are likely to maintain our objection. Please consult us on any revised FRA and we will respond within 21 days of receiving it. Sequential Test In accordance with the NPPF paragraph 162, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. It is for the Local Planning Authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this.

Paragraph 167 of the NPPF states that 'development should only be allowed in areas at risk of flooding where...it can be demonstrated that any residual risk can be safely managed.'

Internal Drainage Board

The Internal Drainage Board should be consulted on the surface water drainage proposals.

#### **Lead Local Flood Authority - 12 July 2024**

We have reviewed the following documents:

- o Drainage Strategy, Parsons Consulting Engineers, 22118-001 RevP10, 6th June 2024
- o 22118 - PCE SW Drainage Network: Storm network, Parsons Consulting Engineers, 6th June 2024

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

The above documents demonstrate that surface water from the proposed development can be managed through the use of attenuation lagoons, permeable paving, attenuation crates, a swale and a hydrobrake, restricting surface water discharge to 1.0 l/s, as requested by the IDB.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

We request the following condition is imposed:

### Surface Water Condition

No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Drainage Strategy prepared by Parsons Consulting Engineers (ref: 22118-001 RevP10 dated 6th June 2024) 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, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Temporary storage facilities if the development is to be phased;
- f) A timetable for implementation if the development is to be phased;
- g) 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;
- h) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- 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.

### **Lead Local Flood Authority - 16 May 2024**

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

1.

The 1 in 100 year results show a total node volume of 1635m<sup>3</sup> during the critical storm duration for the storage structures. After 48 hours the technical note indicates this will have drained down to 1479m<sup>3</sup> assuming a consistent discharge of 0.9l/s over 48 hours. This volume combined with the total 1 in 10 year event gives a combined volume of 2532m<sup>3</sup> and surpasses the volume the system has been designed to accommodate (2240m<sup>3</sup>). It's also noted the total volume indicated for the 1 in 30 year event (1208m<sup>3</sup>) is less than the total volume listed for the storage nodes in the hydraulic calculations (1308m<sup>3</sup>). Using the higher volume, after 24 hours, the

combined 1 in 30yr and 1 in 10yr volume also appears to exceed the systems total available volume. The applicant's information currently suggests notable exceedance flooding could occur at the site should successive storm events occur.

Additionally, the Cambridgeshire County Council Planning Guidance document indicates capacity should be available for an immediate and subsequent storm event, but the current assessment has assumed 24-48 hours of drainage between storm events.

**Informatives**

**IDB Consent**

This site falls within the Burnt Fen Internal Drainage Board (IDB) district. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

**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.

**Maintenance and Management Schedule**

Whilst a maintenance and management schedule has been provided, the detail currently provided within it is insufficient. The minimum required maintenance and management can be found in the Ciria SuDS manual, and this should be used to inform the management and maintenance schedule for all the proposed SuDS features. The updated schedule should ideally be provided at this stage in the application process but can be addressed via a subsequent surface water maintenance and management condition.

**Storm Water Attenuation Lagoon**

Design parameters of the storm water attenuation lagoon located in the southern area of the site should be clearly annotated on the drainage layout drawing and detailed in cross sections of the lagoon. If details of these cannot be provided at this stage, these will need to be addressed as a part of a subsequent drainage condition.

**Permeable paving in proposed future development areas**

Permeable paving areas in the proposed future development areas should be clearly detailed on the drainage layout drawing.

### **Lead Local Flood Authority - 11 April 2024**

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

1. Whilst updated modelling calculations have been provided and the half drain time parameter in the simulation settings has been increased to 1440 minutes, half drain down times for some nodes (MH-0012-S and MH-0013-S, etc.) are missing, implying their half drain times exceed 1440 minutes. As per the Cambridgeshire County Council Surface Water planning guidance document, where it is not possible to achieve a half drain time of 1440 minutes (24 hours), it must be demonstrated that the system has capacity to accommodate the 1% AEP event and an immediate and subsequent 10% AEP rainfall event.

## Informatives

### IDB Consent

This site falls within the Burnt Fen Internal Drainage Board (IDB) district. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

### 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.

### Maintenance and Management Schedule

Whilst a maintenance and management schedule has been provided, the detail currently provided within it is insufficient. The minimum required maintenance and management can be found in the Ciria SuDS manual, and this should be used to inform the management and maintenance schedule for all the proposed SuDS features. The updated schedule should ideally be provided at this stage in the application process but can be addressed via a subsequent surface water maintenance and management condition.

### Storm Water Attenuation Lagoon

Design parameters of the storm water attenuation lagoon located in the southern area of the site should be clearly annotated on the drainage layout drawing and detailed in cross sections of the lagoon. If details of these cannot be provided at this stage, these will need to be addressed as a part of a subsequent drainage condition.

### Permeable paving in proposed future development areas

Permeable paving areas in the proposed future development areas should be clearly detailed on the drainage layout drawing.

### **Lead Local Flood Authority - 3 June 2024**

Thank you for your re-consultation which we received on the 23rd May 2024.

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

1. Based on the hydraulic calculations, the total storage volume required for the 1 in 100 year event immediately followed by a 1 in 10 year event is 2,751m<sup>3</sup>. This is greater than the 2,532m<sup>3</sup> of storage volume stated to be required for the whole site. The volume of 2,751m<sup>3</sup> has been calculated by summing the node volumes of the storage structure nodes for the critical durations in the 1 in 100 year and 1 in 10 year events. If the volume of 2,532m<sup>3</sup> has been calculated differently, please can this be clarified. Currently we cannot confirm whether the drainage network has sufficient capacity.

Informatives

IDB Consent

This site falls within the Burnt Fen Internal Drainage Board (IDB) district. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

#### 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.

#### Maintenance and Management Schedule

Whilst a maintenance and management schedule has been provided, the detail currently provided within it is insufficient. The minimum required maintenance and management can be found in the Ciria SuDS manual, and this should be used to inform the management and maintenance schedule for all the proposed SuDS features. The updated schedule should ideally be provided at this stage in the application process but can be addressed via a subsequent surface water maintenance and management condition.

#### Storm Water Attenuation Lagoon

Design parameters of the storm water attenuation lagoon located in the southern area of the site should be clearly annotated on the drainage layout drawing and detailed in cross sections of the lagoon. If details of these cannot be provided at this stage, these will need to be addressed as a part of a subsequent drainage condition.

#### Permeable paving in proposed future development areas

Permeable paving areas in the proposed future development areas should be clearly detailed on the drainage layout drawing.

### **Lead Local Flood Authority - 25 January 2024**

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

- Half drain down times should be provided for all proposed permeable paving and attenuation storage structures. Updated calculations currently do not indicate half drain times for structures where this value exceeds 240 minutes as the Drain Down Time parameter in simulation settings has been left as default. This default parameter should be updated so calculations assess half drain down times up to 24 hours. As per the Cambridgeshire County Council Surface Water planning guidance document, where it is not possible to achieve a half drain time of 24 hours, it must be demonstrated that the system has capacity to accommodate the 1% AEP event and an immediate and subsequent 10% AEP rainfall event.

#### Informatives

##### IDB Consent

This site falls within the Burnt Fen Internal Drainage Board (IDB) district. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

### 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.

### Maintenance and Management Schedule

Whilst a maintenance and management schedule has been provided, the detail currently provided within it is insufficient. The minimum required maintenance and management can be found in the Ciria SuDS manual, and this should be used to inform the management and maintenance schedule for all the proposed SuDS features. The updated schedule should ideally be provided at this stage in the application process but can be addressed via a subsequent surface water maintenance and management condition.

### Storm Water Attenuation Lagoon

Design parameters of the storm water attenuation lagoon located in the southern area of the site should be clearly annotated on the drainage layout drawing and detailed in cross sections of the lagoon. If details of these cannot be provided at this stage, these will need to be addressed as a part of a subsequent drainage condition. Permeable paving in proposed future development areas

Permeable paving areas in the proposed future development areas should be clearly detailed on the drainage layout drawing.

### **Lead Local Flood Authority - 9 January 2024**

Thank you for your re-consultation which we received on the 21st December 2023.

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

1. FSR rainfall data should be used for storm duration simulations up to the 60 minute duration, and FEH 2013 rainfall data should be used for storm duration simulations above the 60 minute duration up to and including the 10,080 minute (7 day) duration. As critical storm durations for the 1 in 100 year event plus an allowance for climate change are identified at storm durations of less than 60 minutes, additional assessment using FSR rainfall data is required.

2. Clarification is required on the role and design details of the proposed swales in the surface water drainage strategy. Whilst swales are mentioned, these have not been clearly detailed within the drainage layout drawing, or in the modelling calculations.

Informatives

IDB Consent

This site falls within the Burnt Fen Internal Drainage Board (IDB) district. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

#### 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.

#### Maintenance and Management Schedule

Whilst a maintenance and management schedule has been provided, the detail currently provided within it is insufficient. The minimum required maintenance and management can be found in the Ciria SuDS manual, and this should be used to inform the management and maintenance schedule for all the proposed SuDS features. The updated schedule should ideally be provided at this stage in the application process but can be addressed via a subsequent surface water maintenance and management condition.

#### Storm Water Attenuation Lagoon

Design parameters of the storm water attenuation lagoon located in the southern area of the site should be clearly annotated on the drainage layout drawing and detailed in cross sections of the lagoon. If details of these cannot be provided at this stage, these will need to be addressed as a part of a subsequent drainage condition.

#### **Lead Local Flood Authority - 5 September 2023**

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

1. FSR rainfall data should be used for storm duration simulations up to the 60 minute duration, and FEH 2013 rainfall data should be used for storm duration simulations above the 60 minute duration up to and including the 10,080 minute (7 day) duration. As critical storm durations for the 1 in 100 year event plus an allowance for climate change are identified at storm durations of less than 60 minutes, additional assessment using FSR rainfall data is required.
2. Whilst the future development areas A, B, and C have now been modelled in the calculations, these areas and their extents should be clearly labelled and identified on the drainage layout drawing.

#### Informatives

##### IDB Consent

This site falls within the Burnt Fen Internal Drainage Board (IDB) district. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

### 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.

### Maintenance and Management Schedule

Whilst a maintenance and management schedule has been provided, the detail currently provided within it is insufficient. The minimum required maintenance and management can be found in the Ciria SuDS manual, and this should be used to inform the management and maintenance schedule for all the proposed SuDS features. The updated schedule should ideally be provided at this stage in the application process but can be addressed via a subsequent surface water maintenance and management condition.

### Storm Water Attenuation Lagoon

Design parameters of the storm water attenuation lagoon located in the southern area of the site should be clearly annotated on the drainage layout drawing and detailed in cross sections of the lagoon. If details of these cannot be provided at this stage, these will need to be addressed as a part of a subsequent drainage condition.

### **Lead Local Flood Authority - 3 April 2023**

Thank you for your consultation which we received on 9th March 2023.

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

1. Hydraulic calculations for the 3.3% and 1% plus an allowance for climate change AEP events

should be provided to verify the details provided in the drainage layout drawing. These calculations should also be provided for a range of summer and winter storm durations from 15 minutes up to the 10080 minute (7 day) should be undertaken. For storm durations less than 1 hour, Flood Studies Report (FSR) rainfall data should be used. For storm durations greater than 1 hour, Flood Estimation Handbook (FEH) rainfall data should be used.

2. Design parameters of the attenuation basin located in the southern area of the site should be annotated on the drainage layout drawing. These parameters should align with hydraulic calculation design input.

3. Information confirming the drainage catchment areas is required. It is currently not clear what the total area of the two warehouse buildings is or what the 90% impermeable area indicated for the commercial floor space areas equates to. It is also noted the report indicates only 33% of the site area will be impermeable; however, the drainage layout drawings show the majority of the area to be impermeable. It's unclear if a correct total impermeable area has been accounted for.

4. Whilst a maintenance and management schedule has been provided, the detail currently provided within it is insufficient. The minimum required maintenance and management can be found in the Ciria SuDS manual, and this should be used to inform the management and maintenance schedule for all the proposed SuDS features.

5. The proposed runoff rate of 11.5 l/s is higher than the IDB's greenfield run off rate for the area, which equals 1.1 l/s/ha. The surface water design for this site will need



to be revised to reflect this lower figure and adhere to the IDB's drainage requirements. As the IDB has currently objected to the higher discharge rate, and no alternative method of discharge has been provided, a suitable drainage strategy for the site has not been demonstrated.

#### Informatives

##### Access and Maintenance

The IDB ditch, which is presumably indicated by the hatched green lines on the location plan, is flush with the site proposals. No maintenance / access corridor has been provided for this ditch, which may be required by the IDB.

##### IDB Consent

This site falls within the Burnt Fen Internal Drainage Board (IDB) district. Under the Land

Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

##### Fluvial Flood Risk

It is noted that the entire site lies within Flood Zone 3, but that due to the presence of embankments along the Great River Ouse (main river), the site is deemed to be at a low risk of flooding from this source. We recommend the Environment Agency be consulted to ensure sufficient mitigation measures are provided to manage flood risk from this source.

##### 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.

### **Local Highways Authority – 19 July 2024**

#### Suggested Conditions

- HW1A: 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: Site access, including details of cross-sections, long-sections, verges and earthwork embankments.
- HW7A (amended): The existing access(es) to Lynn Road, as shown in yellow on the drawing 22118-005 P05, shall be permanently and effectively closed and the highway verge shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority, within 28 days of the bringing into use of the new access.
- HW8A: Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicular access, as shown on the drawing 22118-005 P05.

- HW16A: Prior to first occupation or commencement of use the proposed on-site servicing and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan 22118-005 P05 and thereafter retained for that specific use.

### Informatives

- 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 - 17 January 2024**

In response to my previous comments regarding the impact on the existing layby, the applicant has clarified that the area hatched yellow on the drawing 22118-005 revision P05 is to be removed and presumably replaced with backfill and grassed. This arrangement is acceptable and will not alter access to the site immediately to the north.

While the applicant has not provided a vertical visibility envelope, as the access road longsection shows an initial gradient of 1:50, I am confident that appropriate visibility can be achieved along Lynn Road, which is relatively straight and flat.

The cross-section provided shows earthwork embankments graded at 1:3 either side of the access road. A level verge of 1m is needed between the carriageway edge and the top of the embankment to ensure stability of the access and to mitigate against any risk of vehicle overrun. Similarly, the earthworks need to extend to the top of kerb and the rear of the kerb beam. Addressing these comments will increase the footprint of the earthworks embankment but there appears sufficient space within the application boundary to accommodate the change. It is preferable to make these changes now, but should the LPA prefer, it can be addressed by condition. Please let me know how you and the applicant wish to proceed.

It does not form an objection, but I would recommend a crest and sag curves be introduced between changes in direction along the access road to avoid vehicles grounding out.

#### **Local Highways Authority - 29 August 2023**

I have revised the revised submission and the proposals remain unacceptable in highway safety terms.

The current access proposals include a priority junction directly onto the A10 Lynn Road, but it is unclear how this impacts the remainder of the layby access arrangements and access to the neighbouring properties to the north. The access fundamentally alters access arrangements for businesses which do not form of the application. The applicant will need to develop a comprehensive design for access which considers the how it impacts the entire layby and all properties which are served from it.

Irrespective of this, the applicant has failed to demonstrate that the access can achieve appropriate inter-vehicular visibility from a 4.5m<sup>1</sup> setback in three-

dimensions (see my previous response regarding a vertical envelope of visibility). Furthermore, the vehicle tracking provided demonstrates that articulated vehicles cannot simultaneously enter / exit the site; the applicant should refer to DMRB CD123, namely paragraph 5.6.2 regarding corner tapers.

An access gradient of 1:16 is not advisable as it could result in difficulty for drivers leaving the site in inclement weather conditions.

**Local Highways Authority - 29 March 2023**

The application is unacceptable to the Local Highway Authority for the following reasons:

The applicant is proposing to gain access to the development from an existing layby on the A10 Lynn Road. This layby, inclusive of the proposed mitigation as shown on the drawing AP0102 Revision P05 is not suitable for anticipated intensification associated with an additional 4,527sqm of Class E, B2 and B8 uses (which has not been quantified by the applicant).

The access needs to be capable of accommodating simultaneous two-way traffic (both 16.5m articulated and 12m rigid vehicles) between the A10 and the site access. No vehicle tracking has been provided to demonstrate that this is feasible or can be accommodated in a manner which is not detrimental to highway safety.

Access to / from the north must be accommodated in addition to access from the south. While the layby can be accessed from either direction, only the southern splayed access is included in the application redline boundary. I do however note, the entire extent appears to be within the applicant's ownership.

The proposed nearside auxiliary merge lane onto the A10 is unconventional and does not appear to be based upon established best practice nor any common design guidance. Any proposed mitigation should generally comply with the principles of the Design Manual for Roads and Bridges document CD 123 'Geometric design of at-grade priority and signal-controlled junctions' and where compliance is not possible, a justification for departure be provided.

There is a notable level difference between the carriageway of the A10 Lynn Road and the proposed development site. In light of site conditions, any widening of the carriageway should be accompanied by a cross-section which demonstrates how widening of the carriageway will be safely retained. Generally, a level of verge of 2.5m is recommended prior to an embankment with a 1:3 gradient (see DMRB CD 127 for further guidance).

The A10 Lynn Road is de-restricted, meaning speeds up to 60mph are permissible. This correlates to stopping sight distance of 215m (the 213m shown on the visibility splay plan is acceptable in principle as the difference is negligible). However, in light of the slow-moving nature of forecast traffic, the visibility should be measured from a 4.5m setback. This is to give drivers on the A10 conspicuity of slow-moving vehicles which may cross their path. Reductions in visibility splays will be accepted based upon observed 85th percentile speeds, provided a suitable speed survey is procured. Given the level differences mentioned above, inter-vehicular visibility splays need to be considered in three-dimensions. The splay needs to be free from obstruction within a visibility envelope as per the below figure (extracted from DMRB CD 109). Based on site conditions, an increase in object height from 0.26m to 0.6m will be accepted.

Please reconsult me if the applicant submits a revised proposal. Until such time, the applicant has failed to demonstrate that the scheme would not result in adverse highway safety implications.

**Cambridgeshire Fire And Rescue Service - 16 March 2023**

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

The position of fire hydrants are generally agreed upon when the Water Authority submits plans to:

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

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

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

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

If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required, the details of which can be found in the attached document. I trust you feel this is reasonable and apply our request to any consent given. Should you require any further information or assistance I will be pleased to advise.

**ECDC Trees Team - 4 April 2023**

It is a shame that the retention of the existing trees on the northern boundary are not being retained as they are established native species trees with associated existing biodiversity benefits with Willows known to support at least 750 insect species, with over 200 that depend entirely on willows. So highly important for insect biodiversity. Goat willow is the foodplant of the purple emperor butterfly and the striking caterpillars of puss moth. Very important early blossom source for pollinators, including bumblebee queens and mining bees and even blue tits feeding on nectar. Nutritious leaves as food for browsing herbivorous animals. An important substrate for many lichens, mosses and liverworts.

For any development of this site to be acceptable the submission of a high quality soft landscaping scheme will be essential that uses native and suitable ornamental species of trees, ornamental trees for the internal/business areas and native species trees for the boundaries and attenuation areas. The native species trees should be native to the locality rather than just UK natives.

**Environmental Health - 21 March 2023**

Due to the close proximity of existing properties I would advise that construction times and deliveries during the construction phase are restricted to the following:

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

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.

This appears to be an extension of an existing business on site. Although I have no history of complaint concerning the business I do have some concerns about the closer proximity of these proposed commercial spaces to 1 Whitehall Farm Cottage and 2 Whitehall Farm Cottage to the south of the proposal site. If the intended use of the space is for further storage then these concerns are lessened but this would depend on hours of use of the site and whether we can restrict vehicle movements.

The D&AS advises that "the outline element of the application will allow for either future expansion of the business or the erection of commercial buildings to create a small business park." I would have more concerns if the use of the site would be for a business park unless we can impose restricted hours of use and noise conditions/requirement for a NIA to control any external fixed plant and/or vehicle movements.

The plans make reference to illuminated signage. I would be seeking a condition which prevents these from being left on all night. Perhaps we can discuss suitable wording if you are in agreement.

The Application Form has been completed to state that hours of opening are relevant to the application but there have been no hours of use included. It is not known if there are hours of use in place for the existing business on site but if there are I would ask that the same hours are applied to this application (if approved). If there are no hours of use I would request the applicant submit their desired hours for approval.

I would recommend a condition which stipulates there is no external lighting without prior approval from the LPA.

**Design Out Crime Officers - 21 March 2023**

I have viewed the documents in relation to crime, disorder and the fear of crime and have searched the Constabulary crime and incident systems covering the above ward

and surrounding streets for the last 2 years. At present, I would consider this to be an area of low risk to the vulnerability to crime.

- o External lighting - Can you confirm what the external lighting is designed to on site please. Our recommendation is that access roads, footpaths, car parking, cycle storage and loading areas/service yards should be lit by columns designed to BS5489-1:2020 or BS EN 12464-2:2014. There should be LED dusk to dawn wall mounted lights above each entrance/exit doors. 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.

- o CCTV - While it is not a universal solution to security problems, it can help deter vandalism or burglary and assist with the identification of culprits once a crime has been committed. The provision and effective use of CCTV fits well within the overall framework of security management and is most effective when it forms part of an overall security plan. CCTV should meet BS EN 50132-7: 2012+A1:2013 CCTV surveillance systems for use in security applications. CCTV Signs should conform to the Information Commissioners Office regulations and placed in relevant areas around each unit.

- o Alarm - Our recommendation is that a monitored alarm system is installed. Visit the National Security Inspectorate (NSI), or the Security Systems and Alarms Inspection Board (SSAIB) for more information.

- o Landscaping - It is important to ensure that there is a management plan in place to ensure 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.

- o External Cycle Parking - I note the cycle parking location on the plans. Cycle parking should be in a position that is overlooked by active windows, this will improve the natural surveillance, covered by CCTV, and be well lit for the safety of the user. All Sheffield stands should be secured (cemented 300mm) into the ground and not bolted down. The DAS suggests that cycle parking will be provided within the buildings where required - this should be an access-controlled location and covered by CCTV.

- o Vehicle Nuisance - We are aware of boy racers & car meets at industrial locations within Littleport. It would be worth considering access-controlled barriers as the site develops in the future.

**Waste Strategy (E CDC) - 22 March 2023**

No comment required from the Waste Team for commercial premises.

**Cambs Wildlife Trust - 3 April 2023**

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

The submitted ecological report covers all the relevant issues and makes appropriate avoidance, mitigation and enhancement recommendations. If planning permission is

granted, the recommendations in section 5 of the report should be secured through the use of appropriately worded planning conditions.

However, before this application is determined, the Biodiversity Net Gain assessment recommended in section 5.1.4 of the report should be undertaken and submitted to the LPA for review. I request that the original version of the Defra Biodiversity Metric is supplied to us directly for review and sign off.

### **Enforcement Section - No Comments Received**

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

5.2 A site notice was displayed near the site on 30<sup>th</sup> March 2023 and a press advert was published in the Cambridge Evening News on 16 March 2023.

5.3 Neighbours – 17 neighbouring properties were notified and 1 response has been received and are summarised below.

- Light pollution
- Noise
- Traffic and highway safety
- Loss of trees
- Loss of countryside views

A full copy of the responses are available on the Council's website.

## **6.0 THE PLANNING POLICY CONTEXT**

6.1 East Cambridgeshire Local Plan 2015 (as amended 2023)

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision
EMP 1	Retention of existing employment sites and allocations
EMP 2	Extensions to existing businesses in the countryside
EMP 3	New employment development in the countryside

6.2 Supplementary Planning Documents

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

6.3 National Planning Policy Framework (December 2023)

- 2 Achieving sustainable development
- 11 Making effective use of land
- 12 Achieving well-designed and beautiful places
- 15 Conserving and enhancing the natural environment
- 14 Meeting the challenge of climate change, flooding and coastal change
- 16 Conserving & enhancing the historic environment

6.4 Planning Practice Guidance

**7.0 PLANNING COMMENTS**

**7.1 Principle of Development**

7.1.1 The site is an existing business with land within its ownership that the business could use to expand the storage facility further. Policy EMP2 of the East Cambridgeshire District Council Local Plan 2015 requires that development:

*Does not detract from the character of the area*

The site is within the open countryside set between a dwelling and former agricultural buildings used for storage. The site sits lower to the road and in the distance you can see a range of open fields, agricultural buildings and some limited planting.

*Scale of development is in keeping with its surroundings*

The building currently used by the applicants is approximately 50 metres (164 feet) by 40 metres (131 feet). The proposed warehouses would be similar proportions to those that exist on the adjoining site.

*The proposal would not lead to a significant increase in traffic to the detriment of highway safety*

The site is accessed from the A10 which is a main route connecting Kings Lynn with London. Highway improvements have been proposed and considered acceptable by the Local Highway Authority and will be discussed in more detail further in the report.

*The extension to the business is an existing operational business*

The proposed application in full would support the growth of an existing business. The outline application, could facilitate further expansion of the existing business, however this is not confirmed. However, its location on a main road with good



access to Littleport, with other employment development in close proximity would not exclude the site from development.

*The intensification of the use will not be detrimental to neighbour amenities*

The nearest residential dwelling is to the southwestern corner of the site which shares a boundary with the area of land allocated as future development. However, to this boundary is proposed a landscape buffer. It is considered that the site can be managed to ensure the amenities are maintained for the future. However, this will be discussed in detail further in the report.

*There is justification for the proposal*

The application has been supported by a 'Planning Statement', the statement explains the need for the development as the business is successful in its field and needs to expand to accommodate its growth. This predominantly relates to the 'full' application and the business needs. The outline aspect can also be assessed under policy EMP3 and new employment in the countryside.

- 7.1.2 Policy EMP3 discusses new employment development within the countryside and requires development to meet the following criteria;

*There is a lack of suitable buildings and sites within the settlement*

There are a number of sites allocated within or on the edge of Littleport, however none of these accommodate B8 uses, therefore on this basis there is no available land for this development.

*There is a lack of suitable buildings to re-use or replace in the countryside close to the settlement (in accordance with Policy EMP 4)*

The extension proposed is to facilitate the existing business, with the potential to expand in the future.

*The proposal would not have an adverse impact on the character and appearance of the area, the amenity of neighbouring occupiers, or result in a significant increase in traffic*

This will be discussed further within the report, however it is considered that in consultation with the Local Highway Authority the proposal is acceptable and conditions can be applied to manage the develop to protect residential amenities.

*The site can be easily accessed by foot or cycle from the settlement.*

The site is currently operational and whilst there is no designated foot or cycle path it is in close proximity to Littleport.

- 7.1.3 It is considered that the principle of development can be considered acceptable on the basis that policies EMP3 and EMP2 can be met, and conditions attached to secure the development of the site.

## **7.2 Residential Amenity, Noise and Lighting**

- 7.2.1 The site is outside the development envelope for Littleport, in an area predominantly open countryside. On the northern boundary to the site are large storage buildings,

open fields to the east boundary, river and A10 to the west and residential dwellings to the southwest.

- 7.2.2 The nearest properties are Whitehall Cottage and KP Cottage, both share a boundary with the outline aspect of the development. The cottages are a pair of semi-detached dwellings. KP Cottage has a number of structures along the northern boundary, whilst Whitehall Cottage has a large, detached garage with a hobby room above to the rear. (14/00401/FUL). The boundary of these residential dwellings are shown to have a 20 metre (65 feet) buffer, including drainage to the rear and a 14 metre (46 feet) buffer to the side boundary. Whilst this is shown as landscaping, this cannot be relied upon in perpetuity to act as a screen to the development. However, this can be conditioned to be implemented with details to be submitted along with a long-term management plan.
- 7.2.3 It is considered that whilst landscaping cannot be relied upon in perpetuity it will be able to soften the development and improve the view from the neighbours' properties. However, it should be noted having a view is not a material planning consideration, but having a high-quality landscaping scheme will be of benefit to the overall appearance of the development.
- 7.2.4 In consultation with the Environmental Health Officer, no objection has been raised with regard to noise or lighting. There are suggested conditions which can be applied to any planning permission granted. This includes asking for a detailed lighting plan; any external plant required, and any mitigation measures required, all of which can be conditioned. There has been some discussion over opening hours, the current business operates 9am until 5pm with no operation at the weekends. It would seem reasonable to condition the hours to accord with these existing hours with some room either side of these hours to accommodate people arriving for work.
- 7.2.5 It is considered that through the use of conditions this development can be delivered with limited impact on the residential amenities of the adjoining neighbours. On this basis the proposal meets policy ENV1 and ENV2 of the East Cambridgeshire District Council Local Plan 2015 (as amended 2023).

### **7.3 Visual Amenity**

- 7.3.1 The site is in the open countryside sat between an existing employment operation and a pair of semi-detached dwellings. The site sits lower than the road and does have views of sparse, flat open countryside. The difference in land levels ranges from 2.52 to -1.49 which is an overall change of 4.01metres.
- 7.3.2 The introduction of additional warehousing in this location will have a visual presence in this landscape. However, it is whether this would have a detrimental impact on the visual character of the area.
- 7.3.3 The proposed development will appear visually agricultural in nature, using similar materials to the adjoining warehouse and storage buildings adjacent to the existing use. These buildings will be set into the site and will be almost 4 metres lower than the road. The site is planned to be soft and hard landscaped which will assist in assimilating the development into the landscape. The landscape in this area is predominantly flat open fen land with pockets of development. The type and form of

development would not be inconsistent with the development of agricultural buildings and as such consider that the site can be developed whilst allowing views through the site to the open views to the rear.

7.3.4 The A10 is characterised by small pockets of development and then vast expanses of open fields. It is considered the introduction of these buildings will not erode this characteristic. The built-up development will not extend any further into the countryside than the adjacent buildings. Littleport, also has pockets of employment development outside of the development envelope for example along Wisbech Road and Ten Mile Bank and as such is an overall characteristic of Littleport.

7.3.5 It is considered that whilst there will be visible development in a rural location, it is not considered to cause demonstrable harm to the visual character of the area in accordance with policy ENV1 of the East Cambridgeshire District Council Local Plan 2015 (as amended 2023).

## **7.4 Highways**

7.4.1 The site is accessed from the A10, which is considered to be a major route, consultation has been undertaken with the Local Highway Authority. The Local Highway Authority have raised no objections but do recommend conditions to improve the access to the site, which can be appended to any decision issued.

7.4.2 The conditions proposed require the closing an existing access; restricting the use of gates without consent and ensuring there is adequate parking provision.

7.4.3 The full application provides details of 19 car parking spaces per unit which accords with policy COM8. The proposal also includes the provision of cycle spaces this is shown to be externally but also provided within the framework of the building.

7.4.4 Throughout discussions with the Local Highway Authority the issue of traffic generation has never be raised as an issue and as such it is considered that the proposal will not generate significant levels of traffic to cause harm to the amenities of neighbours or highway safety. This is a major route where you would expect traffic and in particular uses of this nature as they have good transport networks.

7.4.5 On the basis that the site can accommodate the correct parking provision and conditions can be appended to meet the needs of the Local Highway Authority the proposal is considered to meet policies COM7 and COM8 of the East Cambridgeshire District Council Local Plan 2015 (as amended 2023).

## **7.5 Ecology**

7.5.1 The site is currently a field which has not been farmed for a number of years. In consultation with the County Ecologist it was considered that the mitigation measures proposed were acceptable.

7.5.2 The report indicated that there were no habitats of any significant value, however does recommend that the applicants show a 10% gain in biodiversity of the site. It is considered that this can be achieved by way of condition.

## **7.6 Flood Risk and Drainage**

7.6.1 The site is within Flood Zone 2/3 and has been consulted upon with the Environment Agency, LLFA and the IDB. Following some amendments on calculations the scheme has been accepted by all of the technical specialists as acceptable. Pre commencement conditions will need to be applied to any planning permission issued for foul and surface water.

7.6.2 Due to its location in a flood zone and the proposed development it is considered to be 'less vulnerable' development and as such a sequential test is not required. On this basis it is considered that the proposal can meet the requirements of policy ENV8 of the East Cambridgeshire District Council Local Plan 2015 (as amended 2023).

## **7.7 Planning Balance**

7.7.1 It is considered that with suitably worded conditions this proposal can meet the requirements of the Local Plan. The site can deliver an employment use which in turn provides new employment opportunities to the area. It can be developed ensuring the amenities of local residents and that highway safety can be maintained. On this basis the application is recommended for approval subject to conditions.

## **8.0 COSTS**

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

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

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

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

- No technical objections have been received, all concerns raised by technical specialists have been addressed.
- The principle of development is considered acceptable

## **9.0 APPENDICES**

9.1 Appendix 1 - conditions

## Background Documents

23/00237/HYBM

14/00020/FUL  
14/00020/DISA  
13/00072/FUL  
23/01180/FUN  
87/00914/FUL  
84/00637/FUL  
83/00348/FUL  
82/00083/FUL  
83/00565/FUL

National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

East Cambridgeshire Local Plan 2015 -

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

APPENDIX 1 - 23/00237/HYBM Conditions

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

Plan Reference	Version No	Date Received
500 29-04-24 Technical response		29th April 2024
22118-001	P9	21st May 2024
PCE Drainage Calculations	21.5.24	21st May 2024
22118-001	P10	7th June 2024
22118-PCE SW Drainage Calcs	06.06.24	7th June 2024
22118-007	P6	20th December 2023
22118-006	P5	20th December 2023
22118-008	P5	20th December 2023
22118-002	P5	20th December 2023
AP0102	P06	7th March 2023
AP0025	P02	23rd February 2023
AP0024	P03	23rd February 2023
AP0023	P01	23rd February 2023
AP0022	P01	23rd February 2023
AP0021	P01	23rd February 2023
AP0015	P02	23rd February 2023
AP0014	P01	23rd February 2023
AP0013	P01	23rd February 2023
AP0012	P01	23rd February 2023
AP0011	P01	23rd February 2023
AL0001	F01	23rd February 2023
22118-004	P02	23rd February 2023
09722/T3		23rd February 2023
09722/T2		23rd February 2023
09722/T1		23rd February 2023
Flood Risk Assessment	V1	23rd February 2023
Planning, Design & Access Statement		23rd February 2023
Preliminary Ecological Appraisal		Final Report 23rd February 2023
Trees in relation to Design, Demolition and Construction		23rd February 2023
Photo 1		23rd February 2023
Photo 2		23rd February 2023

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 The materials to be used in the construction of the external surfaces of the development shall be either:
- a. As detailed on the application form and on the plans listed below:  
AP0014 Revision P01

AP0015 Revision P02  
AP0024 Revision P03  
AP0025 Revision P02; or,

b. Submitted to and approved in writing by the Local Planning Authority prior to their use in the construction of the development.

All works shall be carried out in accordance with the approved details.

- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 4 No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Drainage Strategy prepared by Parsons Consulting Engineers (ref: 22118-001 RevP10 dated 6th June 2024) 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, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
  - d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
  - e) Temporary storage facilities if the development is to be phased;
  - f) A timetable for implementation if the development is to be phased;
  - g) 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;
  - h) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
  - 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.

- 4 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

- 5 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: Site access, including details of cross-sections, long-sections, verges and earthwork embankments.
- 5 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023). The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 6 The existing access(es) to Lynn Road, as shown in yellow on the drawing 22118-005 P05, shall be permanently and effectively closed and the highway verge shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority, within 28 days of the bringing into use of the new access.
- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 7 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicular access, as shown on the drawing 22118-005 P05.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 8 Prior to first occupation or commencement of use the proposed on-site servicing and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan 22118-005 P05 and thereafter retained for that specific use.
- 8 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 9 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.
- 9 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 97 of the NPPF.
- 10 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.
- 10 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).



- 11 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.
- 11 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 12 The use hereby permitted shall take place only between the hours of 8.30 am and 5.30 pm each day Monday to Friday, 8:30am and 1pm on Saturdays and none on Sundays, Bank Holidays and Public Holidays.
- 12 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 13 Notwithstanding any lights shown on the submitted plans, no external lights shall be erected within the site (either freestanding or building-mounted) until a scheme of external lighting has been submitted to and agreed in writing by the Local Planning Authority prior to first occupation of the approved use. The lighting scheme shall then be implemented and maintained as approved.
- 13 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 14 Notwithstanding any lights shown on the submitted plans, no CCTV shall be erected within the site (either freestanding or building-mounted) until a scheme of CCTV has been submitted to and agreed in writing by the Local Planning Authority prior to first occupation of the approved use. The lighting scheme shall then be implemented and maintained as approved.
- 14 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 15 The cycle parking shown on 22118-005 P05 shall be implemented prior to first occupation of the proposed buildings and thereafter maintained in perpetuity.
- 15 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 16 Prior to first occupation of the proposed warehouses a scheme for any external plant and machinery shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ne implemented as approved and maintained in perpetuity.
- 16 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 17 Prior to the commencement of development, 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.

- 17 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and the Climate Change SPD, 2021. This condition is pre-commencement as some of the measures may be below ground level.
- 18 Prior to first occupation or commencement of use a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant (including retained existing trees/hedgerows) is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 18 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 19 No above ground construction shall commence until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include but not limited to
  - Hard surfacing materials
  - Finished floor levels
  - Car parking layouts;.

The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme submitted to and approved in writing by the Local Planning Authority prior to first occupation.
- 19 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 20 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the occupation of the warehouses approved.
- 20 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 21 Prior to the commencement of any development a Biodiversity Net Gain assessment recommended in section 5.1.4 of the Archer Ecology Report dated 7th November 2022 shall be submitted and agreed in writing by the Local Planning Authority.

- 21 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and the Natural Environment SPD, 2020. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 22 No above ground works shall take place until a scheme for biodiversity measures as outlined in chapter 5 of the Archer Ecology Report dated 7th November 2022 shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented prior to first occupation and maintained thereafter in perpetuity.
- 22 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and the Natural Environment SPD, 2020.
- 23 Prior to first occupation or commencement of use a Flood Contingency Plan for the development, which should include an appropriate method of flood warning and evacuation to ensure the safe use of the development in extreme circumstances, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details before the development is occupied or the use commenced.
- 23 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 24 Approval of the details of the appearance, layout, landscaping and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this permission.
- 24 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 25 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 25 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 26 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.
- 26 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and the Climate Change SPD, 2021.

- 27 In the event that contamination is found at any time when carrying out the approved OUTLINE 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.
- 27 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 28 Prior to or as part of the first reserved matters application, detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Drainage Strategy prepared by Parsons Consulting Engineers (ref: 22118-001 RevP10 dated 6th June 2024) 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, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
  - d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
  - e) Temporary storage facilities if the development is to be phased;
  - f) A timetable for implementation if the development is to be phased;
  - g) 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;
  - h) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
  - 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.

- 28 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 29 Prior to or with the Reserved Matters application full details to illustrate the following: Site access, including details of cross-sections, long-sections, verges and earthwork embankments shall be submitted to and agreed in writing by the Local Planning Authority
- 29 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 30 The existing access(es) to Lynn Road, as shown in yellow on the drawing 22118-005 P05, shall be permanently and effectively closed and the highway verge shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority, within 28 days of the bringing into use of the new access.
- 30 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 31 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicular access, as shown on the drawing 22118-005 P05.
- 31 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 32 Prior to first occupation or commencement of use the proposed on-site servicing and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan 22118-005 P05 and thereafter retained for that specific use.
- 32 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 33 Prior to or as part of a submitted reserved matters application 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.
- 33 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 97 of the NPPF.
- 34 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.
- 34 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

- 35 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.
- 35 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 36 The use hereby permitted shall take place only between the hours of 8.30 am and 5.30 pm each day Monday to Friday, 8:30am and 1pm on Saturdays and none on Sundays, Bank Holidays and Public Holidays.
- 36 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 37 Prior to or submitted with any Reserved Matters application a scheme for external lighting shall be submitted. The scheme agreed shall be implemented as agreed and maintained thereafter in perpetuity.
- 37 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 38 no CCTV shall be erected within the site (either freestanding or building-mounted) until a scheme of CCTV has been submitted to and agreed in writing by the Local Planning Authority prior to first occupation of the approved use. The CCTV scheme shall then be implemented and maintained as approved.
- 38 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 39 Prior to or submitted with a Reserved Matters Application a scheme of secure cycle parking shall be submitted. The agreed scheme shall be implemented prior to first use and thereafter maintained in perpetuity.
- 39 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 40 Prior to first occupation of the proposed warehouses a scheme for any external plant and machinery shall be submitted to and approved in writing by the Local Planning Authority.
- 40 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 41 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the occupation of the warehouses approved.

- 41 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 42 Prior to or with the submission of a Reserved Matters Application a Biodiversity Net Gain assessment recommended in section 5.1.4 of the Archer Ecology Report dated 7th November 2022 shall be submitted and agreed in writing by the Local Planning Authority.
- 42 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and the Natural Environment SPD, 2020.
- 43 No above ground works shall take place until a scheme for biodiversity measures as outlined in chapter 5 of the Archer Ecology Report dated 7th November 2022 shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented prior to first occupation and maintained thereafter in perpetuity.
- 43 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and the Natural Environment SPD, 2020.
- 44 Prior to first occupation or commencement of use a Flood Contingency Plan for the development, which should include an appropriate method of flood warning and evacuation to ensure the safe use of the development in extreme circumstances, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details before the development is occupied or the use commenced.
- 44 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).





## Planning Performance – June 2024

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
<b>Determinations</b>	<b>117</b>	<b>4</b>	<b>21</b>	<b>28</b>	<b>16</b>	<b>27</b>	<b>21</b>
<b>Determined on time (%)</b>		<b>50%</b> (90% within 13 weeks)	<b>76%</b> (80% within 8 weeks)	<b>100%</b> (90% within 8 weeks)	<b>88%</b> (90% within 8 weeks)	<b>70%</b> (80% within 8 weeks)	<b>100%</b> (100% within 8 weeks)
<b>Approved</b>	<b>93</b>	<b>3</b>	<b>11</b>	<b>23</b>	<b>13</b>	<b>23</b>	<b>20</b>
<b>Refused</b>	<b>24</b>	<b>1</b>	<b>10</b>	<b>5</b>	<b>3</b>	<b>4</b>	<b>1</b>

### Validations – 91% validated within 5 working days (ECDC target is 85%)

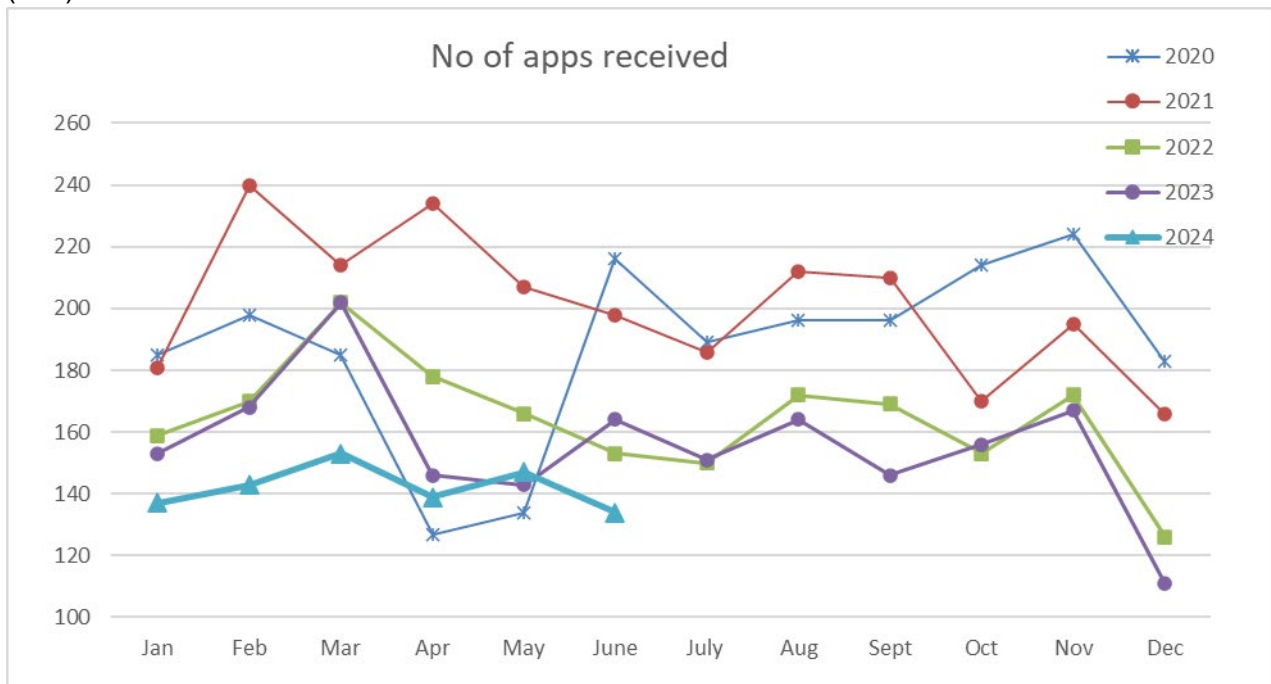
	Total	Major	Minor	Householder	Other	DIS /NMA	Trees
<b>Validations</b>	<b>139</b>	<b>3</b>	<b>14</b>	<b>33</b>	<b>18</b>	<b>52</b>	<b>19</b>

### Open Cases by Team (as at 19/07/2024)

	Total	Major	Minor	Householder	Other	DIS /NMA	Trees
<b>Team 1 (3 FTE)</b>	<b>76</b>	<b>8</b>	<b>6</b>	<b>19</b>	<b>21</b>	<b>22</b>	<b>0</b>
<b>Team 2 (3 FTE)</b>	<b>92</b>	<b>8</b>	<b>26</b>	<b>15</b>	<b>16</b>	<b>27</b>	<b>0</b>
<b>Team 3 (3 FTE)</b>	<b>107</b>	<b>11</b>	<b>17</b>	<b>8</b>	<b>23</b>	<b>48</b>	<b>0</b>
<b>Team 4 (2.8 FTE)</b>	<b>113</b>	<b>5</b>	<b>18</b>	<b>22</b>	<b>22</b>	<b>40</b>	<b>0</b>
<b>No Team (3.4 FTE)</b>	<b>49</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>43</b>

(No Team includes – Trees Officer, Conservation Officer and Office Team Leader)

The Planning department received a total of 134 applications during June which is 18% decrease of number received during June 2023 (164) and 9% decrease to the number received during May 2024 (147).



### Valid Appeals received – 3

Planning reference	Site Address	Decision Level
23/01149/OUT	Welsumme Farm Weirs Drove Burwell	Delegated
24/00107/FUL	4 Sutton Road Mepal	Delegated
24/00267/FUL	11 Black Bank Road Little Downham	Delegated

### Appeals decided – 2

Planning reference	Site address	Decision Level	Appeal Outcome
23/00007/VAR	Prickwillow Chapel Main Street Prickwillow Ely	Delegated	Allowed
23/01346/FUL	2 Sand Lane Aldreth	Delegated	Dismissed

### Upcoming Hearing dates – 2

Planning reference	Site Address	Date of Hearing
23/01116/FUL	Pratts Green Farmhouse Pratts Green Farm Malting End Kirtling	06/08/2024
23/01117/LBC	Pratts Green Farmhouse Pratts Green Farm Malting End Kirtling	06/08/2024

### Enforcement

New Complaints registered – 15 (1 Proactive)

Cases closed – 12 (3 Proactive)

Open cases/officer (2.6FTE) – 184 cases (15 Proactive)/2.6 = 71 per FTE

### Notices served – 1

Notice Type	Site address	Date Served
Enforcement Notice	11 Black Bank Road Little Downham	26/06/2024

### Comparison of Enforcement complaints received during June

Code	Description	2023	2024
<b>ADVERT</b>	Reports of unauthorised adverts	0	3
<b>COND</b>	Reports of breaches of planning conditions	3	4
<b>CONSRV</b>	Reports of unauthorised works in a Conservation Area	0	0
<b>DEM</b>	Reports of unauthorised demolition in a Conservation Area	0	0
<b>HEDGE</b>	High Hedge complaints dealt with under the Anti-Social Behaviour Act	1	0
<b>LEGOB</b>	Reports of breaches of Legal Obligation (NEW CODE)	1	0
<b>LISTED</b>	Reports of unauthorised works to a Listed Building	0	1
<b>MON</b>	Compliance Monitoring	0	0
<b>OP</b>	Reports of operational development, such as building or engineering works	5	3
<b>OTHER</b>	Reports of activities that may not constitute development, such as the siting of a mobile home	0	0
<b>PLAN</b>	Reports that a development is not being built in accordance with approved plans	2	0
<b>PRO</b>	Proactive cases opened by the Enforcement Team, most commonly for unauthorised advertisements and expired temporary permissions	1	1
<b>UNTIDY</b>	Reports of untidy land or buildings harming the visual amenity	0	0
<b>USE</b>	Reports of the change of use of land or buildings	3	3
<b>TOTAL</b>		<b>16</b>	<b>15</b>