

AGENDA ITEM NO 1

23/01338/OUM

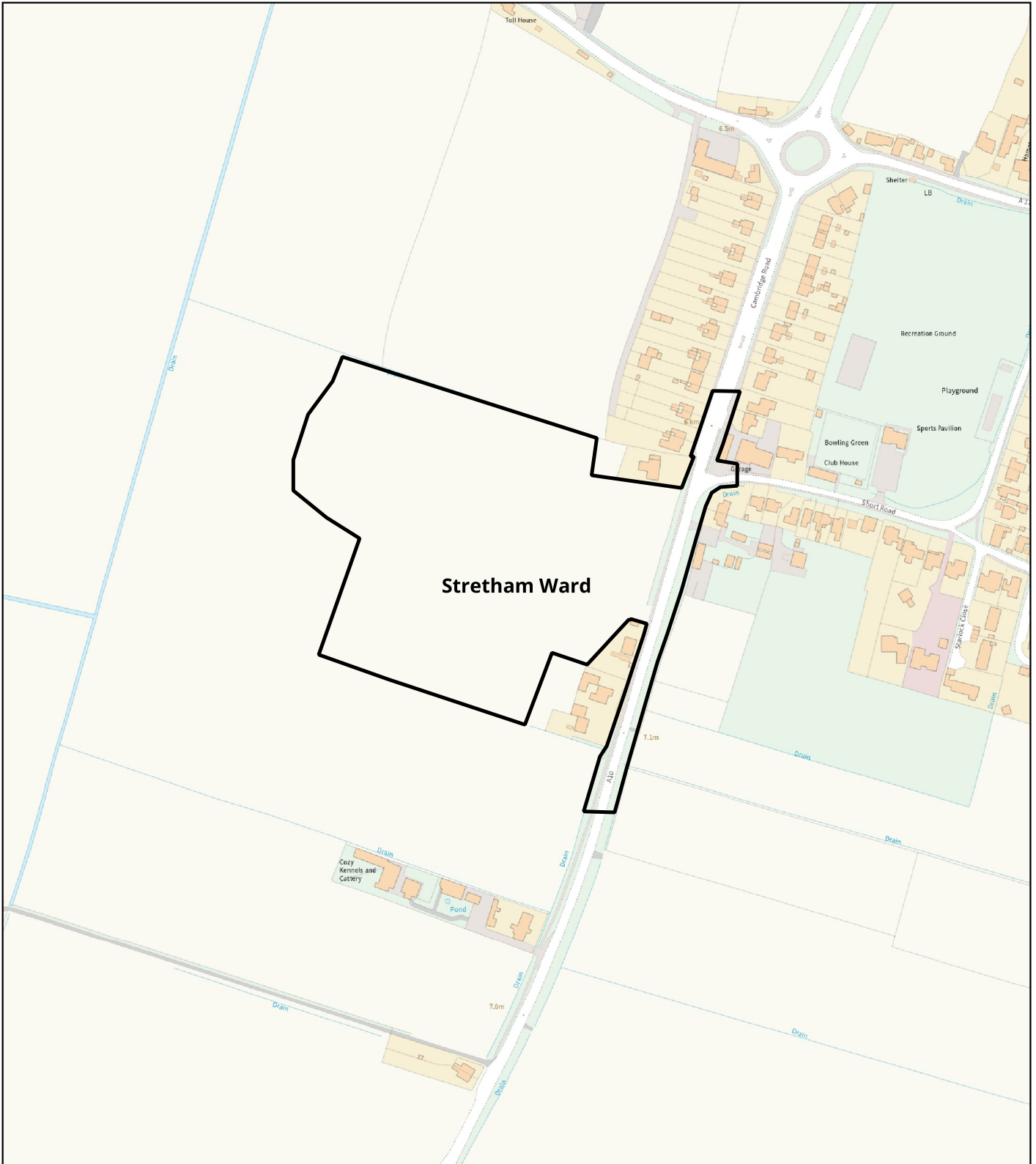
Land At Cambridge Road
Stretham

Outline planning application for the erection of up to 83 Affordable Homes with associated access, parking and landscaping - all matters reserved except for means of access

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

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S57EU9GGHP100>





23/01338/OUM



Land At Cambridge Road
Stretham

East Cambridgeshire
District Council

Date: 15/03/2024
Scale: 1:4,000



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AGENDA ITEM NO 6

TITLE: 23/01338/OUM

Committee: Planning Committee

Date: 3 April 2024

Author: Senior Planning Officer

Report No: Y187

Contact Officer: Holly Chapman, Senior Planning Officer
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Site Address: Land At Cambridge Road Stretham Cambridgeshire

Proposal: Outline planning application for the erection of up to 83 Affordable Homes with associated access, parking and landscaping - all matters reserved except for means of access

Applicant: Long Term Land Limited

Parish: Stretham

Ward: Stretham

Ward Councillor/s: Bill Hunt
Caroline Shepherd

Date Received: 5 December 2023

Expiry Date: 5 April 2024

1.0 RECOMMENDATION

1.1 Members are recommended to APPROVE the application in accordance with the following terms:

1. The Committee delegates authority to finalise the terms and completion of the S.106 legal agreement to the Planning Manager; and,
2. Following the completion of the S.106, application 23/01338/OUM be approved subject to the planning conditions at Appendix 1 (and summarised below); or,
3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the statutory determination period to enable the completion of the S106 legal agreement.

(summarised conditions)

- 1 Approved Plans
- 2 Reserved matters
- 3 Time Limit - OUT/OUM/RMA/RMM
- 4 Quantum of development
- 5 Archaeology 1
- 6 Archaeology 2
- 7 CEMP
- 8 Reporting of unexpected contamination
- 9 Drainage
- 10 Foul drainage
- 11 Levels
- 12 Noise mitigation
- 13 Biodiversity
- 14 Fire hydrants
- 15 Access
- 16 Access closure
- 17 Access drainage
- 18 Passive design
- 19 Maintenance of streets

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks outline planning permission for the residential development of the site for up to 83 affordable dwellings. Only matters of access are committed, meaning that matters of layout, scale, appearance and landscaping are reserved for future consideration.
- 2.2 The application is supported by an access plan (2006310-004 Rev B) detailing how the access is proposed to be configured, which details an access directly from Cambridge Road (the A10 highway) into the site, with a general access arrangement also proposing amendments to Cambridge Road, in summary; by way of footway widening leading northwards towards the roundabout and to the kerb radii and footway at the junction of Short Road (north east), with a refuge island providing a crossing point across the A10. All on/off-site highway works are to take place within the 40mph speed-restriction zone.
- 2.3 The application is accompanied by an illustrative layout plan and illustrative aerial layout plan to show how the quantum of dwellings could be arranged within the site, which shows a terrace of dwellings fronting the highway north of the access, with a looser planned development of dwellings behind, extending southwards behind No. 46 Cambridge Road and westward into the countryside. An area of open space is shown at the site's frontage with Cambridge Road (inclusive of indicative play space), with an indicative community orchard along the southern/western site boundary. SuDS are shown indicatively along the site's northern boundary.
- 2.4 Whilst the detailed matters of the dwellings are not committed, the applicant has indicated that dwellings will be between 1 and 2 storeys in height, and passivhaus ('passive house') principles will be adopted for construction. However, this does mean that the proposed dwellings may not necessary be constructed to Passive

House certification standards. A Design and Access Statement (DAS) has also been submitted with the proposals to provide an assessment of the site's context, and the proposals are also supported by a Landscape Visual Impact Assessment (LVIA).

2.5 The application is being presented to Planning Committee in accordance with the Council's Constitution as it comprises an outline application of more than 50 dwellings.

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 Relevant planning history for the application site is set out below:

22/00180/OUM

Outline planning application for the erection of up to 19 Affordable Homes with associated access, parking and landscaping - all matters reserved except for Means of Access

Refused

17 November 2022

Appeal Allowed (Appeal ref: APP/V0510/W/23/3317675)

22 August 2023

23/00712/OUM

Outline planning application for the erection of up to 38 Affordable Homes with associated access, parking and landscaping - all matters reserved except for Means of Access

Approved

28 November 2023

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site comprises circa 5.18-hectares (12.8 acres) of agricultural land located to the southwest of Stretham, immediately adjoining the policy-defined settlement boundary to the north.

4.2 To the north of the site is a linear development of semi-detached properties and to the south is a loose knit arrangement of 3 dwellings, which the proposed development would partially sit behind. To the west of the application site is open countryside, and immediately opposite the site (to the east) beyond the A10 is paddock land enclosed in part by corrugated fencing along the A10 boundary.

4.3 The site lies in Flood Zone 1 in respect of flooding from rivers and sea, and mainly at a low risk of flooding from surface water.

4.4 There are no nearby listed buildings or conservation areas that would be affected by the application proposals.

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 - 7 February 2024

States: "Stretham Parish Council considered this matter at the meeting held last night (6th February 2024) and recorded a decision to OBJECT to this application on the following grounds:

Inadequate access: insufficient provision for motorised vehicles; safety concerns for non-motorised vehicles and public safety

Highways issue: exceptionally fast road; busy junction; insufficient provision by developer to address these concerns

Flooding risk - insufficient provision for surface water drainage."

Parish - 8 March 2024

States: "Stretham Parish Council considered this matter at the meeting held on Tuesday 5th 2024 and recorded to make no comment on the additional surface water drainage and flood risk assessment information provided.

As previously advised, Stretham Parish Council decided to OBJECT to this application, due to the inadequate provision of highway and pedestrian safety issues."

Ward Councillors - No Comments Received

Design Out Crime Officers - 25 January 2024

States: "I have viewed the documents in relation to crime, disorder, and the fear of crime.

I note the updated documents. My additional comment is that safety signage is placed near to the SUDS to alert residents of the risks."

Design Out Crime Officers - 18 December 2023

States: "Thank you for the opportunity to comment on this application. I have viewed the documents in relation to crime, disorder, and the fear of crime. I have searched the Constabulary crime and incident systems covering location and ward for the last 2 years and have provided an updated crime analysis of the ward. I would consider the proposed location to be an area of medium to high risk to the vulnerability to crime based on the figures below.

Total Crime: 2121	Stretham Ward	Cambridge Road
Criminal Damage	54	3
Robbery	1	0
Theft from person	0	0
Bicycle Theft	1	0
Theft from a vehicle	24	2
Theft of a vehicle	6	1
Vehicle Interference	3	0
Public Order	34	3
Burglary Business	10	0
Burglary Dwelling	30	2
Possession of drugs	1	0
Theft other	39	6
Trafficking of drugs	5	0
Possession of weapons	2	1
Violence (including Stalking/Harassment)	143	2
Total Incidents: 1022		
Rowdy Nuisance	27	2
Vehicle Nuisance / Stolen Vehicle	22	0
Suspicious Circumstances	112	1
Drugs	3	1

I note section 4.8 - Safety and Security on page 42 of the Design and Access Statement (DAS). It is important that security and crime prevention are considered and discussed at the earliest opportunity to ensure that the security of buildings, homes, amenity space and the environment provide a safe place for people living, working in, and visiting this location.

NPPF Para 130(f) states - Planning policies and decisions should ensure that developments - create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The proposed development looks very nice, with most gardens being back-to-back, and the orientation of plots appear to overlook the public realm, this will help reduce the vulnerability to crime and provide natural surveillance. Due to the limited detailed drawings available, this office will reserve further comment until we have received the reserved matters/full application. In the meantime, I have the following recommendations for your consideration.

- External lighting - Our recommendation for external lighting is that all adopted and un-adopted roads, private roads, shared drives, footpaths, and parking areas/courts should be lit with columns to BS5489 1 2020. Care should be taken in relation to the location of lighting columns with the entry method for most of the

dwelling burglary being via rear gardens, especially where there is little surveillance from neighbouring properties as they can be used as a climbing aid if positioned too close to the fence/wall. Home security lights to the front and rear of the properties should be dusk to dawn LED lights, including car ports for the safety of the resident. Please note: Bollard lighting should be used as wayfinding only and not as a main source of lighting. A qualified lighting engineer will be able to produce a lighting plan appropriate for the safety and security of residents and their property as well as ecology and wildlife. I would like to see the lighting plan, including lux levels and calculations when available please.

- Boundary Treatments - All boundary treatments should be 1.8m close boarded fencing or walls for each dwelling. It is important to note that most burglaries occur at the rear of the property and is therefore essential to reduce that risk where possible.

- All private gates should be fitted with a self-closer and are lockable from both sides and any shared gates should have a self-closer.

- Our recommendation is that no rear footpaths are created to the rear of properties to allow the resident to move bins, these will only increase the vulnerability to crime.

- It is important that boundary treatments to the site are considered as Cambridgeshire experience hare coursing on open fields.

- Rear access footpaths - There is a rear footpath within the cluster of plots 1-12. As mentioned above, shared gates should be as close to the front building or fence line as possible fitted with a self-closer, private gate should be fitted with self-closers and lockable from both sides. Whilst the shared gates to the front are not be lockable, they will provide a defensible space and help to deter un-authorized access, this will also allow the residents to challenge anyone seen within these areas. It is recognised that most burglaries occur via the rear garden so it important that security measures are always considered. The fence to the rear of the garden should be lowered to 1.5m with 300mm trellis to improve the surveillance over the footpath.

- The Community Orchard - The plots with the fence line backing onto the Orchard and open field should be lowered to 1.5m and 300mm trellis added to allow the resident to have some surveillance at the back of their dwelling.

- Residents parking (houses) - The parking is to the front, side, or opposite dwelling. The parking areas opposite side of the road appear to be overlooked by properties, this will provide some natural surveillance. Those parking areas should be lit by columns - see lighting standard above.

- Cycle Storage (houses) - There is a proposal to have sheds in the rear garden to allow the resident to store and secure their bikes (this is our preferred option for bike security).

- Minimum requirements are as follow:

- Shed construction and security 38x50mm (min) planed timber frame.

- Floor and roof constructed from 11mm boards (minimum).

- 11x125mm (min) Tongue & Grooved board walls and door.

- No window to be present.

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

- Two hasp and staples that meet 'Sold Secure' Silver should be used. One positioned 200mm - 300mm down from the top of the door, and one positioned 200mm - 300mm up from the bottom of the door. Additionally, hasp and staples should be coach bolted through the shed structure or secured with either security or non-return screws.
- Both padlocks should meet 'Sold Secure' Gold or LPS 1654 Issue 1.1:2014 Security Rating 1. Specialist Cycle Parking (Page 20 section 5.8) - Please click on the link for more information: [05132-Cycle-Parking-and-Security-Standards-June-2021-REV-6.pdf \(securedbydesign.com\)](#)
- Apartments - Doorsets & Access Control - The communal entrance doors to the flats should be access controlled with a video entry system to allow the resident to see/speak to any visitors before allowing access, there should be no trade buttons. All doorsets allowing direct access into to the home, e.g., front, and rear doors, interconnecting garage doorsets, French doors, bi-fold or sliding patio doorsets, dedicated private flat or apartment entrance doorsets, communal doorsets, easily accessible balcony doorsets should be certificated to one of the following standards:
 - PAS 24:2016 (Note 23.4b), or
 - PAS 24:2022 (Note 23.4b), or
 - STS 201 Issue 12:2020 (Note 23.4c), or
 - LPS 1175 Issue 7.2:2014 Security Rating 2+ (Note 23.4d), or
 - LPS 1175 Issue 8:2018 Security Rating A3+, or
 - STS 202 Issue 10:2021 Burglary Rating 2 (Note 23.4d), or
 - LPS 2081 Issue 1.1:2016 Security Rating B (Notes 23.4d and 23.4e), or
 - STS 222 Issue 1:2021
- Cycle Parking (Apartments) - Can you confirm what the provision is for the apartments please. Our recommendation is as follow.
Internal Cycle (Apartments blocks) - Cycle storage should be enclosed within a solid structure, well-lit and the doors should have LPS1175 SR1 rated security enhanced door-sets fitted with self-closers and a thumb turn or push to exit for egress to ensure that people cannot be locked in. There should be no visibility inside the stores to prevent criminals viewing the cycles (no windows). Stands should be secured (cemented 300mm) into the ground (not bolted down) as per Secured by Design guidelines. Minimum requirements for such equipment are:
 - Galvanised steel bar construction (Sheffield stands).
 - Minimum foundation depth of 300mm with welded 'anchor bar'
 - The cycle stands must facilitate the locking of both wheels and the crossbar.
 Clarification required what construction will these doors be?
- Will there be provision for E-bikes and cargo bikes?
- Secondary doors within the storage area providing access to the main core of the block should be access controlled and not a push to release. This is to mitigate against any technical problems or if the door is left insecure.

- Covered by CCTV both internal and external

Please be aware there are now tested products available and are listed on the SBD site which would be advisable when taking into consideration the high cycle crime rates within Cambridgeshire. Specialist Cycle Parking Page 20 section 5.8 - Please click on the link for more information [05132-Cycle-Parking-and-Security-Standards-June-2021-REV-6.pdf](#) securedbydesign.com

- Footpath, Open Space, Landscaping, whole development including - pedestrian links on this proposed development, footpaths should be straight with clear visibility and a minimum 2m wide, the landscaping along these paths should be maintained with a good management plan in place. Please ensure that tree crowns are 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. Care should also be taken not to place column lighting within 5m of trees to reduce conflict or within 1m of private residential fences as they could be used as a climbing aid most dwelling burglaries are committed via rear gardens. These should encourage residents to use the green space and further improve natural surveillance which is always a proven deterrent to crime and anti-social behaviour as well as being a positive to health and wellbeing and a safe route. See lighting standard above

Our office would be happy to discuss Secured by Design and measures available to reduce the risk to vulnerabilities of crime. Please be aware that the secured by design homes guide has been updated, the latest edition is the SBD homes 2023 guide

Design Out Crime Officers - 22 December 2023

States: "I have viewed the documents in relation to crime, disorder, and the fear of crime.

I note the additional documentation. I have no further comment or objection. "

Anglian Water Services Ltd - 24 January 2024

States: "We have reviewed the submitted documents and we can confirm we have no additional comments to add to our previous response PLN-0201002."

Anglian Water Services Ltd - 2 January 2024

ASSETS

Section 1 - Assets Affected

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

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement.

Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption

agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

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

Section 3 - Used Water Network

This response has been based on the following submitted documents: Design and Access, Illustrative layout plan.

The sewerage system located in Cambridge Road at present has available capacity for these flows. If the developer

wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act

1991. We will then advise them of the most suitable point of connection. 1. INFORMATIVE - Notification of intention

to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by

Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. 2.

INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for

the proposed development. It appears that development proposals will affect existing public sewers. It is

recommended that the applicant contacts Anglian Water Development Services Team for further advice on this

matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. 3.

INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of

3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on

0345 606 6087. 4. INFORMATIVE: The developer should note that the site drainage details submitted have not

been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer

adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact

our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption

should be designed and constructed in accordance with Sewers for Adoption guide for developers, as

supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

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

The preferred method of surface water disposal would be to a sustainable drainage system SUDS with connection to the sewer seen as the last option. A flood risk assessment or surface water strategy has not been submitted, there is insufficient information to allow us to comment make comments on the surface water proposal. We would like to note that Anglian Water has no designated surface water sewers within the area of the proposed development site and we are unable to offer a solution for the surface water discharge at a later stage. We would expect the developer to consider the use of a Suds scheme as the surface water strategy. We recommend that once the surface water information is submitted that the Cambridge LLFA is re-consulted as per their response to the planning application dated 20-12-2023 We request a condition be applied to the decision notice if permission is granted. The purpose of the planning system is to achieve sustainable development. This includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy. It is appreciated that surface water disposal can be dealt with, in part, via Part H of the Building Regulations, it is felt that it is too late at this stage to manage any potential adverse effect. Drainage systems are an early activity in the construction process and it is in the interest of all that this is dealt with early on in the development process.

Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Surface Water Disposal (Section 4)

No development shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.

FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information:

Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution.

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

Surface water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:
 - Development hectare size
 - Proposed discharge rate (Our minimum discharge rate is 2l/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website - <http://www.uksuds.com/drainagecalculation-tools/greenfield-runoff-rate-estimation> . For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)
- Connecting manhole discharge location
- Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)

Anglian Water Services Ltd - 14 December 2023

States: "We are unable to make an accurate assessment for the proposed development because no drainage strategy has been submitted with the application and therefore it is not clear where the applicant is proposing to connect to Anglian Water network."

Cambridgeshire Archaeology - 22 January 2024

States: "Thank you for the re consultation regarding the archaeological implications of the above referenced planning application. We have reviewed the additional documents and confirm that this does not alter our previous advice, 22/12/2023 and 11/12/23.

Namely that due to the archaeological potential of the site, a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:

Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (Wintertree Software Inc.) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the Wintertree Software Inc., no demolition/development shall take place other than under the provisions of the agreed Wintertree Software Inc., which shall include:

- a) The statement of significance and research objectives;
- b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) The timetable for the field investigation as part of the development programme;
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021)

Informatives:

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

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

A brief for the recommended programme of archaeological works is available from this office upon request. Please see our website for CHET service charges."

Cambridgeshire Archaeology - 22 December 2023

We have reviewed the newly uploaded documentation and can confirm they do not alter the advice given by this office on 11/12/23.

Namely that due to the archaeological potential of the site, a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:

Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

- a) The statement of significance and research objectives;
- b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) The timetable for the field investigation as part of the development programme;
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).

Informatives:

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

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

Cambridgeshire Archaeology - 11 December 2023

States: "Our records indicate that this site lies in an area of archaeological potential, immediately adjacent to the west of the 18th century Ely turnpike road (Cambridgeshire Historic Environment Record reference 05353) and less than 200m west of the projected line of a former Roman Road running north to Ely and Littleport (CHER ref 05352). To the east and south of the application area extensive artefactual evidence of Prehistoric-Roman occupation (for example, MCB17005, MCB17019, MCB16998, 06928a, MCB17002, MCB17023) is recorded in proximity to a settlement site of Romano-British date visible on historic aerial photographs as

cropmarks and which was mapped as part of the East Cambridgeshire Aerial Investigation and Mapping project (ECB6189, MCB31404). Archaeological investigations to the north within the village have revealed evidence of early through to late medieval remains, including structures possibly associated with an early manor (CHER refs MCB19851, 09833, MCB17659, 10199 and MCB17658). Earthwork remains of ridge and furrow cultivation and known to the north and south of the development area, including levelled earthwork remains within the development area itself (CHER refs MCB31270 and MCB30384).

We have commented on development within the area previously (22/00180/OUM and 23/00712/OUM) and advise that our previous recommendations remain for this application also. Namely that due to the archaeological potential of the site, a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:

Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

- a) The statement of significance and research objectives;
- b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) The timetable for the field investigation as part of the development programme;
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).

Informatives:

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

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

Cambridgeshire County Council Education - 8 January 2024

States: "A summary of the County Council's Education and Libraries/Lifelong Learning contributions are set out in the extract below. Their full response is available on the Council's Portal, and should be read in conjunction with the below table:

2. S106 Summary Table

2.1 Table 1 below summarises the contributions requested by the Council. Subsequent sections of this response provide the detailed explanation as to how these contributions have been calculated. The Council provides a cost for the proposed education mitigation projects calculated in accordance the standards as set out in Building Bulletin 103. Where there is no project cost available, the most recent Department for Education scorecard costs will be used.

Table 1: s106 contributions – summary table

	Contribution	Project	Indexation date	Trigger
Early Years	To be calculated in accordance with appendix 3	Additional Early Years Places in Stretham	1Q2022	50% prior to commencement 50% prior to occupation of 50% of the scheme
Primary	N/A	N/A	N/A	
Secondary	To be calculated in accordance with appendix 3	Expansion of Witchord Village College	1Q2022	
Libraries	£12,272	Enhanced provision at Ely Library	1Q2021	100% prior to occupation of 50% of the development
Strategic Waste	n/a			

CCC Growth & Development - No Comments Received

Cambridgeshire Fire And Rescue Service - 23 January 2024

States: "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
Hinchingsbrooke 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."

Cambridgeshire Fire And Rescue Service - 12 December 2023

States: "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
Hinchingsbrooke 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.”

County Highways Transport Team – 29 February 2024

States:

“Background

The document reviewed is the transport assessment dated December 2023, written by Ardent for a proposed 83 dwellings.

Transport Assessment Review

2.3

A review of the existing network has been undertaken.

It is noted that there is a missing section of footway just to the north of the proposed development.

2.16

Stretham is a small, isolated village with very limited facilities, its unlikely many residents would walk/cycle at peak times to schools or employment.

A site in this location is likely to be reliant on the private motor car as demonstrated by the census data and mode share.

2.18

It is noted that Stretham is served by a limited bus service.

2.24

it is noted that accident data has only been provided for a few hundred metres fronting the site and not an agreed study area.

2.28

The use of 2021 census data is not acceptable, due to covid and restrictions the results are not a true reflection.

2.30

MCC were undertaken at the Cambridge Road junction with Short Road on 15 sept 2021.

3.5

It is proposed to provide a pedestrian refuge island and a new section of footway on the eastern side of the A10. This will enable pedestrians from the site to walk north into the village centre. It should be noted that the footway and pram crossing at the petrol filling station whilst may be within public highway, looks difficult to deliver.

3.18

The LPA are the parking authority and will provide comments on parking.

5.1

The use of TRICS is acceptable.

5.8

The use of census 2011 data to determine modal split is acceptable.

As expected for a site in such a rural location there are just a handful of walking/cycling trips in the peaks.

6.2

The network peaks have been determined from the 2021 traffic surveys,

6.3

2027 does seem a bit optimistic, but the future years are noted.

6.4

The use of TEMPRO is acceptable.

6.7

The proposed distribution is acceptable.

6.9

A percentage impact assessment is not acceptable as this does not show how a junction is operating. If a junction is operating over capacity, then any new vehicles could have a severe impact.

6.18

The modelling results are noted.

The Highway Authority is aware that the A10/A1123 roundabout already suffers from being over capacity and leads to queuing on more than one arm at peak times. Queuing at the roundabout is also shown on google earth.

It is likely that vehicles will queue from the A10 roundabout past the proposed site access at peaks times, this could prevent vehicles from exiting the site. Queuing of vehicles trying to exit the site on a small side road is not a concern to the Highway Authority. A planning application of this size is not able to “fix” the existing capacity issues at the A10 roundabout.

The Highway Authority does not wish to object to the proposals subject to the following –

1. Prior to first occupation of any dwelling, the applicant shall deliver on the ground the footway improvements, refuge island and pram crossings as show in principle on drawing 20 0 6310-0 0 4 Rev B. Full details to be submitted to and approved in writing by the local planning authority.”

Environment Agency - No Comments Received

Environmental Health - 22 January 2024

States: “I have no additional comments to make at this time.”

Environmental Health - 5 January 2024

States: "I have read the Design & Access Statement dated June 2023 prepared by Metropolis which indicates that this is a greenfield site. I recommend that a condition requiring investigation for contamination is not required. Due to the proposed sensitive end use of the site (residential) I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission."

Environmental Health - 14 December 2023

States: "We have commented on a similar proposal at this location in the past.

If Peter wishes to make any comments he will respond separately.

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

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

If it is necessary to undertake ground piling I would request that a method statement be produced and agreed in writing with the Local Planning Authority (LPA) before work takes place. This document should include the commitment to notifying nearby properties prior to the work commencing to advise how long the works will last. This notification should also provide a contact number so that if there are any concerns while the piling is taking place they can contact the contractor. If the method of piling involves impact driving I would request a commitment to the following restricted hours specifically for piling - 09:00 - 17:00 each day Monday - Friday and None on Saturdays, Sundays or Bank Holidays.

If there is no intention to utilise ground piling then I would request this be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA.

For the previous application at this site there was a NIA included. There isn't one visible on the Portal for this application. It may be useful to have a discussion concerning noise at this site before I comment further.

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

Housing Section - 16 February 2024

States: "The application will support East Cambridgeshire District Council to address housing need.

Developers will be encouraged to bring forward proposals which will secure the affordable housing tenure as recommended by the most up to date SHMA at 77% rented and 23% intermediate housing.

Detailed discussions are recommended with the developer prior to submission of the reserved matters application in order to secure an affordable housing mix that meets the housing needs of the area. Early indications suggest that we will be requiring an affordable housing mix of one to five-bedroom homes on site.

It is recommended that the space standards for the affordable dwellings should meet the minimum gross internal floor area as defined within the DCLG; National Describes Space Standards. Please see link: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard____Final_Web_version.pdf

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

1. That Affordable Housing is secure with the tenure requirement of 77% rented and 23% intermediate housing.
2. That the dwellings will be Affordable Housing in accordance with the definition contained in NPPF.
3. That the dwellings will transfer to a provider of social housing approved by the Council, either a Private Registered Provider or an alternative affordable housing provider (including but not limited to a housing trust or company, a community land trust or an almshouses society).
4. That the tenure of each dwelling will be Affordable Rent, Social Rent or Shared Ownership, and no subsequent alteration will be permitted without the Council's prior approval.
5. That the rent charged for the Affordable Rented properties will not exceed Local Housing Allowance rate for the equivalent property size.
6. That the Affordable Dwellings are constructed to DCLG, National Described Space Standards or as a minimum all new dwellings should meet Building Regulation Part M (Volume 1), Category 2, unless there are exceptional design reasons why this is not possible.
7. That the Provider will not dispose of any dwelling by outright sale (except any sale to a tenant under statutory provisions)
8. That occupation will be in accordance with a nomination agreement.
9. That these affordable housing conditions shall be binding on successors in title, with exceptions for mortgagees in possession and protected tenants."

Local Highways Authority - 1 February 2024

States: "Following a review of the updated information submitted, I have no further comments

or recommendations following my response on the 2nd January 2024.

I have not provided comment on the layout presuming it is illustrative and noting it is not to CCC adoptable standard."

Lead Local Flood Authority - 5 March 2024

States: "We can remove our objection to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed using a step swale (planted step) and an attenuation basin which will be discharged to an ordinary watercourse site via a pump, restricting surface water discharge to greenfield equivalents.

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

We request the following conditions are imposed:

Condition 1

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 Flood Risk Assessment and Foul and Surface Water Drainage Strategy for Planning prepared by Unda Consulting (ref: 90709d-FuturePD-Stretham) dated 15th January 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) Site Investigation and test results to confirm infiltration rates;
- f) 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;
- g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- h) Full details of the maintenance/adoption of the surface water drainage system;
- i) Permissions to connect to a receiving watercourse or sewer;
- j) Measures taken to prevent pollution of the receiving groundwater and/or surface water

Reason

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

Condition 2

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

Reason

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

Lead Local Flood Authority - 5 February 2024

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

1. Limited SuDS

It is appreciated that the applicant proposes basins and step swales. However, interception source control should be sought on every site, such as permeable paving, rain gardens, bioretention, or green roofs. This sets up the start of the SuDS Management Train and provides the first stage of treatment and surface water management before discharging into the watercourse. The applicant has not incorporated source control into the site, nor provided evidence of why they would be inappropriate.

2. Impermeable Areas

It is currently unclear whether the applicant has included the surface area of the attenuation basin as part of the total impermeable area. The attenuation basin must be treated as an impermeable surface in calculations these areas will be positively drained into the system.

3. Further information required about proposed outfall

It is acknowledged that images provided appear to show a well-maintained watercourse, however clarification of maintenance on the downstream extents is required. In addition, the following information is also required:

- capacity of the watercourse (the applicant must demonstrate that the watercourse has sufficient available capacity to cope with the influx of surface water from the site). An approximate assessment of channel capacity based on its dimensions should be undertaken. As a worst-case scenario, the smallest part of the watercourse should be assessed.

- outfall of the watercourse (the applicant must identify a final effective outfall of the watercourse). We would accept a desktop trace, but the applicant should also include any other available information, such as aerial photography, that proves the physical presence of a watercourse.

Informatives

Ordinary Watercourse Consent

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

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

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

Pollution Control

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

Assistance For Developers

- Cambridgeshire County Council has a surface water guidance document which is available to view here. This document provides checklists and templates to help ensure you include sufficient information within your drainage strategies. Following this guidance will help reduce the risk of an objection which can hold up a planning application.

- We also offer a pre-application service which enables you to discuss your drainage proposals with the LLFA Officers prior to submission of a formal application.”

Lead Local Flood Authority - 5 January 2024

States: “At present we object to the grant of planning permission. The applicant has not provided any new information since our last response. Therefore, the LLFA would like to reiterate the following:

Paragraph 173 of the National Planning Policy Framework requires planning applications to be supported by a site-specific flood risk assessment. Such an assessment should include a surface water strategy and must demonstrate that the proposed development incorporates sustainable drainage systems (SuDS), unless there is clear evidence that this would be inappropriate. The SuDS should:

- a) Take account of advice from the Lead Local Flood Authority;
- b) Have appropriate minimum operational standards;
- c) Have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) Where possible, provide multifunctional benefits

As a flood risk assessment/surface water strategy containing the above information has not been submitted there is insufficient information in order for us to determine the impacts of the proposal.

In order to assist developers with the preparation of surface water strategies Cambridgeshire County Council has prepared a guidance document which is available to view here.

For an outline application the following should be included within the surface water strategy:

- i. Existing impermeable area
- ii. Proposed impermeable area / developable area (including an allowance for urban creep)
- iii. A description of site topography
- iv. A description of ground conditions (using site investigation where possible)
- v. Identification of any surface water flood risk
- vi. Existing site drainage arrangements
- vii. Proposed method of surface water disposal
- viii. Existing and proposed runoff rates (if discharging off-site)
- ix. Existing and proposed runoff volumes (if discharging off-site)
- x. Required volume of attenuation (m³ per m² of impermeable area)
- xi. Preliminary SuDS proposals
- xii. Infiltration test results in accordance with BRE365 (or second viable option for surface water disposal if testing hasn't yet been undertaken)
- xiii Details of proposed phasing”

The Ely Group Of Internal Drainage Board - 9 February 2024

States: “The Board has no further comment to make from our letter dated 21 st December 2023.

You may wish to contact Haddenham Level IDB regarding this application.”

The Ely Group Of Internal Drainage Board - 21 December 2023

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

The Board has no comment on this aspect of the application.”

Haddenham Level Drainage Commissioners - No Comments Received

Waste Strategy (ECDC) - 30 January 2024

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

o

A swept path analysis will be required to comment on the safe access and reversing of our vehicles for collection, assuming the roads are built to adoptable standards. We advise the applicant to refer to the Recap Waste Management and Design

Guide, which includes the specifications of our collection vehicles and road dimensions.

o

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

o

Each new property requires a set of receptacles; the contribution is currently £57 per set. We would recommend the developer made the contribution on behalf of the residents. Please note that the bins remain the property of East Cambridgeshire District Council.

o

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

5.2 A site notice was displayed near the site on 14th December 2023 and a press advert was published in the Cambridge Evening News on 21st December 2023.

5.3 **Neighbours** – 87 neighbouring properties were notified of the proposal. 74 responses were received with 4 objections to the proposal and 70 comments in support. The responses have been summarised below. A full copy of the responses are available on the Council’s website.

All of the supportive comments were received from contributors through the ‘Just Build Homes’ service, a service established by ‘Shared Voice’, a communications agency.

- Many people were supportive of the application due to its high affordable housing scheme and rent- to- buy options. This was stated to be “a step towards addressing the housing affordability issues in the area” and providing “fantastic opportunities for families starting out.”
- The inclusion of the community orchard and play area within the scheme was also praised.

Four objections were also raised to the proposal stating:

- Concerns with highways safety in particular with how the A10 and highway network would be able to accommodate the additional traffic.
- It was also noted that many concerns were raised with pedestrian safety when crossing the A10 and that many felt a solution should be provided.
- Neighbouring properties raised concerns with a lack of parking being provided for future occupiers on site.
- It was also raised that residents have concerns with the existing water pressure and drainage systems being unable to accommodate the additional development.
- Concerns with flooding of the site were also raised.

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
- HOU 1: Housing mix
- HOU 2: Housing density
- HOU 3: Affordable housing provision
- HOU 4: Affordable housing exception sites
- ENV 1: Landscape and settlement character
- ENV 2: Design
- ENV 4: Energy and water efficiency and renewable energy in construction
- ENV 7: Biodiversity and geology
- ENV 8: Flood risk
- ENV 9: Pollution
- ENV 14: Sites of archaeological interest
- COM 7: Transport impact
- COM 8: Parking provision

6.2 *Cambridgeshire & Peterborough Waste and Minerals Local Plan, 2021*

6.3 *National Planning Policy Framework, 2023 (December)*

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

6.4 *Planning Practice Guidance*

- Noise

6.5 *ProPG: Planning and Noise for New Residential Development, May 2017*

6.6 *Supplementary Planning Documents (SPD)*

- East Cambridgeshire Design Guide
- Flood and Water
- Contaminated Land
- Natural Environment
- Climate Change

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

7.0 **PLANNING COMMENTS**

7.1 Key Issues:

- Principle of Development
- Access and Highway Safety
- Indicative Layout and Visual Amenity
- Residential Amenity
- Flood Risk and Drainage
- Biodiversity
- Infrastructure
- Other matters

7.2 **Background to the Application**

7.3 An application for outline planning permission at the site for 19-affordable dwellings was recently refused in 2022 (see history section above) on the following grounds;

- 1 *The application site is located in an area exposed to noise from the adjacent transport network. The application proposes to mitigate the noise by relying on closed windows and mechanical ventilation throughout all properties. Whilst this would reduce internal noise levels to acceptable levels, it would not be possible for occupiers to open any windows without being affected by noise levels in excess of recommended limits. Consequently, the development would fail to provide a high-quality living environment contrary to policy ENV 2 of the East Cambridgeshire Local Plan (2015) and paragraph 130(f) of the NPPF.*
- 2 *The application site is located in an area exposed to noise from the adjacent transport network. The application proposes to mitigate the noise by arranging dwellings fronting the highway in a terrace formation. The site sits outside of the development envelope of Stretham where buildings are looser knit and as such the introduction of a terrace of properties in this location would fail to complement and enhance the local distinctiveness of the area, contrary to policies ENV 1 and ENV 2 and paragraph 130 of the NPPF.*
- 3 *The application proposes a residential housing scheme which would require contributions towards education, open space as well as securing affordable housing as a rural exception site. However, the application is not supported by a legal agreement deemed necessary to secure this, contrary to policy GROWTH 3 and HOU 4 of the East Cambridgeshire Local Plan, 2015.*

7.4 An appeal against the Council's refusal was subsequently lodged and the appeal dismissed, thereby granting outline planning permission. In summary, the following key conclusions were drawn by the Planning inspectorate;

- That the proposal would be built to passive-house standards, whereby it is not necessary to open windows,
- That through the appeal submission and notwithstanding the passive-house standard, the development demonstrates that at least 1 window on the quieter façade of all properties and serving habitable rooms could be opened whilst achieving acceptable internal noise levels,
- That the use of a terrace design would not result in unacceptable visual harm to the character of the area
- That, through the appeal submission, the infrastructure contributions necessary to the make the development acceptable were secured via legal agreement.

7.5 A subsequent application for a 38-dwelling scheme was then submitted (23/00712/OUM), incorporating some of the same design solutions to the appealed proposal e.g., passive-house standard design, quieter facades and terrace design along the frontage. Significant weight was afforded to the appeal decision when considering the most recently approved 38-unit scheme, given its similarities with the appeal proposals.

7.6 It is considered, as above, that significant weight should again be afforded to the appeal decision and the recently approved 38-unit scheme when considering the current scheme as material considerations in the planning consideration process. Albeit a larger proposal, the scheme seeks to incorporate the same design-principles as above.

7.7 Principle of Development

7.8 The site is located outside of the defined development envelope of Stretham and comprises an agricultural field. Policy GROWTH 2 of the adopted Local Plan 2015 seeks to strictly control development outside of defined development envelopes, having regard to the need to protect the countryside and the setting of towns and villages. Development will be restricted to the main categories listed below, and may be permitted as an exception, providing there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied;

- Affordable housing exception schemes (see Policy HOU 4).

7.9 The site comes forward as 100% affordable housing, with a provider, Stonewater Ltd. confirming that they intend to take on the scheme. In this regard, the proposal would meet with the exception set out in policy GROWTH 2 under Policy HOU 4, subject to compliance with the development plan and consideration of impacts on the character of the countryside.

7.10 Policy HOU 4 supports Affordable Housing exception sites, subject the following being met;

- There is an identified local need which cannot be met on available sites within the development envelope (including allocation sites), or sites which are part of community-led development.
- The site is well related to a village which offers a range of services and facilities, and there is good accessibility by foot/cycle to those facilities.
- No significant harm would be caused to the character or setting of the settlement and the surrounding countryside.

- The scale of the scheme is appropriate to the location and to the level of identified local affordable housing need.
- The scheme incorporates a range of dwelling sizes, types and tenures appropriate to the identified local need; and
- The affordable housing provided is made available to people in local housing need at an affordable cost for the life of the property.

- 7.11 It is acknowledged that there is a significant need for affordable housing in East Cambridgeshire (paragraph 4.5.1 of the Local Plan) with an accepted under-delivery of sites in the plan period so far.
- 7.12 The application is supported by a Housing Needs Assessment (HNA) (January 2024) which considers the needs of the villages of Stretham and Little Thetford, both of which are in the Stretham ward. The inclusion of Stretham and Little Thetford as part of the HNA was agreed for both of the previous consents within the application site, and has therefore been taken forwards under the current scheme. The results indicate a need for at least 44 affordable dwellings, with only 63 affordable dwellings granted in the last 6 years in Stretham and Little Thetford (57 of which have been granted within the application site under the two recent approvals, one of which at appeal). The other 6 of these 63 units were delivered as part of the Plantation Gate housing scheme and passed to the Stretham Community Land Trust (CLT).
- 7.13 The Council's Housing team have advised that as of late February 2024, there are 75 people on the housing register with a 'local connection' to Stretham and Little Thetford (49 Stretham/26 Lt. Thetford), with 327 and 317 people also indicating a preference to live within either Stretham or Little Thetford respectively.
- 7.14 The Council's Housing team has reviewed the proposal and confirmed that the scheme would meet an identified local need (subject to the final tenure and mix) and in this regard, the proposal would comply with policy HOU 4. Furthermore, with the proposed highway improvements, the site would be well-linked to local services and facilities within Stretham itself including the recreation ground, garage and central village amenities.
- 7.15 With regard to tenure, following review of the Housing Needs Assessment, the Council's Strategic Housing Team have also agreed that a tenure split of circa 50/50 rent to intermediate housing across the site is also acceptable in the context of the need within the local area, as opposed to the usual preference of 77/23 rent to intermediate housing. This also includes a tenure mix of affordable rent, shared ownership and rent-to-buy, offering a range of tenure as required by Policy HOU 4. Further details of Heads of Terms and S106 legal agreement are provided in following sections of this report, including matters of affordable housing.
- 7.16 On the above basis, it is considered there is sufficient evidence of local need for affordable housing in the Stretham ward, and the scheme would satisfy this local need. Whilst the 83-unit scheme would slightly exceed the current local need as understood from the Council's Housing Team, it is relevant that the scheme is for 'up-to' 83-units, and this is a maximum not a minimum number subject to future reserved matters submission(s).

- 7.17 The understanding of local need for affordable housing is also highly unlikely to be static, and the scheme has the potential to therefore in-build a small degree of flexibility in meeting a growing local need, which has itself increased across applications within the site since 2022 (from 45 to 75 individuals with a local connection). This flexibility should also be considered in the light of the district's aforementioned significant need for affordable housing and accepted under-delivery of sites in the plan period so far, and limited delivery of affordable housing in the Stretham ward over preceding years, which itself should be afforded weight in the decision-making process. It is therefore considered that the scale of the scheme is appropriate to the location and to the level of identified local affordable housing need, in compliance with Policy HOU 4.
- 7.18 In respect of policies GROWTH 2 and HOU 4 and the impact of the development on the countryside; the site is straddled by built form, but it is acknowledged that the development extends notably beyond existing built form within the village. It is also acknowledged that views of the openness in this section would be lost through the development. This would need to be balanced against the benefits of delivering an affordable housing scheme where there is an identified need, and that the Local Plan accepts some loss of open countryside through rural exception sites. In this respect it is likely that a scheme could come forward (subject to detailed design) which would not significantly harm the open character of the countryside. Further comments on landscape and settlement impacts are provided within later sections of this report.
- 7.19 It is considered therefore, that the principle of the development can be supported through strategic policy GROWTH 2 and housing policy HOU 4 and other relevant policies of the development plan.

7.20 Access and Highway Safety

- 7.21 The Local Highways Authority (LHA) has confirmed that, as agreed under the previous scheme (LPA Ref. 23/00712/OUM) the access arrangements and wider mitigation as set out on plan ref: 2006310-004 B are acceptable, subject to conditions. The LHA has confirmed in further discussions that the highway mitigation works are acceptable to mitigate the impact of the development in highway safety terms. Subject to the scheme being delivered in accordance with the arrangement and conditional requirements, it is considered that the proposal would be served by safe and suitable access as required under policy COM 7 of the ECLP and paragraph 114(b) of the NPPF. The additional works beyond the site access including footpath widening, refuge island and tactile paving could also provide benefits to residents accessing Short Road e.g. to access the recreation ground.
- 7.22 The County Council's Transport Assessment Team have also raised no objections to the proposals, subject to the proposed highway works being completed prior to occupation of the proposed development. It is noted in their comments the Transport Assessment Team have raised a few technical concerns with the data used in the Transport Assessment, and deliverability of the off-site highway works. However, in further clarification with Officers, the Transport Assessment Team have concluded that making further amendments to the submitted Transport Assessment to address the technical issues raised would not affect the current outcome of the assessment. On this basis, there are no objections raised, and no further amendments technical or otherwise to the Transport Assessment required.

- 7.23 Regarding the deliverability of the off-site highway works, the Local Highways Authority (LHA) have confirmed that all works proposed are understood to take place within the highway boundary which benefits from highway rights. However, it has been advised that matters of existing encroachment into the highway boundary may potentially need to be addressed when the highway works are undertaken (for example under S278 and S38 works for adoption and works in the highway). This is a separate legislative process and relates to third-party disputes, not the technical acceptability or deliverability of the proposals to mitigate the development's impacts. This legal process is also independent of the planning system, and Officers have been advised by the LHA that given the land is subject to highway rights, the LHA cannot in principle refuse highway mitigation works within it. The highway mitigation works are therefore considered to be deliverable to mitigate the impacts of the development, and the Grampian condition trigger suggested at Condition 15 would preclude occupation of the site until such a time these mitigation works were completed.
- 7.24 Car parking in accordance with Policy COM 8 (two spaces per dwelling – maximum requirement) is also shown indicatively on the submitted plans as being possible.
- 7.25 On the above basis the proposed development is considered to be acceptable in terms of its highway impacts and in terms of highway safety as per the policies of the Local Plan and NPPF.
- 7.26 Indicative Layout and Visual Amenity**
- 7.27 Whilst layout is not a committed detail with this application, it is generally necessary for the applicant to demonstrate that the quantum of development could be satisfactorily accommodated within the site. In this respect, the applicant has submitted an indicative layout plan and an assessment of the scheme in the context of the wider Stretham village as set out within the Design and Access Statement (DAS).
- 7.28 The indicative layout demonstrates that the quantum could likely satisfactorily fit into the site and could achieve rear garden sizes and open space (inclusive of play space) compliant with standards expected within the adopted Design Guide and Developer Contributions SPDs. An indicative density of c.18.2 dwellings per hectare (7.4 units per acre) is shown within the DAS suggesting a density generally commensurate with the density of development along Cambridge Road immediately to the north of the application site.
- 7.29 The Council previously raised concerns under LPA Ref.22/00180/OUM that a terrace of dwellings along the frontage would be at odds with the prevailing looser-knit character of the area. However, as noted above, this concern has recently been tested at appeal, whereby the Inspector considered that, whilst only in outline, such an arrangement would not result in visual harm sufficient to warrant refusal of the application and that a suitable scheme could likely be secured at reserved matters which could respond positively to the character and settlement pattern of the area. In this respect, having regard to the significant weight to be afforded to the appeal decision, the Council found under the subsequent scheme for 38-dwellings (23/00712/OUM) that the proposal to repeat the indicative frontage of terrace dwellings does not warrant sufficient grounds to refuse the application. It is considered that the same conclusions can be drawn for the current proposals on this matter.

- 7.30 The previous application proposed only up to 38 dwellings and therefore occupying a smaller area of the site, with the above-mentioned indicative terrace of dwellings across the site's frontage with a looser-knit secondary row of rearward units. This latest proposal utilises a deeper area of the agricultural field, introducing more dwellings and a greater amount of supporting infrastructure e.g., roads, landscaping and open space and therefore extends further into the open countryside.
- 7.31 The application is supported by a landscape and visual impact assessment (LVIA), which considers the visual impact of the development from various viewpoints across the open countryside.
- 7.32 It is to be noted that the proposed development would result in adverse landscape impacts during construction and at completion stages, with these impacts diminishing with the establishment of the site and the proposed mitigative planting, and with distance from the site itself. The perceptibility of the development itself contributes to these adverse impacts, albeit the presence of development itself is not inherently harmful, rather how it's introduction impacts upon the characteristics of a visual composition/landscape and the ability to enjoy the view. It is also to be noted that as a rural exception site, it is accepted by local and national policy that such schemes will more often than not come forwards on sites not normally used for housing and in rural areas (Policy HOU 4 and Paragraph 82 of the NPPF), and that a degree of countryside incursion and associated adverse landscape and character impacts is likely in order to meet local affordable housing needs.
- 7.33 In terms of specific landscape/character impacts, the LVIA concludes that at a local scale at completion (taken to be Year 1), the proposed development could potentially result in development of a minor adverse landscape effect on the cusp of Significant and Not Significant. Officers concur that the development at Year 1 and beyond, in the absence of any mitigation, would be clearly perceptible and would affect how the landscape/character of the area is appreciated, with the most perceptible impacts within the immediate locality of the site and its frontage to Cambridge Road. The development at completion / Year 1 is therefore likely to result in moderate to high adverse impacts upon the immediate local landscape character, but these impacts quickly diminish with distance from the site, which is acknowledged itself to be adversely characterised by the A10 highway.
- 7.34 To mitigate these potentially significant effects, mitigative planting is proposed predominantly south/west boundaries, with reinforcement of existing eastern and northern boundaries. After this planting has established after the 15 year mark (where planting establishment becomes effective and effects are then considered to be permanent) the development would have a Low Adverse Landscape Impact with a Negligible to Minor Landscape Effect/Not Significant/Long Term.
- 7.35 In simplified terms, the LVIA concludes that after established mitigative planting, the development will result in perceptible albeit small, long term (permanent and irreversible) changes in the components of a landscape and how it is appreciated, with further mitigation beyond that already set out deemed unnecessary or to be a consideration of only limited weight. The resulting permanent impacts of the development upon the character of the area would not ultimately therefore be significant.

- 7.36 It is to be noted that the use of landscaping to make an unacceptable scheme acceptable is rarely an acceptable approach adopted by the LPA. However, there is an overall planning balance to be reached (as set out within the later section of this report).
- 7.37 At a county and national level, the LVIA also concludes that the Magnitude of Landscape Impact/Effect is judged to be Low Adverse Impact/Minor Landscape Effect/Not Significant/Long Term at completion and after planting would have established. In simple terms, at the national/county scale the scale of change as a result of the development would be perceived as indiscernible at both completion and after establishment of planting (15 years onwards).
- 7.38 The LVIA therefore ultimately concludes that the Site is capable of accommodating change and would not be an incongruous new development at a local scale or county/national scale and would not result in significant harm to the character of the countryside or village with mitigative planting once established. Officers concur with this assessment at the outline stage.
- 7.39 Cumulative impacts, impacts upon public viewpoints (including Public Right of Ways) as well as nighttime (lighting) impacts have also been considered within the LVIA, concluding that impacts would also not be significant, with lighting in particular seen in the context of the existing village.
- 7.40 Consequently, the development as indicated would conflict with policies ENV 1, ENV 2 or HOU 4 at completion/Year 1. However, with mitigation and establishment of landscaping, it is likely a detailed design scheme could come forward (based on the indicative arrangement proposed) which would complement the local distinctive character of the area which protecting the intrinsic beauty of the countryside, and not result in significant harm to the character or setting of the settlement and the surrounding countryside, and therefore comply with the overall aim of Policy HOU 4.

7.41 Residential Amenity

- 7.42 Whilst matters of precise layout, scale and appearance e.g., specific location of window positions, would be matters to be considered at future time, the indicative layout suggests that it is unlikely that the development would result in any severe overlooking, overshadowing or overbearing impacts on existing residents. Furthermore, and as noted above, each property would likely achieve adequate garden sizes for future occupiers.
- 7.43 Whilst the construction of the development could cause some disruption to living conditions for existing residents, this could reasonably be managed through an agreed Construction Management Plan, for example to ensure that hours of construction, use of plant and machinery and dust and mud suppression is controlled appropriately. The plan could reasonably be secured through planning condition as recommended by the Council's Environmental Health team.
- 7.44 As noted, the Noise Impact Assessment (NIA) submitted by the applicant indicates that ambient noise levels across the site are dictated by constant road traffic noise from Cambridge Road adjacent, with some noise impacts from the Cosy Kennels to the south of the site also. These impacts, predominantly road traffic noise, would need

to be carefully managed, with confirmation that the proposed layout would fail to achieve acceptable internal noise levels for a high number of units without some reliance on closed windows and a Mechanical Ventilation and Heat and Recovery system (MVHR).

- 7.45 The indicative layout plan is supported by an acoustic modelling plan which demonstrates that the exposed facets of a large number of dwellings would be affected by noise exceeding 50dB, meaning that it would not be possible for occupiers to open windows on these affected facades without being affected by noise levels in excess of current guidance (35dB LAeq daytime (resting and bedrooms) and 30dB LAeq at 23:00hrs to 07:00hrs for bedrooms) in accordance with the acceptable levels set out at Figure 2 of the ProPG Guidance. Indicative plots 55-83 would however be able to rely on openable windows to control overheating and for general amenity purposes whilst achieving reasonable internal noise levels.
- 7.46 The scheme is for affordable housing for which, as established above there is a significant need for. As such, it would be reasonable to apply the +5dB uplift and this relaxation does result in a number of dwellings (in their indicative locations) falling into 'acceptable' noise levels. Nonetheless there would still be a reliance on a number of facets needing the MVHR mitigation to maintain acceptable internal noise levels.
- 7.47 It is acknowledged that this approach would likely achieve adequate ventilation, in-line with passivhaus standards/principles which the NIA concludes will be applied across the site's construction, and is a recognised and sustainable means of building, effectively recycling and re-circulating air to maintain internal temperatures and clean air in an energy efficient way. It is also recognised that ProPG guidance identifies this method as an acceptable means to mitigate noise, as previously acknowledged by the Council's Environmental Health Officer when assessing the previous scheme for 38 dwellings under 23/00712/OUM.
- 7.48 As set out above in the background section of this report, the Council previously objected the scheme on the basis of a significant reliance on MVHR to manage noise interference, concluding that its degree of use would not achieve high standards of amenity for future occupiers. However, given the weight to be afforded to the associated appeal decision, and the acceptance of MVHR under the 38-unit scheme (23/00712/OUM), the repeated proposal to design the development to passivhaus principles, it is considered that a refusal on this basis would not be supported at appeal and therefore that this approach should be supported with this application. The Environmental Health Officer has raised no objections to this MVHR approach.
- 7.49 With regard to noise from the kennels, the NIA concludes that the proposed glazing and MVHR strategy would ensure acceptable internal noise levels to address any noise interference from this nearby use, reducing its impact to 'present and not intrusive', requiring no further specific measures. The Council's Environmental Health Officer has not raised any concerns with this approach. It is also concluded on this basis that the presence of the development would not result in detrimental impacts upon the operation of the existing business.
- 7.50 With regard to external amenity areas of the development, noise levels are predicted to be acceptable and compliant with national guidance, provided that 2m high close-

boarded timber fencing is used around all gardens. The Environmental Health Officer has raised no objections to this approach.

- 7.51 As such, it is concluded based on the design standards and mitigation proposed and in giving significant weight to the associated application history to the site, the development would achieve high standards of general amenity as required under NPPF Chapter 12 and Local Plan Policy ENV 2.

7.52 Flood Risk and Drainage

- 7.53 The application site is generally agreed to be in an area at low risk of flooding (wholly within Flood Zone 1). The Flood Risk Assessment nevertheless suggests that the site is subject to surface water flooding, with the site frontage subject to a low risk of surface water flooding, and very small parts of the site at medium to high risk of surface water flooding (area already has planning approval). Flood depths are predicted to be between 150mm to 300mm (c.6 to 12 inches) in the 'High' 1 in 30-year model (3.3% probability), and a maximum of 600mm (c. 24 inches) in the 'medium' (1:100 year) (1% probability) and 'low' (1:1000 year) (0.1% probability) events. Residential development should usually be considered as being in-situ for a minimum of 100-years, and there is no reason to consider this development as especially time-limited (i.e. no impacts of coastal change) to warrant a shorter flooding probability forecast.
- 7.54 In terms of alternative sites at a lower risk of surface water flooding, whilst it is not considered that a sequential test is required to consider whether alternative sites are available at a lower risk of surface water flooding, it has been previously accepted by the LPA (on the basis of evidence submitted previously by the Applicant) that there are no other areas of land reasonably available at a lower risk of surface water flooding that could accommodate the proposed development. It is considered unreasonable for the LPA to conclude differently for the current proposals.
- 7.55 In terms of a site-specific sequential approach, the Applicant's Flood Risk Assessment puts forward a strategy for locating development, with the majority of residential development *indicatively* shown to avoid the majority of the low, medium and high surface water flood risk areas. Raised thresholds above finished floor levels of 300mm (12 inches) are recommended for the majority of the site within the FRA, with raised thresholds of 600mm (24 inches) for the parts of the site with the deepest flood depths, to mitigate the worst flooding impacts in a flood event (low risk). It is considered that at a detailed design stage, this strategy could be appropriately realised and a condition has been imposed to secure compliance of the detailed scheme with the recommendations of the FRA.
- 7.56 Ultimately, the application is supported by a flood risk assessment which demonstrates that surface water can be adequately managed on site without causing flooding elsewhere, and that solutions are available to make the development safe for its lifetime. This would be subject to further demonstration a detailed design stage – but nonetheless the Lead Local Flood Authority has accepted the outline drainage strategy and it is considered that the proposal complies at this stage with the aims of Local Plan policy ENV 8 and the NPPF.
- 7.57 Matters of foul drainage would also need to be secured at detailed design stage (reserved matters) and there is nothing to indicate that solutions would not be

available to the developer in achieving a satisfactory scheme in this regard, with Anglian Water confirming that the Stretham wastewater recycling centre has available capacity for the development.

7.58 Biodiversity

- 7.59 Policy ENV 7 of the adopted Local Plan seeks to protect biodiversity and geological value of land and buildings and requires that through development management processes, management procedures and other positive initiatives, the council will among other criteria, promote the creation of an effective, functioning ecological network. The Council's adopted Natural Environment SPD sets out that all development proposals would be expected to provide environmental enhancements proportionate to the scale and degree of the development proposed.
- 7.60 The application is supported by a preliminary ecological appraisal (PEA), comprising a Phase 1 habitat survey which formed consideration for the previous planning applications and assess the application site and the wider area for constraints and opportunities for biodiversity protection and enhancement. The PEA was undertaken in 2020 and is therefore out of date in accordance with CIEEM guidance, but it has nevertheless informed the two previous (extant) consents and provides a general overview of the site as follows.
- 7.61 The site features generally comprise arable bare ground with boundary hedgerow, perimeter scrubland and dry ditches. Whilst the site area has been extended further with this latest application, the previous conclusions of the PEA (which captured a much wider site area in any case) can be generally relied upon and are proportionate to the nature and scale of the application and are sufficient to guide the Local Planning Authority in their statutory duties at this outline stage when considering the principle of development and access only.
- 7.62 The site is agricultural land with the main feature being the front and northern boundary hedge. It is considered that whilst at present the site likely yields low to modest biodiversity value; most likely in respect of invertebrates, and nesting/ foraging for birds and commuting/foraging bats through the hedge, it is likely that a scheme could come forward which would demonstrate biodiversity net gain through the retention of the hedge (with exception to where the access is proposed and highway visibility is necessary) and additional planting and habitat creation.
- 7.63 Members are advised that given the submission date of 5 December 2023, the current proposals (and any future reserved matters pursuant to it) would not be the subject of mandatory 10% biodiversity net gain (as established by the Environment Act 2021 and secondary legislation). Nevertheless, the Local Plan and Natural Environment SPD are still applicable during this transitional period, and a significant biodiversity net gain would still be required to be demonstrated with any reserved matters consent.
- 7.64 It is noted that recommendations of the PEA include further pre-development surveys, such as for reptiles and badgers due to the transient nature of these species. Given the date of the PEA, it is also considered a future reserved matters submission would need to be supported by an up-to-date ecological appraisal of the site. It is considered that this can be incorporated into an updated ecological survey and mitigation scheme to accompany any future reserved matters application(s) and would meet the aims of

Local Plan policy ENV 7 and the aims of the SPD. This strategy was adopted when approving LPA Ref. 23/00712/OUM for the 83-unit scheme and is therefore considered to be applicable to the current proposals.

7.65 Infrastructure and S106 Planning Obligation

- 7.66 Policy GROWTH 3 of the East Cambridgeshire Local Plan, 2015 requires developments to mitigate their impacts through infrastructure provision, by way of planning conditions and / or S106 obligations – this includes where affordable housing, open space, sustainable drainage, and education contributions are to be secured.
- 7.67 As with the previous 38-unit consent, given the quantum of dwellings proposed it is considered that the education and library contributions sought by the County Council, the open space requirements (comprising on-site infrastructure inclusive of play-space and orchard), the sustainable drainage (SuDS), and the affordable housing (which would include details of a nomination agreement and a guarantee of being retained as affordable housing and future transfer agreements), are necessary to mitigate the impacts of the development and meet the tests as set out under CIL 122 Regulations (necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development).
- 7.68 With specific regard to the affordable housing obligations, the Applicant has agreed to include a cascade mechanism within the S106 to ensure priority is first given to those with a local connection to Stretham and/or Little Thetford, with this then widening out to surrounding parishes and then the wider district. This is considered pertinent given the notable uplift in affordable units being proposed under the current scheme, and to ensure that the housing is genuinely meeting the local identified needs as per Policy HOU 4. The S106 obligation will also include details of tenure split (c.50/50 rented to intermediate housing as agreed with the Council's Strategic Housing Officer) to reflect locally identified need.
- 7.69 It would be necessary to secure the above via S106 legal agreement to make the development acceptable and the applicant has confirmed their agreement to the heads of terms set out by the Council. Subject to the completion of the necessary S106 agreement(s), the development would accord with the requirements of policies GROWTH 3 and HOU 4 of the Local Plan.

7.70 Other matters

- 7.71 Archaeology
- 7.72 The County Council's Archaeology team has advised that the site lies in an area of potential interest and has sought a planning condition to secure a written scheme of investigation, in the interests of safeguarding archaeological assets. It's considered this would be necessary having regard to the aims of policy ENV 14 of the Local Plan and such a pre-commencement condition could be reasonably secured.

7.73 Community safety and security

7.74 The comments from the Local Policing team are noted and it would be for the developer to bring forward a detailed scheme which considers the recommendations as set out by the Police, in order to address security and the fear of crime in accordance with Local Plan policy ENV 2.

7.75 Planning Conditions

7.76 A number of conditions have been recommended by consultees during the assessment of this application. Whilst most have been accommodated with the conditions schedule as set out below, as with the approved 38-unit scheme, regard is had to the suite of recommended conditions set out by the Planning Inspector under the previous appeal for LPA Ref. 22/00180/OUM, which considered the conditions suggested by the Council, against the tests of planning conditions. A number of conditions recommended by consultees were not accepted by the Inspector. These included;

- The Council's Environmental Health team's previous recommendation for a full ground contamination site investigation. Instead, the standard unsuspected contaminated land condition was imposed, and this has been accepted by the Council's Scientific Officer under the current application;
- The Council's Environmental Health team's recommendation to restrict construction hours which the Inspector felt could be secured via an overarching Construction Management Plan. A condition is recommended to secure such a plan;
- The Local Highway Authority's recommendation to remove permitted development to erect gates across the access, which they have requested under the current application but will not be imposed for the above reason;
- The Lead Local Flood Authority's request for a condition controlling construction surface water run-off. Pollution control measures are captured under their first condition requiring an overall drainage strategy. This requirement has been repeated in the LLFA's latest consultation response, and will not therefore be incorporated into the recommended conditions list.

7.77 In the interests of consistency, the conditions set out within Appendix 9 are generally identical to those imposed upon the approved 38-unit scheme with minor updates where necessary.

7.78 Planning Balance and Conclusion

7.79 The scheme would achieve significant benefits in bringing forward a wholly affordable housing scheme to meet a robustly evidenced locally identified need (significant benefit), contribute to district-wide need for affordable housing (limited weight), with a variety of tenures indicated. The dwellings themselves would be built to sustainable passivhaus principles (high benefit), which would likely result in a development with low energy usage. These factors together would carry substantial positive weight,

primarily in social benefits. Furthermore, there would be economic benefits (limited benefit), through local spend by future occupiers, thereby helping to sustain the village.

- 7.80 As with the previous 38-unit scheme, it is acknowledged that the scheme would rely, in part, on closed windows and mechanical means of ventilation to mitigate the effects of transport noise from the A10 highway (and nearby kennels), which carries negative weight. However, the associated appeal decision, which concluded that this is an acceptable means of mitigation and would achieve high levels of amenity, having regard to the passivhaus principles relied upon, carries significant weight in the determination of this application. This is in conjunction with the subsequent approval of the 38-unit scheme adopting such Passivhaus principles, and it would therefore be unreasonable for the LPA to object to this strategy for the current scheme.
- 7.81 Notwithstanding the above, the scheme would be expected to secure net gains in biodiversity, in-line with current national and local policy, and would introduce highway upgrades which would likely also provide some very modest benefit to existing nearby residents on the western side of the A10 highway.
- 7.82 Finally, and based on the indicative layout, it is likely a details scheme could come forward which would positively respond to the built environment of Stretham and would not result in significant harm in the long term to the character of the countryside. Whilst the development could have potential significant harm to the immediate locality in the short term, in the long term with the establishment of mitigative planting, any resulting adverse impacts upon the landscape character and settlement at a local, county and national scale (which are likely to be at a low level) are also considered to be outweighed by the benefits of delivering a 100% affordable housing scheme to meet an evidenced local need, which itself is afforded significant weight in the decision-making process.

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:

- There are no technical objections from statutory consultees. Specifically, this includes no objections regarding noise impacts, highway safety impacts (including pedestrian crossing of the A10), flooding/drainage or contamination; and
- The conclusions of the Planning Inspectorate when approving the development under LPA Ref. 22/00180/OUM.

9.0 APPENDICES

9.1 Approve subject to completion of the necessary s106 agreement(s) and the following planning conditions (Appendix 1).

Appendix 1

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

<i>Plan Reference</i>	<i>Version No</i>	<i>Date Received</i>
3288-D1000: Location Plan	06	5th December 2023
FRA & Drainage Strategy	1	15th January 2024
Unda Consulting Letter 250224		26th February 2024
2006310-004: Access Plan	B	22nd December 2023
Noise Impact Assessment	1	22nd December 2023

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the Layout, Scale, Appearance and Landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this permission.
- 2 Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 4 The total development hereby permitted within the site shall comprise not more than 83 dwellings.
- 4 Reason: To define the planning permission having regard to the proposal put forward and assessed by the Local Planning Authority for a maximum of 83 dwellings.
- 5 No demolition/development shall take place until a Written Scheme of Investigation shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions and:
- i) the programme and methodology of site investigation and recording;
 - ii) the programme for post investigation assessment;
 - iii) the provision to be made for analysis of the site investigation and recording;
 - iv) the provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - v) the provision to be made for archive deposition of the analysis and records of the site investigation;
 - vi) the nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- 5 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 6 No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under Condition 5.
- 6 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

- 7 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) wheel washing facilities;
 - v) measures to control the emission of dust and dirt during construction;
 - vi) in the event of the foundations from the proposed development requiring piling, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration
 - vii) measures to control surface water run-off from the site during any construction works;
 - viii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - ix) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 8 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 8 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).
- 9 Concurrently with the submission of reserved matters, a detailed design of the surface water drainage of the site shall be submitted, include a timetable for implementation. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan. The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Foul and Surface Water Drainage Strategy for Planning, prepared by Unda Consulting Limited (ref: Ref: 90709d-FuturePD-Stretham V1.0) dated 15th January 2024, and the letter, prepared by Unda Consulting, ref: 90709d-FuturePD-Stretham Addendum Letter 250224, dated 26th February 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, radiants, 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) Site Investigation and test results to confirm infiltration rates;

f) 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;

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

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

i) Permissions to connect to a receiving watercourse or sewer;

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

- 9 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 10 None of the dwellings hereby permitted shall be occupied until works for the disposal of sewage shall have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted, concurrently with the first submission of reserved matters including a timetable for implementation, to and approved in writing, by the Local Planning Authority.
- 10 Reason: In the interests of residential amenity and to prevent the increased risk of flooding and to protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 11 Concurrently with the first submission of reserved matters the following information shall have been submitted to and approved in writing by the local planning authority:
- i) a full site survey showing: the datum used to calibrate the site levels; levels along all site boundaries; levels across the site at regular intervals and floor levels of adjoining buildings;
 - ii) full details of the proposed finished floor levels of all buildings and hard landscaped surfaces.

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

- 11 Reason: In the interests of visual amenity in accordance with policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended 2023).
- 12 Construction work shall not take place until a scheme for protecting the proposed noise-sensitive development from noise from the A10 shall have been submitted to and approved in writing by the local planning authority. The scheme shall reflect the principles of the recommendations identified in Cass Allen RP01-23701-R1 revision 1 dated 21st December 2023 and associated documentation. All works which form part of the scheme shall be completed before any part of the noise sensitive development is occupied and retained thereafter.
- 12 Reason: In the interests of residential amenity protection in accordance with policy ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended 2023).
- 13 Concurrently with the first submission of reserved matters a scheme of biodiversity protection, mitigation and enhancement, including a timeframe for implementation and a long-term management plan, informed by an updated ecological appraisal of the site shall be submitted to and approved in writing by the local planning authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.

- 13 Reason: To protect and enhance species in accordance with policy ENV 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 14 Prior to works proceeding above slab level, 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 shall be 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.
- 14 Reason: To ensure proper infrastructure for the site in the interests of community safety in that adequate water supply is available for emergency use, in accordance with the aims of policy ENV 2 of the East Cambridgeshire Local Plan (as amended 2023).
- 15 Prior to first occupation of the development, the works as detailed in principle on drawing 2006310-004 Revision B shall have been completed to the satisfaction of the Local Planning Authority and shall thereafter be retained.
- 15 Reason: In the interests of Highway safety in accordance with Policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023). This condition is a Grampian condition because it requires work within the public highway.
- 16 The existing agricultural access(es) to A10 Cambridge Road shall be permanently and effectively closed and the footway 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.
- 16 Reason: In the interests of Highway safety in accordance with Policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 17 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 17 Reason: In the interests of Highway safety in accordance with Policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 18 The detailed design of the dwellings hereby permitted shall incorporate the five principles of passive house design, as set out within submitted the Energy & Sustainability Strategy, October 2022. Prior to occupation of any dwelling, evidence shall be submitted to the local planning authority to demonstrate that the development has been constructed adopting these principles.
- 18 Reason: The application is deemed acceptable having regard to the need to protect the amenity of future occupiers, balanced with the energy sustainability benefits of the proposal in accordance with policies ENV 2 and ENV 4 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 19 Prior to first occupation or commencement of use details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details for the lifetime of the development, by the applicant or a private management company, until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

- 19 Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

Background Documents

23/01338/OUM

23/00712/OUM

22/00180/OUM

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

