

22/00420/RMM

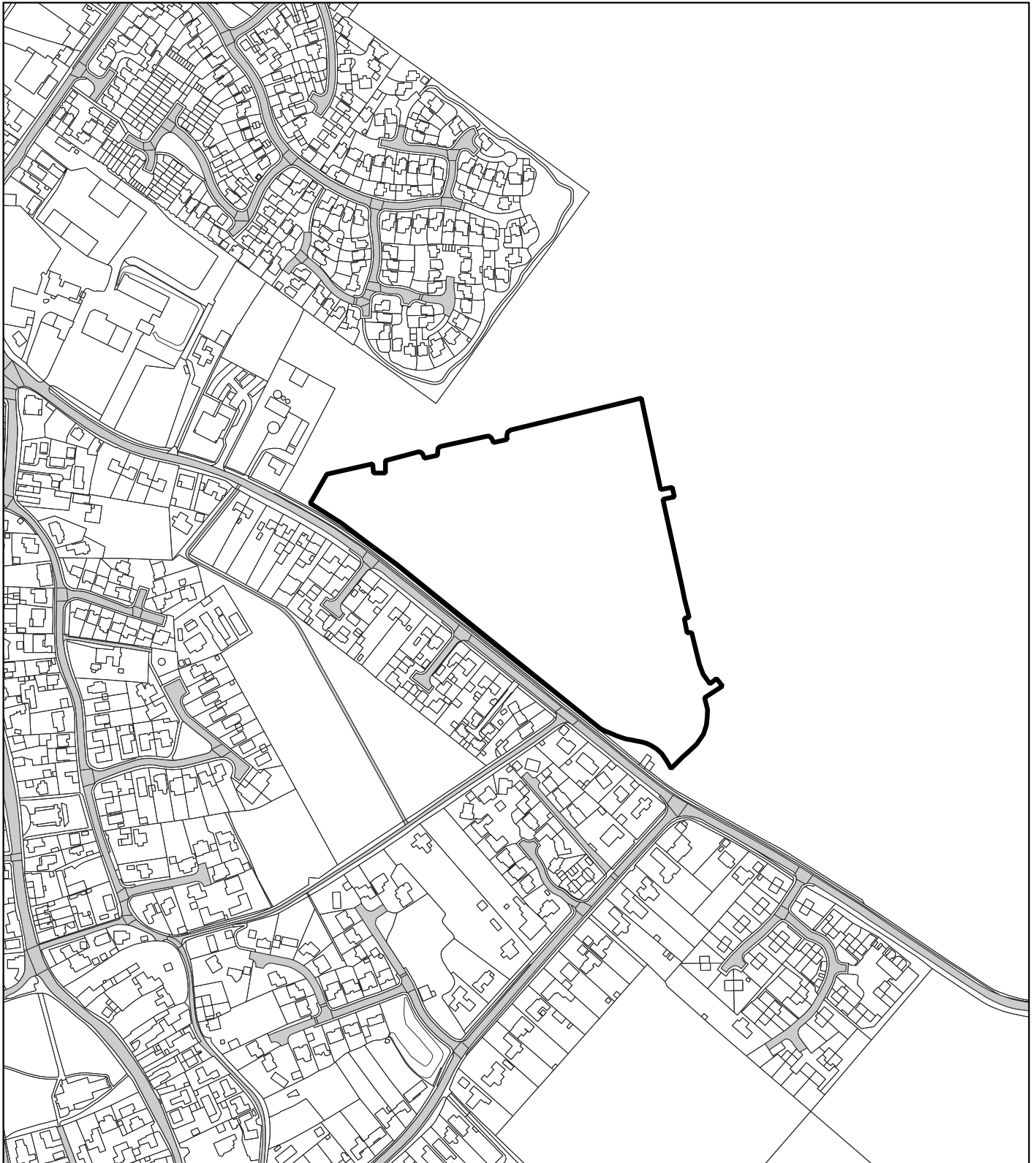
Phase 1 Millstone Park
Land Adjacent To Melton Farm
Newmarket Road
Burwell

Reserved matters comprising layout, scale, appearance and landscaping for 138 dwellings, internal roads, parking, open space, landscaping, associated drainage and ancillary infrastructure for Phase 1 (Housing) pursuant to outline planning permission 15/01175/OUM (as varied by 15/01175/NMAA and 15/01175/NMAB)

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<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R9VF62GGN3O00>





22/00420/RMM

Phase 1 Millstone Park
Land Adjacent To Melton Farm
Newmarket Road
Burwell



East Cambridgeshire
District Council

Date: 13/10/2023
Scale: 1:4,500



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TITLE: 22/00420/RMM

Committee: Planning Committee

Date: 1 November 2023

Author: Planning Team Leader

Report No: Y73

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Site Address: Phase 1 Millstone Park Land Adjacent To Melton Farm Newmarket Road Burwell

Proposal: Reserved matters comprising layout, scale, appearance and landscaping for 138 dwellings, internal roads, parking, open space, landscaping, associated drainage and ancillary infrastructure for Phase 1 (Housing) pursuant to outline planning permission 15/01175/OUM (as varied by 15/01175/NMAA and 15/01175/NMAB)

Applicant: Vistry East Midlands

Parish: Burwell

Ward: Burwell

Ward Councillor/s: David Brown
Lavinia Edwards

Date Received: 5 April 2022

Expiry Date: 10 November 2023

1.0 RECOMMENDATION

1.1 Members are recommended to GRANT DELEGATED POWERS TO THE PLANNING MANAGER TO APPROVE the application once the drainage condition (condition 16) on the outline permission has been discharged and subject to the recommended conditions summarised below (with any minor changes delegated to the Planning Manager). The conditions can be read in full on the attached Appendix 1 of this report.

- 1 Approved Plans
- 2 Materials

- 3 Hard surfacing
- 4 Landscaping Implementation, Management and Timescales
- 5 Lighting
- 6 Solar Panels
- 7 Boundary Treatments
- 8 Cycle Storage
- 9 Biodiversity
- 10 Archaeological Interpretation
- 11 Access, Parking and Turning
- 12 Pedestrian Visibility Splays
- 13 Restriction on Gates
- 14 Remove Permitted Development Rights for Carport Conversion
- 15 Scheme and timescale for reinstatement of sales unit to garage

2.0 BACKGROUND

- 2.1 This application was previously referred to Planning Committee on 2 August 2023. The previous version of the scheme was recommended for approval by officers. At that August meeting Planning Committee resolved unanimously that the application be deferred to allow the applicant to work with Officers to make amendments to the scheme to address the issues that Committee had identified. The stated issues were overdevelopment, lack of sufficient 1-bed and 2-bed houses and lack of sufficient green space within the proposed development. Visitor parking had also been raised as an issue within the debate portion of the consideration of the item, although it was not stated as a concern in the resolution on which committee voted.
- 2.2 Since that meeting, the applicants have made revisions to the scheme to address the concerns of members of the Planning Committee and consultations have been undertaken with relevant consultees where the changes might have affected their previous comments. Further minor changes have since been made to address the LHAs comments on the revised layout.
- 2.3 This report is intended to update members on the amendments made since the August Committee, the subsequent consultation responses and sets out the officer recommendations in respect of the revised scheme. It should be read in conjunction with the August Committee report [‘the previous report’] which can be found at Appendix 2. The Decision Notice for the original outline application to which this reserved matters application relates can be found at Appendix 3.

3.0 SUMMARY OF AMENDMENTS TO THE APPLICATION

- 3.1 Since the scheme was considered by committee in August, the application has been amended to remove five dwellings, meaning the scheme now proposes 138 dwellings. Of those 138 dwellings, 40 are affordable homes and 98 are market.
- 3.2 The mix of market dwellings has also been significantly revised to provide more 2 bedroom dwellings and fewer larger 4+ bedroom dwellings as follows:

Bedrooms	Previous Scheme nos.	Previous %	Current Scheme nos.	Current %
1	0	0	0	0
2	2	2	15	15
3	48	48	49	50
4+	51	51	34	35

- 3.3 Parts of the layout of the scheme have changed to accommodate the above revisions as well as to provide a further eight visitor parking spaces (26 total) and additional open space and landscaping. In particular, the central open space area has been approximately doubled in size and other street frontages have been widened to accommodate additional verge and street tree planting. Drainage details have also been updated to reflect the revisions.
- 3.4 While the Phase 3A land is not within the applicants' control, the applicants have provided an indicative layout for that phase to illustrate how the balance of dwellings from the outline approval could be provided following approval of the current Phase 1 application and the Phase 2A application which is also under consideration.
- 3.5 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambbs.gov.uk/online-applications/>.

4.0 RESPONSES FROM CONSULTEES ON THE AMENDED SCHEME

- 4.1 Responses were received from the following consultees in respect of the most recent amendments as summarised below. The full responses are available on the Council's web site.

Burwell Parish Council – 12 October 2023

The PC states it is pleased that ECDC and the developers are working together to achieve the best outcome. The Council has no objections to the revised plans and hope that work can start on the site as soon as possible.

Local Highways Authority – 6 October 2023

Noted that the car parking for revised Plot 86 clashed with the pedestrian transition on/off the shared surface street and needed to be redesigned. Also stated that the site plan implies zebra style crossings between Plot 119 and the POS and between Plots 92 and 138. While confirming that the crossing locations were acceptable the LHA noted that they would need to be unmarked uncontrolled crossings. Noted that there was some discrepancy between the tree planting locations shown on site and landscaping plans.

Local Highways Authority – 12 October 2023

Confirmed that the further revisions to address its comments regarding Plot 86 were acceptable.

Lead Local Flood Authority – 19 October 2023

Confirms that the revised layout would have a negligible effect on surface water drainage and it does not need to make further comments on the Reserved Matters application.

Housing Section – 11 October 2023

States it supports the above application as it will deliver the required amount of affordable housing on site and will meet the required tenure of 70% rented and 30% Intermediate Housing in accordance with the approved s106 agreement. Noted that the 3-bedroom Elmslie house type, while complying with the bedroom sizes necessary to delivery the required occupancy level of 5 persons, does not comply with the minimum overall floor area set out in the Nationally Described Space Standards. However, noted that the floorspace was approximately 93% of the NDSS which exceeds the Homes England requirement meaning it would be unlikely to be problematic for a registered provider to take on.

ECDC Trees Team – 9 October 2023

Stated that the soft landscaping scheme remains acceptable.

5.0 THE PLANNING POLICY CONTEXT

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

5.2 *East Cambridgeshire Local Plan 2015 (LP)*

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing Mix
HOU 2	Housing density
HOU 3	Affordable Housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 12	Listed Buildings

ENV 14	Sites of archaeological interest
COM 4	New community facilities
COM 7	Transport impact
COM 8	Parking provision
BUR 1	Housing allocation, land off Newmarket Road

5.3 *Cambridgeshire & Peterborough Waste and Minerals Local Plan 2021 ('CPWM')*
Policy 14 Waste management needs arising from residential and commercial development

5.4 Supplementary Planning Documents (SPD)
Design Guide – Adopted March 2012
Flood and Water – Adopted November 2016
Contaminated Land - Adopted May 2010
Developer Contributions and Planning Obligations – Adopted May 2013
Natural Environment SPD – Adopted September 2020
Climate Change – February 2021

5.5 *National Planning Policy Framework 2019 (NPPF)*
Section 2 Achieving sustainable development
Section 4 Decision-making
Section 5 Delivering a sufficient supply of homes
Section 6 Building a strong, competitive economy
Section 8 Promoting healthy and safe communities
Section 9 Promoting sustainable transport
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change
Section 15 Conserving and enhancing the natural environment
Section 16 Conserving and enhancing the historic environment

5.6 Planning Practice Guidance (PPG) and National Design Guide (NDG)

6.0 PLANNING COMMENTS

6.1 As per the previous report, the main planning considerations in this case are the principle of the development, housing mix, layout, scale and appearance, landscaping, residential amenity, historic environment, energy and sustainability, biodiversity and ecology, and flood risk and drainage.

6.2 Principle of Development

6.3 The previous report confirmed that the wider site is allocated for residential development and benefits from an outline planning permission for the provision of 350 dwellings and other infrastructure. The revisions to the scheme have no impact on the acceptability of the principle of development subject to the detail of the scheme according with the outline permission and other development plan policies as assessed below.

- 6.4 On that basis, the principle of development is acceptable in accordance with LP policies GROWTH 2 and BUR 1.
- 6.5 Housing Numbers and Mix
- 6.6 *Housing Numbers*
- 6.7 As detailed in the report for the previous scheme, the outline application approved up to 350 dwellings across the wider site in three parcels broadly equal in area. The current reserved matters application initially sought 150 of those dwellings in phase 1. After officers raised concerns in respect of the balance of the housing delivery across the wider site and the potential issues with the holistic character of the wider development, seven dwellings were removed from the scheme. In recommending approval of the previous scheme, officers expressed concern regarding the balance of housing across the wider site and the challenges the proposed numbers had introduced in terms of achieving a high-quality layout and design for the parcel. In considering the previous scheme, members suggested that the scheme was an overdevelopment of the parcel and expressed concern regarding the remaining parcel and holistic development of the site.
- 6.8 The revised scheme has removed a further five dwellings from the scheme (and a further five have been removed from the Phase 2A scheme). In respect of the design on the Phase 1 parcel, this has allowed significant benefits to be achieved in respect of the layout including more street landscaping a substantially increased central open space and additional visitor parking provision.
- 6.9 In respect of the wider site, the revisions to the numbers proposed for both Phase 1 and Phase 2A would leave a balance of 79 dwellings to be provided on Phase 3 under the outline permission. No information has been provided by the master developer for the site (This Land) regarding how the remainder of the housing might be delivered on Phase 3. As part of the revisions for the current application, the applicant has provided a layout plan for Phase 3 showing one way in which the phase could be delivered. It is considered that the plan demonstrates, in principle, that the lowering of the densities on Phases 1 and 2A and the raising of the density of Phase 3, would allow the remaining 79 dwellings to be provided in a way that could achieve a cohesive scheme across the wider site. As suggested in the previous report, Phase 3 of the development is likely to benefit from being at a slightly lower in density with a looser layout as it is the phase which will border most closely the open countryside. Phase 3 also contains the self-build plots for the wider site which generally benefit from larger plots Additional public open spaces and structural landscaping could also be provided on Phase 3 which would enhance the countryside edge of the site while still allowing space for a less dense development to come forward.
- 6.10 The reduction in numbers and the additional work undertaken by the applicant in respect of a potential option for the delivery of Phase 3 have given officers increased confidence that that entire outline permission could be delivered holistically. Officers therefore recommend that the issue of the imbalance of numbers across the wider site has been addressed. Further consideration of the additional benefits of the reduction in numbers on Phase 1 is provided in the Design section below.

6.11 *Market and affordable housing split*

6.12 Of the 138 dwellings proposed, 40 are provided as affordable units which broadly accords with the s106 requirement on the outline permission to provide affordable dwellings at a rate of 25% for the first 100 dwellings on Phase 1 and 40% on the remainder on the phase. Strictly the provision is slightly below the requirement based on rounding protocol as 40 dwellings results in a 25% provision of the first 100 dwellings and a 39.5% provision against the remainder of the phase. However, the provision of 40 dwellings is the nearest whole unit to achieving the required provision and the very slight under-provision is not considered to cause any material harm. The s106 allows for very minor adjustments in the required provision to be agreed in writing which would be done should committee resolve to grant powers to approve the application. On that basis, the application is considered to provide an acceptable level of affordable housing.

6.13 *Market Housing Mix*

6.14 LP policy HOU 1 requires that housing developments provide an appropriate mix of dwelling types and sizes that contribute to current and future housing needs as identified in the most recent available evidence. The latest Strategic Housing Market Assessment (SHMA) published in 2021 sets out a suggested mix of market housing in order to meet likely future housing needs in the Cambridgeshire and West Suffolk region. The outline permission was subject to a condition which requires reserved matters applications to provide a mix of dwelling types and sizes that contribute to the housing needs and demand of the locality at the time of submission.

6.15 As detailed above, in direct response to members' concerns regarding the mix of market housing in the scheme, the applicant has significantly increased the numbers of 2-bedroom dwellings, from two dwellings to 15 dwellings and has significantly reduced the number of larger 4+ bedroom dwellings, from 51 dwellings to 35 dwellings. The market mix indicated by the SHMA and as now proposed in the scheme is as follows:

Bedrooms	SHMA Min %	SHMA Max %	Current Nos.	Current %
1	0	10	0	0
2	20	30	15	15
3	40	50	49	50
4+	20	30	34	35

6.16 The market mix as proposed now much better reflects the SHMA when compared to the previous scheme. The percentage of 3-bedroom dwellings is in line with the upper end of the SHMA range. The percentage of 2-bedroom dwellings is now 5% under the lower end of the SHMA range and the percentage of 4+ bedroom dwellings is 5% over the upper end of the SHMA range. Given the flexibility within the SHMA, as well as the justifications previously provided by the applicant in respect of the desire for additional rooms to allow home-working and multi-

generational living it is considered that the proposed market housing mix is justified and acceptable under policy HOU 1 in this instance.

6.17 *Affordable tenure and mix*

6.18 The application proposes 40 affordable dwellings, 28 of which would be affordable rent and 12 of which would be shared ownership. This is a 70:30 split and reflects the desired 70:30 tenure split as required by the s106 agreement on the outline permission. The Council's Housing Strategy Team has confirmed it is happy with the proposed tenure of the scheme.

6.19 The mix requirement for affordable housing indicated in the SHMA and as proposed in the current scheme is as follows:

Bedrooms	SHMA Min %	SHMA Max %	Current Nos.	Current %
1	15	25	6	15
2	35	45	19	47.5
3	25	35	12	30
4+	5	15	3	7.5

6.20 This mix is considered to be acceptable, only diverging from the SHMA in respect of a slightly higher provision of 2-bedroom dwellings and the Council's Housing Strategy Team has confirmed it is content with the mix.

6.21 As part of consultation responses on the previous scheme, the Housing Strategy Team requested that the Elmslie house type be revised to allow for a maximum occupancy of 5 people as opposed to the maximum occupancy of 4 people that the previous design allowed. Previously the applicant declined to make those amendments. The revised scheme has been amended to provide adequate bedroom sizes to meet the requirements of a 3-bedroom 5-person unit. While the floor space is below the NDSS for that size of house, the Housing Strategy Team is content that the scheme now achieves the desired occupation levels in respect of the affordable housing provided.

6.22 The timescales for the provision of affordable housing and the securing of that provision in the long-term are secured by the s106 obligation pursuant to the outline permission.

6.23 On the basis of the above, the proposed affordable housing is considered to be acceptable in respect of its quantum, tenure and mix in accordance with the requirements of LP policy HOU 3.

6.24 Design

6.25 The application seeks the approval of the reserved matters of layout, scale, appearance and landscaping. The outline permission requires via condition 4 that the development be carried out in accordance with the development framework drawing approved at that stage.

- 6.26 LP policy ENV 1 requires new development to provide a complementary relationship with existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlement. Policy ENV 2 requires that new development should ensure its location, layout, form, scale and massing and materials are sympathetic to the surrounding areas. Paragraphs 127 and 130 of the NPPF seek to secure visually attractive development which improves the overall quality of an area and is sympathetic to local character and history.
- 6.27 LP policy COM 7 requires that all development must ensure a safe and convenient access to the public highway. It also requires development to be designed in order to reduce the need to travel, particularly by car and should promote sustainable forms of transport appropriate to its particular location. Policy COM 8 requires development proposals to provide adequate levels of car and cycle parking and that the provision be made broadly in accordance with the Council's adopted standards.
- 6.28 *Layout and Landscaping*
- 6.29 The previous layout of the scheme had been through several iterations since it was initially submitted in response to feedback from the case officer, urban designers and the Local Highways Authority. At August committee, members expressed further concerns regarding an over-development of the site, lack of landscaping and open space and the level of visitor parking provided by the layout.
- 6.30 The number of dwellings has been reduced by five and there has also been a move to use more smaller dwellings as detailed above. This has led to a reduction in density within the scheme, with the net density on the parcel now ~32 dwellings per hectare (~13 dwellings per acre). This density is considered to be acceptable both in terms of the character created within the parcel and also in respect of its relationship to existing residential streets and neighbourhoods adjoining the wider site.
- 6.31 In reducing the number of dwellings proposed and moving towards more smaller dwellings, additional space has been created within the parcel which has allowed the creation of a larger central open space area and the setting back of dwellings from some frontages to allow additional street tree planting.
- 6.32 The central open space has more than doubled in size from 425m² to 900m². This allows for a higher quality open space area with additional landscaping and a more useable space for residents of the homes on the parcel. The street landscaping has also been improved – additional space for frontage tree planting along the secondary spine road on the north of the parcel has been achieved and landscaping on the north-south concentric streets has also been given more space and improved. Most markedly, the main street off the primary spine road has been provided with additional space for landscaping which has allowed street trees to be provided on verges along both sides of the entrance and for wider wedge shaped verges to be provided in front of plots 114 to 117 which will create a stronger landscaped character within the street. These improvements to the landscaping of the main street will help visually connect the central open space area with the open

sports pitches to the east helping to bring a green character into the centre of the parcel.

- 6.33 The LHA has confirmed that the road layout is acceptable in respect of highway safety and adequate access is provided for waste collection vehicles to access the site and turn within it providing acceptable arrangements for waste collection. The applicant has addressed the LHAs minor concern regarding the road and parking layout in respect of plot 86 and has clarified plans by removing any confusion regarding the type of crossing to be provided on internal roads.
- 6.34 In order to address members previous concerns regarding the extent of visitor parking, the unallocated visitor spaces on the phase have been increased in from 18 to 26 spaces. This is an increase in ratio from approximately 1 space per 8 dwellings in the previous scheme to approximately 1 space per 5 dwellings in the revised scheme. This visitor parking provision complies with the requirements of policy COM 8 which sets an 'up to' level of provision of 'up to 1 space per 4 dwellings and significantly increases the parking provision against what was originally considered. Furthermore, there is also an over-provision of allocated parking spaces in the scheme with some dwellings having three or four spaces allocated. This leads to an over-provision of allocated parking spaces on the parcel of 51. Taken together it is considered that the extent of parking now proposed for the parcel is adequate to accommodate the day-to-day needs of residents and their visitors.
- 6.35 The provision of car and cycle parking would be secured by condition. The proposed development is therefore considered to be acceptable in respect of its impact on highway safety and parking provision in accordance with LP policies COM 7 and COM 8.
- 6.36 *Scale and Appearance*
- 6.37 The scale of dwellings in the previous scheme was considered acceptable with the two and a half storey dwellings used on the outward facing edges of the parcel to provide an increased presence onto open space and on corner plots on the Newmarket Road frontage to improve the legibility of the streets and assist in wayfinding. The majority of dwellings on the internal roads within the scheme are two storeys in height. Notwithstanding the move towards a larger number of 2 and 3 bedroom properties, the heights of the dwellings has not significantly changed in the revised scheme, save for the introduction of two additional market bungalows are proposed on plots 44 and 46 in addition to the two affordable dwellings previously proposed. The scale of the dwellings remains acceptable and the introduction of the limited additional bungalows is not considered to significantly alter the character of the central part of the parcel and will provide additional variety of housing provision.
- 6.38 The appearance of the house types previously proposed was the product of negotiation and amendment where significant changes had been made to the appearance of the dwellings over the course of the application to ensure the development reflects the context of Burwell and that the dwellings are of a good design quality generally. The housetypes proposed in the revised submission are largely the same and where new housetypes have been introduced they are considered to be of a similar character. The appearance of the development is

therefore considered acceptable in respect of the need to build dwellings of high quality which reflect and reference the character of Burwell.

- 6.39 The materials proposed to be used also reflect the character of Burwell. Render has been incorporated on key dwellings and the primary bricks used would be gault or yellow. As recommended in respect of the previous scheme, the detail of materials and the use of solar panels would be secured via condition.
- 6.40 The revisions to the layout enabled by the reduction in the number of dwellings and the move to smaller house types has undoubtedly further improved the quality of the scheme since its original consideration by committee, particularly in respect of the density of development, the quantum and quality of landscaping and the extent of parking provision. The development is therefore now considered to be of a high quality of design and accords with LP policy HOU 2 in respect of the housing density and LP policies ENV 1 and ENV 2 and the design guide SPD in respect of its layout, landscaping scale and appearance.
- 6.41 Residential Amenity
- 6.42 None of the revisions to the scheme are considered to have any significant impact on the amenity of the existing residents of Burwell which was considered acceptable in the consideration of the previous scheme.
- 6.43 The revised layout and design of the dwellings continues to afford occupants an acceptable level of amenity and privacy. Back-to-back distances of 20 metres between dwellings have been achieved across the scheme and acceptable window to blank wall distances are also achieved.
- 6.44 Garden on all plots except the maisonettes exceed the standard set within the Council's Design Guide SPD of 50m². While the smaller sized gardens for the maisonettes is regrettable, there is a significant level of provision of public open space within the approved wider site and the expanded area of open space in the centre of the parcel is within easy reach of each of the maisonettes. The Design Guide states that the garden size requirement applies 'in most cases' and it is considered that the scheme complies with this requirement.
- 6.45 The allocated parking provision for dwellings is generally adequate across the scheme with each of the dwellings other than the maisonettes being provided at least two spaces. The maisonettes on site are only provided with one space, however as these are smaller units of which there are only a few, that provision is unlikely to be significantly detrimental to the amenity of the occupants of those dwellings.
- 6.46 The total number of allocated parking spaces on the scheme is 327, which gives an average provision of ~2.4 spaces per dwelling and an over-provision of allocated parking of 51 spaces. This is considered sufficient to serve the needs of future occupants of the scheme and provide an acceptable level of amenity.
- 6.47 The LHA requests that the provision of access, turning and parking spaces and the ongoing provision of visibility splays be secured. These will both be secured by condition and the former will be sufficient to ensure that parking spaces on site be

provided and retained in perpetuity. The gating of accesses and parking spaces would also be restricted by condition. Where parking is provided in car ports, as on some of the dwellings fronting the eastern spine road, permitted development rights for the conversion or alteration of those car ports would be removed to ensure ongoing adequate provision.

6.48 On the basis of the above, it is considered the development would not cause any significant harm to the amenity of current Burwell residents and that it would provide a good level of residential amenity to future occupiers of the scheme, in accordance with policy ENV 2 and the Design Guide SPD.

6.49 Historic Environment

6.50 The previous scheme was considered to be acceptable in respect of its impact on the historic environment subject to a condition securing the provision of an archaeological interpretation board would assist in the historic understanding of the site an enhance the archaeology interests of the site. The revised scheme would not significantly alter the impacts of the scheme on the historic environment. On that basis and subject to the same condition, the proposed development is considered acceptable in respect of its impact on the historic environment in accordance with LP policies ENV 12 and ENV 14.

6.51 Ecology and biodiversity

6.52 The outline permission established that across the wider site the ecological impact of the development of up to 350 homes could be acceptably mitigated. The previous scheme was considered to be acceptable in respect of its impact on the ecology and biodiversity subject to a condition securing the provision of a detailed ecological enhancement scheme for the phase. The revised scheme would not impact on the potential delivery of such a scheme and on the basis that the same condition is applied, the proposed development would secure an acceptable biodiversity enhancement and comply with LP policy ENV 7 and the Natural Environment SPD.

6.53 Flood Risk and Drainage

6.54 The outline application was granted subject to a condition requiring that detailed drainage schemes for each phase of development be submitted and approved prior to the granting of any Reserved Matters applications for that phase. The detailed surface water scheme submitted in respect of the previous scheme which was considered satisfactory by the Lead Local Flood Authority (LLFA), has been updated as part of the revisions and the LLFA has confirmed that it remains acceptable.

6.55 As the drainage scheme is secured by condition on the outline, no further condition is required in respect of this reserved matters application. As the condition on the outline application states that the condition must be discharged prior to the approval of the reserved matters application, and as that condition has not yet been formally discharged as the LLFA is considering the detailed revised scheme in respect of that condition, delegated powers are being sought to approve the application once the outline condition has been discharged.

- 6.56 The revisions to the scheme are not considered to impact on foul water drainage and the presence of a condition on the outline permission for the submission of a detailed foul water drainage scheme gives sufficient assurance that development of the site will not take place unless an acceptable foul drainage scheme is in place.
- 6.57 On the basis of the above, the development is considered to comply with the requirements to provide adequate drainage in accordance with LP policy ENV 8.
- 6.58 Energy and Sustainability
- 6.59 The previous scheme was considered to be acceptable in respect of its energy and sustainability credentials and the amendments to the scheme do not alter that conclusion. On that basis, the proposed development is considered to comply with the requirements of condition 14 of the outline permission, LP policy ENV 4 and the Climate Change SPD.
- 6.60 Other Material Matters
- 6.61 The amendments to the scheme do not have any additional impact in respect of the other material matters considered in the previous report (healthcare contributions, firefighting, footpath connection points) and the scheme remains acceptable in respect of those issues.
- 6.62 Planning Balance
- 6.63 The revised scheme is considered to accord with the outline planning permission and the development framework drawing approved at that stage and is therefore acceptable in principle.
- 6.64 Given the enhancement of on-parcel open space, which would supplement the significant areas of already approved off-site open space, it is considered that the scheme provides a high level of amenity for future residents. The impact of the scheme on the residential amenity of existing neighbours, the historic environment, biodiversity and ecology, and flood risk and drainage are also considered to be acceptable. It would also comply with the requirements of the Council's planning policies relating to energy and sustainability.
- 6.65 The revisions to the scheme, including the removal of five dwellings, the increase in open space and the addition of wider verges and increased tree planting mean the design of the scheme in respect of the detailed matters of layout, landscaping, scale and appearance, is now considered of high quality. The provision of additional unallocated parking spaces increases the provision to a level more in line with the maximum level suggested by policy and, together with an over-provision of allocated parking, would ensure that parking provision on the site is acceptable.
- 6.66 The removal of the additional five dwellings (particularly when taken together with the amendments to the Phase 2A scheme) has also mitigated previous officer concerns in respect of the balance of development across the wider site. Members also expressed concern regarding that impact on the later phase, however, on the basis of the revisions, the advice of officers is that the current schemes will now

provide a context for later phases where achieving a cohesive character across the wider site will be significantly more straightforward.

- 6.67 The mix of sizes of the market housing has been significantly revised to address members' concerns regarding the large numbers of large dwellings being proposed and the extent to which that reflected local need. The mix now proposed much more closely reflects the SHMA and officers' advice to members is that this mix is acceptable.
- 6.68 The scheme provides a good level of good quality affordable housing as required by the outline permission with a mix and tenure which reflects and will address local need.
- 6.69 The previous scheme was recommended by officers for approval on balance. The revised scheme is considered to be a substantial improvement on the previous scheme where identified weaknesses have been addressed. It is the opinion of officers that the revised scheme now proposed achieves a high standard of design quality and complies with the Local Plan as a whole. On that basis, the application is recommended for approval.

7.0 COSTS

- 7.1 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 costs award can be made against the Council.
- 7.2 Unreasonable behaviour can be either procedural i.e. relating to the way a matter has been dealt with or substantive i.e. relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.
- 7.3 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.

8.0 APPENDICES

- 8.1 Appendix 1 – Schedule of proposed conditions
- 8.2 Appendix 2 – August 2023 Committee Report for current application
- 8.3 Appendix 3 – Outline Decision Notice (15/01175/OUM)

Background Documents

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>

The planning records for the following applications:

15/01175/OUM, 15/01175/NMAA, 15/01175/NMAB, 20/01755/RMM, 22/00420/RMM

Agenda Item 5

APPENDIX 1 – Recommended Conditions

Approved Plans

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

<u>Plan reference</u>	<u>Ver</u>	<u>Date received</u>
500-LP-PH1-01	A	31st March 2022
500-SK-PH1-01	E	13th October 2023
500-SK-PH1-02	E	13th October 2023
500-SK-PH1-03	E	13th October 2023
500-SK-PH1-08	E	13th October 2023
500-SK-PH1-07	G	13th October 2023
500-SK-PH1-05	E	13th October 2023
500-SK-PH1-09	E	13th October 2023
HWK.pe1	A	13th July 2023
EVE.pe1	B	13th July 2023
MOU.pe1	C	13th July 2023
MOU.pe2	C	13th July 2023
MOU.pe3	A	13th July 2023
MYL.pe1	C	13th July 2023
PEM.pe1	B	13th July 2023
PEM.pe2	B	13th July 2023
ASL.pe1	B	13th July 2023
ASL.pe2	A	13th July 2023
FLE.pe1	C	13th July 2023
FLE.pe2	B	13th July 2023
COL.pe1	B	13th July 2023
KNI.pe1	C	13th July 2023
KNI.pe3	C	13th July 2023
KNI.pe4		13th July 2023
NAS.pe1	A	13th July 2023
BWAY011A-XX-D2-A-AS-B801 - THE WYATT V1		3rd October 2023
BGLA011-XX-D1-A-AS-B801 - THE GLASTON V1		3rd October 2023
BRIP011A-XX-D2-A-AS-B801 - THE RIPLEY V1		3rd October 2023
ASHER V1 GROUP-PAR-CAS01-XX-D2-A-AS-0801	A	13th July 2023
ASHER V2 GROUP-PAR-CAS01-XX-D2-A-AS-0801	A	13th July 2023
COOPER V1 GROUP-PAR-CC001-XX-D2-A-AS-0801	B	13th July 2023
GROUP-PAR-BFLA00-XX-D2-A-AS-B801	A	13th July 2023
GROUP-PAR-CSP01-XX-D2-A-AS-0801	B	13th July 2023
GROUP-PAR-BWOR00-XX-D2-A-AS-B801		31st March 2022
ELMSLIE V1 GROUP-LIN-BELM01-XX-D2-A-AS-B801	A	3rd October 2023
ELMSLIE V1 GROUP-LIN-BELM01-XX-D2-A-AS-B801	A	3rd October 2023
GROUP-VIS-CGAR01-XX-D2-A-AS-0401		3rd October 2023
GROUP-VIS-CGAR05-XX-D2-A-AS-0801		3rd October 2023
GROUP-VIS-CGAR06-XX-D2-A-AS-0801		3rd October 2023
EDMS-200	A	13th July 2023
EDMS-600	A	13th July 2023
EDMS-601	A	13th July 2023
GL1688 01	G	13th October 2023

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GL1688 02	G	13th October 2023
GL1688 03	G	13th October 2023
GL1688 04	G	13th October 2023
GL1688 05	G	13th October 2023
GL1688 06	G	13th October 2023
GL1688	A	10th October 2022
GROUP-VIS-S-EX-D2-A-FC-207		31st March 2022
GROUP-VIS-S-EX-D2-A-FC-0210		31st March 2022
GROUP-VIS-S-EX-D2-A-FC-0213		31st March 2022
GROUP-VIS-S-EX-D2-A-FC-0215		31st March 2022
GROUP-VIS-S-EX-D2-A-FC-0261		31st March 2022
ST-3163-800	E	13th October 2023
ST-3163-801	E	13th October 2023
ST-3163-802	E	13th October 2023
ST-3163-600A	H	13th October 2023
ST-3163-601A	H	13th October 2023

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

Materials

2. No above ground construction shall take place on site until details of the external materials, windows doors and roof windows to be used on the development have been submitted to and approved in writing by the Local Planning Authority. A sample panel measuring no less than 1 metre square shall be constructed on site showing details of the proposed brickwork; including colour, texture, bond, pointing and mortar mix to enable a site inspection by the Local Planning Authority. The panel shall remain on site for the duration of the development and once the development is completed the sample panel shall be removed. All works shall be carried out in accordance with the approved details.
2. Reason: To safeguard the character and appearance of the area, in accordance with policies ENV 1 and ENV2 of the East Cambridgeshire Local Plan 2015.

Hard surfacing

3. No above ground construction shall take place on site until details of the surfacing finish of all roads, turning areas, driveways, paths, parking spaces and other hardstandings (excluding those surfaces which are proposed for adoption by the Local Highways Authority) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
3. Reason: To safeguard the character and appearance of the area, in accordance with policies ENV 1 and ENV2 of the East Cambridgeshire Local Plan 2015.

Landscaping Implementation, Management and Timescales

4. No above ground development shall take place on site until a timescale for the implementation of the approved soft landscaping scheme on site and a Landscape Management and Maintenance Plan for the on-site soft landscaping covering a minimum period of 20 years from the completion of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved soft landscaping scheme shall be fully implemented in accordance with the approved timescale and the soft landscaping managed and maintained in accordance with the approved Plan, unless otherwise agreed in writing by the Local Planning Authority. Any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased (except those contained in enclosed rear gardens to individual dwellings) shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

4. Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity and biodiversity value of the development in accordance with Policies ENV 1, ENV 2 and ENV 7 of the East Cambridgeshire Local Plan, 2015.

Lighting

5. No above ground construction shall take place on site until a lighting scheme for all streets which are not to be adopted by the Local Highways Authority shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the specification of lights, the locations and heights of lighting columns and the light levels to be achieved over the intended area and the surrounding area. The approved scheme shall thereafter be implemented on site prior to first occupation of any dwelling served by an unadopted street and retained as such thereafter.

5. Reason: To safeguard the residential amenity of occupiers and the visual impact of the development in accordance with policies ENV 1 and ENV 2 9 of the East Cambridgeshire Local Plan 2015.

Solar Panels

6. No construction above eaves level on any dwelling shall take place until details of the solar panels to be fitted to that dwelling have been submitted to and approved in writing by the Local Planning Authority.

6. Reason: To safeguard the character and appearance of the area, in accordance with policies ENV 1 and ENV2 of the East Cambridgeshire Local Plan 2015.

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Boundary Treatments

7. No boundary treatments shall be constructed on site unless details of those boundary treatments have first been submitted to and approved in writing by the Local Planning Authority. Thereafter all works shall be carried out in accordance with the approved details.
7. Reason: To safeguard the character and appearance of the area, in accordance with policies ENV 1 and ENV2 of the East Cambridgeshire Local Plan 2015.

Cycle Storage

8. Prior to the first occupation of any dwelling not served by a garage, that dwelling shall be provided with a cycle shed in accordance with approved drawings 500-SK-PH1-01 Rev E and GROUP-VIS-S-EX-D2-A-FC-207.
8. Reason: In order to provide for and encourage sustainable modes of travel in accordance with policies COM 7 and COM 8 of the East Cambridgeshire Local Plan, 2015.

Biodiversity

9. Prior to the first occupation of the site, a scheme of site-wide biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
9. Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD, 2020.

Archaeological Interpretation

10. Prior to the first occupation of the site, the design, content, materials and location of an archaeological interpretation board shall be submitted to and approved in writing by the Local Planning Authority. The approved interpretation board shall be installed on site prior to the first occupation of the development and thereafter retained.
10. Reason: To provide an appropriate level of archaeological understanding and interpretation in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015.

Access, Parking and Turning

11. Prior to the first occupation of any dwelling on site, the approved access(es), parking and turning area(s) serving that dwelling shall be levelled, surfaced, drained and made available to enable vehicles to enter, turn and leave the site in forward gear and to park

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clear of the public highway. Thereafter the approved access(es), parking and turning area(s) shall be retained for that specific use.

11. Reason: In the interests of highway safety and to ensure adequate access and parking provision in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

Pedestrian Visibility Splays

12. Prior to the first occupation of any dwelling on site, the pedestrian visibility splays pertaining to its access, as shown by blue dashed lines on approved drawing 500-SK-PH1-01 Rev E, shall be provided and thereafter kept free from any obstruction from a height of at least 600mm above footway or carriageway surface level.
12. Reason: In the interests of highway safety in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015.

Restriction on Gates

13. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicle access(es), parking and turning area(s) access, as shown on approved drawing 500-SK-PH1-01 Rev E, unless expressly authorised by planning permission granted by the Local Planning Authority.
13. Reason: In the interests of highway safety and to ensure adequate access and parking provision in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

Remove PD for carport conversion

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), the carports hereby approved on plots 101-107 and 126-128, as shown on approved plan 500-SK-PH1-01 Rev E shall not be gated, enclosed, adapted or used for any purpose other than the storage of private motor vehicles, unless expressly authorised by planning permission granted by the Local Planning Authority.
14. Reason: In the interests of highway safety and to ensure adequate access and parking provision in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

Timescale for reinstatement of sales unit to garage

15. Prior to the first occupation of any dwelling on site, a scheme for the alteration and conversion of the temporary marketing suite on Plot 1 of approved drawing 500-SK-

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PH1-01 Rev E to its permanent use as a residential garage which shall include elevations, a floorplan and a timescale for the implementation of the scheme, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented in accordance with the approved timescale.

15. Reason: To ensure the provision of a garage for the dwelling on Plot 1 and in the interests of the visual amenity of the area in accordance with policies ENV 2 and COM8 of the East Cambridgeshire Local Plan 2015.

22/00420/RMM

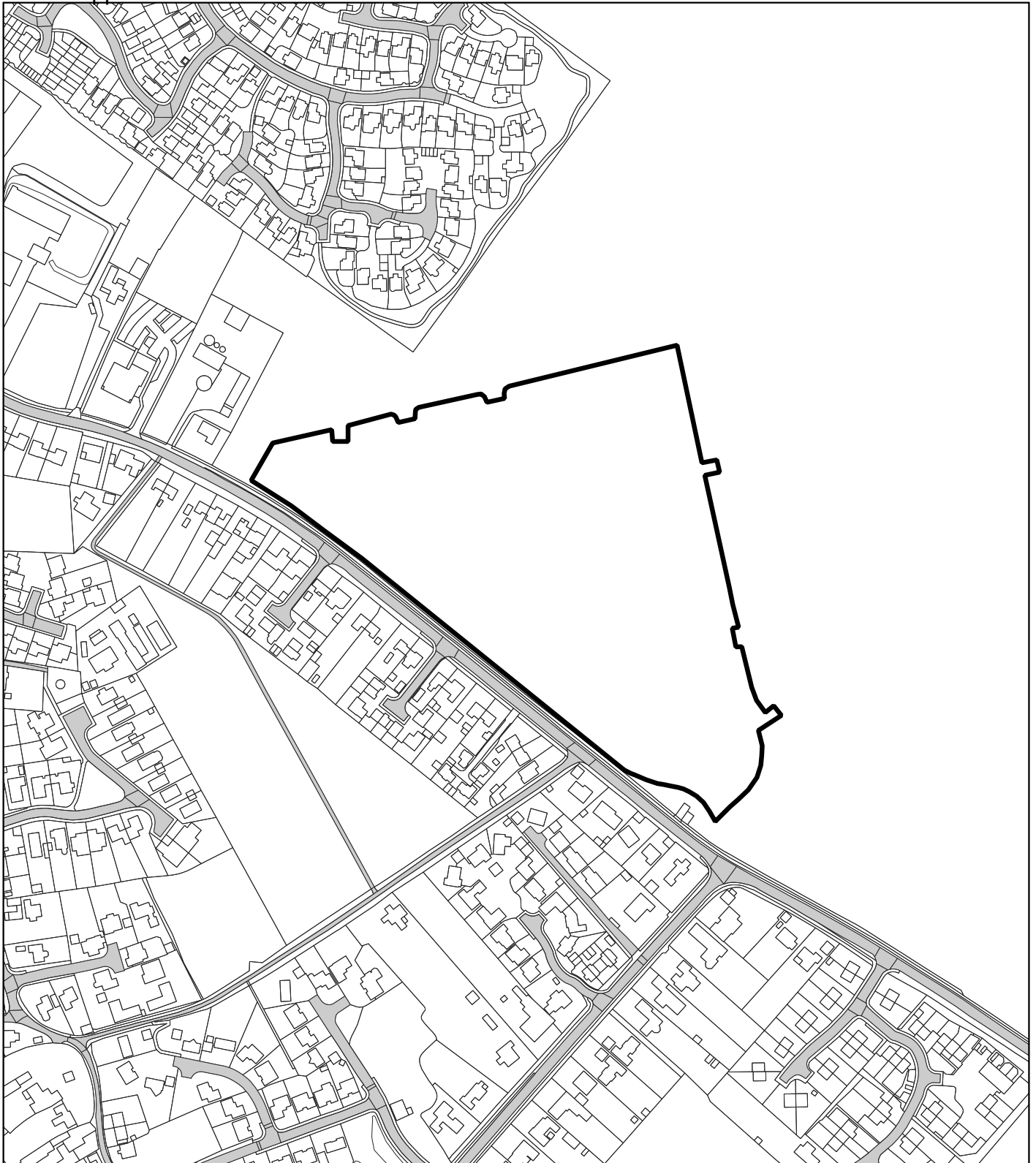
Phase 1 Millstone Park
Land Adjacent To Melton Farm
Newmarket Road
Burwell

Reserved matters comprising layout, scale, appearance and landscaping for 143 dwellings, internal roads, parking, open space, landscaping, associated drainage and ancillary infrastructure for Phase 1 (Housing) pursuant to outline planning permission 15/01175/OUM (as varied by 15/01175/NMAA and 15/01175/NMAB)

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=R9VF62GGN3O00>





22/00420/RMM



Phase 1 Millstone Park
Land Adjacent To Melton Farm
Newmarket Road
Burwell

East Cambridgeshire
District Council

Date: 13/07/2023
Scale: 1:3,500



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TITLE: 22/00420/RMM

Committee: Planning Committee

Date: 2 August 2023

Author: Planning Team Leader

Report No: Y26

Contact Officer: Dan Smith, Planning Team Leader
dan.smith@eastcambs.gov.uk
01353 616306
Room No 011 The Grange Ely

Site Address: Phase 1 Millstone Park Land Adjacent To Melton Farm Newmarket Road Burwell

Proposal: Reserved matters comprising layout, scale, appearance and landscaping for 143 dwellings, internal roads, parking, open space, landscaping, associated drainage and ancillary infrastructure for Phase 1 (Housing) pursuant to outline planning permission 15/01175/OUM (as varied by 15/01175/NMAA and 15/01175/NMAB)

Applicant: Vistry East Midlands

Parish: Burwell

Ward: Burwell

Ward Councillor/s: David Brown
Lavinia Edwards

Date Received: 5 April 2022

Expiry Date: 11 August 2023

1.0 RECOMMENDATION

1.1 Members are recommended to GRANT DELEGATED POWERS TO THE PLANNING MANAGER TO APPROVE the application once the drainage condition (condition 16) on the outline permission has been discharged and subject to the recommended conditions summarised below (with any minor changes delegated to the Planning Manager). The conditions can be read in full on the attached Appendix 2 of this report.

- 1 Approved Plans
- 2 Materials
- 3 Hard surfacing
- 4 Landscaping Implementation, Management and Timescales

- 5 Lighting
- 6 Solar Panels
- 7 Boundary Treatments
- 8 Cycle Storage
- 9 Biodiversity
- 10 Archaeological Interpretation
- 11 Access, Parking and Turning
- 12 Pedestrian Visibility Splays
- 13 Restriction on Gates
- 14 Remove Permitted Development Rights for Carport Conversion

2.0 SUMMARY OF APPLICATION

- 2.1 This current reserved matters application relates to outline application 15/01175/OUM which granted outline planning permission for the redevelopment of land to provide up to 350 dwellings (including affordable housing provision) with associated open space, sports provision, access and infrastructure. That application also approved the detailed matter of the access point on to Newmarket Road. The detailed matters of the layout, scale, appearance and landscaping of the development were reserved for future consideration. The permission was split into three main housing phases as part of that outline permission.
- 2.2 The current application seeks approval of those reserved matters of layout, scale, appearance and landscaping in respect of Phase 1 of the wider site for 143 dwellings, internal roads, parking, open space, landscaping, associated drainage and ancillary infrastructure.
- 2.3 The submitted scheme has been amended on three occasions over the course of the consideration of the application, in order to attempt to address Officer concerns regarding the design of the scheme as well as the concerns of statutory consultees.
- 2.4 The scheme comprises the provision of 143 dwellings, including 42 affordable dwellings, as well the internal access roads, areas of open space, parking and garaging, landscaping and drainage features. The scheme has been the subject of significant negotiation between planning officers and the applicant has gone through several revisions over the course of the application. This has addressed matters of density, layout, design, landscaping and has also addressed highways and drainage considerations. As part of those changes, the number of dwellings has been reduced from 150 initially proposed to the current figure of 143.
- 2.5 The application has been referred to Planning Committee as when the Committee resolved to grant outline permission, it further resolved that reserved matters applications be brought back to the Committee for consideration in a public arena.
- 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. The relevant planning history for the includes the outline permission to which the current application relates. That outline application followed an EIA Screening Opinion requests. Subsequently, the outline permission has twice been the subject of non-material amendments to make minor amendments to the wording of its conditions. A full application has also been approved in respect of the footpath/cyclepath link required by the outline permission.

14/00149/SCREEN

Screening Opinion for Residential Development

Environmental Statement Not Required

26 February 2014

15/01175/OUM

Redevelopment of land at Newmarket Road, Burwell to provide up to 350 dwellings (including affordable housing provision) with associated open space, sports provision, access and infrastructure.

Approved

31 October 2019

15/01175/NMAA

Non-material amendment to wording of Condition 14 (Energy and Sustainability Strategy) of 15/01175/OUM.

Accepted

8 December 2020

15/01175/NMAB

Non-material amendment to vary wording of conditions 2, 4, 5, 6, 10, 11, 12, 13, 16, 17, 18, 19, 28, 36 and 37.

Accepted

29 October 2021

21/01771/FUL

Provision of a shared cycleway/footway west onto Ness Road, landscape, drainage, and associated infrastructure.

Approve

2 November 2022

- 3.2. The following Reserved Matters applications have previously been made in respect of the outline permission:

19/01578/RMM

Reserved matters for appearance, landscaping, layout and scale of planning application 15/01175/OUM (Phase 1)

Withdrawn

7 April 2020

20/01755/RMM

Reserved matters for internal access, layout, scale, appearance and landscaping for the provision of an internal spine road, landscaping and associated drainage and related infrastructure

Approved

13 July 2021

21/01508/RMM

Reserved matters infrastructure application (Phase 2) for internal access, layout, scale, appearance and landscaping for the provision of an internal spine road, landscaping and associated drainage and related

Approved

13 May 2022

- 3.3. A reserved matters application for housing on Phase 2A of the site was submitted at the same time as the current application. That application will also be referred to and considered by the August Planning Committee:

22/00479/RMM

Reserved matters for Layout, Scale, Appearance and Landscaping for Phase 2A for 138 dwellings, parking, internal roads, open space, landscaping, sustainable urban drainage and ancillary infrastructure pursuant to 15/01175/OUM

Pending Consideration

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The wider application site for which outline permission was granted comprises 27.3 hectares (67.5 acres) of greenfield agricultural land and adjoins the existing built form of Burwell to the west and south. Open countryside adjoins the site to the east and the north, with Newmarket Road defining the south west boundary of the site. To the west the wider site bounds Melton Farm, the Felsham Chase housing estate and other
- 4.2 The wider site is allocated for residential development for approximately 350 dwellings, in the East Cambridgeshire Local Plan 2015, under Policy BUR1 – Housing allocation, land off Newmarket Road, and was granted outline permission in 2019 as detailed above.
- 4.3 The current application site is roughly triangular part of the site with an approximate area of 4.8 hectares (11.9 acres). One side of the site runs alongside the Newmarket Road boundary. The other boundaries would be enclosed by the internal access roads and western public open space area which were permitted under permission reference 20/01755/RMM.
- 4.4 The site was previously arable agricultural land. It has since been topsoil stripped and some elements of the previous reserved matters approvals for infrastructure, such as the primary spine road, have been implemented on site. The site is located within Flood Zone 1, meaning it is at the lowest risk of flooding from fluvial flooding, and is at a very low risk of flooding from surface water.

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 - 27 April 2022

Burwell Parish Council considers that the properties within this development should be powered by renewable green energy.

Parish - 9 November 2022

The Parish Council note other consultee comments and ask that these are taken into account when the application is determined.

Parish - 26 April 2023

Burwell Parish Council has noted neighbour comments for the above two applications, but has no objections to the proposals. It is pleased to see that 40% affordable homes are being provided in Phase One. It requests confirmation regarding the timescales like to know at what point during construction the play equipment will be delivered and who will be responsible for the play area in the long term.

Local Highways Authority - 28 April 2022

Pre-application meetings between the LPA, LHA and the developer took place in early December 2021. I note with thanks that the layout has been amended to take on board the early advice. My response below identifies some residual matters which still need to be addressed, in many cases to safeguard against any future adoption process.

Access

The access to the development parcel will be via the previously approved Spine Road. Bellmouth junctions were incorporated within the original design for this purpose and no changes to these junctions are proposed. However, four new shared private accesses are proposed which will front onto the Spine Road. Each access is suitably wide and can achieve the necessary visibility (see further comment below) so I do not object to this. But separate to the planning application, the LHA is progressing a Section 38 Agreement for adoption of these roads. This s38 will need to be amended (at the developer's expense) to incorporate the changes associated with the additional accesses.

Layout

The proposed road geometry (widths and radii) is appropriate for the residential development. The bin collection points shown on the refuse tracking plan are omitted from the site layout. These should be included on all drawings for consistency. While the turning heads to the south of the scheme are sufficient to accommodate the necessary vehicle tracking, I would like inform the applicant that the 'bulges' in the southern edge are not necessary and would be more difficult to construct than a straight equivalent. This comment is advisory only.

Visibility

The inter-vehicular visibility to the left for the junction opposite Plot 131 passes across the front of private driveways (Plots 136 & 137). If the applicant wishes for

the road to be adopted, the entirety of the splay needs to be included in the adoptable area. 2.4m x 25m inter-vehicular visibility splays are needed for all shared private drives which front onto the primary and secondary Spine Road. Where the splays cross the verge, they will need to form part of the adoptable area. This needs to be regularised with the in-progress Section 38 Agreement but does not form the basis for an objection to this planning application. Otherwise, the visibility is acceptable and sufficient to maintain highway safety. Please note that the LHA will not adopt pedestrian visibility splays, but they should be maintained free from obstruction from at least a height of 0.6m by the relevant landowners. This requirement should be conveyed to any future plot owner.

Vehicle Tracking

Refuse and fire tender tracking are acceptable. The delivery vehicle tracking shown is acceptable, but the plan has omitted tracking of the parking courts which serve Plots 101-104 and 126-130. Please can the applicant track these areas.

Surface Water Drainage

Due to the chalk ground conditions in the area, no highway can be adopted if infiltration devices are laid within 10m of the highway. The infiltration basin in the north-east of the development would therefore compromise the LHA's ability to adopt the development Spine Road and by extension any of the development roads. For infiltration basin 2 in the north-east of the site, I measure a distance of approximately 4m from the top of basin to the carriageway edge at the narrowest point and 9m from the bottom of basin to carriageway. For basin 3, I also measure approximately 4m to the top of bank and 9m to the bottom. The 10m offset should be from the top water level. I have not provided comment on Basin 1 as it is outside of the application redline, but the same criteria apply. Permeable paving is proposed on private drives through the development. The LHA do not accept permeable paving as a means of surface water drainage due to its short design life, onerous maintenance requirements and tendency to fail. Therefore, if positive drainage is not achievable, surface water interception must be included prior to the highway proposed for adoption. This can be demonstrated at detailed design post-planning.

Miscellaneous

The LHA do not adopt visitor parking bays so those adjacent to shared space streets should be designed to fall away from the carriageway so that they can be drained separately.

Similarly, the visitor parking bays to the rear of Plots 94 and 95 will not be adopted. They should be separated from the carriageway by a bull-nosed kerb with 25mm upstand. As these bays will fall towards the carriageway, they should include separate drainage e.g., additional gully or channel drain. The specifics can be reviewed at detailed design post-planning.

Where a tree is to be laid within 5m of highway proposed for adoption, a root protection barrier to a depth of 1.2m is required to protect the highway integrity. Fruit trees shall not be used at these locations to avoid slip hazards when the fruit falls.

Conclusion

I would like to invite the applicant the opportunity to respond to the above points, but I note that most of my comments are advisory or relate to any future adoption process. Specific to the planning process, at a minimum the comments relating to bin stores and delivery vehicle tracking should be addressed.

Local Highways Authority - 31 October 2022

Access

Access to the development parcel via the previously approved Spine Road is acceptable. However, there are minor changes from the previous outline consent (inclusion of a shared private access) and the applicant will need to regularise these changes with the LHA as they have submitted a Section 38 Agreement application (ref: G59/2633 & G59/2654) for the adoption of these roads. This however has no bearing on this planning application.

Layout

The transition to shared space at Plots 92 / 131 is not acceptable. The transition is such that it is ambiguous for pedestrians whether they should be in the carriageway or on the footway (with minimal kerb separation) at the junction. The shared space transition needs to be of the standard form, as used elsewhere in the site, and located on the east side of the junction between Plots 89 and 100. This will require the relocation of the driveways for Plots 88, 89 and 90. As it stands, there is too little pedestrian certainty and protection, at a location where it is needed most.

Upon further consideration the parking bays located between Plots 50 and 70 need additional detailing. There are no splays shown on the site plan so it is unclear how a vehicle can enter or exit the space without overrunning the footway or verge.

The contrasting block paving used along the frontage of Plots 127 and 128 is unnecessary from a highway perspective. While I do not object to its use, should the applicant choose to retain it, they must be aware of the following points which will be pertinent to any future adoption agreements.

- No kerbing (flush or otherwise) shall be used across the carriageway to imply pedestrian crossing priority as this is misleading.
- The footway and parking on either side of the carriageway must remain private and will not be adopted by the LHA. As such, it will also need to be drained separate from the highway.

As per my previous comments, paved areas for bin collection points, which sit outside the highway, have been omitted. These should be provided at shared private drives where there may otherwise be a concentration of bins placed at turning heads or accesses which could obstruct road users.

Visibility

Inter-vehicle visibility splays have been omitted from this latest submission. The applicant should re-submit the site plan with the splays included. That being said, I do not foresee any material issue.

Vehicle Tracking

The submitted vehicle tracking is acceptable.

Surface Water Drainage

The surface water drainage strategy is acceptable (from a highways perspective). However, engineering detail (gully locations, spacing, drain sizing, manhole locations etc.) will be reviewed as for roads proposed for adoption as part of any subsequent S38 Agreement.

Conclusion

I would like to invite the applicant the opportunity to respond to the above points prior to making any final recommendations.

Local Highways Authority - 21 April 2023

Based on the revised submission which addresses my previous comments, I do not object to this application.

The adoption of proposed highway will be subject to a Section 38 Agreement of the Highway Act 1980 and comments made within this response are done so on a without prejudice basis to any such agreement taking place. In the interest of avoiding any abortive construction works, I strongly advised that should the applicant be granted planning approval, no construction works take place for proposed adoptable highway prior to the applicant entering into a Section 38 Agreement with the Local Highway Authority.

Please append the following Conditions to any permission granted:

- Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on 500-SK-PH1-01 Revision B in writing by the Local Planning Authority.
- Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- Prior to the occupation of a dwelling, the pedestrian visibility splays pertaining to its access, as shown of the drawing 500-SK-PH1-01 Revision B, shall be kept free from obstruction from a height of at least 600mm above footway or carriageway surface level.

Lead Local Flood Authority - 6 May 2022

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

Drainage Layout Plans

Drainage Strategy - Phase 1, Sheets 1 and 2 have been submitted within this reserved matters application. However it appears that an area of the development to the north of Sheet 2 is not shown within a drainage layout. The LLFA therefore requires that suitable drawings are submitted that show the entire red line boundary of the development, in order for the LLFA to support this application.

Hydraulic Calculations

Hydraulic calculations should demonstrate the performance of the drainage system with regards to discharge rates, attenuation volumes, and peak discharge volumes for rainfall events up to and including the 1% Annual Exceedance Probability (AEP) event +40% climate change. The calculations submitted within this application show the following:

- Network 1 - Flooding in 1% AEP rainfall event,
- Network 2 - Surcharging in the 100% AEP event, and flooding in 1% AEP event,
- Network 3 - Surcharging in the 100% AEP event

There should be no surcharging in the 100% AEP storm and no water outside the system within the 3.3% AEP storm event. If there is any exceedance within the 1% AEP storm + 40% allowance for climate change, this must be managed within the red line boundary without increasing the risk of flooding to any surrounding land or property. Until it is demonstrated that the above requirements have been met for this drainage system, the LLFA is unable to support this application.

The calculations currently show that the half drain time for Network 2 cannot be calculated as the system is too full. The half drain time for the system should be less than 24hours in order to ensure that the system has the capacity to accommodate rainfall events occurring in quick succession. Until the half drain time for the system is demonstrated as less than 24 hours, the LLFA is unable to support this application.

The submitted calculations are using FSR rainfall data. However, FSR rainfall data is now outdated and there are more accurate data sets in FEH 1999 and 2013 models. This is due to recording of rainfall over a longer period of time, as well as updated calculations behind the model. Therefore, FEH rainfall data is now required on all applications to ensure the hydraulic modelling is an accurate representation of the proposed network.

Pumped Manhole

It is currently proposed that a pumped manhole will be present within Network 3 of the development. Pumping of surface water is an unsustainable drainage method. Pumps present a significant residual risk if they are not maintained or fail during a storm event. Our preference is for gravity discharge to the surface water drainage system, mimicking the natural drainage of the site and reducing energy consumption as stated in paragraph 6.3.5 and 6.3.28 of the Flood and Water Supplementary Planning Document (SPD).

We require that the applicant attempts to discharge as much surface water runoff via gravity as possible. This can be achieved through the use of larger areas of shallow attenuation or alternative SuDS approaches.

If it can be demonstrated that a partial or completely pumped drainage system is the only viable option we would require that the residual risk of flooding due to the failure of the pumps be investigated. We would require that the flood level be determined under the following conditions:

- The pumps were to fail; and
- The attenuation storage was 50% full; and
- A design storm occurred

The floor levels of the affected properties must be raised above this level and all flooding must be safely stored onsite.

Lead Local Flood Authority - 19 July 2022

We have reviewed the following documents:

- Additional Drainage Information, Stomor Civil Engineering Consultants, Ref: ST3163/220617-LLFA1, Dated: 17 June 2022

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

The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving, and infiltration basins, discharging directly into the ground.

The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment which is of particular importance when discharging into a watercourse. The use of infiltration basins is also supported, as the basins can provide surface water treatment, in addition to biodiversity and amenity value.

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

Lead Local Flood Authority - 15 November 2022

Thank you for your re-consultation which we received on 25th October 2022.

At present we maintain our objection to this reserved matters application for the following reasons:

Required Clarity

Within the updated drainage layout, it appears that the total area of permeable paving throughout the development has been reduced. The LLFA would require clarity as to how these changes will impact the overall drainage strategy, for example, demonstration that all surface water discharging from the site by any means will receive appropriate levels of surface water treatment in line with the Simple Index Approach, CIRIA SuDS Manual C753. In addition hydraulic calculations should be submitted that demonstrate that the new drainage strategy will have sufficient capacity to accommodate all rainfall events up to and including the 1% Annual Exceedance Probability (AEP) rainfall event +40% climate change allowance. Until the above is demonstrated, the LLFA is unable to support this application.

Lead Local Flood Authority - 17 April 2023

At present we maintain our objection to this reserved matters application for the following reasons:

Hydraulic Calculations

Hydraulic calculations should demonstrate the performance of the drainage system with regards to discharge rates, attenuation volumes, and peak discharge volumes for rainfall events up to and including the 1% Annual Exceedance Probability (AEP) event +40% climate change. The calculations submitted within this application show the following:

- Network 1 - Surcharging in the 100% AEP rainfall event.

There should be no surcharging in the 100% AEP storm and no water outside the system within the 3.3% AEP storm event. Until it is demonstrated that the above requirements have been met for this drainage system, the LLFA is unable to support this application.

The calculations currently show that the half drain time for Network 1 cannot be calculated as the system is too full. The half drain time for the system should be less than 24 hours in order to ensure that the system has the capacity to accommodate rainfall events occurring in quick succession. Until the half drain time for the system is demonstrated as less than 24 hours, the LLFA is unable to support this application.

Lead Local Flood Authority - 6 June 2023

Confirmed it had reviewed the updated documents and based on these it removed its objection to this reserved matters application. It has been demonstrated that the proposed drainage strategy can manage surface water appropriately through the use of infiltration basins, and that surface water quality has been suitably addressed within the development.

Environment Agency - 18 May 2022

States it has inspected the amended documents as submitted and has no additional comments to add to its previous response at the outline stage.

Environment Agency - 11 April 2023

States it has inspected the amended documents as submitted and has no additional comments to add to its previous response at the outline stage.

Anglian Water Services Ltd – 6 November 2022

We have reviewed the applicant's submitted foul drainage strategy in submitted drawings Phase 1 Drainage Strategy ST-3163 500-E/501-E and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage. We request that we are consulted on any forthcoming application to discharge any condition(s) of the outline planning application 15/01175/OUM, to which this Reserved Matters application relates, that require the submission and approval of detailed foul drainage information.

We have reviewed the applicant's submitted surface water drainage information, Phase 1 Drainage Strategy ST-3163 500-E/501-E, and have found that the proposed method of surface water discharge does not relate to an Anglian Water

owned asset. As such, it is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented. A connection to the public surface water sewer may only be permitted once the requirements of the surface water hierarchy as detailed in Building Regulations Part H have been satisfied. This will include evidence of the percolation test logs and investigations in to discharging the flows to a watercourse proven to be unfeasible. The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Planning Strategic Enquiry. The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals. We promote the use of SuDS as a sustainable and natural way of controlling surface water run-off.

The Ely Group Of Internal Drainage Board - No Comments Received

Environmental Health - 22 April 2022

Requests that if there is the opportunity to add a condition at this stage that a Piling Method Statement be required by condition in the event that piling is necessary. This 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 it should include 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 this should be confirmed in writing.

Environmental Health - 31 October 2022

We have reviewed the amendments and have no further comment to make on this application.

Environmental Health - 5 April 2023

We have nothing to add to the previous comments at this time

ECDC Trees Team - 6 June 2022

The northern most attenuation pond is surrounded by a single species of tree the West Himalayan Birch (*Betula utilis* var. *jacquemontii*) - ten of them this appears to be an excessive reliance on one species it would be better if this area included

some other tree to provide variation and diversity future proofing the area. The additional trees could be native species trees or ornamental's but should ideally be long lived large scale trees where possible. The design only uses 8 species of tree for larger sized planting opportunities 39% of which are *Betula utilis* var. *jacquemontii*.

The use of *Amelanchier arborea* "Robin Hill" should be reconsidered as some their locations overhanging or are adjacent to parking areas and footpaths this is unsuitable for their long-term retention. These trees produce soft fruit (berries) that can pose a slip hazard as well as making a mess and attracting unwanted insects such as Wasps, Ants etc.

Generally the planting layout is acceptable but the species of some of the trees chosen require re-evaluation. Due to the issue above the landscaping scheme is not acceptable at this time.

ECDC Trees Team - 21 November 2022

The revised soft landscaping is acceptable though it does appear that there are trees located within the proposed easements in the drainage scheme so there may be a requirement to relocate these trees outside the easements to avoid future conflict between the trees and necessary access.

ECDC Trees Team - 21 April 2023

The revised soft landscaping scheme is acceptable

Housing Section - 25 April 2022

The Strategic Housing Team would like to put in a holding response as we require further information from the developer. I note that the shared ownership dwellings proposed are significantly below the National Described Space Standards and the proposed for the affordable rented dwellings offered.

Our pre-app discussions advised that these properties would need to be 2 bed (4 person) and 3 bed (5 person) in order to ensure we meet an identified need. Could you please ask the developer to change the shared ownership dwelling to a Cooper house type and Asher house type, so they meet the recommended sizes requested

Housing Section - 2 November 2022

We note that our previous comments regarding space standards have been taken on board for all affordable units except for the Elmslie 3bed shared ownership units. As highlighted before we would like to see this delivered as a 3bed (5person) unit however the current size of the unit only allows for a maximum occupancy of 4 people.

We would like to see these 3 bed units changed to the Asher design to meet recommended sizes where possible.

Housing Section - 30 March 2023

Thank you for advising us of the above - we have no additional comments to make on the amendments submitted.

Waste Strategy (ECDC) – 11 May 2022

In relation to the private drives indicated on the design and access statement, East Cambs District Council will not enter private property (including the private driveway 'roads') to collect waste or recycling without a signed indemnity agreement, 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. 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). In addition to this, there is no swept path analysis for these properties (e.g. 1-7) if an indemnity agreement was provided.

In addition to the above, the boundary of the development with the public highway will need sufficient space for the bins and bags for all new properties to be presented without causing an obstruction.

With reference to document '500-SK-PH1-07 BOUNDARIES AND BINS' and those properties identified with the green line as needing to present their bins away from their properties, East Cambs District Council require waste and recycling to be ready for collection by 7:00am on collection day and not before 6:00pm on the evening before. Residents will also be required to return their containers to their boundaries as soon as possible following collection. It is noted that some properties are missing from this map and they will need to present with the properties identified with the green drag distance to a collection point.

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

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

Cambridgeshire Archaeology - 19 April 2022

We do not object to the layout proposed by this application but recommend that an archaeological condition is attached to any planning consent to provide archaeological interpretation boards to be erected at one of the public open spaces within Phase 1. This follows a successful pre-commencement excavation conducted under planning consent granted for 15/01175/OUM, which predominantly occupied the Phase 1 area. Here a major Late Bronze Age to early Iron Age settlement (c. 9th-7th centuries BC) of around 30 post-built round houses, rectangular buildings and structures, wells and a large number of storage pits cut deeply into the chalk bedrock was excavated. Ditched fields that are commonly found around settlements of this period were notable by their absence, suggesting that livestock was probably corralled and managed elsewhere and that cereal cultivation may have been important to the prehistoric community. The settlement evidence survived surprisingly well despite the thin plough soils covering the chalk.

Place shaping is an important aspect of new settlements and at Millstone Park the landscaping proposals around the SuDS and entrance to the new residential area will provide new spaces that will be used by local residents. Providing some indication of the ancient settlement that once occupied the space will be important in terms of public benefit and the social value of the development. An imaginative proposal to combine public art and archaeology in a cultural heritage-led strategy to distinguish the development expansion area within the village is recommended.

The following condition is advised:

No development shall commence until the applicant has submitted the proposed design and content of an archaeological interpretation board to the Local Planning Authority for approval. The illustrated interpretation board is to be placed in a suitable location within the public open space and must be erected prior to the first occupancy of the development. Content for the board should be prepared by the archaeological organisation who undertook the excavation.

Cambridgeshire Archaeology - 30 March 2023

Repeated its earlier advice.

NHS England - 25 October 2022

The proposed development is likely to have an impact on the services of the GP Practice operating within the vicinity of the application Burwell Surgery. This practice supports a patient list size of 8,947 and this development of 150 dwellings would see an increase patient pressure of 375 new residents which would require additional GP/Nurse / (Admin support) workforce to support potential increase in appointments : GP = 0.19 / Nurse = 0.13 and Admin = 0.36 with a resulting increase on estate demand of 25.71 sqm net internal area.

A developer contribution will be required to mitigate the impacts of this proposal. CAPICS calculates the level of contribution required, in this instance to be £93,908.57 CAPICS therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission.

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

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

Cambridgeshire Fire And Rescue Service - 21 April 2022

Requests that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition. Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations. 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.

Sport England - 5 April 2023

Sport England has no comments to make on this additional information consultation. Therefore, please refer to Sport England's previous responses for our current position on this application which for the benefit of doubt have not been superseded and remain extant.

Design Out Crime Officers - 3 May 2022

States it considers this to be an area of low vulnerability to crime at present.

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

Please see following comments for your consideration.

Rear access footpaths - The footpaths to the rear of plots 12, 28, 37, 109, 130 & 137 are planned to be gated which is good to see in the boundary treatment plan. Unfortunately, by allowing access to the rear of those properties will only increase the vulnerability for burglary as most occur via the rear garden. Please ensure that any shared gates are fitted with self-closers, and private gates are fitted with self-closers and lockable from both sides.

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

Cycle storage - The Design and Access Statement (DACS - Page 16) made reference to cycle storage will be provided within a garage or secure cycle sheds within accessible locations within the rear gardens. Consideration should be given to providing a ground anchor within the shed to allow the resident to secure their bike/s, and a solid secure, gold rated hasp and lock for the door.

Parking - There are many parking bays that have good natural surveillance from active windows. However, there are plots that do not allow the residents to see their own vehicles, such as; 18, 25, 31, 35, 44, 52, 93, 94, 95, 96, 135 & 138. Where possible, I would recommend for these properties the fence is lowered to 1.5m with 300mm of trellis to improve the natural surveillance.

Landscaping - Consideration should be given to the planting of trees too close to fencing as they can also act as a climbing aid to gain entry to rear gardens. It is also important to ensure that there is a management plan in place to maintain and ensure 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.

Design Out Crime Officers - 1 November 2022

This new design would appear to have removed the rear parking issues mentioned by my colleague.

There are still footpaths to the rear of terraced blocks of homes - shared gates should be as close to the front building line as possible, fitted with self-closers. Private gates should be fitted with self-closers and be lockable from both sides.

The rest of the previous comments relating to lighting, cycle storage and landscaping still apply.

Design Out Crime Officers - 5 April 2023

Reiterates previous comments in respect of external lighting, gates, cycle storage, parking and landscaping. Comments that boundary treatment separating the development parcels and the countryside are important to reduce the fear of crime for residents as most burglaries occur with entry gained through rear gardens

Technical Officer Access - No Comments Received

Cambridgeshire County Council Education - No Comments Received

West Suffolk District Council - No Comments Received

Conservation Officer - No Comments Received

CCC Growth & Development - No Comments Received

Cadent Gas Ltd - No Comments Received

Community & Leisure Services - No Comments Received

Ward Councillors - No Comments Received

5.2 A site notice was displayed near the site on 21 April 2022 and a press advert was published in the Cambridge Evening News on the same date.

5.3 Neighbours – 433 neighbouring properties were notified by letter and responses were received from residents of 12 properties. The responses received are summarised below. A full copy of the responses are available on the Council's website.

- 5.4 Concern expressed regarding:
- Affects public views;
 - Affects a Right of Access;
 - Affects a Right of Way
 - Affects street scene;
 - Balance of development across wider site;
 - Biodiversity;
 - Contrary to Policy;
 - Density of development;
 - Detailed internal layouts of some house types;
 - Energy efficiency and sustainability;
 - Form and character;
 - Highway safety;
 - Housing numbers;
 - Impact on trees;
 - Increase in footfall through neighbouring streets;
 - Lack of bungalows;
 - Lack of key worker accommodation;
 - Landscape impact;
 - Loss of privacy;
 - Loss of public amenity;
 - Loss of view;
 - Location of affordable housing;
 - Noise sensitive;
 - Overbearing;
 - Overlooking;
 - Parking and Turning;
 - Pollution issues;
 - Residential amenity;
 - Visual amenity.

6.0 THE PLANNING POLICY CONTEXT

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

6.2 *East Cambridgeshire Local Plan 2015 (LP)*

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing Mix

HOU 2	Housing density
HOU 3	Affordable Housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 12	Listed Buildings
ENV 14	Sites of archaeological interest
COM 4	New community facilities
COM 7	Transport impact
COM 8	Parking provision
BUR 1	Housing allocation, land off Newmarket Road

6.3 *Cambridgeshire & Peterborough Waste and Minerals Local Plan 2021 ('CPWM')*
Policy 14 Waste management needs arising from residential and commercial development

6.4 Supplementary Planning Documents (SPD)
Design Guide – Adopted March 2012
Flood and Water – Adopted November 2016
Contaminated Land - Adopted May 2010
Developer Contributions and Planning Obligations – Adopted May 2013
Natural Environment SPD – Adopted September 2020
Climate Change – February 2021

6.5 *National Planning Policy Framework 2019 (NPPF)*
Section 2 Achieving sustainable development
Section 4 Decision-making
Section 5 Delivering a sufficient supply of homes
Section 6 Building a strong, competitive economy
Section 8 Promoting healthy and safe communities
Section 9 Promoting sustainable transport
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change
Section 15 Conserving and enhancing the natural environment
Section 16 Conserving and enhancing the historic environment

6.6 Planning Practice Guidance (PPG) and National Design Guide (NDG)

7.0 PLANNING COMMENTS

7.1 The main planning considerations in this case are the principle of the development, housing mix, layout, scale and appearance, landscaping, residential amenity, historic environment, energy and sustainability, biodiversity and ecology, and flood risk and drainage.

7.2 Principle of Development

7.3 The site is part of a wider site which benefits from an outline planning permission for the provision of 350 dwellings and other infrastructure. That outline permission was granted on the basis that the site is allocated for residential development in the Local Plan. On that basis, the overriding principle of residential development on the site is acceptable.

7.4 The outline permission reserved consideration of the detailed matters of layout, scale, appearance and landscaping, requiring the submission of details of those matters at a later stage. This current application is made in that regard.

7.5 On that basis, the principle of development is acceptable in accordance with LP policies GROWTH 2 and BUR 1. The detailed consideration of this current application below, assesses whether the detailed matters pursuant to the Outline planning permission accord with the development plan when taken as a whole.

7.6 Housing Numbers and Mix

7.7 *Housing Numbers*

7.8 The outline application approved up to 350 dwellings across the wider site. The development framework plan approved under the outline application and the subsequently approved phasing plan show three housing phases of broadly equal area. The current reserved matters application initially sought 150 of those dwellings in phase 1. The phase 2A application submitted at approximately the same time initially showed 150 dwellings on that phase. This would have resulted in 300 of the 350 dwellings being proposed across two thirds of the housing land, leaving the final phase with only 50 dwellings.

7.9 Officers raised concerns in respect of the balance of the housing delivery across the wider site and the potential issues with the holistic character of the wider site and suggested that a significant number of dwellings (20–25) should be removed from each scheme to even the balance of housing development across the housing parcels.

7.10 In response to concerns regarding the layout of the current reserved matters application seven dwellings were removed from the scheme. This does not entirely address the officers' concerns regarding holistic development of the wider site. It is acknowledged that the density of the proposed scheme broadly accords with that shown on the development framework plan approved at outline stage, however officers remain concerned regarding the balance of delivery of housing across the site. It is considered that the provision of higher numbers of dwellings on the current phase has introduced unnecessary challenges in providing a high-quality scheme for the parcel and has impacted on the overall quality of the scheme.

7.11 Despite requests from officers, no information has been provided by the master developer for the site (This Land) regarding how the remainder of the housing might be delivered on Phase 3. Consideration has been given in the abstract to whether the remaining housing on Phase 3 could be provided in an acceptable way which would provide a cohesive scheme across the wider site. Phase 3 of the

development is likely to benefit from being at a slightly lower in density with a looser layout as it is the phase which will border most closely the open countryside. Phase 3 also contains the self-build plots for the wider site which generally benefit from larger plots. These factors speak in favour of a lower density approach to Phase 3. Additional public open spaces and structural landscaping could also be provided on phase 3 which would enhance the countryside edge while still allowing space for a less dense development to come forward.

- 7.12 On balance and in the absence of any proposals for Phase 3, officers are of the view that it would be possible to deliver an acceptable scheme across the wider site notwithstanding the imbalanced approach to housing numbers on the phases. It is therefore considered that the scheme for the current phase should be considered on its merits. That further consideration is provided below.
- 7.13 *Market and affordable housing split*
- 7.14 Of the 143 dwellings proposed, 42 are provided as affordable units which accords with the s106 requirement to provide affordable dwellings at a rate of 25% for the first 100 dwellings on Phase 1 and 40% on the remainder on the phase.
- 7.15 *Market Housing Mix*
- 7.16 LP policy HOU 1 requires that housing developments provide an appropriate mix of dwellings types and sizes that contribute to current and future housing needs as identified in the most recent available evidence. The latest Strategic Housing Market Assessment (SHMA) published in 2021 sets out a suggested mix of market housing in order to meet likely future housing needs in the Cambridgeshire and West Suffolk region. The outline permission was subject to a condition which requires reserved matters applications to provide a mix of dwelling types and sizes that contribute to the housing needs and demand of the locality at the time of submission.
- 7.17 The SHMA indicates that in respect for market homes, there will likely be a highest need for 3-bedroom dwellings (40-50%), followed by need for 2-bedroom and 4+-bedroom dwellings (both 20-30%).
- 7.18 The current scheme does not accord with the suggested SHMA mix for market dwellings, being significantly skewed towards larger dwellings. The application proposes that 51% of dwellings are 4+-bedrooms which is well above the 30% maximum suggested by the SHMA. It proposes 48% 3-bedroom dwellings which is in line with the SHMA and 2% 2-bedroom dwellings –which is well below the minimums suggested by the SHMA.
- 7.19 The SHMA does allow some divergence from the suggested mix in respect of specific schemes, stating that in applying the mix to individual development sites the policies should be flexible enough to have regard to the nature of the site and character of the area.
- 7.20 The applicant has provided Housing Mix Statement as required by the outline permission. It provides arguments as to why the proposed mix of dwellings is justified in this case. The statement accepts that the scheme provides a lower

percentage of 2-bedroom homes and a higher percentage of 4 and 5-bedroom homes. It suggests that the justification for this is threefold:

- i) That the local characteristics of Burwell warrant this approach, being a highly sought-after for families living in close proximity to Cambridge and the edge of village site is more appropriate for larger family housing;
- ii) That the market demand, based on the company's up-to-date sales and marketing intelligence in respect of the local market indicates that there is demand from its customers for larger properties with additional living space required for working from home or for inter-generational living;
- iii) That the proposed housing mix is a response to the urban design principles for the site to reflect the design, character and density needs of the parcel.

7.21 It is agreed that proposed housing mix has come about partly as a result of the urban design considerations of the scheme which have been negotiated as part of this application. The preferred character for certain areas of the scheme benefits from the use of larger dwellings, particularly in areas fronting open space, spine roads and the Newmarket Road frontage. As the affordable dwellings are generally smaller as required by the SHMA, the increased proportion of larger market dwellings allows for the different character areas of the site to be more easily designed. The weight given to the design argument is moderate.

7.22 The applicants argue that their evidence is that there is demand for larger properties which allow more space for home working and inter-generational living. It is accepted that the demand for such arrangements is likely greater now than in the past, possibly even since the 2021 SHMA. That argument is therefore given moderate weight in the consideration of the mix, albeit that it is anecdotal rather than well-evidenced.

7.23 It is not disputed that Burwell is a sought-after village for families. However, it is also likely that smaller families and couples would also wish to reside in Burwell. In the absence of any market evidence, the weight given to that argument is very limited.

7.24 The proposed mix is at a considerable variance from the mix suggested in the SHMA. The SHMA does allow for variances in the mix dependent on the character of the area and nature of the site and those matters are given some weight in this consideration. While the arguments used to justify the mix are relatively general and evidence is not provided to support some of the contentions, on balance, it is considered that the scheme is likely to provide a mix which contributes to current housing needs. Compliance with the requirements of condition 7 of the outline planning permission is therefore achieved through this submission.

7.25 *Affordable tenure and mix*

7.26 The application proposes 42 affordable dwellings, 29 of which would be affordable rent and 13 of which would be shared ownership. This is a 69:31 split and as close as possible to the desired 70:30 tenure split. The Council's Housing Strategy Team has confirmed it is happy with the proposed tenure of the scheme.

7.27 The SHMA indicates that for affordable housing, there is a mix requirement for a higher percentage of 2-bedroom dwellings (35-45%), followed by 3-bedroom (25%-

35%), then 1 bedroom (15-25%) and finally 4+ bedroom (5-15%). The application proposes 50% 2 bedroom dwellings, 29% 3 bedroom dwellings, 14% 1 bedroom dwellings and 7% 4 bedroom dwellings. This mix is considered to be acceptable and the Council's Housing Team has confirmed it is content with the mix.

7.28 The Housing Strategy Team did request that the Elmslie house type be changed as that 3-bed house type only allows for a maximum occupancy of 4 persons whereas it seeks 5 persons to be accommodate. The applicant has declined to revisit that issue, however they say they are in detailed negotiations with Registered Providers of affordable housing who have not raised this as a concern. The applicant has confirmed that all of the affordable housing meets the Nationally Described Space Standards.

7.29 The timescales for the provision of affordable housing and the securing of that provision in the long-term are secured by the s106 obligation pursuant to the outline permission.

7.30 On the basis of the above, the proposed affordable housing is considered to be acceptable in respect of its provision of affordable housing and the tenure and mix of that housing in accordance with the requirements of LP policy HOU 3.

7.31 Design

7.32 The application seeks the approval of the reserved matters of layout, scale, appearance and landscaping. The outline permission requires via condition 4 that the development be carried out in accordance with the development framework drawing approved at that stage.

7.33 LP policy ENV 1 requires new development to provide a complementary relationship with existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlement. Policy ENV 2 requires that new development should ensure its location, layout, form, scale and massing and materials are sympathetic to the surrounding areas. Paragraphs 127 and 130 of the NPPF seek to secure visually attractive development which improves the overall quality of an area and is sympathetic to local character and history.

7.34 LP policy COM 7 requires that all development must ensure a safe and convenient access to the public highway. It also requires development to be designed in order to reduce the need to travel, particularly by car and should promote sustainable forms of transport appropriate to its particular location. Policy COM 8 requires development proposals to provide adequate levels of car and cycle parking and that the provision be made broadly in accordance with the Council's adopted standards.

7.35 *Layout and Landscaping*

7.36 The layout of the scheme has been through several iterations since it was initially submitted in response to feedback from the case officer, urban designers and the Local Highways Authority. The initially submission for 150 dwellings and was not considered to be of an acceptable quality, with particular issues relating to a

reliance on cul-de-sacs and 'backland housing' around parking courts as well as inconsistent building lines leading to a poorly defined block structure.

- 7.37 The street layout as well a lack of variety in density across the parcel and a relatively uniform approach to the positioning of dwellings on their plots was considered to lead to a poor resolution of the various suggested character areas.
- 7.38 The scheme also took additional access points from the main spine road which was considered to negatively impact on the character of that street (established as part of the previous infrastructure reserved matters application) by cutting through the landscaped verges. Car parking in certain areas was not well resolved leading to poorly surveilled parking courts and parking spaces distant from the properties they serve, a reliance on frontage parking and excessive widths of parking between dwellings. The layout was also considered to have a poor level of pedestrian and cycle permeability on the eastern side of the parcel.
- 7.39 The layout was also considered to lack incidental open space within the central area (as shown on the outline development framework drawing) with the northern open space was poorly enclosed by the adjacent housing, partly due to the location of the visitor parking spaces. It was also considered that there was clear lack of tree planting across the initial scheme which led to streets overly dominated by hardstanding and built form.
- 7.40 Planning Officers suggested to the applicant that significant changes would be required to the layout and landscaping of the scheme and that a high-quality scheme was only likely to be achieved if a significant number of dwellings were removed from the scheme.
- 7.41 Various changes have been made to layout and landscaping over the course of the application and are reflected in the current scheme now referred to the committee. A total of seven dwellings have been removed from the scheme which is below the level suggested by planning officers, but the changes enabled by that reduction in numbers have provided improvements to the layout and landscaping proposed.
- 7.42 The parcel now has only two access points of the primary spine road with the properties fronting that road now served by accesses taken from within the parcel and provided along private drives. This allows the landscaped avenue character of the spine road to remain. The cul-de-sac on the eastern side of the parcel has been removed as have the parking courts which improves the character of the eastern part of the site, strengthens the block structure as well as enhancing the permeability of the parcel by foot and cycle.
- 7.43 The changes to the layout have also allowed a clearer resolution of the character areas across the parcel. The varying densities across the scheme, with lower densities on the Newmarket Road frontage with densities increasing along the spine roads, further increasing around the central open space and with the highest densities in the central core of the parcel. In combination with the building types used and the landscaping, it is considered that the scheme provides reasonably well-defined character areas which create interest in the scheme and an adequate sense of place.

- 7.44 The LHA has confirmed that the road layout is acceptable in respect of highway safety and adequate access is provided for waste collection vehicles to access the site and turn within it providing acceptable arrangements for waste collection.
- 7.45 Parking provision has been improved across the parcel. Spaces associated with dwellings are now provided on plot or very close to the plots and are generally well overlooked. The removal of parking courtyards has improved surveillance of parking spaces. Large widths of parking spaces in front of buildings have largely been removed and now only feature to the south of the terrace of three properties on plots 112-114 and between the detached dwellings on plots 15 and 16, 18 and 19, 65 and 66 and 69 and 70. In respect of the terrace, the spaces are set perpendicular to the main street and are landscaped which limits their prominence. While the width of parking between the detached dwellings does break up the frontage and the rhythm of the built form, the parking is only one space deep with garaging behind and on balance, in these limited situations, is not considered to harm the character of the development.
- 7.46 All of the dwellings within the scheme are provided with at least two dedicated parking spaces, except in the case of the affordable maisonettes which are provided with one each. Several of the larger dwellings are provided with three and in some cases four parking spaces. The scheme therefore meets the requirement of LP policy COM 8 to provide two car parking spaces per dwelling on average across the development. Garages are also proposed for many of the dwellings which would potentially provide additional off-street parking, however given the acceptable level of driveway parking for the dwellings, it is not considered necessary to require that the garages are retained for the purposes of parking.
- 7.47 The scheme also provides 18 visitor car parking spaces. This equates to one space per 8 dwellings. This is roughly half the recommended provision contained within policy COM 8 which recommends up to 1 space per 4 dwellings. The applicant suggests that the provision complies with the requirement of the policy as the policy requires 'up to' 1 space per four dwellings. While the 1 per 4 dwellings requirement is set as a maximum within the parking standards, it is considered debatable whether the provision of 18 spaces is likely to be adequate for the scheme of 143 houses. This may result in additional on street parking within the scheme, however it is likely that such parking would take place on streets within the parcel rather than spilling out onto the primary spine roads or Newmarket Road.
- 7.48 The site will be well-served by cycle routes as the outline permission requires a new cycle path from north western corner of the site to Ness Road with cyclepaths to be provided along Newmarket Road to connect Burwell to Exning to the east. Policy COM 8 requires that cycle parking be provided at a level of 1 cycle space per dwelling. Such provision could be made in the garden sheds which are shown indicatively on the layout plans and adequate provision would be secured by condition.
- 7.49 The scheme now provides a third area of open space on the parcel. In addition to the open space at the northern and western corners of the site an additional wedge-shaped area of open space has been provided in the centre of the parcel. This brings the scheme more into line with the development framework drawing approved at outline stage and provides a focal landscaped space in the centre of

the parcel. Additional tree planting is also now proposed within most streets, including along the southern side of the secondary spine road and the streets leading from the spine roads to the central open space.

7.50 While the landscaping of the parcel does not appear to have been at the core of the design approach, it has been improved during the application process and while a strategic approach could have delivered more clarity of character through landscaping, and a less dense scheme would have allowed more space for a cohesive approach, the open space and planting now proposed is, on balance, considered to be acceptable. The adoption and maintenance of areas of open space within the wider site are the subject of provisions within the s106 agreement on the outline permission. The agreement requires the developer to offer the management of areas of public open space in a cascade approach – first to the Council, then to the Parish Council. Should neither body wish to take on the maintenance they would then be placed in a management company.

7.51 Scale and Appearance

7.52 The house types used are primarily detached and semi-detached with three terraced blocks of three in the denser core areas. The scale of dwellings in the proposed scheme is a mixture of two storey dwellings and two and a half storey dwellings with a single pair of bungalows within the central core of the site. The two storey dwellings are between approximately 8 metres (~26ft) and 8.5 metres (~28ft) in height while the two and a half storey dwellings which have two storey elevations and rooms in the roof are approximately 9 metres (~29.5 ft) in height.

7.53 The two and a half storey dwellings have been used on the outward facing edges of the parcel to provide an increased presence where dwellings face onto open space and onto Newmarket Road and occasionally on internal streets, sometimes opposite approaching roads which provides an end point to views along those streets. The use of two and a half storey dwellings on corner plots on the Newmarket Road frontage provides improves the legibility of the streets and will assist in wayfinding. The majority of dwellings on the internal roads within the scheme are two storeys in height.

7.54 The appearance of the dwellings proposed initially was not considered to be of an acceptable quality nor to adequately reflect the character of Burwell. Significant changes have been made to the appearance of the dwellings over the course of the application to try to ensure the proposed development reflects the context of Burwell and that the dwellings are of a good design quality generally. In particular, the dwellings along the Newmarket Road frontage incorporate features that are found within the historic areas of Burwell including mock sash windows, brick corbel eaves detailing, portico style canopies and chimneys. Elsewhere on the site fenestration patterns have been improved and, notably significant improvements have been made to corner-turning buildings providing more active frontages on return elevations and increased roof pitches to enhance the corner plots and increase legibility.

7.55 The materials proposed to be used have also been reconsidered to reflect the character of Burwell. Render has been incorporated on key dwellings and the primary bricks used would be gault or yellow. While some details of materials have been provided, it is considered that the provision of further details including on site

sample panels for main and detailing bricks is required in order to ensure an acceptable final appearance. That provision would be secured via condition.

- 7.56 The design quality of the scheme has undoubtedly improved significantly from initial submission to the final layout now under consideration, both in respect of its layout, the inclusion of additional open space and the design aesthetic. While concerns remain regarding the number of dwellings on the parcel and the balance of development across the wider site, it is considered that this issue can likely be addressed during the later development of Phase 3, which could provide fewer dwellings at a lower density, perhaps with increased areas of open space. The development is therefore, on balance considered to accord with policy HOU 2 in respect of the housing density. The design of the scheme on this parcel is now considered to be of an acceptable level sufficient that it complies with the requirements of Local Plan policies ENV 1 and ENV 2 and the design guide SPD.
- 7.57 Residential Amenity
- 7.58 Policy ENV 2 of the Local Plan requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers and that occupiers of new dwellings enjoy high standards of amenity. This policy accords with Chapter 12 (particularly paragraph 130) of the National Planning Policy Framework (NPPF) which aims to achieve high standards of amenity.
- 7.59 The Phase 1 parcel is located well away from neighbouring properties to the west such that the built form of the development would cause no significant harm to the amenity of residents of those properties. The Newmarket Road frontage of the scheme would face towards existing dwellings on the opposite side of Newmarket Road, however again, given the separation distances involved (between 25 and 30 metres to front garden boundaries), it is not considered that any harm from the built form or overlooking would result.
- 7.60 The construction phase of any large residential development poses potential amenity issues in respect of noise, dust and light pollution. The outline permission was granted subject to Condition 19 which requires that no development commence until a Construction Environmental Management Plan for that phase has been submitted and approved. That condition satisfactorily secures the mitigation of the impact of development phase on neighbours.
- 7.61 The Council's Environmental Health Officer has requested a condition securing a Piling Method Statement in the event that piling is required as part of the development. Condition 25 of the outline permission already secures such a measure and the impact of piling on the amenity of neighbours during the construction phase has therefore already been addressed.
- 7.62 The layout and design of the dwellings would afford occupants an acceptable level of amenity and privacy. Back to back distances of 20 metres between dwellings have been achieved across the scheme and acceptable window to blank wall distances are also achieved.
- 7.63 Garden on all plots except the maisonettes exceed the standard set within the Council's Design Guide SPD of 50m². While the smaller sized gardens for the

maisonettes is regrettable, there is a significant level of provision of public open space within the approved wider site and the Design Guide does state that the garden size requirement applies 'in most cases' and it is considered that the scheme complies with this requirement.

- 7.64 As detailed above, parking provision is generally adequate for dwellings across the scheme being on average at least two spaces per dwelling. The maisonettes on site are only provided with one space, however as these are smaller units of which there are only a few, that provision is unlikely to be significantly detrimental to the amenity of the occupants of those dwellings.
- 7.65 In order to ensure that an acceptable level of access and maintenance of streets is secured, the LHA has requested that conditions be applied to the scheme relating to the construction of access roads, paths and cycleways and the management and maintenance of streets. These conditions were applied to the outline permission and do not need to be repeated for the reserved matters. The LHA also requests that the provision of access, turning and parking spaces and the ongoing provision of visibility splays be secured. These will both be secured by condition and the former will be sufficient to ensure that parking spaces on site be provided and retained in perpetuity. The gating of accesses and parking spaces would also be restricted by condition. Where parking is provided in car ports, as on some of the dwellings fronting the eastern spine road, permitted development rights for the conversion or alteration of those car ports would be removed to ensure ongoing provision.
- 7.66 It is therefore considered that the proposed development would not cause any significant harm to the amenity of current Burwell residents and that it would provide an acceptable level of residential amenity to future occupiers of the scheme, in accordance with policy ENV 2 and the Design Guide SPD.
- 7.67 Historic Environment
- 7.68 LP policy ENV 12 states that proposals that affect the setting of a Listed Building will only be permitted where they would preserve or enhance those elements that make a positive contribution to or better reveal the significance of the heritage asset; not materially harm the immediate or wider setting of the Listed Building; and facilitate the long-term preservation of the building. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting.
- 7.69 The outline application considered the impact of the development on the setting of listed buildings, the nearest of which is the Grade II listed Mill to the north of Melton's farmhouse. The development of the wider site retains an area of open space in the area nearest to that building and the outline application found that the proposed development would have a limited impact on that building. The current proposal, in fact, locates development further from that boundary than was shown in the outline application and the development, given the limited height of the proposed dwellings, is considered to have a neutral impact on that building.

- 7.70 On that basis, the proposed development is considered acceptable in terms of its impact on listed buildings in accordance with the requirements of LP policy ENV 12.
- 7.71 LP policy ENV 14 requires that development affecting all sites of known or potential archaeological interest have regard to their impact on those assets and protect enhance and conserve archaeological remains.
- 7.72 The archaeological interests of the current site and wider site are significant and archaeological condition was applied to the outline permission requiring that no development occur in a particular phase until a programme of archaeological work had been carried out.
- 7.73 A pre-commencement archaeological excavation conducted under that condition, which predominantly occupied the Phase 1 area has uncovered a major Late Bronze Age to early Iron Age settlement (c. 9th-7th centuries BC) of around 30 post-built round houses, rectangular buildings and structures, wells and a large number of storage pits cut deeply into the chalk bedrock. Further investigative archaeological work is not required as part of the current scheme.
- 7.74 The CCC Archaeology Team suggests that as place-shaping is an important aspect of new settlements, interpretation of the historic landscape ought to be included in the design proposals for the development. It has suggested that an interpretation board in one of the public spaces in the scheme be required by condition. It is considered that the area to the western tip of the site where pedestrian access is provided onto Newmarket Road would be a suitable location for such interpretation. Secured by condition, the provision of an interpretation board would assist in the historic understanding of the site and enhance the archaeology interests of the site.
- 7.75 On that basis, the proposed development is considered acceptable in respect of its impact on the archaeology in accordance with LP policy ENV 14.
- 7.76 Ecology and biodiversity
- 7.77 LP policy ENV 7 of the adopted Local Plan seeks to protect biodiversity and geological value of land and buildings and requires that through development management processes, management procedures and other positive initiatives, the Council will among other criteria, promote the creation of an effective, functioning ecological network. The Council have recently adopted a Natural Environment SPD and all development proposals would be expected to provide environmental enhancements proportionate to the scale and degree of the development proposed.
- 7.78 The outline permission established that across the wider site the ecological impact of the development of up to 350 homes could be acceptably mitigated and included a condition requiring the carrying out of the development in accordance with the key recommendations and precautionary methods contained within the ecological surveys submitted at the time of that application.
- 7.79 Those enhancement recommendations included the installation of bat tubes; bird boxes suitable for house martins, house sparrow, dunnock and starling; native and wildlife attracting planting; hedgerow boundary planting or along access roads; and reptile hibernacula such as log and rock piles. Such measures are considered to

remain appropriate. The documents considered as part of the outline application were necessarily general in scope as the layout of phases was unknown and it is therefore considered necessary to require the submission of a detailed ecological enhancement scheme for this phase. On the basis that such a scheme is secured by condition, the proposed development would secure an acceptable biodiversity enhancement and comply with LP policy ENV 7 and the Natural Environment SPD.

7.80 Flood Risk and Drainage

7.81 LP policy ENV 8 states that all developments should contribute to an overall flood risk reduction, demonstrate that appropriate surface water drainage arrangements for dealing with surface water run-off can be accommodated within the site, and that issues of ownership and maintenance are addressed. The use of Sustainable Drainage Systems will be required for new developments.

7.82 The site is at low risk of flooding and the outline application demonstrated that surface water could be deal with on the wider site as it had been established that infiltration drainage was feasible. That application was granted subject to a condition requiring that detailed drainage schemes for each phase of development be submitted and approved prior to the granting of any Reserved Matters applications for that phase.

7.83 A detailed surface water drainage scheme has been submitted in respect of Phase 1 under reference 15/01175/DISI and the Lead Local Flood Authority has confirmed that it is acceptable and sufficient to satisfy the requirements of the condition. On that basis, it is considered that the scheme has demonstrated that it can adequately provide surface water drainage and is acceptable in that regard. As the drainage scheme is secured by condition on the outline, no further condition is required in respect of this reserved matters application. As the condition on the outline application states that the condition must be discharged prior to the approval of the reserved matters application, and as that condition has not yet been formally discharged, delegated powers are being sought to approve the application once the outline condition has been formally discharged.

7.84 The principle of the site to provide adequate foul drainage for 350 dwellings was considered at outline stage. Anglian Water advised that there was the capacity at Burwell Water Recycling Centre to accommodate the flows from the development, however it and the Environment Agency required that improvements to the existing sewerage system would be required. The outline permission was therefore granted subject to a condition requiring that no development commence until a foul water strategy, including a scheme for the improvement and/or extension of the existing sewerage system, has been submitted and approved. The applicant has submitted such a scheme in respect of Phase 1 under reference 15/01175/DISI. That scheme is still being considered by statutory consultees, however the presence of the condition on the outline permission gives sufficient assurance that development of the site will not take place unless an acceptable foul drainage scheme is in place.

7.85 On the basis of the above, the development is considered to comply with the requirements to provide adequate drainage in accordance with LP policy ENV 8.

7.86 Energy and Sustainability

- 7.87 The adopted Climate Change SPD predominantly focusses on providing additional guidance to the implementation of LP policy ENV 4 – Energy and water efficiency and renewable energy in construction. Policy ENV 4 states all proposals for new development should aim for reduced or zero carbon development in accordance with the zero-carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable. It goes on to state that applicants will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction, as set out in the Code for Sustainable Homes (or its successor), demonstrating that developments of 5 or more dwellings would achieve energy efficiency improvements 20% above Building Regulations (as at Jan 2021), as set out in CC1 of the SPD.
- 7.88 The outline permission considered the sustainability of the scheme and required the submission of an Energy and Sustainability Strategy alongside any reserved matters application for buildings, via condition 14 of that permission. Such a strategy has been submitted alongside this application. The measures identified within that strategy as feasible in this case are a fabric first approach to the construction of buildings which seek to reduce energy demands by building energy efficient buildings and the use of a mix of solar panels and air source heat pumps.
- 7.89 However, the Council's Building Control team has previously advised that any dwellings not commenced on site by 14 June 2023 would need to comply with the latest Part L Building Regulations, which would exceed the carbon reduction that ENV 4 and CC1 seek to achieve. In this regard therefore, the development would automatically meet and exceed the aims of CC1 and ENV 4. In essence, the requirements of the SPD and, as a result, the condition attached to the outline permission, have been superseded by latest Building Regulations - Part L.
- 7.90 Concern has been expressed locally regard the level of detail provided in the strategy and the extent of its ambition and specifically regarding the location of solar panels and the provision of vehicle charging points. While these concerns are understood, as stated above, the requirements for energy efficient and sustainable development required by policy will be met and exceeded via the 2021 update of Part L Building Regulations. It is therefore unreasonable to require the strategy to go further than it currently does in respect of the provision of renewable energy or energy efficiency.
- 7.91 On that basis, the proposed development is considered to comply with the requirements of condition 14 of the outline permission, LP policy ENV 4 and the Climate Change SPD.
- 7.92 Other Material Matters
- 7.93 *Healthcare contributions*
- 7.94 NHS England has requested that the impacts of the development on healthcare provision be fully assessed and mitigated by way of a developer contribution. It is noted that the NHS did not comment at Outline stage at which point the impact of

the development in principle, including in respect of the burden of additional residents on local infrastructure, was considered. It was decided at that stage that healthcare contributions were listed on the Council's 123 list and therefore a contribution under the outline permission would have been double-counting. This current application seeks approval of the reserved matters of appearance, scale, layout and landscaping and such issues in-principle issues of the residential development cannot be reconsidered at this stage. NHS England's comments regarding securing contributions toward healthcare are noted and will be passed to the CIL team – however, it would not be possible under this application to secure contributions and matters of CIL funding fall outside of the regulatory framework of the planning system.

7.95 *Firefighting*

7.96 A request for fire hydrant details has been made by Cambridgeshire Fire and Rescue. Condition 13 of the outline permission already satisfactorily secures this detail to be agreed prior to commencement of development of each phase.

7.97 The submitted Fire Tender swept path analysis demonstrates that a fire tender can adequately access the site for the purposes of firefighting.

7.98 *Footpath connection points*

7.99 Consultation responses received in respect of the current application raised concerns in respect of footpath connections through to the neighbouring Felsham Chase neighbourhood and potential impacts of increased footfall. However, the Phase 1 site has no direct boundary with Felsham Chase or its neighbouring streets and it is therefore not considered that the layout of Phase 1 has any significant impact in that regard.

7.100 Planning Balance

7.101 The proposed reserved matters scheme for the Phase 1 parcel is considered to accord with the outline planning permission and the development framework drawing approved at that stage and is therefore acceptable in principle.

7.102 It is acceptable in respect of the level of amenity it would provide to future residents and its impact on the residential amenity of existing neighbours, the historic environment, biodiversity and ecology, and flood risk and drainage. It would also comply with the requirements of the Council's planning policies relating to energy and sustainability.

7.103 The design of the scheme in respect of the detailed matters of layout, landscaping, scale and appearance, is now considered of an acceptable quality. Lengthy negotiations on and revisions to the scheme have been undertaken since the submission of the application and these have significantly improved the design quality. While the design quality achievable on the scheme has undoubtedly been constrained by the housing numbers proposed for this phase of the wider development, officers are of the view that the current scheme achieves an acceptable design quality.

- 7.104 The scheme is not without its weaknesses – as detailed above, the number of dwellings proposed on the parcel is a higher proportion of the overall number approved on the wider site than is ideal and will lead to challenges in delivering a scheme with a cohesive character across that wider site, particularly in respect of Phase 3. However, these challenges are not considered to be insurmountable. The scheme also skews its market housing mix towards larger dwellings and while some justification has been provided to support the acceptability of that approach, that matter is finely balanced. Ultimately, officers are of the view that the mix can be considered to contribute to local housing needs and is, on balance, acceptable.
- 7.105 The scheme does provide a policy compliant level of good quality affordable housing as required by the outline permission and the mix and tenure of the housing is acceptable in respect of the local need.
- 7.106 Having weighed the strengths and weaknesses of the scheme, it is the opinion of officers that the scheme proposed in the reserved matters application is of an acceptable standard of design and that it broadly complies with the Local Plan as a whole. The adverse effects of granting planning permission would not significantly and demonstrably outweigh the benefits of the proposal. On that basis, the application is recommended for approval.

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 costs 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.

9.0 APPENDICES

- 9.1 Appendix 1 – Outline Decision Notice (15/01175/OUM)
9.2 Appendix 2 – Schedule of proposed conditions

Background Documents

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>

The planning records for the following applications:

15/01175/OUM, 15/01175/NMAA, 15/01175/NMAB, 20/01755/RMM, 22/00420/RMM

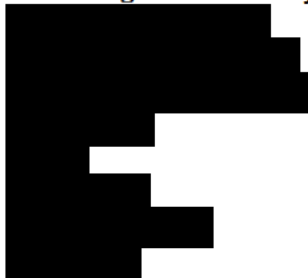


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This matter is being dealt with by:

Rebecca Saunt

Telephone: 01353 616357
E-mail: rebecca.saunt@eastcambs.gov.uk
My Ref: 15/01175/OUM
Your ref

31st October 2019

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

OUTLINE PLANNING PERMISSION

Subject to conditions

The Council hereby **approves** the following:

Proposal: Redevelopment of land at Newmarket Road, Burwell to provide up to 350 dwellings (including affordable housing provision) with associated open space, sports provision, access and infrastructure
Location: Land At Newmarket Road Burwell
Applicant: Cambridgeshire County Council

This consent for outline planning permission is granted in accordance with the application reference **15/01175/OUM** registered 2nd October 2015.

Subject to the additional conditions set out below:

ADDITIONAL CONDITIONS

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

Plan Reference	Version No	Date Received
CAM.0985_26		2nd October 2015
CAM.0985_03-8	B Indicative	15th March 2017
PHASE 1 CONTAMINATED LAND RSA RESPONSE		2nd October 2015 11th May 2017
PHASE 1 HABITAT SURVEY		2nd October 2015
TRANSPORT ASSESSMENT		2nd October 2015

FLOOD RISK ASSESSMENT	2nd October 2015
LANDSCAPE AND VISUAL STRATEGY	2nd October 2015
REPTILE SURVEY	2nd October 2015
BREEDING BIRD SURVEY	2nd October 2015
TRAVEL PLAN	2nd October 2015
ARCHAEOLOGICAL DESK BASED ASS	2nd October 2015
ARCHAEOLOGICAL EVALUATION REPORT	2nd October 2015
SERVICES APPRAISAL	2nd October 2015
PRE PLANNING ASSESSMENT REPORT	2nd October 2015
INFILTRATION RESULTS	2nd October 2015
HIGHWAYS POSITION STATEMENT	15th March 2017
J281/SK06	15th March 2017
DRAINAGE	13th November 2015
J281/SK/01	15th March 2017

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters for phase 1 shall be made within 2 years and subsequent applications for the approval of the reserved matters within 5 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 Unless otherwise required by other Planning Conditions attached to this planning permission, the development hereby permitted shall be carried out in accordance with the principles of the Development Framework Plan Drawing No. CAM.0985_03-8B.
- 4 Reason: To ensure the development is carried out in accordance with the approved Development Framework Plan and accords with policy ENV2 and BUR1 of the East Cambridgeshire Local Plan 2015.
- 5 As part of or prior to the determination of the first Reserved Matters application, a Site-wide Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Site-wide Phasing Plan shall provide the following information and state when each of the requirements will be delivered:
- Broad details of the intended sequence of development across the entire area;
 - The extent and location of the likely development phases and parcels and broad details of the type of development envisaged in each phase (which may include infrastructure only phases);
 - Location of vehicular access off Newmarket Road, roads, footpaths and cycleways associated with each phase;
 - The location of self-build dwellings;
 - The location of dwellings that are to be built to be suitable or easily adaptable for occupation of the elderly or people with disabilities (Lifetime Homes standard or equivalent)
 - Structural landscaping and advanced structural landscaping associated with each phase;
 - The sports hub; and
 - Informal open spaces and recreational areas.

No development other than Enabling Works shall commence until such a time as a Site-wide Phasing Plan has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Site-wide Phasing Plan, or any subsequent amended plan pursuant to this condition.

- 5 Reason: To ensure the development is delivered in a structured way in accordance with the principles of the Development Framework Plan Drawing No. CAM.0985_03-8B, in accordance with policies HOU1, ENV2, COM7 and BUR1 of the East Cambridgeshire Local Plan 2015.
- 6 Within any reserved matters application for landscaping details pursuant to this approval, the details required by condition 2 shall include detailed landscape designs, specifications and timescales for implementation for the associated reserved matters site. The details shall be accompanied by a design statement that demonstrates how the landscaping scheme accords with any emerging or approved details and shall include the following:

Soft Landscaping

- a) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants.
- b) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of the site.
- c) The landscape treatment of roads through the development.
- d) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.) and tree pit details.
- e) The planting and establishment of structural landscaping to be provided in advance of all or specified parts of the site as appropriate.
- f) Details and specification of proposed earth modelling, mounding, re-grading and/or embankment areas or changes of level across the site to be carried out including soil quantities, topsoil storage to BS 3882 : 2007, haul routes, proposed levels and contours to be formed, sections through construction to show make-up, and timing of works.

Hard Landscaping

- a) The location and specification of structures, including furniture, refuse or other storage units, signs and lighting columns/brackets.
- b) Details of all hard surfacing materials (size, type and colour)

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

- 6 Reason: To ensure, as the development is built out in phases, it satisfactorily assimilates into the area and enhances the development in accordance with Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan (2015) using the unique rural setting to provide a special place and provide multi functional green infrastructure as an integral part of the design and layout.
- 7 The dwelling mix for any phase of the development containing dwellings shall provide a mix of dwelling types and sizes that contribute to the housing needs and demand of the locality at the time of submission of the Reserved Matters application for each phase. The Reserved Matters applications shall be accompanied by a statement explaining the approach taken to housing needs and demand. The dwellings shall be provided in accordance with the approved details.
- 7 Reason: To ensure that the development provides a satisfactory mix of dwelling types in accordance with policy HOU1 of the East Cambridgeshire Local Plan 2015.

- 8 Any reserved matters application for residential development which includes 'self-build' plots shall include a plan showing the distribution of the 'self-build' plots. There will be 17 'self-build' plots in total across the whole of the site and they shall be provided in accordance with the approved details.
- 8 Reason: To ensure that the development provides a satisfactory mix of dwelling types in accordance with policy HOU1 of the East Cambridgeshire Local Plan 2015.
- 9 Any reserved matters application for residential development shall include a plan showing the distribution of market and affordable housing and a schedule of dwelling size (by number of bedrooms). All affordable housing shall, in accordance with best practice, be designed to be tenure blind. The affordable houses shall be provided in accordance with the approved details.
- 9 Reason: To ensure the delivery of a balanced community, in accordance with policy HOU3 of the East Cambridgeshire Local Plan 2015.
- 10 No development shall commence in a particular phase within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. This written scheme will include the following components, completion of which will trigger the phased discharging of the condition:
- i) Approval of a Written Scheme of Investigation to include the excavation and recording of archaeological remains and an appropriate outreach element;
 - ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;
 - iii) Completion of a Post-Excavation Assessment Report (PXA) and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.
 - iv) Completion of the programme of analysis and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;
 - v) Production of an archive report and the preparation of site archive for deposition at the Cambridgeshire Archive facility, or another appropriate store approved by the Planning Authority;
 - vi) Preparation of suitable materials for secure local display in an appropriate public space.
- Developers will wish to ensure that in drawing up a scheme, the timetable for the investigation is included within the details of the agreed scheme.
- 10 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 11 Development in a particular phase shall not commence until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
- (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.

- 11 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 12 If, during the development of a phase, 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.
- 12 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.
- 13 No above ground construction shall take place in a particular phase until a scheme for the provision and location of fire hydrants to serve that phase to a standard recommended by the Cambridgeshire Fire and Rescue Service or alternative scheme has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative scheme for that phase shall be installed and completed in accordance with the approved details prior to the occupation of any part of that phase.
- 13 Reason: To ensure the appropriate infrastructure is in place to ensure adequate public safety provision in accordance with policies GROWTH3 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 14 Prior to or as part of the first reserved matters application for each phase, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 14 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in Policy ENV4 of the East Cambridgeshire Local Plan 2015. This condition is pre-commencement as some of the measures may be below ground level.
- 15 To the extent that the reserved matters applications include external public spaces or roads which are not intended to be adopted by the highways authority (e.g. private roads, playgrounds and sports pitches), such applications will be accompanied by a Light Management Plan (LMP) for the relevant areas, for approval by the Local Planning Authority. The LMP shall set out details of proposed permanent external lighting including luminosity and hours of operation. It shall also set

out timescales for implementation. The relevant external lighting shall only be provided and operated in accordance with the approved LMP.

- 15 Reason: To protect reasonable residential amenity of future occupiers of the site and those adjacent, to accord with policies ENV1, ENV2 and ENV9 of the East Cambridgeshire Local Plan 2015.
- 16 Before any reserved matters application for development involving buildings, roads or other impermeable surfaces is approved, a detailed surface water drainage scheme for that reserved matters scheme, based on the agreed surface water drainage documents (CCE/J281FRA-02 dated July 2015) shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

No development shall take place until details of the implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

- 16 Reason: To prevent the increased risk of flooding, to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 17 No development shall commence until a foul water strategy, which includes a scheme for the improvement and/or extension of the existing sewerage system, has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved details of the foul water strategy.
- 17 Reason: To prevent environmental and amenity problems arising from flooding, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. This condition is prior to commencement as these details need to be agreed before construction begins.
- 18 Prior to the commencement of development in a particular phase, a Detailed Waste Management and Minimisation Plan (DWMMP) shall be submitted to and approved in writing by the local planning authority. The DWMMP shall include details of:
- a) Construction waste infrastructure including a construction material recycling facility to be in place during all phases of construction
 - b) anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste
 - c) measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site.
 - d) any other steps to ensure the minimisation of waste during construction.
 - e) the location and timing of provision of facilities pursuant to criteria a/b/c/d.
 - f) proposed monitoring and timing of submission of monitoring reports.
 - g) the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development.
 - h) a RECAP Waste Management Guide toolkit shall be completed, with supporting reference material
 - i) proposals for the management of municipal waste generated during the occupation phase of the development, to include the design and provision of permanent facilities e.g. internal and external

segregation and storage of recyclables, non-recyclables and compostable material; access to storage and collection points by users and waste collection vehicles. The Detailed Waste Management and Minimisation Plan shall be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

- 18 Reason: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with the National Planning Policy for Waste October 2014; and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012.
- 19 Prior to the commencement of development in a particular phase, a Construction Environmental Management Plan (CEMP), shall be submitted to an approved in writing by the local planning authority. The CEMP shall accord with and give effect to the waste management principles set out in the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and Waste Hierarchy. The CEMP shall include the consideration of the following aspects of construction:
- a) Site wide construction and phasing programme
 - b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers
 - c) Construction hours
 - d) Delivery times for construction purposes
 - e) Soil Management Strategy including a method statement for the stripping of top soil for re-use; the raising of land levels (if required); and arrangements (including height and location of stockpiles) for temporary topsoil and subsoil storage to BS3883 (2009) and / or its subsequent amendments
 - f) Noise monitoring method including location, duration, frequency and reporting of results to the LPA in accordance with the provisions of BS 5228 (2009) and / or its subsequent amendments
 - g) Maximum noise mitigation levels for construction equipment, plant and vehicles
 - h) Vibration monitoring method including location, duration, frequency and reporting of results to the LPA in accordance with the provisions of BS 5228 (2009) and / or its subsequent amendments
 - i) Setting maximum vibration levels at sensitive receptors
 - j) Dust management and wheel washing measures to prevent the deposition of debris on the highway
 - k) Site lighting
 - l) Drainage control measures including the use of settling tanks, oil interceptors and bunds
 - m) Screening and hoarding details
 - n) Access and protection arrangements around the site for pedestrians, cyclists and other road users
 - o) Procedures for interference with public highways, (including public rights of way), permanent and temporary realignment, diversions and road closures.
 - p) External safety and information signing and notices
 - q) Liaison, consultation and publicity arrangements including dedicated points of contact
 - r) Consideration of sensitive receptors
 - s) Prior notice and agreement procedures for works outside agreed limits
 - t) Complaints procedures, including complaints response procedures Membership of the Considerate Contractors Scheme
 - u) Location of Contractors compound and method of moving materials, plant and equipment around the site
 - v) An Emergency Incident Plan for dealing with potential spillages and / or pollution incidents.

The Construction Environmental Management Plan shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

- 19 Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers in accordance with polices ENV2 and ENV9 of the East Cambridgeshire Local Plan; and to comply with the National Planning Policy for Waste October 2014; and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012.
- 20 No development shall take place on the phase for the sports hub as detailed on the Development Framework Plan Drawing No. CAM.0985_03-8B until the following information has been submitted to and agreed in writing with the local planning authority:
- a) A detailed assessment of ground conditions of the land proposed for the new playing field land shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
- b) Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.
- The works shall be carried out in accordance with the approved scheme within a timescale to be approved in writing by the Local Planning Authority.
- 20 Reason: To ensure that site surveys are undertaken for new playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with policy BUR1 of the East Cambridgeshire Local Plan 2015.
- 21 The playing fields shall be used for Outdoor Sport and for no other purpose (including without limitation any other purpose in Class D2 Use Classes Order 2005, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
- 21 Reason: To protect the playing field from loss and/or damage, to maintain the quality of and secure the safe use of sports pitches and to accord with policy BUR1 of the East Cambridgeshire Local Plan 2015.
- 22 Prior to the bringing into use of the new playing fields and sports hub a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the playing fields.
- 22 Reason: To ensure that new facilities are capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport in accordance with National Planning Policy Framework (NPPF) paragraph 74 and to accord with policy BUR1 of the East Cambridgeshire Local Plan 2015.
- 23 The specific rated noise level emitted from plant or machinery (associated with the sports hub) located on the site shall not exceed the existing background noise level or 35dB, whichever is the higher. The noise levels shall be measured and/or calculated at the boundary of the nearest noise

sensitive property. The noise level shall be measured and/or calculated in accordance with BS4142:2014.

- 23 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 24 Construction times and deliveries during the construction and demolition phases shall be limited to within the following hours:
- 07:30-18:00 each day Monday - Friday
07:30-13:00 Saturdays
None on Sundays, Bank Holidays or Public Holidays
- For the avoidance of doubt this means during the construction phase no machinery or plant shall be operated outside of the above times.
- 24 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 25 If piling activities are required within 40metres of the boundary of the application site, the method of piling shall be agreed in writing with the local planning authority prior to commencing the activity and the method agreed shall be adhered to.
- 25 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 26 During construction any site based mobile plant (excluding HGV's) shall have broadband reversing alarms.
- 26 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 27 The development shall be completed in accordance with the key recommendations and precautionary methods and additional recommendations of the Phase 1 Habitat Survey carried out by James Blake Associates, dated June 2015, the recommendations and enhancement recommendations of the Reptile Survey carried out by James Blake Associates, dated June 2015 and the recommendations of the Breeding Bird Survey carried out by James Blake Associates, dated June 2015.
- 27 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 28 The access(s), cycleway (s) and footway (s) are to be in accordance with the Designers Response (March 2017) and as per drawing number J281/SK/01 Rev F.
- 28 Reason: In the interests of highway safety and connectivity, in accordance with policies COM7, COM8 and BUR1 of the East Cambridgeshire Local Plan.
- 29 Prior to the occupation of the first dwelling the provision of a 3 metre wide shared footway/cycle from the site access, continuing west to Burwell Surgery shall be constructed and brought into use as shown in principle on drawing J281/SK/01 Rev F dated 31/08/2016, the details of which are to be submitted to and agreed in writing with the Local Planning Authority.

- 29 Reason: In the interests of highway safety and connectivity, in accordance with policies COM7, COM8 and BUR1 of the East Cambridgeshire Local Plan.
- 30 Prior to the occupation of the first dwelling the site access off Newmarket Road shall be provided with a right turn lane as shown in principle on drawing J281/SK/01 Rev F dated 31/08/2016, the details of which are to be submitted to and agreed in writing with the Local Planning Authority.
- 30 Reason: In the interests of highway safety and connectivity, in accordance with policies COM7, COM8 and BUR1 of the East Cambridgeshire Local Plan.
- 31 A 4 metre wide shared footway/cycleway shall be constructed and brought into use from the site, continuing west onto Ness Road, as shown in principle on drawing J281/SK/06 dated 28/04/2016, the details of which are to be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the second phase of development. As part of the submission, details of the timescale for delivery shall be submitted to and agreed in writing with the Local Planning Authority.
- 31 Reason: In the interests of highway safety and connectivity, in accordance with policies COM7, COM8 and BUR1 of the East Cambridgeshire Local Plan.
- 32 Prior to the occupation of the first dwelling a new bus stop shall be provided on the northern side of Newmarket Road, the stop shall include but not be limited to raised kerbs, flag, time table and painted bus cage, as shown in principle on drawing J281/SK/01 Rev F dated 31/08/2016, the details of which are to be submitted to and agreed in writing with the Local Planning Authority.
- 32 Reason: In the interests of sustainable travel to reduce reliance on private car transport in accordance with policies GROWTH3 and COM 7 of the East Cambridgeshire Local Plan 2015.
- 33 Prior to occupation of the first dwelling the two bus stops on the southern side of Newmarket Road directly opposite the site shall be upgraded, the upgrades shall include but not be limited to raised kerbs, flag, time table and painted bus cage, the details of which are to be submitted to and agreed in writing with the Local Planning Authority.
- 33 Reason: In the interests of sustainable travel to reduce reliance on private car transport in accordance with policies GROWTH3 and COM 7 of the East Cambridgeshire Local Plan 2015.
- 34 Prior to first occupation of the development, the Developer shall be responsible for the provision and implementation of a Residential Travel Plan to be agreed in writing with the Local Planning Authority. The Travel Plan shall include the provision of a Travel Plan Co-ordinator to give advice.
- 34 Reason: In the interests of sustainable travel to reduce reliance on private car transport in accordance with policies GROWTH3 and COM 7 of the East Cambridgeshire Local Plan 2015.
- 35 Prior to occupation of the first dwelling, the Developer shall be responsible for the provision and implementation of welcome packs for sustainable transport, approved by Cambridgeshire County Council, to include six one day travel vouchers for use with the relevant local public transport operator. The packs shall be provided to the first occupiers of each new residential unit on the development site.
- 35 Reason: In the interests of highway safety and connectivity, in accordance with policies COM7, COM8 and BUR1 of the East Cambridgeshire Local Plan.
- 36 Prior to first occupation of any dwelling the road(s), footways(s) and cycleway(s), within a phase of development, shall be constructed to at least binder course surfacing level from the dwelling to the

adjoining County road in accordance with the details approved in writing by the Local Planning Authority.

- 36 Reason: In the interests of highway safety and connectivity, in accordance with policies COM7, COM8 and BUR1 of the East Cambridgeshire Local Plan.
- 37 No development shall commence, with the exception of below ground works, until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 37 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.

INFORMATIVES RELATING TO THIS APPLICATION

- 1 A Road Safety Audit 2 will be required and the design must include all of the details agreed within the designs response (March 2017) RSA 1.
- 2 This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.
- 3 No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.
- 4 Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.
- 5 East Cambridgeshire District Council is a Community Infrastructure Levy (CIL) Charging Authority. All applicants for full planning permission, including householder applications and reserved matters following an outline planning permission, and applicants for lawful development certificates are required to complete the CIL Additional information Requirement Form - https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/2

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

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

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

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

Each new property requires two bins; this contribution is currently set at £43 per property.

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

- 7 This development should be carried out in strict accordance with the provisions of the Environment Agency letter, which attaches to this consent.
- 8 The decision to approve this application has been taken, having regard to the policies and proposals in the Local Development Plan and all relevant material considerations, including the NPPF. The proposal is considered to be in accordance with the policies of the Development Plan, that are considered to be up to date, and represents 'sustainable' development in compliance with the provisions of the NPPF. The policies in themselves have been sufficiently explicit to guide the submitted application and acceptable plans and information has been submitted, therefore no amendments/improvements have been sought from the applicant.
- 9 This decision notice should be read in conjunction with the Section 106 Obligation dated 30th October 2019 and the development completed in strict accordance with the provisions contained therein, to the satisfaction of the Local Planning Authority.

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



Rebecca Saunt

Planning Manager

Dated: 31st October 2019