

22/00479/RMM

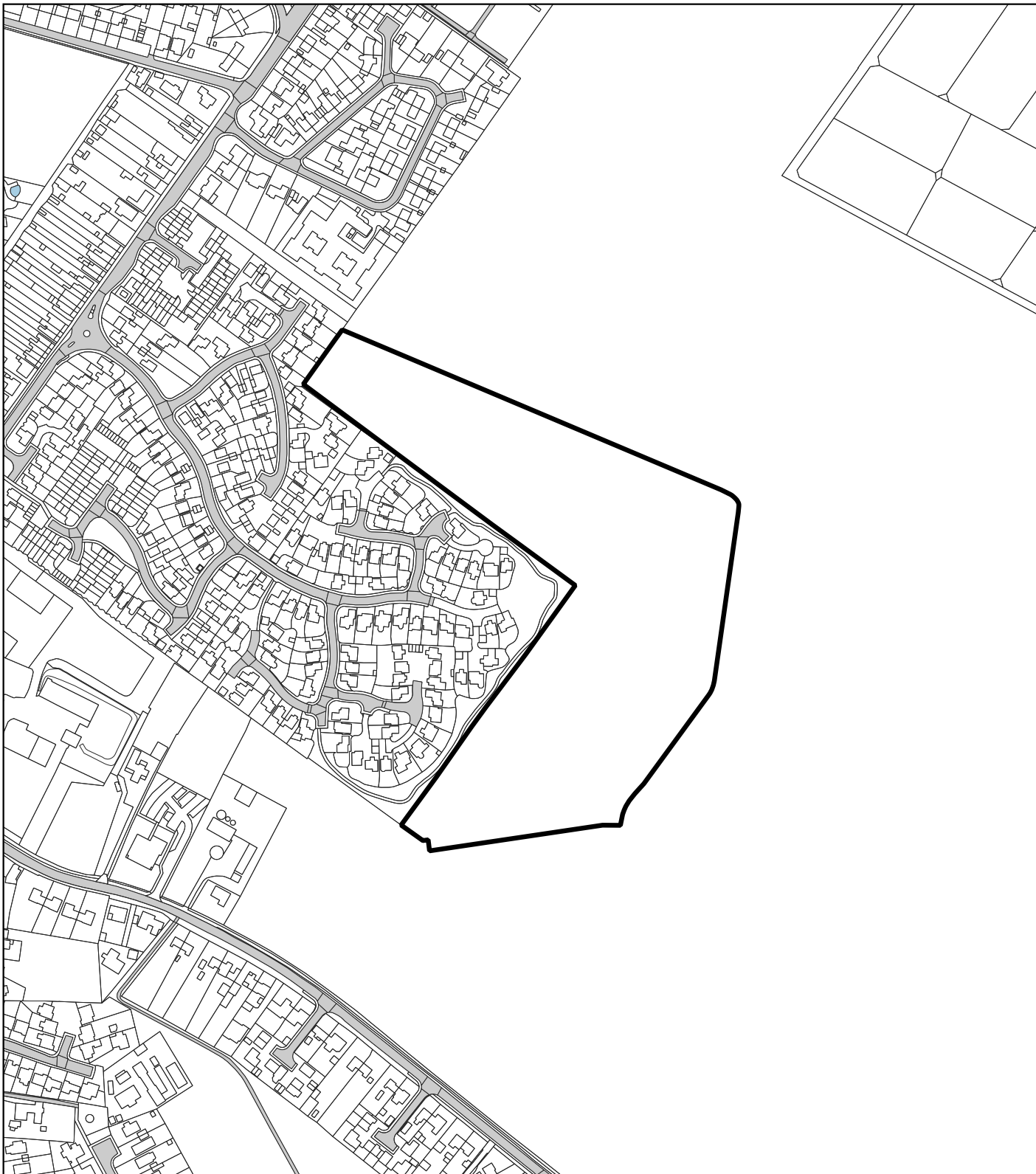
Phase 2A Millstone Park
Land Adjacent To Melton Farm
Newmarket Road
Burwell

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 (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=RAN6UWGGFUW00>





22/00479/RMM

Phase 2A Millstone Park
Land Adjacent To Melton Farm
Newmarket Road
Burwell



East Cambridgeshire
District Council

Date: 13/07/2023
Scale: 1:4,000



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TITLE: 22/00479/RMM

Committee: Planning Committee

Date: 2 August 2023

Author: Planning Team Leader

Report No: Y27

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Site Address: Phase 2A Millstone Park Land Adjacent To Melton Farm Newmarket Road Burwell

Proposal: 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 (as varied by 15/01175/NMAA and 15/01175/NMAB)

Applicant: Vistry Homes Ltd

Parish: Burwell

Ward: Burwell

Ward Councillor/s: David Brown
Lavinia Edwards

Date Received: 20 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 Details of pathways

- 5 Landscaping Implementation, Management and Timescales
- 6 Lighting
- 7 Solar Panels
- 8 Boundary Treatments
- 9 Cycle Storage
- 10 Biodiversity
- 11 Access, Parking and Turning
- 12 Pedestrian Visibility Splays
- 13 Restriction on Gates

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 2a of the wider site, for 138 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 138 dwellings, including 55 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 138.
- 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 1 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:

22/00420/RMM

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

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 V-shaped part of the wider site with an approximate area of 5.25 hectares (13 acres). The northern and eastern sides of the site are bounded by the internal spine road permitted under permission reference 21/01508/RMM. To the north the development will face out over structural open space in accordance with the outline permission. To the east it will face the future third housing phase. The southern side of the site runs alongside the secondary internal spine road which separates it from the Phase 1 site. The western boundaries of the site back onto the Felsham Chase neighbourhood. The future footpath and cyclepath connection to Ness Road is taken immediately adjacent to the north west corner of the site.
- 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 spine road and bellmouths, 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 - 11 May 2022

Burwell Parish Council objects noting that Highways has made comments regarding the spine roads and agrees that these should be addressed. Residents and members of the Parish Council still ask for a roundabout at the junction of Newmarket Road. All houses to be built to the latest Climate Change standards and should not use fossil fuel for energy.

Parish - 13 December 2022

Burwell Parish Council comments that as long as the issues raised by Highways are resolved, Burwell Parish Council has no objection to the proposal.

Parish - 26 April 2023

Burwell Parish Council has noted neighbour comments for the above two applications, but have no objections to the proposals. It is pleased to see that 40% affordable homes are being provided. 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 - 6 May 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

Access to the development phase will be via the site Spine Road. The majority of the Spine Road which runs along the parcel frontage is yet to receive planning permission (pending application 21/01508/RMM). There are two shared accesses and two driveways which are included in this application but omitted from 21/01508/RMM, the access serving Plots 186-190 and that serving Plots 231-238. While I don't object to this principle, the arrangement should be regularised across both applications. It should be noted that the visibility splay will need to be maintained free from obstruction, which could impact upon the landscaping proposals for the Spine Road.

Similarly, there are multiple new accesses (crossovers) onto the Secondary Spine Road which were not included on the original application. I have no objection to these accesses in planning terms, but the applicant should be mindful of a live Section 38 application which includes an infiltration trench on the northern boundary of the road. The applicant will need to take care to ensure private water does not

enter this trench and to ensure the crossovers do not compromise the drainage solution.

As such this scheme would not comply with Part H3 of the Building Regulations 2010 which states that no infiltration devices (i.e., the infiltration trench) should be placed within 5m of a building. Plots 151, 152, 164, 165, 166 and 171 should therefore be moved further back from the trench.

Layout

The private roads serving Plots 172-175 and Plots 186-190 need to be 5m wide for an initial length of at least 8m. I measure them to be approximately 4.5m. Otherwise, the proposed road geometry (widths and radii) is appropriate for the residential development.

Parking for Plot 158 needs to be re-located. To access the parking as proposed, vehicles would longitudinally drive across the footway, which is a risk to pedestrians.

Parking for Plots 245 and 300 need to be re-located so that they do not clash with the pedestrian transition to the shared surface (i.e., the end of footway).

The footway should be to the rear of the visitor parking, which is parallel to the turning head, near Plot 245.

The 0.5m maintenance strip needs to pass between the visitor parking bay and the carriageway adjacent to Plot 292.

It appears that blockwork surfacing is proposed to mark the pedestrian crossing between Plots 253 and 263. This change in surfacing is not necessary and should be removed.

There appears to be a change in surface material to flush blockwork around Plot 213. This is a cosmetic feature which would have limited, if any, impact on vehicle speeds. The changes in surface material should therefore be omitted as it would represent an unnecessary maintenance burden for the Highway Authority, if the roads were to be adopted.

Visibility

A 2.4m x 25m inter-vehicular visibility splay is needed for the access to Plots 151-156. The provision of the splay may impact upon landscape proposals as the splay will need to be maintained free from obstruction from a height of at least 0.6m above carriageway level.

Visibility splays of the same dimensions is needed for the following internal junctions where it is unclear if the splay can be achieved within the confines of the highway:

- Junction adjacent to Plot 168
- Junction adjacent to Plot 222

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 private roads which serve Plots 151-156 and 172-175. 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 swale on the west of the site would therefore compromise the LHA's ability to adopt the shared surface street outside Plot 183. The applicant may also wish to ensure that the water level in infiltration basin 4, is at least 10m from the carriageway edge of the Spine Road.

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 isn't 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 near Plot 245 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 visibility and delivery vehicle tracking should be addressed.

Local Highways Authority - 6 December 2022

Access

The development Phase 2A is fronted on the east and north side by a Spine Road approved under the application 21/01508/RMM and on the south side by that approved under 20/01755/RMM. As per my previous response, I do not have an

issue with the access proposals from the Spine Road, but the submission documents are in direct contradiction to the aforementioned approvals. For clarity, the differences are:

- Bellmouth priority junctions at inconsistent locations and of inconsistent form (on raised tables or not)
- Shared private drives and vehicular crossovers omitted

I therefore recommend that the applications 20/01755/RMM and 21/01508/RMM be amended to match.

Layout

Ramped transitions to adoptable shared space streets must comply with the layout shown in CCC's Housing Estate Road Construction Specification Appendix 6, which includes a 1.8m footway extension beyond the ramped transition. The purpose of this footway transition is to provide opportunity for pedestrians to access the shared spaces street safely (the ramp at a 1 in 12 gradient is not accessible for all users). Parking for Plot 164 and possible 163 needs to be re-located. To access the parking as proposed, vehicles would need to manoeuvre over the ramped transition to the shared space at the same locations as pedestrians joining the road.

Parking for Plots 191, 226 and 286 need to be re-located so that they do not clash with the pedestrian transition to the shared surface (i.e., the end of footway).

While two adjacent parking spaces are provided for Plot 219, the western most space is inaccessible.

As previously stated, the footway should be to the rear of the visitor parking, which is parallel to the turning head between Plots 226 and 250.

The 0.5m maintenance strip needs to pass between the visitor parking bay and the carriageway adjacent to Plot 271. Where a ramp has been provided between Plots 231 and 246, the footway surfacing material should be kept consistent throughout i.e., asphalt rather than block paved. However, the ramp in the carriage will need to be block paved.

There appears to be a change in surface material to flush blockwork around Plot 213 and 257. This is a cosmetic feature which would have limited, if any, impact on vehicles speeds. The changes in surface material should therefore be omitted as it would represent an unnecessary maintenance burden for the Highway Authority if the roads were to be adopted.

Unless the above comments are addressed, the internal roads will not be considered for adoption and will therefore need to remain private with potential knock-on implications for refuse collection strategies.

Visibility

New accesses onto the Spine Road not included in prior consents must include visibility splays of 2.4m x 25m. This applies to:

- The shared private drive serving Plots 151-155

- The bellmouth south of Plot 201
- The bellmouth north of Plot 221
- The shared private drive serving Plots 269 and 270

As previously stated, inter-vehicular visibility splays of the same dimension are needed on internal priority junctions.

Surface Water Drainage

I note that while the broad location is the same, infiltration basin no. 4 and 5 on the drainage strategy does not completely align with that on other drawings.

That being said the drainage strategy is acceptable in principle, subject to consideration of detailed highway drainage as part of the s38 application. Comments in this response are made without prejudice to such an application.

Conclusion

I would like to invite the applicant the opportunity to respond to the above points. If the applicant is unwilling or unable to amend the application or provide additional information as outlined above, please advise me so I may consider making further recommendations.

Local Highways Authority - 21 April 2023

Based on the revised submission, I do not object to this application.

My previous comments regarding inconsistencies between this application and the spine road approvals (20/01755/RMM and 21/01508/RMM) remain valid but I will defer this to the LPA for their consideration.

I previously requested that the applicant demonstrate appropriate inter-vehicular visibility for new accesses onto the spine road. Such information has not been provided. I am confident that such visibility is achievable, but it may result in the loss or relocation of some trees. I am content to address this detail as part of any forthcoming S38 Agreement, should the LPA agree.

There appears to be a change in surface material to flush blockwork between Plot 233 and 244. This is a cosmetic feature which would have limited, if any, impact on vehicles speeds. The changes in surface material should therefore be omitted as it would represent an unnecessary maintenance burden for the Highway Authority if the roads were to be adopted. However, I am again content to address this as part of a future S38 Agreement.

The LHA is the process of entering into a S38 agreement for site's spine road. This agreement includes highway drainage by means of three linked soakaways situated within the public open space. Due to the chalk ground conditions, the soakaways must be placed 10m from the carriageway edge, but this is inconsistent with the location shown on the planning submission drawings. Should the soakaways be constructed in the location shown on this submission (5m from carriageway), it will compromise the LHA's ability to adopt the spine road and by extension, the wider site.

However, this does not constitute an objection to the reserved matters 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-PH2-01 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-PH2-01 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 - 19 May 2022

At present we object to the reserved matters application for the following reasons:

Surface Water Drainage Details

The applicant has provided a drainage layout plan for Phase 2 of the proposed scheme. More details are required for the LLFA to suitable review the information, set out below:

- i. Proposed impermeable area / developable area (including an allowance for urban creep)
- ii. Proposed method of surface water disposal
- iii. Required volume of attenuation (m³ per m² of impermeable area)
- iv. Hydraulic Calculations for the 100%, 3.3% and 1% Annual Exceedance Probability (AEP) storm events, including an allowance for climate change
- v. Exceedance flow for any system exceedance
- vi. Preliminary SuDS proposals
- vii. Details of any proposed phasing

Until the above information has been provided, we are unable to suitably review or support this application.

Drainage Layout Plan

The drainage layout plan shows the main sewer locations and permeable paving surfaces. More detail should be provided on these plans showing how the surface water networks connect, such as connections between permeable paving subbase and the main sewer runs.

It would be useful to clearly depict the different networks within the drainage layout drawings, associated with any hydraulic calculations. This would assist in the LLFAs review of the drainage information.

Drainage Details

The proposals include small attenuation basins and swales within the phase 2 area. Details must be provided, including cross sections showing depths, gradients and expected water levels for the proposed features. Until more details are provided regarding the infiltration features, we are unable to suitably review the application or recommend the discharge of condition 16.

Wider Network and Impermeable Areas

It is understood that the wider network is proposed to discharge into strategic infiltration basins across the site. It must be clearly demonstrated that the impermeable areas of these plots are aligned with the areas on the drawings provided under the discharge of conditions application on the access and infrastructure application (15/01175/DISE) for phase 2. Until it is clear that the basin will have suitable attenuation capacity for all water draining into it, we are unable to recommend the discharge of condition 16.

Lead Local Flood Authority - 21 December 2022

At present we maintain our objection to the grant of planning permission for the following reasons:

Drainage Details

The proposals include small attenuation basins and swales within the phase 2 area. Details must be provided, including cross sections showing depths, gradients and expected water levels for the proposed features. Until more details are provided regarding the infiltration features, we are unable to suitably review the application or recommend the discharge of condition 16.

Wider Network and Impermeable Areas

It is understood that the wider network is proposed to discharge into strategic infiltration basins across the site. It must be clearly demonstrated that the impermeable areas of these plots are aligned with the areas on the drawings provided under the discharge of conditions application on the access and infrastructure application (15/01175/DISE) for phase 2. Until it is clear that the basin will have suitable attenuation capacity for all water draining into it, we are unable to recommend the discharge of condition 16.

Hydraulic Calculations

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. The approved outline permission utilised FEH rainfall data for the drainage calculations and therefore, the applicant should provide calculations using FSR for the 15 and 30 minute storm and FEH rainfall data for all storms of 60 minutes and above, to ensure the hydraulic modelling is an accurate representation of the proposed network.

Lead Local Flood Authority - 12 April 2023

Thank you for your re-consultation we received on 28 March 2023.

We have reviewed the submitted documents and at present we maintain our objection to the reserved matters application for the following reasons:

Permeable Paving Extent

It has come to the LLFA's attention that the extent of permeable paving across the scheme has reduced drastically. The proposals were for permeable paving over all private shared access and parking areas. However, this appears to only be in nominal areas under the recent drainage layout drawings submitted for the scheme. This reduction reduces the extent of interception source control and treatment stages across the site. It must be clearly set out the proposed extent of permeable paving across the scheme, and if this has reduced, justification for the reduction in the permeable paving area must be provided.

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 - 9 December 2022

States it has reviewed the amendments and have no further comment to make on this application.

Anglian Water Services Ltd - 5 December 2022

We have reviewed the applicant's submitted surface water drainage information (Drainage Strategy) 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. 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 - 5 May 2022

No comments to make at this time.

Environmental Health - 30 November 2022

No comments to make at this time.

Environmental Health - 5 April 2023

Notes the neighbour response which raises concerns about the potential for noise if ASHPs are to be installed. It is not clear if this is the intention but if so the following condition is recommended -

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

ECDC Trees Team - 16 June 2022

Although the soft landscaping scheme is broadly acceptable I would prefer it if some of the *Betula utilis* 'jacquemontii' could be replaced with an alternative ornamental species as in most of the open spaces they are the only tree species proposed which doesn't offer much protection against species specific disease or changes to the climate that may affect the suitability of this species in the long term. Something with a darker bark for a bit of contrast perhaps such as *Gleditsia triacanthos* possibly 'Draves Street Keeper', *Liquidambar styraciflua*, *Tilia henryana* or *Tilia tomentosa*.

ECDC Trees Team - 3 March 2023

The submitted soft landscaping scheme is acceptable.

ECDC Trees Team - 20 April 2023

The submitted soft landscaping scheme remains acceptable.

Housing Section - 22 December 2022

Thank you for informing the Strategic Housing Team of amendments to the above application. We continue to support the application in principle as it will meet Policy HOU 3 of East Cambridgeshire Local Plan 2015 (as amended) to deliver 40% affordable housing on site. The reduction of number of units to 135 will secure 54 affordable dwellings. The affordable housing mix proposed will provide a range of house sizes and will be delivered across various tenures (78% affordable rent and 22% shared ownership).

It is recommended that the space standards for the affordable dwellings should meet the minimum gross internal floor area as defined within the DCLG; National Describes Space Standards unless there are exceptional design reasons why this is not possible. This is because the affordable dwellings are occupied to maximum occupation and this will help ensure we working towards meeting the households overall health and wellbeing. From current plans it looks as though the 2 bed Flanders, 3 bed Asher and 4 bed Speirs properties fall slightly below this standard for maximum occupancy.

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

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

Housing Section - 30 March 2023

Thank you for advising us of the amendments to the above application. We continue to support the application in principle as it will meet Policy HOU 3 of East Cambridgeshire Local Plan 2015 (as amended) to deliver 40% affordable housing on site - the change of units to 138 will deliver 55 affordable dwellings.

We also note and approve the changes to the distribution of plots and amendments to house sizes to meet National Describes Space Standards. We do however note that the 4bed Speirs properties do not meet size requirements for maximum occupancy and currently designed for a max occupancy of 6.

Waste Strategy (ECDC) - 11 January 2023

East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially

the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).

I echo the comments of the Highways Authority, and if roads remain unadopted, any containers/bags for waste and recycling would need to be brought to the boundary of the unadopted road and the public highway (bearing in mind the previous point regarding distances). Consequently, thought needs to be given to the access at these points, and the streetscene near to collection day, especially where collection points are in view of properties.

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

Each new property requires a set of receptacles; the contribution is currently £53 per set. We would recommend the developer made the contribution on behalf of the residents.

Waste Strategy (ECDC) - 7 June 2023

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

As previously highlighted, the roads (including shared surface roads and secondary streets) will need to be built to adoptable standards to ensure access to designated bin collection points, and comply with the specifications of the RECAP Waste Management and Design Guide for our vehicles' access and reversing. A swept path analysis has been submitted with vehicle's width dimension slightly smaller than the ones recommended by the RECAP Guide.

Where bin collection points have been identified on shared surface drives or private drives, we would recommend to group them in designated well designed bin presentation points and avoid direct proximity to households as far as possible (e.g. plot 275 to 277, and 267,266, plot 157 to 159 and 171,172). Suitable bin collection points should be identified where car parking bays are located, to facilitate operations (e.g. plot 215 to 221). Although drag distances have been provided, we would recommend to minimise them with better allocation of bin collection points (shared), particularly on private drives (e.g. plot 169 - 171).

Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision (delivery and administration) of waste collection receptacles, this

power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.

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

Cambridgeshire Archaeology - 30 May 2022

We do not object on archaeological grounds and have no recommendations for this application. The fieldwork for the archaeology programme secured for the scheme under planning consent granted to 15/01175/OUM has been completed for the Phase 2 area. The post-excavation programme is currently underway.

Cambridgeshire Archaeology - 2 December 2022

We have reviewed the changes and we do not object on archaeological grounds and have no recommendations for this application. The fieldwork for the archaeology programme secured for the scheme under planning consent granted to 15/01175/OUM has been completed for the Phase 2 area. The post-excavation programme is currently underway..

NHS England - 19 May 2022

Background

The proposal comprises a development of up to 150 residential dwellings, which is likely to have an impact of the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. The CCG would therefore expect these impacts to be fully assessed and mitigated by way of a developer contribution secured through the Community Infrastructure Levy (CIL).

Review of Planning application

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

Healthcare Needs Arising From the Proposed Development

Health & Wellbeing Statement

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

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

The way health and care is being delivered is evolving, partly due to advances in digital technology and workforce challenges. Infrastructure changes. Therefore, CIL

funds received as a result of this development may incorporate not only extensions, refurbishments, reconfigurations or new buildings but will also look to address workforce issues, allow for future digital innovations and support initiatives that prevent poor health or improve health and wellbeing.

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

The health impact assessment (HIA) submitted with the planning application will be used to assess the application. This HIA will be cross-referenced with local health evidence/needs assessments and commissioners/providers own strategies so to ensure that the proposal impacts positively on health and wellbeing whilst any unintended consequences arising are suitably mitigated against.

The primary healthcare services directly impacted by the proposed development and the current capacity position is shown in Table 1.

Table 1: Summary of capacity position for healthcare services closest to the proposed development.

Premises	Weighted List Size	NIA (m ²)	Capacity	Spare Capacity (NIA m ²)
Burwell Surgery	7,909	493.6	7,198	Zero

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

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

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

In line with the Government's presumption for the planning system to deliver sustainable development and specific advice within the National Planning Policy

Framework and the CIL Regulations, which provide for development contributions to be secured to mitigate a development's impact, a financial contribution is sought.

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

Cambridgeshire and Peterborough look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

NHS England - 6 December 2022

Reiterated its previous response.

Sport England - 29 March 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 - 12 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 side/rear of plots 196, 197, 198, 232 & 233 do not appear to be gated. 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 (as close to the front building line as possible), 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; 171, 191, 192, 231, 232 & 233 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 - 5 December 2022

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. I also note that some of my previous concerns have been addressed, such as the removal of rear access footpaths, this will reduce the vulnerability to the risk of crime.

Reiterated previous comments in respect of external lighting, cycle storage, parking surveillance and landscaping and commented that there should be a shared gate positioned as close to the front building line as possible for plots 251/252 & 264/263. Shared gates should have a self-closer and private should have a self-closer and be lockable from both sides.

Design Out Crime Officers - 4 April 2023

Provided slightly amended recommendations based on the revisions in respect of the previously identified issues of external lighting, shared gates cycle storage, parking surveillance 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 - 6 May 2022

Commented on the potential problems associated with shared surfaces and spaces for pedestrians and cars, location of bin stores, need for tactile paving and markers.

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

Cambridgeshire Fire And Rescue Service - No Comments Received

HSE (Planning Advice Team) - No Comments Received

- 5.2 A site notice was displayed near the site on 10 May 2022 and a press advert was published in the Cambridge Evening News on 5 May 2022.
- 5.3 Neighbours – 420 neighbouring properties were notified 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;
 - Energy efficiency and sustainability;
 - Form and character;
 - Highway safety;
 - Housing numbers;
 - Impact on trees;
 - Increase in footfall through neighbouring streets;
 - Lack of key worker accommodation;
 - Landscape impact;
 - Loss of privacy;
 - Loss of public amenity;
 - 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 2A. The phase 1 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 12 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 138 dwellings proposed, 55 are provided as affordable units which accords with the s106 requirement to provide affordable dwellings at a rate of 40%.
- 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 59% of dwellings are 4+-bedrooms – well above the 30% maximum

suggested by the SHMA. It proposes 32% 3-bedroom dwellings and 8% 2-bedroom dwellings – both 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. 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 with this submission.

7.25 *Affordable tenure and mix*

7.26 The application proposes 55 affordable dwellings, 39 of which would be affordable rent and 16 of which would be shared ownership. This is a 71:29 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 45% 2 bedroom dwellings, 24% 3 bedroom dwellings, 18% 1 bedroom dwellings and 13% 4 bedroom dwellings. This mix is in accordance with that indicated by the SHMA as being the local need and is considered to be acceptable. The Council's Housing Team has confirmed it is content with the mix.

7.28 The Housing Strategy Team did note that the 4 bedroom Speirs house type does not meet size requirements for maximum occupancy and are currently designed for a max occupancy of 6. 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.

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 Layout

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 the use of convoluted parking court leading to a poorly defined block structure in the central part of the scheme.

7.37 There was also concern regarding the multiple additional driveways and courts taken off the 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. The pattern of dwellings alongside the spine road, particularly in the northern section, was considered to provide a weak frontage to that road.

7.38 Car parking in the north eastern parking court certain areas was poorly surveilled and parking spaces were overly prominent on frontages and in several cases the provision of garages on frontages led to excessive widths of between dwellings and a poor level of enclosure of the streets with built form.

7.39 Concern was also expressed regarding the reduction in the central open space area for the wider site, which is located at the south eastern corner of the parcel, albeit that additional public open space has been provided on Melton Fields at the western edge of the wider site than was envisaged at outline stage.

7.40 While landscaped areas were proposed alongside the western edge of the parcel and bisecting the northern and southern parts of the scheme, it was considered that the western landscaped edges fell short of the woodland walk envisaged by the outline application. It was also considered that there was a general lack of tree planting within the streets themselves which would have provided a more landscaped character to the streets and framed views of the wider public open space to the north on approach.

7.41 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.

7.42 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 12 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.

7.43 The parcel now has only two additional vehicles access points taken off the primary spine road over and above those approved in the infrastructure permission, a

reduction of two. This allows a more continuous built frontage along the eastern boundary of the site with the spine road which improves the scheme both in respect of the continuous landscaped verge and the enclosure of the street with additional buildings fronting it.

- 7.44 The number of dwellings fronting the northern open space have also increased which has addressed the heavily gapped frontage on the northern side which was a significant weakness of the initial scheme.
- 7.45 Mews courts have been provided in two locations on the eastern side of the parcel with flats over garages used to increase the density in those areas and provide additional surveillance of parking. While the courts are somewhat vehicle dominant, their design has been improved from the initial submission and they feature street tree planting. They also now provide pedestrian permeability through the site which is considered a significant improvement from the initial scheme. The changes to the layout have also allowed improvements to the block structure of the layout.
- 7.46 The revised schemes have addressed the concerns of the LHA which has confirmed that the latest 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 LHA does note that visibility splays are not provided for new accesses onto the spine road, however adequate visibility for the 20mph design speed can be provided for those accesses.
- 7.47 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 improvements to the mews courts has improved surveillance of parking spaces. The large widths of parking spaces between dwellings fronting the public open space which has improved the enclosure and level of formality around that space. Some parking in front of dwellings remains as does some triple width parking in between dwellings but these are largely single depth spaces. While this is a weakness in the layout, on balance, given its use in less prominent locations and not on main frontages to the spine road or open space, it is not considered to be a significant design concern.
- 7.48 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 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.
- 7.49 The scheme also provides 19 visitor car parking spaces. This equates to one space per 7 dwellings. This is just over 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 19 spaces is likely to be adequate for the scheme of 138 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.

- 7.50 The site will be well-served by cycle routes as the outline permission will deliver a new cycle path from north western corner of the site to Ness Road and 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.
- 7.51 The revised scheme has taken the opportunity to provide additional tree planting within mews courts and along street frontages particularly to the north of the parcel. The woodland areas remain relatively limited in terms of the planting proposed however they do provide a green edge to the scheme, pedestrian connectivity along that boundary and into the site via the east-west green space. The provision of the paths via mown grass is not considered to provide sufficiently good accessibility particularly in the wet and more formal paths are therefore recommended to be required by condition.
- 7.52 While more could have been achieved had a more strategic approach to landscaping been taken from the outset and/or fewer houses been proposed on the parcel the landscaping has been improved during the application. 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.
- 7.53 Scale and Appearance
- 7.54 The house types used are primarily detached and semi-detached with three terraced blocks of three dwellings alongside the eastern spine road, one in the form of a regular two storey terrace and two in the form of a pair of two storey dwellings with an attached flat over garage dwelling. There is also a standalone flat over garage in the northern mews courtyard. The scale of dwellings in the proposed scheme is primarily two storey with four two and a half storey dwellings around the central public open space. There are also four bungalows at the north western edge of the parcel. 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. The bungalows are approximately 5.6 metres (~18 ft) high.
- 7.55 The two and a half storey dwellings have been used on some of the plots facing the central open space, to provide more formality to that area. This is largely successful albeit the approach has not been taken consistently on all the plots facing the public open space. The bungalows have been used to ensure an acceptable impact on the

amenity of neighbouring existing properties as described in more detail in the residential amenity section of this report below.

- 7.56 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. 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.
- 7.57 The materials proposed to be used have also been reconsidered to reflect the character of Burwell. Render has been incorporated on some of the key dwellings and the primary bricks used would be gault or yellow. No specific details of materials have been provided and it is therefore considered necessary to require the provision of full details including on site sample panels for main and detailing bricks in order to ensure an acceptable final appearance. That provision would be secured via condition.
- 7.58 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.
- 7.59 Residential Amenity
- 7.60 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.
- 7.61 The Phase 2A parcel backs onto neighbouring dwellings at its north western end and backs onto the woodland behind Felsham Chase along its western boundary. The broad principle of dwellings in this location has been established by the outline permission. It is not considered that any harm from the built form or overlooking would result. Where the parcel borders the woodland on the Felsham Chase neighbourhood, the scheme includes landscaped areas along those boundaries meaning dwellings are situated a sufficient distance from neighbours that there would not be any significant impact on the amenity of existing neighbours. In respect of the north western edge of the site, the plots would back directly onto the gardens of neighbouring dwellings on Holkham Mead and Melford Close and one plot is adjacent to the side boundary of a dwelling on Melford Close. In this location,

bungalows have been proposed for those plots which minimises the impact of the dwellings in respect of outlook from the neighbours, overshadowing and overlooking and the impact on those neighbours is considered to be acceptable.

- 7.62 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. The outline permission was granted subject to a plan which showed connection points with the wooded footpaths immediately to the west, however no links are currently proposed and a fence separates the parcel from that wooded area. The submitted plans are annotated to show 'possible footpath links' however these are not proposed at this current stage. Providing links would require the cooperation of landowners and could only be viable through future negotiation. On that basis, it is not considered that the proposed layout results in any impact on neighbouring amenity as a result of access through the Felsham Chase neighbourhood and no officers have not taken any view on the impact of any such access at this stage.
- 7.63 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. Condition 25 of the outline permission secures the provision of a piling method statement in the event that piling is required. On this basis, the impact of the construction phase on the amenity of neighbours has already been adequately addressed.
- 7.64 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.
- 7.65 Garden on all plots except the maisonettes and flats over garages exceed the standard set within the Council's Design Guide SPD of 50m². In the case of maisonettes smaller gardens are provided and no gardens are provided for the flats over garages. While the under-provision of garden space 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.
- 7.66 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.
- 7.67 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.

7.68 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.

7.69 Historic Environment

7.70 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.

7.71 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 for Phase 2A is relatively distant from that building and would largely be screened by intervening development and existing planting. It is not considered that the proposed development has any detrimental impact on the setting of the mill and is considered to have a neutral impact on that building.

7.72 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.

7.73 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.

7.74 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.

7.75 The County Archaeology Team has confirmed that the fieldwork for the archaeological programme secured by condition on the outline permission has been completed for the Phase 2 area and that the post-excavation programme is currently underway. No further measures are required in respect of this current Reserved Matters application

- 7.76 On that basis, the proposed development is considered acceptable in respect of its impact on the archaeology in accordance with LP policy ENV 14.
- 7.77 Ecology and biodiversity
- 7.78 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.
- 7.79 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.
- 7.80 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.
- 7.81 Flood Risk and Drainage
- 7.82 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.
- 7.83 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.
- 7.84 A detailed surface water drainage scheme has been submitted in respect of Phase 2A under reference 15/01175/DISJ in an attempt to satisfy the requirements of the condition on the outline permission and demonstrate adequate surface water and the Lead Local Flood Authority. Various amendments have been made to the scheme to reflect changes to the housing proposals and to try to address the LLFA's concerns about the detail of the scheme. The latest amendment has been

received at the time of writing. The LLFA has informally indicated that the scheme appears to have addressed its outstanding concerns in respect of the extent of permeable paved areas. However, the LLFA has not formally confirmed that and at present therefore, the issue of surface water drainage remains outstanding. It is, however, considered highly likely that the drainage scheme will be confirmed as acceptable. 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 formal confirmation of the LLFA is outstanding and as the drainage condition on the outline application states that the condition must be discharged prior to the approval of the reserved matters application, delegated powers are being sought to approve the application once the outline condition has been formally discharged.

7.85 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/DISJ. 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.

7.86 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 Condition 13 of the outline permission already satisfactorily secures that the details of the provision of fire hydrants 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 *Delivery of play equipment*
- 7.99 Local consultation responses requested details of when play equipment would be provided, however the play equipment referred to relates to the open space which is not a part of this reserved matters application site.

7.100 Planning Balance

- 7.101 The proposed reserved matters scheme for the Phase 2A 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 appellants 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/60777/2116950.pdf

East Cambridgeshire Local Plan 2015 -

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

The planning records for the following applications:

15/01175/OUM, 15/01175/NMAA, 15/01175/NMAB, 20/01755/RMM, 22/00479/RMM

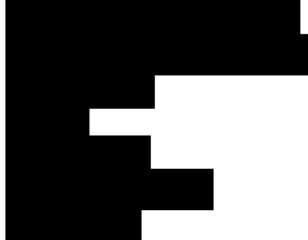


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Cambridgeshire County Council
C/O Pegasus Group



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

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- 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:
 - a) Broad details of the intended sequence of development across the entire area;
 - b) 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);
 - c) Location of vehicular access off Newmarket Road, roads, footpaths and cycleways associated with each phase;
 - d) The location of self-build dwellings;
 - e) 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)
 - f) Structural landscaping and advanced structural landscaping associated with each phase;
 - g) The sports hub; and
 - h) 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 [REDACTED], reference should be the planning application number [REDACTED] 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

[REDACTED]
Rebecca Saunt

Planning Manager

Dated: 31st October 2019

Appendix 2 – Schedule of Proposed 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-PH2-01	B	14th July 2023
500-MP-PH2-01	D	19th July 2023
500-MP-PH2-02	D	19th July 2023
500-MP-PH2-03	D	19th July 2023
500-MP-PH1+2-01	C	14th July 2023
500-SK-PH1+PH2-02	E	19th July 2023
500-SK-PH2-01	E	19th July 2023
500-SK-PH2-02	E	19th July 2023
500-SK-PH2-03	E	19th July 2023
500-SK-PH2-04	E	19th July 2023
500-SK-PH2-05	E	19th July 2023
500-SK-PH2-06	E	19th July 2023
500-SK-PH2-07	E	19th July 2023
500-SK-PH2-08	E	19th July 2023
500-SK-PH2-09	E	19th July 2023
B0BU00-XX-D2-A-0801 PLANNING DRAWING-Buckthorn v1		14th July 2023
B0BU00-XX-D2-A-0801 PLANNING DRAWING-Buckthorn v2		14th July 2023
N20301-XX-D2-A-AS-0801 PLANNING DRAWING-Hawthorn v1		14th July 2023
N30501-XX-D2-A-AS-0801 PLANNING DRAWING-Hazel v1	B	14th July 2023
N30501-XX-D2-A-AS-0801 PLANNING DRAWING-Hazel v3	B	14th July 2023
N30700-XX-D2-A-AS-0801 PLANNING DRAWING-Spruce v1	A	14th July 2023
N30700-XX-D2-A-AS-0801 PLANNING DRAWING-Spruce v2		14th July 2023
N30700-XX-D2-A-AS-0801 PLANNING DRAWING-Spruce v3	A	14th July 2023
N30700-XX-D2-A-AS-0801 PLANNING DRAWING-Spruce v4	A	14th July 2023
N30700-XX-D2-A-AS-0801 PLANNING DRAWING-Spruce v5	B	14th July 2023
N30700-XX-D2-A-AS-0801 PLANNING DRAWING-Spruce v6	A	14th July 2023
N30700-XX-D2-A-AS-0801A PLANNING DRAWING-Spruce v7		14th July 2023
N30800-XX-D2-A-AS-0801 PLANNING DRAWING-Cypress v1		14th July 2023
N30800-XX-D2-A-AS-0801 PLANNING DRAWING-Cypress v2		14th July 2023
N32701-XX-D2-A-AS-0801 PLANNING DRAWING-Magnolia v1	B	14th July 2023
N32701-XX-D2-A-AS-0801 PLANNING DRAWING-Magnolia v3	A	14th July 2023
N41200-XX-D2-A-AS-0801 PLANNING DRAWING-Juniper v1		14th July 2023
N41200-XX-D2-A-AS-0801 PLANNING DRAWING-Juniper v2		14th July 2023
N41400-XX-D2-A-AS-0801 PLANNING DRAWING-Aspen v1	A	14th July 2023
N41700-XX-D2-A-AS-0801 PLANNING DRAWING-Briar v1	B	14th July 2023
N41700-XX-D2-A-AS-0801 PLANNING DRAWING-Briar v2	B	14th July 2023
N41700-XX-D2-A-AS-0801 PLANNING DRAWING-Briar v3	A	14th July 2023
N41800-XX-D2-A-AS-0801 PLANNING DRAWING-Mulberry v1	C	14th July 2023
N41800-XX-D2-A-AS-0801 PLANNING DRAWING-Mulberry v2	C	14th July 2023
N51800-XX-D2-A-AS-0801 PLANNING DRAWING-Birch v1		14th July 2023
N51800-XX-D2-A-AS-0801 PLANNING DRAWING-Birch v2	B	14th July 2023
N52000-XX-D2-A-AS-0801 PLANNING DRAWING-Lime v1		14th July 2023
N52000-XX-D2-A-AS-0801 PLANNING DRAWING-Lime v2		14th July 2023

BFLA00-XX-D2-A-AS-B801 PLANNING DRAWING-Flanders v1	B	14th July 2023
BFLA00-XX-D2-A-AS-B801B PLANNING DRAWING-Flanders v2		14th July 2023
BWOR00-XX-D2-A-AS-B801 PLANNING DRAWING-Worsley v1	B	14th July 2023
BWOR00-XX-D2-A-AS-B801 PLANNING DRAWING-Worsley v2	A	14th July 2023
BWOR00-XX-D2-A-AS-B801 PLANNING DRAWING-Worsley v3		14th July 2023
BWOR00-XX-D2-A-AS-B801 PLANNING DRAWING-Worsley v4		14th July 2023
CAS01-XX-D2-A-AS-0801 PLANNING DRAWING-Asher v1	C	14th July 2023
CAS01-XX-D2-A-AS-0801 PLANNING DRAWING-Asher v2	C	14th July 2023
CCO01-XX-D2-A-AS-0801 PLANNING DRAWING-Cooper v1	C	14th July 2023
CCO01-XX-D2-A-AS-0801 PLANNING DRAWING-Cooper v2	C	14th July 2023
CCO01-XX-D2-A-AS-0801 PLANNING DRAWING-Cooper v3	B	14th July 2023
CSP01-XX-D2-A-AS-0801 PLANNING DRAWING-Speirs v2	B	14th July 2023
B0MP00-XX-D2-A-0801A PLANNING DRAWING-Maple v2	A	14th July 2023
F51900-XX-D2-A-AS-0801A PLANNING DRAWING-Yew v1	A	14th July 2023
CGAR01_CAD_For Construction_00-Layout2		14th July 2023
CGAR02_CAD_For Construction_00-Layout2		14th July 2023
CGAR03_CAD_For Construction_00-Layout2		14th July 2023
CGAR08-XX-D2-A-AS-0801-Layout2		14th July 2023
GL1689 01	F	19th July 2023
GL1689 02	F	19th July 2023
GL1689 03	F	19th July 2023
GL1689 04	E	14th July 2023
GL1689 05	E	14th July 2023
GL1689 06	E	14th July 2023
GROUP-VIS-S-EX-D2-A-FC-207		14th July 2023
GROUP-VIS-S-EX-D2-A-FC-208		14th July 2023
GROUP-VIS-S-EX-D2-A-FC-212		14th July 2023
GROUP-VIS-S-EX-D2-A-FC-213		14th July 2023
GROUP-VIS-S-EX-D2-A-FC-215		14th July 2023
GROUP-VIS-S-EX-D2-A-FC-261		14th July 2023
ST-3163-810	C	14th July 2023
ST-3163-811	C	14th July 2023
ST-3163-812	C	14th July 2023
ST-3163-813	C	14th July 2023
ST-3163-814	C	14th July 2023
ST-3163-815	C	14th July 2023
ST-3163-602	D	14th July 2023
ST-3163-603	D	14th July 2023

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

Materials

- 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.

Details of pathways

4. Notwithstanding the plans hereby approved, no above ground development shall take place on site until revised details of the pathways through the public open spaces shown on the approved drawings, including their construction and surfacing materials, have been submitted to and approved in writing by the Local Planning Authority.
4. Reason: To ensure an acceptable surface for the proposed pathways to ensure the paths are usable and enable access throughout the scheme in accordance with policies ENV 1 and ENV2 of the East Cambridgeshire Local Plan 2015.

Landscaping Implementation, Management and Timescales

5. 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.

5. 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

6. 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.
6. 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

7. 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.
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.

Boundary Treatments

8. 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.
8. 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

9. 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 details to be submitted to and approved in writing by the Local Planning Authority. The cycle shed shall thereafter be located within the rear garden prior to the occupation of that dwelling.
9. 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

10. 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.
10. 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.

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 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-PH2-01 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-PH2-01 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.

