

21/01322/FUM

Land South West Of 14 To 20

Ely Road

Little Downham

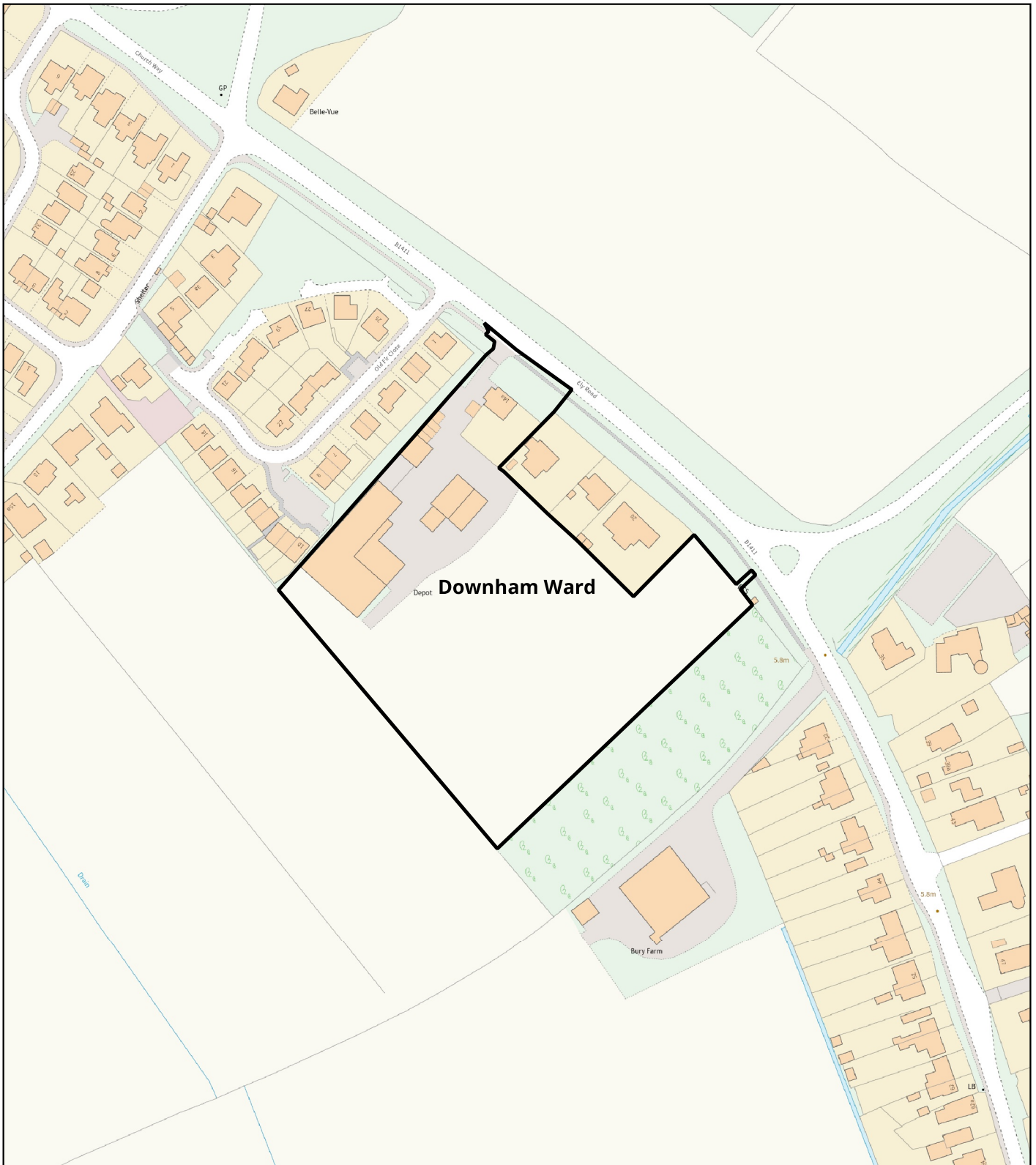
Cambridgeshire

Erection of 39 affordable dwellings and associated infrastructure

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=QZ0OH4GGN2Y00>





21/01322/FUM

Land South West Of 14 To 20
Ely Road
Little Downham



East Cambridgeshire
District Council

Date: 19/02/2024
Scale: 1:2,352.939127



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TITLE: 21/01322/FUM

Committee: Planning Committee

Date: 7 February 2024

Author: Planning Contractor

Report No: Y158

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Site Address: Land South West Of 14 To 20 Ely Road Little Downham Cambridgeshire

Proposal: Erection of 39 affordable dwellings and associated infrastructure

Applicant: Accent Housing Group

Parish: Little Downham

Ward: Downham

Ward Councillor/s: Anna Bailey

Date Received: 14 September 2021

Expiry Date: 14 December 2021

1.0 RECOMMENDATION

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

1. The Committee delegates authority to finalise the terms and completion of the S.106 legal agreement to the Planning Manager; and,
2. Following the completion of the S.106, application 21/01322/FUM be approved subject to the planning conditions at Appendix 1 (and summarised below); or,
3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the statutory determination period to enable the completion of the S106 legal agreement.

(summarised conditions)

- 1 Approved Plans

- 2 Time Limit -FUL/FUM/LBC
- 3 Drainage strategy
- 4 Drainage construction
- 5 SuDS Completion
- 6 Contamination
- 7 Archaeology
- 8 CEMP
- 9 Bat licence
- 10 LEMP
- 11 Levels
- 12 Highway spec - management etc
- 13 Footway
- 14 Materials
- 15 Lighting
- 16 Hard Landscaping
- 17 Boundary treatments
- 18 Waste strategy
- 19 Energy
- 20 Vis splays
- 21 Parking and turning
- 22 Binder course
- 23 Cycle storage
- 24 M4 (2)
- 25 Piling
- 26 Plot 35 window

2.0 SUMMARY OF APPLICATION

- 2.1 Full planning permission is sought for the residential development of the land for of 39 affordable dwellings. The development proposes to utilise the existing point of access but with improvements. The majority of the development is arranged around a central area of open space. A SuDS pond is proposed at the south east corner of the site. The south-western site boundaries are proposed to be soft-landscaped with continuous hedge. The existing agricultural sheds and the associated farm dwelling is proposed to be demolished to facilitate the development.
- 2.2 The site comprises the following housing mix;
- 8 x 1-bedroom dwellings (2 x bungalows and 6 x flats)
 - 18 x 2-bedroom dwellings (inc. 2 x bungalows)
 - 9 x 3-bedroom dwellings
 - 4 x 4-bedroom dwellings
- 2.3 The loft of the existing dwelling is understood to host a bat maternity roost and as such, a bat house is proposed to be erected adjacent to the SuDS pond to mitigate the loss of this dwelling.
- 2.4 The application has undergone several amendments and re-consultation since submission, to address concerns over drainage, biodiversity understanding/mitigation, design, landscaping and highways matters. In the process, the application has been reduced from 40 to 39 dwellings.

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

3.0 PLANNING HISTORY

3.1 No relevant planning history for the site

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site comprises around 1.9ha/ 4.7 acres of agricultural land and associated buildings located to the south-west of the village of Little Downham.

4.2 Mature trees and hedgerows are scattered along its boundaries, however there is generally very little in the way of vegetation, however some mature trees and hedgerows are found along the southern boundary and a TPO trees is located to the south-west of the existing dwelling. TPO trees are also found within the highway verge which runs parallel to Ely Road.

4.3 The site is recorded as being at low risk of flooding from both fluvial and pluvial sources.

4.4 The site immediately north but separated by an open drain is the recently completed development Old Fir Close. An area of scrubland and hedgerow lies immediately south of the site before a ribbon of houses continues south for approximately 500m the ribbon development along Ely Road.

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.

Little Downham Parish Council - 17 October 2023

- Little Downham Parish Council objects to this application for the reason that the site is regularly flooded so unsuitable for development. The proposed development is overcrowded for the site, the education and medical infrastructure of the parish cannot support any further large-scale developments, there are numerous social housing properties within the parish that are empty and could be given to people on the waiting list that were identified via the housing needs survey. The sewage facility is not able to cope with any further demand, the number of affordable homes for the size of the parish is not suitable and should be significantly reduced if it were to be approved.

Little Downham Parish Council - 3 November 2021

Little Downham Parish Council strongly objects to this application. In their view the proposed site is over-developed and has very limited car parking included which will cause an overspill onto Ely Road. This in turn will add to highway issues and possible accidents.

Little Downham Parish Council - 24 September 2021

has reviewed the application and strongly objects to it. There are significant concerns about the local sewerage capacity which already needs support. There is a clear flood risk from catch-water and storm water. There is limited car parking availability within the proposed development which would lead to on-street parking and congestion. The lack [of] infrastructure within Little Downham.

Whilst the Parish Council welcomes affordable housing for the village this proposed development is overcrowded for the size of the site and doesn't offer enough amenities within it to be suitable. With that in mind LDPC objects to the application.

The lack of infrastructure in Little Downham to support such a large development does not appear to have been considered. The burden on local services such as schools and healthcare is of significant concern.

There is a flood risk from foul water drainage, catch-water and storm water and the Parish Council has strong concerns about the existing sewerage system being able to support the burden from this proposed development.

The entrance to the site is incredibly close to the development nearby that is in progress and it will hugely increase traffic flow in that area.

Ward Councillors - No Comments Received

CCC Local Highways Authority - 13 October 2023

Access

The proposed vehicular site access onto Ely Road is acceptable. I note that a secondary pedestrian access further east has been included but it falls outside of the application boundary, although it is contained within the boundary of the public highway.

Layout

I understand from the submitted information that the applicant is intending to offer the majority of the internal roads to the LHA for adoption. It is however unclear why the length of raised table between Plots 07 and 12 is shown as private as this will complicate surface water drainage; private surface water must not discharge into the highway. For the avoidance of doubt, the visitor parking bays will not be adopted by the LHA, nor will the footway to their rear, unless it extends around the perimeter of the public open space. The corner radius opposite Plot 06 is labelled as being 6m, but this annotation does not match that which is shown on most submission drawings.

The proposed drainage strategy drawing 0320-JCE-00-SI-SK-C-9000 P01 shows road contours, but these contours do not take account of the raised tables shown on the site layout. As previously stated, permeable surfacing is not accepted as a suitable means of surface water drainage in isolation. Therefore, additional measures will be needed to prevent private surface water entering the adoptable highway such as surface water interception or appropriate gradients to achieve positive drainage.

Conclusion

I have no objection to the proposed development on the basis that the development would not result in adverse highway safety impacts. However, should the applicant

wish for the internal roads to be considered for adoption, the comments raised regarding the internal layout should be addressed. Otherwise, the internal roads may need to remain under private ownership.

Please append the following Conditions and Informatives to any permission granted:

Conditions

HW14A: Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

HW20 (amended): Prior to the occupation of a dwelling, the pedestrian visibility splay associated with its driveway as shown on 0320-JCE-00-SI-SK-C-8040 Revision P01 shall be provided and thereafter be maintained free from obstruction exceeding 0.6m above the level of the adjoining footway.

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

Informatives

Works in the Public Highway

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

Watercourse Management

If you are planning to undertake works within a watercourse within the UK, you need permission to do so by law. It is essential that anyone who intends to carry out works in, over, under or near a watercourse, contacts the relevant flood risk management authority to obtain the necessary consent before starting work. Please refer to this web page for further information;

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

CCC Local Highways Authority - 30 September 2021

A comprehensive response was provided (see public access) and is summarised as follows;

Access: More detailed site Access details required.

Layout: details required including turning head, raised tables/ speed reduction, visitor parking.

Vehicle tracking: details required.

Visibility: Details of inter-vehicle and pedestrian splays required.

Drainage: Surface Water drainage details required.

Adoption: Details of proposed road adoption required.

CCC Lead Local Flood Authority - 10 January 2024

Having reviewed the revised documentation we can confirm that the LLFA has no further comments beyond those set down in our response of 10 November 2023 (ref: 201109909). Our position therefore remains supportive of the development subject to imposition of the previously suggested conditions.

Informatives

IDB Consent

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

Pollution Control

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

CCC Lead Local Flood Authority - 10 November 2023

We have reviewed the following documents:

- Preliminary Drainage Strategy, Jackson Consulting Engineers, Ref: DR-REP-0320 Rev 00, Dated: 26 September 2023

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

The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving on the private driveways. Water will be collected and conveyed to the open basin before discharge into the adjacent drain at a rate of 3.5 l/s in all storms up to and including the 1% AEP storm, including a 40% allowance for climate change. There is a riparian drain adjacent to the basin which could be used as an outfall, subject to investigation of the performance of this network. In the event this is not suitable to take runoff from the site, water will discharge into the IDB drain on the other side of Ely Road.

We request the following conditions are imposed:

Condition

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

The scheme shall be based upon the principles within the agreed Preliminary Drainage Strategy prepared by Jackson Consulting Engineers (Ref: DR-REP-0320 Rev 00) dated: 26 September 2023 and shall also include:

- a) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- b) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- c) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- d) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- e) Full details of the maintenance/adoption of the surface water drainage system;
- f) Permissions to connect to a receiving watercourse or sewer;
- g) Measures taken to prevent pollution of the receiving groundwater and/or surface water

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

Condition

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

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

Condition

Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development.

Informatives

IDB Consent

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

Pollution Control

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

CCC Lead Local Flood Authority - 23 October 2023

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

1. Third Party Permission

It is noted that the proposed outfall is currently to the IDB drain on the opposite side of Ely Road. This would require permission from a third party land owner to cross the land to access the drain and discharge surface water from the site. Until an in principle permission is provided, it is not confirmed that this will be a viable point of discharge from the site. It is acknowledged that there is a riparian drain to the northeast of the site, however it is not known where this drains which also precludes this as a point of discharge.

2. Greenfield Runoff Rate Calculations

The area used for the greenfield runoff calculation is 1.505 Ha, however the impermeable area of the site is approximately 0.810 Ha. The greenfield runoff rate should be calculated from the proposed impermeable area as this would be the drained area for the proposed surface water system. An increase in this area would inflate the allowance discharge rate from the drained areas within the site.

3. Hydraulic Calculations

The appendices of the submitted drainage strategy do not appear to be appended to the submitted report. These appendices should be provided for review to support the proposed surface water system.

Informatives

Existing Drainage Issues

The site to the north west discharges surface water into the riparian drain along Ely Road which is culverted along the frontage of Ely Road. The culverted section of watercourse has capacity issues and at times of heavy rainfall can back up and cause ponding on Old Fir Close. It is noted that the proposals are to discharge water into this

drain if an outfall can be identified. If this is the case, it should be investigated if there are opportunities to improve this network.

Ordinary Watercourse Consent

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

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

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

Pollution Control

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

CCC Lead Local Flood Authority - 19 October 2021

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

1. Proposed Infiltration

It is noted that the applicant is proposing to provide infiltration from the permeable driveways across the site. However, infiltration testing has not been undertaken and it is acknowledged within the report that shallow groundwater is present on site, ranging between 1 and 1.2m below ground level. There must be at least 1.2m clearance between the invert of any infiltration feature and peak groundwater levels for infiltration to be considered. If this is possible to achieve, then infiltration testing must be undertaken in line with BRE365, providing three repeat tests in each pit and demonstrating that there is a minimum infiltration rates of 1.0×10^{-6} m/s. Until it is clear that infiltration is achievable on site, we are unable to support this as a means of surface water discharge.

2. Flow Control Diameter

The applicant is proposing to discharge surface water from the attenuation basin and proposed roofs on the eastern boundary. Both points of discharge are limiting water to the greenfield equivalent. While this approach is desired, there is a balance to be met with the diameter of orifice for the rate of discharge. The LLFA looks to achieve a minimum orifice diameter of 75mm from open features or those which may permit litter or debris into the network. The LLFA will only accept flow control diameters lower than this in fully sealed systems, such as permeable paving or underdrained swales. It should be noted that the shared attenuation is not supported water from the roof areas of these dwellings should be considered.

3. Shared Attenuation

The dwellings on the southern boundary appear to have shared attenuation for the roof runoff, before outfalling into the watercourse. This is not supported by the LLFA as

this would result in the attenuation tank being adopted by multiple owners, which could have negative maintenance implications. For example, if one plot owner neglects to maintain their section of the attenuation tank this could result in increased flood risk to neighbouring properties. The attenuation tank should therefore be in publicly accessible area where it can be accessed by an individual maintenance body.

4. Drainage Plan

The drainage plan should clearly show all drainage features proposed on the site. This includes all SuDS features and permeable surfaces. For a full application it is expected that this detail can be provided. Until a full drainage layout plan is provided, we are unable to support this application.

5. Indicative Fence on Basin

The drainage layout plan indicates the use of a fence around the attenuation basin. This is not necessary with suitable design of the basin. The applicant could look at the use of shallow benching and suitable planting to deter access from the basin, and the use of signage to inform residents of the use of the space. SuDS features should be seen as accessible open areas rather than being fenced off. It is acknowledged that these plans are not part of the detail design, however, it would be best practice to go forward with safe basin design in mind, as opposed to fencing the basin off from access. It is also noted that fences can cause issues with access for maintenance and therefore, not a desired addition to the feature.

Informatives

Infiltration

Infiltration rates should be worked out in accordance with BRE 365. If it is not feasible to access the site to carry out soakage tests before planning approval is granted, a desktop study may be undertaken looking at the underlying geology of the area and assuming a worst-case infiltration rate for that site. If infiltration methods are likely to be ineffective then discharge into a watercourse/surface water sewer may be appropriate; however soakage testing will be required at a later stage to clarify this.

Ordinary Watercourse Consent

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

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

Pollution Control

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

Assistance For Developers

o Cambridgeshire County Council has a surface water guidance document which is available to view here. This document provides checklists and templates to help ensure you include sufficient information within your drainage strategies. Following this

guidance will help reduce the risk of an objection which can hold up a planning application.

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

Environment Agency - 20 September 2021

We have no objection to this application. However, we believe the receiving Water Recycling Centre has limited permitted capacity. Therefore, in order to prevent harm to the local water environment, please confirm with Anglian Water that they can receive the foul drainage without exceeding their permit limits and that any necessary infrastructure updates will be made ahead of occupation of the development".

Anglian Water Services Ltd - 10 October 2023

ASSETS

Section 1 - Assets Affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

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

Section 3 - Used Water Network

This response has been based on the following submitted documents: Preliminary Drainage Strategy DR-REP-0320 dated 26/09/2023 and Drainage Plan reference 0320-JCE-00-SI-SK-C-9000 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

(1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

(4) INFORMATIVE - Building near to a public sewer – No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

(5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for

adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements"

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. We note the applicant states the SuDS scheme may / will be adopted by Anglian Water. As yet the applicant has not engaged with us, therefore we cannot comment, at this stage, on the proposal's suitability. Anglian Water encourage the use of SuDS and if the developer wishes us to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Design Strategic Assessment (PDSA) form available on our website Sustainable drainage systems (anglianwater.co.uk), or please contact planningliaison@anglianwater.co.uk The lead local flood authority is the statutory consultee for all surface water drainage systems on major developments and should be contacted as soon as possible regarding the proposal.

Anglian Water Services Ltd - 29 August 2023

We have reviewed the submitted documents and we can confirm we have no additional comments to add to our previous response PLN-0131850.

Anglian Water Services Ltd - 4 November 2021

Section 1 - Assets Affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Little Downham Water Recycling Centre that will have available capacity for these flows Section 3 - Used Water Network

This response has been based on the following submitted documents: Flood Risk Assessment. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

(1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

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Section 4 - Surface Water Disposal

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

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. 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 reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented. 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. We please find below our SuDS website link for further information.

<https://www.anglianwater.co.uk/developers/drainage-services/sustainable-drainage-systems/>

The Ely Group of Internal Drainage Board - 6 November 2023

The site is outside of the Littleport & Downham Internal Drainage District but does drain into the Board's Marshall Catchwater Drain.

The Catchwater Drain drains via gravity into the Great Ouse River. It is not part of the Woodfen Pump Catchment, as referred to in the Flood Risk Assessment.

The Catchwater systems in the area are coming under ever increasing pressures, with more flow introduced from developments into the system. The Board's recommended run of rate is 1.1l/sec/ha. Anything above this would need to be agreed by the Board through its consulting process. The Board would seek a commuted sum, to ensure we can improve the watercourse downstream. Any proposed discharge would be subject to technical approval by the Board before any agreement is put in place. The granting of planning permissions does not guarantee the Board's consent. This agreement will need to be in place before the Board would be happy to discharge a drainage condition for the site.

The applicant should also note that any exceedance flows must be stored on the site, and not allowed to flow freely into our system. It is also vital that the future responsibility of any existing watercourse adjacent to the site is established. As I am aware that this has been an issue on the neighbouring site.

The Ely Group of Internal Drainage Board - 4 October 2021

In summary;

- The development is for 40 residential units along with associated highway etc.
- The site is outside the Littleport and Downham Internal Drainage District but is in its catchment
- It is proposed the surface water runoff from the development be attenuated on site before being discharged at a watercourse, ditch, that in-turn connects to a nearby Board maintained drain
- The Discharge rate proposed and used in assessing the attenuation volume required, has been determined as 2.4l/s, which is based on QBAR. The discharge rate should be limited to 0.68l/s to meet with the Board's criteria of 1.1l/s/ha
- Land drainage consent will be required from the Board for the proposals.

Environmental Health - 18 December 2023

Thank you for reconsulting us on the above application with regard to: Landscaping and ecology details and updated site plan submitted.

I have no additional comments to make at this time.

ECDC Environmental Health - 2 October 2023

[The Contaminated Land officer] will respond separately with his comments concerning the Contaminated Land Assessment.

I have no additional comments to make at this time.

ECDC Environmental Health - 22 October 2021

Thank you for consulting me on the above application. I have read the Phase 1 Geo-Environmental Desk Study Report prepared by AGS dated 26th August 2021 which recommends further investigation due to the previous agricultural use of the site. I recommend that standard contaminated land conditions 1, 2, 3, and 4 are attached to any grant of permission.

ECDC Environmental Health - 5 October 2021

[The Contaminated Land officer] will respond separately with his comments regarding the Contaminated Land Study.

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

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

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

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

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

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

CCC Archaeology - 2 October 2023

I have reviewed the new documents and can confirm they do not alter our previously issued advice.

while we would not object to development from proceeding in this location, we consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

Archaeology Condition

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

- a) the statement of significance and research objectives;

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

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2019).

Informatives:

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

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

CCC Archaeology - 24 March 2023

Our records show a bit of a discrepancy for this application, it looks like we previously commented on this application on 26/04/2022 requesting inclusion of an archaeological condition. However, there doesn't seem to be a condition response attached within our files and neither can I see one attached to the planning portal, so I am unsure if this is a system error. However, we were consulted as part of the Local Development Framework in 2011 and commented that development would require the use of an archaeological condition. We also recommended use of an archaeological condition on the plot to the northwest as part of application 17/00733/FUM.

The proposed development area has a high potential for archaeology. Located to the southeast of Little Downham on a spur of raised land connecting to the Isle of Ely in the southeast. These areas are known to be areas of high archaeological potential particularly in prehistoric and Roman periods, because of the desirable position within the wider fen landscape. There is also potential for Medieval and Post- medieval remains because the site fronts Ely Road the main route way connecting the village of Little Downham with Ely and significant Saxon to late Medieval activity recorded within the village (Cambridgeshire Historic Environment Record 07150, 01064, CB14888 CB14772). Archaeological works directly to the northwest of the proposed development found a number of post medieval features (Cambridgeshire Historic Environment Record ECB5841).

Therefore while we would not object to development from proceeding in this location, we consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work,

commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI., no demolition/development shall take place other than under the provisions of the agreed WSI., which shall include:

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2019).

Informatives:

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

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

East Cambs Ecologist – 12th February 2024

The updated bat mitigation strategy February 2024 is acceptable.

The metric submitted has a 1% gain in biodiversity. The 19767.39% hedgerow enhancement is mainly to further enhance the area for the loss of habitat for bats which in BNG cannot be considered. However, in my opinion there are habitat features such as the attenuation area and swale which have not been added to the metric which will enhance biodiversity on this site.

Please pre commencement condition:

Bat Licence & Method statement.

Landscape & Ecological Management Plan LEMP

Natural England - 10 January 2024

The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in any way which significantly affects its impact on the Natural Environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Natural England - 17 October 2023

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 07 October 2021 Reference 368612.

The advice provided in our previous response applies equally to this amendment.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Natural England - 8 November 2021

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 07 October 2021 Reference 368612

The advice provided in our previous response applies equally to this amendment.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Natural England - 22 October 2021

Natural England has previously commented on this proposal and made comments to the authority in our letter reference 368612, dated 07 October 2021.

The advice provided in our previous response applies equally to this amendment.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Natural England - 7 October 2021

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Please refer to Natural England's letter dated 12 July 2019 (copy attached) regarding appropriate consideration of recreational pressure impacts, through relevant residential development, to sensitive Sites of Special Scientific Interest (SSSI)

Natural England's generic advice on other natural environment issues is set out at Annex A.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Cambs Wildlife Trust – 2 February 2024

Thank you for sharing the attached information. I believe this provides sufficient information for you to determine the application. The applicant will need to supply a copy of their NE Bat Mitigation Licence to you prior to commencement of the development.

Cambs Wildlife Trust - 20 October 2023

The application is accompanied by a Protected Species Survey Report, Bat Roosting and Activity Survey Report and a BNG Baseline & Post Intervention Summary Report, all prepared by Ecology Resources and dated September 2023.

The Protected Species Survey Report (excluding bats) covers the relevant ecological information and provides appropriate mitigation recommendations. However, further information is needed on enhancement measures including numbers and types of bird boxes, to include a high proportion of swift bricks and boxes on as many new properties as sensible. A biodiversity enhancement plan may be required setting out the details of these measures. Professional removal of the Japanese Knotweed is also critical before any development works commence on site. The mitigation and enhancement recommendations should be secured through an appropriately worded planning condition and if this is done the application can be determined.

The separate Bat Roosting and Activity survey highlights the presence of a maternity roost of a minimum of 12 brown long-eared bats in building B1. It also states "Unless works are modified to avoid disturbance or destruction of this roost and its flightlines, works cannot commence until a European Protected Species Mitigation Licence has been granted by Natural England, along with a detailed Mitigation Design to accommodate for the loss of a high value roost of a BAP species and its subsequent

commuting and foraging habitat. The mitigation and compensation measures must be a like-for-like replacement, preferably in the same location as the original roost." The report also identified commuting and foraging by seven bat species. The bat commuting / foraging activity is considered low to moderate but the loss of on-site habitats is considered to represent a significant negative impact, particularly taking into account the presence of the maternity roost. Further, swifts were also recorded as nesting in building B1.

At this stage, I cannot recommend approval of this application, because I cannot be confident that Natural England would grant a mitigation licence. It is not clear from the submitted information how the development could be re-designed to provide suitable space for a replacement brown long-eared bat maternity roost as well as retain sufficient commuting and foraging habitat and avoid adverse impacts from lighting. One potential solution may be to retain building B1, (removing new building plots 1 & 2) and plant a thick hedgerow that remains unlit along the north-western boundary. However, with the current development layout and design, the applicant needs to provide additional information to demonstrate how they would be able to meet the likely mitigation licence conditions that Natural England would impose. If the application is approved a planning condition will be required for the developer to provide ECDC with a written copy of the Natural England mitigation licence in writing prior to commencement of development, and for them to implement all mitigation measures included in the licence.

The application is also accompanied by a Biodiversity Net Gain Assessment using the Defra Biodiversity Metric. This appears to accurately categorise the baseline habitats and hedgerows. The report includes three scenarios for potential post development habitats, Scenario 1 with a significant net loss, Scenario 2 with a minor net loss and Scenario 3 with a 10% net gain. Unfortunately, I believe it is unlikely that Scenario 3 with a 10% net gain could be achieved. The management required to achieve moderate condition Other Neutral Grassland or Sustainable Urban Drainage System is unlikely to be continued for the lifetime of the development and at least 30 years. Further, the area of grassland is so small that just by natural chance the wildflower species richness will decline over time, making it very difficult to achieve the predicted gains.

Gains could be achieved from planting of urban trees and inclusion of a small area of mixed scrub. However, the current landscape plans do not include these elements and it is unclear if the developer would be able or willing to include these. The most realistic scenario is therefore Scenario 1, which represents a significant net loss in biodiversity.

However, Scenario 1 could be improved by the inclusion of the vegetated gardens, and (should the developer be willing) the inclusion of additional urban trees and the mixed scrub. An updated landscape plan should be prepared showing which elements are to be included and the BNG Assessment revised based on such plans. It should be possible to create 1.59 BU in addition to the retained urban trees 0.92 BU. The post development score would therefore be 2.51 BU, representing a net loss of 33%. Under such a scenario a biodiversity offsetting scheme would be the most appropriate course of action in this case with the developer purchasing 1.63 BU from a reputable supplier of Biodiversity Units to achieve an overall 10% net gain in biodiversity. This is because

there is insufficient space to create habitats of sufficient quality to deliver the net gain on-site.

I hope these comments are of help to you. If you have any queries regarding this advice, please don't hesitate to contact me.

Cambs Wildlife Trust - 4 May 2023

In this case it may be that the results of the first two surveys give a sufficient indication as to likely or potential impacts on bats, that the third and final survey could be conditioned. However, if after the first two surveys, there is still a significant doubt as to the potential for impacts on bats, and the design of the development, landscaping and inclusion of mitigation / compensation measures for bats might not be sufficient to address those impacts, then the application should either be refused, or determination should be delayed until after the results of the final survey have been provided.

The answer will therefore very much depend on the scale of potential impacts on bats and the results from the first two surveys.

I hope these comments are of help to you. If you have any queries regarding this advice, please don't hesitate to contact me.

Cambs Wildlife Trust - 9 November 2021

The PEA submitted includes recommendations for a large amount of further ecological assessment work and discussions with other stakeholders. This is required before the application can be determined. Once complete, this further work should be written into an Ecological Impact Assessment (EclA), following guidelines from CIEEM.

ECDC Trees Team - 21 December 2023

From the landscape plan the footpath exiting the site adjacent to the attenuation pond appears to go through an existing tree that has been omitted from the tree report it is located along Ely Road just past tree T7, this tree appears to be a reasonably sized Malus (Apple) that is highly visible from Ely Road. There is a proposed drainage and associated easement run that exits the site by the attenuation pond that appears to go through the expected root protection area of a Silver Birch on Ely Road adjacent to the Malus previously mentioned (see plan below) this also has been omitted from the tree report.

The use of Sorbus aucuparia adjacent to the entrance road and footpath should be re-assessed as this tree will produce copious amounts of berries that will fall on to the footpath and road as it develops in size which will cause a slipping hazard, mess to walk through as well as attract undesirable insect in close proximity to pedestrians such as wasps. The use of none soft fruit bearing trees and plants adjacent to or overhanging footpaths and roads should be avoided. The flowering tree grid should include some other varieties of cherry trees that will flower at differing times of the year to increase all round interest as the current choice has a limited flowering period of late autumn - early winter. There is indicated to be a Crataegus monogyna planned for adjacent to plot 35 and although this is a great habitat tree it is also a very high water demanding species that is commonly linked to subsidence on shrinkable clay soils so this species in this location should be carefully considered as it may require additional engineered footing if used.

There are still concerns relating to tree T8 as previously stated that have not been addressed at this time as such due to the issues mentioned above and previously it is not possible to support the application at this time.

ECDC Trees Team - 2 November 2023

From looking at the submitted tree information that is of high quality the only tree related concern regarding this proposal now is the proximity of plots 3, 4 and 5 to tree T8 as the gardens of these plots will be dominated by tree T8 and although the sites orientation reduces the likely impact of shade on these outdoor spaces the tree will be very overbearing and will overshadow the gardens. Due to the nature of this species of tree and the amount of large hard fruit it develops and drops its presence is likely to reduce the reasonable enjoyment of the outdoor space resulting in significant and ongoing pressures for the tree to be heavily pruned or removed. If plots 3, 4 and 5 were reduced to 2 plots this could provide each dwelling with greater outdoor space and reduce the impact of the tree on the outdoor spaces as a whole.

My concerns for the long-term future of tree T8 are such that at this time it would not be suitable to support this application from a tree perspective.

ECDC Trees Team - 21 September 2021

Due to the presence of trees on and in proximity to the development site an Arboricultural Impact Assessment (AIA) is required prior to determination of the application. The (AIA) shall provide information to show how trees/hedging worthy of retention would be sustainable and justification and mitigation measures for any tree removal proposed. The AIA shall identify areas to be excluded from any form of development, specify protective fences for these exclusion areas and for individually retained trees, life expectancy of trees, recommendation for any remedial work, identify acceptable routes for all mains services in relation to tree root zones, identify acceptable locations for roads, paths, parking and other hard surfaces in relation to tree root zones, suggest location for site compound, office, parking and site access, identify location(s) for replacement planting and show existing and proposed levels in accordance with BS 5837:2012 Trees in relation to demolition, design and construction - Recommendations.

ECDC Housing Section - 9 October 2023

The Strategic Housing Team supports the above application as it will deliver 100% affordable housing on site. The developer has indicated that the site will be brought forward as an allaffordable housing scheme which will help to meet the needs of those households on the Housing Register.

The affordable housing Accommodation Schedule proposed in the Design and Access Statement will provide a range of property sizes and will be delivered across various tenures.

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.

ECDC Parks And Open Space - No Comments Received

CCC Growth & Development - 13 December 2023

[Provides update to required contributions]

Summarised;

	Contribution	Project	Trigger
Early Years	£79,114	Additional Places at Little Downham	100 Prior to commencement
Primary	n/a	n/a	n/a
Secondary	£119,952	Expansion of Ely College	100 Prior to commencement
Libraries	£5,487	Internal layout changes to existing library	100 Prior to occupation
S106 Monitoring	£150.00		

CCC Growth & Development - 6 October 2021

[Provides update to required contributions]

Summarised;

	Contribution	Project	Trigger
Early Years	£79,11469,764	Additional Places at Little Downham	100% Prior to commencement
Primary	£131,680	Expansion of Downham PS	100% Prior to commencement
Secondary	n/a	n/a	n/a
Libraries	£5,487	Internal layout changes to existing library	100% Prior to occupation of 50% of the development
S106 Monitoring	£150.00		

ECDC Waste Strategy - 24 September 2021

The waste team would like to request a swept path analysis showing freighter tracking, especially where any reversing would be required - please note the maximum distance a vehicle will reverse is 12 metres.

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).

Given the size of the development and green areas the waste team would require a contribution from the developers for two litter bins and two dog waste bins to help maintain the street scene once the development has been completed; details of the type used and cost can be obtained from the waste team on request.

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

Each new property requires two bins; this contribution is currently set at £52 per property.

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

NHS England - No Comments Received

Cambridgeshire Fire and Rescue Service - 3 November 2021

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

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

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

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

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

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

If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required, the details of which can be found in the attached document.

I trust you feel this is reasonable and apply our request to any consent given.

Design Out Crime Officers - 10 October 2023

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

Downham Villages Ward

Total Crime: 276 Ward

Criminal Damage 26

Robbery 2

Theft from person 0

Bicycle Theft 1

Theft from a vehicle 12

Theft of a vehicle 5

Vehicle Interference 7

Public Order 32

Burglary Business 13

Burglary Dwelling 10

Possession of drugs 1

Theft other 43

Trafficking of drugs 1

Possession of weapons 0

Violence (including Stalking/Harassment) 98

Total Incidents: 778

Rowdy Nuisance 15

Vehicle Nuisance 13

Poaching 30

Having looked at the drawings, I have the following comments for your consideration.

- External lighting - Our recommendation for external lighting is that all adopted and un-adopted roads, private roads, shared drives, footpaths, and parking areas/courts, should be lit with columns to BS5489:1 2020. Care should be taken in relation to the location of lighting columns with the entry method for most of the dwelling burglary being via rear gardens, especially where there is little surveillance from neighbouring properties as they can be used as a climbing aid if positioned too close to the fence/wall. Home security lights to the front and rear of the properties should be dusk to dawn LED bulkhead lights, including car ports for the safety of the resident. Please note: Bollard lighting should be used as wayfinding only and not as a main source of lighting. A qualified lighting engineer will be able to produce a lighting plan appropriate for the safety and security of residents and their property

as well as ecology and wildlife. I would like to see the lighting plan, including lux levels and calculations when available please.

- Boundary Treatments - All boundary fencing should be 1.8 close boarding fencing or walls for each dwelling. All private gates should be fitted with a self-closer and are lockable from both sides. All plots apart from 1 - 13 should have an additional 300mm trellis along the rear boundary fence line to reduce the vulnerability of crime. It is important to note that most burglaries occur at the rear of the property and is therefore important to reduce that risk where possible.
- Cycle Storage - Can you confirm what the cycle parking provision will be for the plots without a garage. Garage - a wall anchor should be provided to allow the resident to secure their bike/s. Shed - If a shed is provided for the plots without a garage, a ground anchor should be fixed to a concrete sub-base to allow the resident to secure their bike/s. We also recommend a solid secure, gold rated hasp and lock for the door, or a security rated key lock.
- Residents parking - All parking is to the front or side of each dwelling and most plots have active windows to the front (living rooms), this will allow those residents to see their vehicles and will provide some natural surveillance across the development and neighbouring properties, this help to reduce the risk of crime and the fear of crime.
- Landscaping - 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.

Information only: Taking into consideration the location of this proposed development, it is important that boundary treatments to the site are considered as Cambridgeshire has a problem with hare coursing on open fields. See incident figures above for poaching.

Design Out Crime Officers - 21 September 2021

Thank you for the opportunity to comment on this planning application. I have reviewed the Design And Access Statement (DAS) and all related documents, I have also looked at the crimes in this area over the past 2 years in relation to the vulnerability of crime and fear of crime. Little Downham is a small village in East Cambridgeshire with a population of approximately 2,600 there have been 122 recorded crimes during this time I would consider this village to be a medium risk to the vulnerability to crime. Unfortunately at this time I am unable to look at reported incidents due to upgrades on the police systems however of note there have been....

Burglary Residential Dwelling X 20
Vehicle Crime X 10
Cycle Crime X3
Criminal Damage X 14
Public Order X 22
Drugs Trafficking X 5
Drugs Possession X 2

Whilst this does appear to be an acceptable layout in relation to crime and the fear of crime, I consider this proposed layout should provide good natural surveillance over neighbouring properties. Parking is mainly in-curtilage between and to the front, side of properties or garages. Within this proposed layout some of the properties have back to back protected gardens (to another development), which reduces the risk and vulnerability to crime .It appears properties on this development have been provided with defensible space to the front and or side of their properties and parking.

Pedestrian and vehicle routes are aligned together and well overlooked which should provide some level of territoriality amongst residents.

Looking at the site layout and considering the crime figures above I have the following concerns.

- In relation to the visitor parking adjacent to plot 9, this office has concerns as there is no natural surveillance over these spaces, looking at the site layout plan there appears to be boundary treatments obscuring views and there are no habitable room windows on the gable end of this property,
- Would it be possible to install a window in the lounge or Kitchen of the gable end on this property?
- If this isn't possible could the boundary fence be lowered to 1600m with 200mm trellis?
- Footpath through the POS. - Where a segregated footpath is unavoidable, for example a public right of way, an ancient field path or heritage route, designers should consider making the footpath a focus of the development and ensure that they are:
 - As straight as possible
 - wide;
 - well lit (see paragraphs 8.19 to 8.21 of the SBD homes guide 2019 version 2);
 - devoid of potential hiding places;
 - overlooked by surrounding buildings and activities;
 - well maintained so as to enable natural surveillance along the path and its borders.

Taken from the SBD guide -"If a footpath is to be used 24 hours a day it should have all the required attributes as listed at paragraph 8.10 and be lit in accordance with BS 5489-1:2013. If the footpath does not have these attributes then its use should be deterred during the hours of darkness by not installing lighting.

It is important that the landscape architect and lighting designers co-ordinate their plans to avoid conflict between lighting and tree canopies. It is advisable that trees are planted at least 5 metres away from any light source. Please also see paragraph 18 regarding the technical requirements for public lighting, 'dark sky' policies and light pollution".

It would be good to see an External lighting plan (adoptable and private) including calculations and lux levels when available. For the safety of people and their property our recommendation is that all adopted and un-adopted roads, private and shared drives should be lit by columns to BS5489:1 2020. Bollard lighting is only appropriate for wayfinding and should not be used as a primary lighting source for any roads or parking areas, where they are also prone to damage. 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. Lighting columns located next to rear/side garden walls with little surveillance from other properties can be used as a climbing aid to gain entry to the rear gardens. House security lights should be dusk to dawn bulkhead LED lights.

It would also be good to see boundary treatment proposals once these are available.

Developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

There is no information regarding security and crime prevention in the design statement. Crime prevention should be considered as an integral part of any initial design for a proposed development. It should incorporate the principles of 'Secured by Design'. In particular to demonstrate how their development proposal has addressed the following issues, in order to design out crime to reduce the opportunities for crime:

Our office would be happy to discuss "Secured By Design" and measures available to reduce the risk to vulnerabilities of crime and believe if you were to put a SBD application in this development could achieve the standard with consultation.

Technical Officer Access - 1 October 2021

- 1) Very good design. A great amount of footpaths on both side of the road, no shared surfaces and plenty of visitors parking.
- 2) Is there a fence around the balancing pond?
- 3) An adequate level of street lighting is necessary to help visually impaired people when walking around the estate outside of daylight hours.

5.2 A site notice was most recently displayed near the site on 2 October 2023 and a press advert was originally published in the Cambridge Evening News on 23 September 2021.

5.3 Neighbours – 7 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

- Loss of dwelling unnecessary/ can be renovated
- Harm to nesting/ roosting birds/ bats
- Groundwater issues
- Highway safety/ access concerns
- Noise/ odour/ pollution issues
- Surface water drainage/ flood risk
- Water pressure already low
- Too many dwellings for the location
- Affect on Conservation Area
- Affects a Right of Access
- Affects a Right of Way
- Affects street scene/ public views

- Biodiversity/ loss of wildlife
- Contrary to Policy
- Form and character
- Impact on trees
- Landscape impact
- Loss of privacy
- Over bearing
- Over shadowing
- Residential amenity
- Visual amenity
- Future road maintenance
- Outside development envelope
- Harm to countryside
- No need for so many affordable dwellings
- Parking and Turning
- Foul drainage
- 2-storey dwellings located behind existing bungalows
- Existing infrastructure/ services/ facilities unable cope
- Should be mixed occupancy/ socially inclusive
- Construction needs to be controlled in respect of residential amenity (CEMP)
- Light pollution
- More affordable housing is needed as private rent is too expensive
- Plans do not correspond to one another
- Lack of public transport
- Dwellings should be built to high energy standards

6.0 THE PLANNING POLICY CONTEXT

6.1 *East Cambridgeshire Local Plan 2015 (as amended 2023)*

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision
HOU 1	Housing mix
HOU 2	Housing Density
HOU 4	Affordable housing exception sites

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

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

6.3 *Supplementary Planning Documents*

- Design Guide
- Developer Contributions and Planning Obligations
- Contaminated Land
- Flood and Water
- Natural Environment SPD
- Climate Change SPD

6.4 National Planning Policy Framework (December 2023)

- 2 Achieving sustainable development
- 6 Building a strong competitive economy
- 9 Promoting sustainable transport
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment

6.5 Planning Practice Guidance

7.0 PLANNING COMMENTS

7.1 It is considered that the key issues are;

- Principle of Development
- Access and Highways impacts
- Visual Amenity
- Residential Amenity
- Flood Risk and Drainage
- Ecology & Biodiversity
- Infrastructure Contributions
- Energy and Sustainability

7.2 Principle of Development

7.2.1 The site lies outside of but immediately adjacent to the settlement boundary of Little Downham as set out under the Local Plan. Local Plan policy GROWTH 2 seeks to restrict development outside of settlement boundaries to specific development types; mainly, rural exception housing, appropriate employment development and development required for land-based enterprise e.g., agriculture. The main driver for this restrictive approach is the need to protect the countryside and the setting of towns and villages, which Local Plan policy ENV 1 also seeks to achieve.

7.2.2 The proposal is for 39 affordable dwellings. Policy HOU 4 supports the principle of Affordable Housing rural exception sites where the following criteria are met;

- There is an identified local need which cannot be met on available sites within the development envelope (including allocation sites), or sites which are part of community-led development.

- The site is well related to a village which offers a range of services and facilities, and there is good accessibility by foot/cycle to those facilities.
- No significant harm would be caused to the character or setting of the settlement and the surrounding countryside.
- The scale of the scheme is appropriate to the location and to the level of identified local affordable housing need.
- The scheme incorporates a range of dwelling sizes, types and tenures appropriate to the identified local need; and
- The affordable housing provided is made available to people in local housing need at an affordable cost for the life of the property.

7.2.3 Therefore, the main considerations as to whether the principle of development is acceptable are as follows;

- *Demonstration of Need*
- *Accessibility & connectivity (to the wider settlement)*
- *Impact on the character of the settlement and countryside*
- *Scale and nature of affordable housing*

Demonstration of Need

7.2.4 The application is supported by a Housing Needs survey undertaken by Cambridgeshire ACRE which assesses the current housing stock for Little Downham the types and tenures generally available and the anticipated need for future affordable housing in the settlement. It summarises the following findings taken from 2011 census;

- 36.3% of people owned their home outright and 40.5% owned with a mortgage or loan.
- The age profile of Little Downham is as expected for a rural Cambridgeshire community, there is a characteristic low number of 20–34-year-olds counteracted by a high number of people aged 50+.
- The average outright ownership of homes in Cambridgeshire is 31.9% demonstrating that Little Downham has a significantly higher proportion of outright owners.
- There is a lower-than-average provision of social rented housing in Little Downham which could be preventing people from accessing homes in the village.
- A lack of shared ownership properties within Little Downham could also be preventing a number of people from access a property.

7.2.5 The survey conclusions indicate a need for 59 dwellings, based on the housing register taken at that time (June 2023) and the results from a local survey. The local survey results, whilst low in respondents, indicates a need for 8 households with local connections. The housing register at the time indicated that 51 persons with a local connection were on the list for affordable dwellings. An update of the affordable housing register undertaken in 2024 indicates there are currently 55 persons registered with a local connection to Little Downham, with a further 13 with a connection to Pymoor (which is in the parish of Little Downham). This indicates a strong need for affordable dwellings in Little Downham which the development would meaningfully contribute towards. Given that affordable housing provision is generally

only secured through major development schemes or rural exception sites such as this, having regard to the current permissions and allocations in Little Downham, there is no indication that other sites would make the same contribution toward meeting this need.

7.2.6 The Council's housing team has confirmed that they are content with the provision of affordable housing in this location and have negotiated a suitable mix and tenure based on their current and predicted register.

7.2.7 In summary, there is robust evidence identifying a need for affordable housing which the quantum of dwellings proposed would still not meet but would substantially assist in meeting this need.

Accessibility & connectivity

7.2.8 The development utilises the existing site access which serves the wider farm. The access leads directly onto Ely Road which provides good connectivity to the settlement, Ely and the wider district. Furthermore, a pedestrian footway is located across the front of the site and links with the core of the settlement and its services and facilities. The applicant has agreed to upgrade a section of footway which meets with that at Old Fir Close. Old Fir Close includes a footway which leads directly onto Cannon Street adjacent to a bus stop and therefore would provide good pedestrian connectivity to the settlement and access to sustainable transport modes where available.

Impact on the character of the settlement and countryside

7.2.9 The site is not identified as being within any designated landscape protection area. Notwithstanding, the expanse of agricultural land does contribute to the rural setting of the settlement, albeit this open character is interrupted somewhat when travelling along Ely Road by the existing frontage development.

7.2.10 The site sits immediately adjacent to the Old Fir Close development which is an in-depth planned estate of 2-storey properties, not dissimilar to the scale and appearance of this proposal. The application site also comprises in-depth planned development which extends no further west than that of Old Fir Close thereby reinforcing the build line. Notwithstanding, the ribbon development (and outlier developed envelope) leading south comprises around 50 dwellings set on either side of the road. In this regard, the development site essentially infills the gaps between the continuous ribbon of development to the south and the planned estate to the north, which in turn abuts the main built core of the settlement. In this regard, the introduction of built form would not amount to obvious and harmful urban sprawl, insofar as it relates well to the settlement pattern of the village.

7.2.11 Furthermore, the development proposes to introduce substantial areas of boundary planting and therefore would assimilate well into both the existing development and the natural features of the site and surrounding countryside and would be read very much in conjunction with the development envelope, with the hedgerow confining the development to the built part of Little Downham. It is important to highlight that the Local Plan envisages provision of rural affordable housing developments on edge of settlements and by virtue of their exceptional nature, a degree of countryside loss is justified.

7.2.12 In conclusion, it is considered that the development would relate well to the built settlement and would avoid significant harm to the open countryside and therefore would not conflict with the aims of Local Plan policies ENV 1, GROWTH 2 and HOU 4 in respect of protecting the character of the countryside and the character and setting of the village.

Scale and nature of affordable housing

7.2.13 As noted above, the Council's Housing team have negotiated a type and tenure which they consider responds well to meeting the latest housing needs of the village. This includes provision of 4 bungalows which will all be built to meet part M4(2) of Building Regulations (accessible and adaptable) and this aspect can be reasonably secured via planning condition.

7.2.14 The applicant has agreed that planning conditions and/or a legal agreement would secure the provision of the affordable housing and that it would be made available in the first instance for those with a connection with Little Downham, as required under Local Plan policy HOU 4. It is considered that this could reasonably be secured through a legal agreement and would meet with these policy requirements.

Principle conclusion

7.2.15 Having regard to the above assessment, it is considered that the principle of the development is supported through the relevant development plan policies which guide the delivery of affordable exception sites. It therefore follows that the application should be determined in accordance with other relevant policies of the development plan.

7.3 Access and Highways impacts

7.3.1 Policy COM 7 of the Local Plan requires that all development must ensure a safe and convenient access to the public highway. It also requires development to be designed in order to reduce the need to travel, particularly by car and should promote sustainable forms of transport appropriate to its particular location. Policy COM 8 of the adopted Local Plan requires development proposals to provide adequate levels of car and cycle parking.

7.3.2 In terms of the access arrangement, the Local Highways Authority (LHA) has confirmed that they are satisfied that the access achieves adequate visibility and width to enable 2-way vehicle movements to and from the site. No concerns have been raised over the increase of traffic on the highway network, or highway safety. In essence, it is considered that the development provides safe and suitable access in line with the requirements of COM 7. Notwithstanding and as noted above, the developer has agreed to upgrade the footway connecting the site access to the access at Old Fir Close. Old Fir close itself has a direct footway link to Cannon Street which would be a natural desire line for those wishing to access the village's core and the services within. In this regard, the proposal is well-linked and would encourage non-car modes of travel within the village.

7.3.3 The development proposes 2 parking spaces per dwelling with the exception of the flats which accommodates 1 parking space each. Furthermore, visitor parking for 10 vehicles is proposed adjacent to the central area of open space, with other non-allocated areas for visitor parking also achievable within the design. It is considered that Policy COM 8 is satisfied in this regard. A number of dwellings are supported by

garages which will enable secure store of bicycles where required. Where garages are not proposed, provision should be made for secure cycle storage and details if this can be reasonably secured via planning condition.

7.3.4 The comments from the LHA are noted in respect of potential adoption, where currently owing to the general arrangement, particularly the raised tables and drainage methodology, the roads are not yet acceptable for outright adoption. In this regard, the final construction and surfacing design for the roads is yet to be formalised, as this may be informed by the final surface water drainage design. As such, it is reasonable to secure final details via planning conditions, but with the layout generally according to the principles as set out in the site layout plan. In this regard, in respect of waste collections, where roads are not to be adopted, they are required to be made to a standard to withstand loads of up to 26 tonnes and an indemnity agreement entered by the site owner. Again, the final detail of the waste collection strategy can be reasonably secured via planning condition. Nonetheless, the tracking details provided demonstrates that waste vehicles would be able to manoeuvre around the site without concern.

7.3.5 In conclusion, whilst concerns have been raised over the impact of the development on existing highways - both in terms of congestion and highway safety, no such concern has been raised by the LHA and therefore a refusal on such grounds is unwarranted. Notwithstanding, the scheme itself offers good circulation and manoeuvrability and provides opportunities to encourage and support non-car modes of travel in accordance with the aims of the national and local policy.

7.4 Visual Amenity

7.4.1 Policy ENV 1 of the Local Plan 2015 requires new development to provide a complementary relationship with existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlement. Policy ENV 2 of the Local Plan 2015 requires that new development should ensure its location, layout, form, scale and massing and materials are sympathetic to the surrounding areas. Chapter 12 of the NPPF seeks to secure visually attractive development which improves the overall quality of an area and is sympathetic to local character and history.

7.4.2 As set out above, it is considered that the development would not result in significant harm to the character of the countryside, or to the character and settlement pattern of the village.

7.4.3 In general 2-storey dwellings averaging around 8.5m (27',10"), with the bungalows measuring around 5.2m (17') to the ridge. The scale and form of the dwellings would accord with the adjacent dwellings on Old Fir Close where 2-storey dwellings are found, finished in a mix of facing brick and weatherboarding. Whilst specific brick and roof tile details have not been submitted at this stage, they would be expected to complement the adjacent development and details could be reasonably secured through planning condition.

7.4.4 Owing to the mix of dwelling sizes and types, this results in an interesting streetscene with the need to secure detailing on side elevations or corner-turning units and stepping pairs of semi-detailed dwellings to emphasize individual plots. It is considered

that the overall layout responds well to the central greenspace features, offering good surveillance over this area and neighbouring frontages.

7.4.5 In order to secure private amenity space, it is expected that boundaries would be enclosed. Given the location of the site with boundaries abutting the open countryside, it is necessary to ensure a sympathetic arrangement of boundaries is secured. In this regard, the applicant proposes to enclose the western southern boundaries with planted hedge, with a fence boundary inside – details of which can be secured via planning condition. A suitable scheme is achievable and would achieve adequate amenity whilst respecting the edge of countryside environment and the existing Old Fir Close development.

7.4.6 In summary, subject to securing appropriate details via planning condition, the development is anticipated to achieve high-quality design which would complement the character and appearance of the area, in accordance with Local Plan policies ENV 1, ENV 2 and Chapter 12 of the NPPF.

7.5 Residential Amenity

7.5.1 Policy ENV2 of the Local Plan requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers and that occupiers of new dwellings enjoy high standards of amenity. This policy accords with Chapter 12 (particularly paragraph 135) of the National Planning Policy Framework (NPPF) which aims to achieve high standards of amenity.

Future Occupiers

7.5.2 The properties are arranged mainly with front and rear outlooks and due to their scale and window positions, would not result in any overbearing, overlooking or overshadowing issues upon one another. Furthermore, each property with exception to the flats is provided with over 50sq. metres (1,076sq. ft) of private amenity area (the flats achieve around 40sq.m), therefore compliant with Council's minimum standards. As noted above, it is also expected that a suitable scheme of boundary treatments could be secured via condition, to ensure that private amenity areas are protected.

7.5.3 The Council's Contaminated Land officer has sought a condition securing ground contamination investigations as is commonplace in such environment concluded that it is unlikely that ground contamination is present that would otherwise require investigating and mitigating. This can be reasonably controlled via planning condition.

7.5.4 Furthermore, the development is supported by a suitable area of greenspace which will encourage active lifestyles and provide a community space for residents. Access to suitable greenspace is known to be important for physical and mental wellbeing.

Existing residents

7.5.5 Given the scale and positioning of the proposed dwellings, it is not anticipated that the amenity of existing residents would be compromised through the development, with adequate separation distances achieved, so as to avoid visual dominance, overshadowing and overlooking. Whilst the outlook for some residents may alter as a result of the development, this would not amount to severe harm. Concerns have been raised regarding the relationship of plots 8 and 9 with the existing bungalow, Number 18 Ely Road and how overlooking and dominance would occur. The bungalow and the pair of dwellings at plots 8 and 9 are separated by over 30m (98') with the rear facades

of the new dwellings sited over 10m (32',9") from the boundary of No.18. This exceeds best practice as set out in the Council's design guide and it is not considered reasonable to refuse the proposal on these grounds as again, whilst the outlook for the existing residents may alter as a result of the development, this would not amount to severe harm.

- 7.5.6 Amendments have been made to the side upper floor window serving Plot 35 at the far north-western corner. This window is proposed to serve a kitchen and it has been agreed to obscure glaze the bottom half of this window and for the hinges to be placed so that views down an into the rear garden are not readily achievable.
- 7.5.7 Whilst the future occupation of this development is unlikely to yield significant issues in respect of noise and other forms of pollution, the construction element of the development may result in some noise and other interference. In this respect, nuisance can be reduced through compliance with an agreed Construction Environment Management Plan (CEMP) and, if necessary, a piling method statement should piling be required as suggested by the Council's Environmental Health team. Both of these elements can be reasonably secured via planning condition.
- 7.5.8 Notwithstanding the above, it is necessary to ensure an appropriate scheme of street lighting is secured – in the interests of landscape protection, existing and future residents security and amenity and in view of nocturnal biodiversity around the site. This detail can also be secured via planning condition and in any event may be informed by future road adoption.
- 7.5.9 In conclusion, subject to conditions, the scheme demonstrates that in general, a high-quality living environment would be achieved for existing residents and future occupiers of this development in accordance with Local Plan policy ENV2 and Chapter 12 (particularly paragraph 135) of the NPPF.

7.6 Flood Risk and Drainage

- 7.6.1 A number of concerns have been raised throughout the life of this application in respect of existing drainage issues on neighbouring land and properties and the capacity of drainage infrastructure. It is understood that adjacent residents of Old Fir Close and those along Ely Road have experienced surface water flooding and high water tables in recent years, with flooding affecting properties – both from foul and surface water.
- 7.6.2 The general drainage strategy relies on on-site attenuation of surface water, secured through permeable surfacing and run-off into a SuDS pond at the south-eastern corner of the site. The pond is designed to attenuate with any additional water draining via underground pipework under the Ely Road highway and into the IDB watercourse at the junction of Ely Road and Cowbridge Hall Road.
- 7.6.3 The Lead Local Flood Authority has reviewed the strategy and following requested amendments and clarification has confirmed that they are satisfied that the drainage strategy in principle will adequately manage surface water from the site without increasing risk elsewhere. The final detail of the scheme is to be formalised and this can be reasonably secured via planning condition. Part of the works requires culverting under the highway and this will need to be agreed and carried out under licence with the LHA. Furthermore, consent to discharge into the watercourse will also

likely be required by the Internal Drainage Board (IDB). The LLFA has requested robust planning conditions to ensure that the drainage strategy is formalised and agreed prior to work commencing. Should either the IDB or the LHA not agree to the final proposal resulting in a substantially different strategy being required, the applicant would need to revise their proposal whereupon the Local Planning Authority may need to reconsider the scheme and the amended proposal.

7.6.4 In respect of foul drainage, Anglian Water has confirmed that they have capacity to accept flows into their system. Again, the applicant will need to satisfy Anglian Water in respect of connections to their systems and this can be reasonably controlled via planning condition. Nonetheless, in principle the foul drainage strategy raises no concerns with the water authority.

7.6.5 In principle, the details provided demonstrate that the development would achieve a sustainable means of drainage which would not lead to an increase of flooding either within the site or on adjacent land in accordance with the aims of Local Plan policies ENV 8 and ENV 9 and conditions can be imposed to ensure that the final scheme maintains this compliance.

7.7 Ecology and Biodiversity

7.7.1 Policy ENV 7 of the adopted Local Plan seeks to protect biodiversity and geological value of land and buildings and requires that through development management processes, management procedures and other positive initiatives, the council will among other criteria, promote the creation of an effective, functioning ecological network. The Council have adopted a Natural Environment SPD and all development proposals would be expected to provide environmental enhancements proportionate to the scale and degree of the development proposed.

7.7.2 The NPPF and Local Plan currently seeks to ensure that no net loss to biodiversity results through developments and that net gains are secured where opportunities allow. In this regard, the application is supported a robust ecology survey and has been followed up by further bat emergence surveys and a bat mitigation method statement.

7.7.3 In general, it is agreed that the scheme as proposed could achieve a net gain in biodiversity of around 1.23%, which may actually be greater once the benefits of the SuDS features are factored in. Furthermore, the additional hedgerow planting is not counted in net gain assessments but nonetheless will enhance the biodiversity around the site.

7.7.4 As noted above, the application has undergone a substantial appraisal of the ecological conditions of the site, the protected species habitats therein and recommendations for mitigation, compensation and enhancement that are necessary and achievable in order to accommodate the development.

7.7.5 The ecology surveys undertaken generally conclude that with the exception of bats, the development is unlikely to have a significant negative impact on any of the protected species covered in the report; Nesting Birds and Barn Owl, Reptiles, Water Voles and Great Crested Newts. A separate report on bats has been provided due to the presence of Long-Eared Bats in the loft of the dwelling to be demolished, where a

maternity roost has formed. The loss of the dwelling would result in the loss of roosting habitat for the bats which are protected under law.

- 7.7.6 The NPPF at para.186 sets out principles when determining applications;
- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- 7.7.7 In essence, this means that in the first instance, to avoid the loss of the bat roost, the dwelling should be retained. Only if there are no options but to remove the dwelling, and this is supported by justification, should the demolition be supported.
- 7.7.8 The applicant has discussed this aspect at length with the both the Wildlife Trust and the Council's Ecologist and has advised that due to the funding arrangement in place regarding delivery of affordable dwellings, funding is only available for new-build developments and is not available for refurbishments of existing properties. The applicant has advised therefore they are unable to viably re-use the existing dwelling and instead propose to re-locate the Bats to an alternative part of the site, to a bat hut, located at the edge of the SuDS pond which they consider will move them away from the residential area and closer to a waterbody and line of hedgerow which is good habitat for bats. Their bat surveys undertaken demonstrate that long-eared bats do forage in the location of the SuDS pond which seems to support their approach to the location of the bat hut.
- 7.7.9 The Council's Ecologist has considered the proposal and agrees that to retain the dwelling is unviable and that relocating the bats to the south-eastern area of the site is appropriate in these instances.
- 7.7.10 It is important to note that any such works involved in re-homing bats is required to be undertaken under licence granted by Natural England. Natural England has been consulted on the proposals and raised no objection. This is not to say they have accepted that licence will be granted. But both the Wildlife Trust and the Council's ecologist are satisfied that there is a strong likelihood, based on the evidence, that a licence would be forthcoming if applied for. The license would need to detail specifically what measures are proposed in respect of the demolition and bat hut build phase, along with any other mitigation required. It is important to ensure that the development cannot proceed until the licence is in place and a pre-commencement condition is necessary in such circumstances. The applicant has agreed to this.
- 7.7.11 The Council's Ecologist has also requested that a Landscape Ecological Management Plan (LEMP) is provided. The LEMP should detail all trees and hedgerow to be retained, methods of their protection during construction, details of all proposed soft landscaping including all hedge and tree planting, a timetable for its implementation and a scheme for its long-term management and maintenance. This can be reasonably secured via planning condition.
- 7.7.12 Notwithstanding this, the Council's Tree officer has considered the scheme and raises concerns over the potential impact of the development on TPO trees and other tree specimens. The access has been relocated further north from its original position, as a

TPO was placed on a tree in the highway which would have had to be removed to accommodate the access. This tree will therefore not be affected by the development. The tree officer has raised concerns over other trees within the highway, at the southern end of the site, where underground drainage is proposed to run under a Silver Birch tree and also where the footpath which leads out onto Elm Road adjacent the Duds pond runs over where an apple tree currently exists. The apple tree is not protected and a scheme for replacement could be reasonably secured via planning condition. This would ultimately require agreement of the LHA. The Silver Birch does have a greater impact on the amenity of the streetscene and therefore consideration is required as to any impacts which may arise through the drainage works, once approved. In this regard, the drainage strategy condition suggested at 7.7.3 above could include consideration and mitigation of any tree impacts as part of the requirements.

7.7.13 Separate to this a TPO Horse Chestnut tree currently occupies the south-west corner of the existing dwelling plot. This tree will ultimately be at the rear of Plots 02 to 05 and the Council's Tree officer has raised concerns that this relationship might place pressure on the tree to be over-pruned or even removed in time, to avoid it becoming a nuisance. The applicant has responded to this, setting out that a dedicated access point to the tree (between plots 02 and 03) is set out, enabling the Housing Association to attend to the tree on a regular program of works as part of the site-wide maintenance strategy. This in their opinion will reduce the risk of the tree becoming a nuisance. The Council's tree officer has not accepted this approach and considers that the aforementioned risk is still a possibility.

7.7.14 Having regard to the situation, the applicant has offered what appears to be a feasible solution to minimise the risks of the tree becoming a nuisance and whilst the situation may not be ideal, to avoid this scenario entirely would likely result in a reduction in housing. Therefore, the potential risks to the tree need to be balanced against the benefits of housing delivery. Notwithstanding, the applicant has proposed to plant a specimen horse Chestnut tree within the area of open space. Whilst this is not designed to compensate for any loss, this tree will in time, under careful management also likely provide substantial amenity value.

7.7.15 In conclusion, it is considered that subject to provision of an agreed LEMP and agreement by Natural England for the bat mitigation licence, the development would accord with Local Plan policy ENV 7 and the aims of the NPPF.

7.8 Infrastructure Contributions

7.8.1 The development would trigger potential infrastructure contributions in terms of open space, education, libraries, healthcare and waste.

7.8.2 The applicant has agreed to provide an area of open space comprising informal space and toddler/ junior play space within the central area of greenspace (or an offsite contribution to this if preferred). They have also agreed to provide a financial contribution in lieu of providing youth space and it is understood that the Parish Council has projects related to the Little Downham recreation ground where this contribution could go towards. This accords with the open spaces requirements as set out in the Developer Contributions SPD. The applicant advises that the intention is for the housing association to manage the on-site open space.

- 7.8.3 Cambridgeshire County Council as the education authority has set out a requirement for contributions toward Early Years, Secondary education and libraries and lifelong learning. No provision for primary School is required as the school is operating under capacity and predicted yields indicate a further reduction of pupils in the future.
- 7.8.4 A standard wheeled bin contribution would be required per dwelling.
- 7.8.5 Whilst the NHS has not responded to the consultation with this application, nonetheless CIL contributions could be allocated to district-wide healthcare.
- 7.8.6 The S106 agreement would also tie the development to affordable housing in perpetuity as per the requirement of Local Plan policy HOU 4.
- 7.8.7 The applicant has indicated their agreement to the above and the drafting of the S106 agreement has already commenced. Subject to these elements being captured in the S106 agreement, the development would satisfactorily mitigate its impacts in respect of infrastructure demands.

7.9 Energy and Sustainability

- 7.9.1 Policy ENV 4 (Energy and water efficiency and renewable energy in construction) 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). The adopted Climate Change SPD predominantly focusses on providing additional guidance to the implementation of Local Plan Policy ENV 4 – Energy and water efficiency and renewable energy in construction.
- 7.9.2 The scheme is for 39 dwellings and therefore, the latter requirement for demonstrating a 20% exceedance of Building Regulations is applicable, albeit that current Part L of Building Regulations (as of 2022) now sets a higher requirement for sustainable build than the SPD sets out in any case.
- 7.9.3 Notwithstanding the requirement to accord with latest Building Regulations, the application does not provide details on how it intends to maximise energy efficiency before then incorporating renewable or low-carbon energy sources (if required). As such, it is necessary to require further details in respect of energy efficiency measures, in order to ensure compliance with policy ENV 4 which could for example comprise details of the building fabric, water efficiency measures and, if required any renewable energy products that may need to be incorporated on the development but which require assessment on any potential visual or residential amenity impacts. These details can be reasonably secured via planning condition and would ensure compliance with policy ENV 4.

7.10 Other matters

- 7.10.1 Some residents have raised concerns that the development will harm the Conservation Area and will affect a Right of Way. The site is located over 140m from

the edge of the Conservation Area at Church Way (north) and over 300m from the edge of the Conservation Area at Main Street (north west). It is not considered that it will have any adverse impact on this designation. In addition, the site does not abut or block any public rights of way.

- 7.10.2 One resident has raised concerns that the development should be mixed occupancy or socially inclusive. Whilst this is noted, policy HOU 4 expressly seeks to deliver affordable housing as whole development (with market units where viability demonstrates it is necessary) and does not require a mix of market housing to be included. In this regard therefore, the scheme is compliant.

7.11 Planning Balance and Conclusion

The development would result in the introduction of 39 affordable dwellings in a location where there is strong indication of such a need in the village. Further the dwellings accord with a mix of types and tenures that the Council's Housing team has advised on. In addition, the single-storey units would be built to meet the needs of an ageing or reduced-mobility population in that it would conform to M4(2) standards (accessible and adaptable homes). These matters carry substantial weight.

- 7.11.1 The development would not result in significant harm to the character of the countryside or the settlement pattern of the village and is located in a sustainable location in transport terms (the main drivers for otherwise restricting development in the countryside as set out under policy GROWTH 2).
- 7.11.2 The development would also yield net gains in biodiversity. Whilst it has been identified that it would be necessary to re-home bats from a maternity roost in a dwelling proposed for demolition, a suitable mitigation strategy has been proposed which is considered to adequately mitigate the impact (subject to approval from Natural England).
- 7.11.3 The scheme raises no technical concerns that cannot otherwise be made acceptable via planning conditions e.g., in respect of highways, drainage, contamination.
- 7.11.4 Having regard to the development plan when read as a whole, the scheme is considered to amount to sustainable development, subject to securing the necessary S106 agreement, and subject to the conditions as set out at Appendix 1.
- 7.11.5 The application is therefore recommended for approval as per the terms set out at section 1 above.

8 COSTS

- 8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.
- 8.2 Unreasonable behaviour can be either procedural i.e. relating to the way a matter has been dealt with or substantive i.e., relating to the issues at appeal and whether a local

planning authority has been able to provide evidence to justify a refusal reason or a condition.

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

9 APPENDICES

- 9.1 Appendix 1: Schedule of proposed Planning Conditions

Background Documents

21/01322/FUM

National Planning Policy Framework

https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf

East Cambridgeshire Local Plan 2015 -

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

APPENDIX 1 - 21/01322/FUM Conditions

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

<i>Plan Reference</i>	<i>Version No</i>	<i>Date Received</i>
1867-JSA-XX-XX-DR-A-00001 Location Plan	P2	14th September 2021
1867-JSA-34-XX-DR-A-02201 Plots 34 & 35	P2	28th November 2023
0320-JCE-00-SI-SK-8040 Visibility Splays and Radii	P01	29th September 2023
530-SFL-EX-00-DR-L-0101 Sections	P03	15th December 2023
1867_A_8001 Site Layout Plan	P16	15th December 2023
1867-JSA-32-XX-DR-A-02201 Plots 32 and 33	P4	27th September 2023
1867-JSA-22-XX-DR-A-02201 Plot 22	P3	27th September 2023
1867-JSA-01-XX-DR-A-02201 Plot 1	P5	27th September 2023
1867-JSA-03-XX-DR-A-02201 Plots 03,04,05	P4	27th September 2023
1867-JSA-08-XX-DR-A-02201 Plots 08 and 09	P1	27th September 2023
1867-JSA-12-XX-DR-A-02201 Plots 12 and 13	P1	27th September 2023
1867-JSA-24-XX-DR-A-02201 Plot 24	P3	27th September 2023
1867-JSA-26-XX-DR-A-02201 Plots 26 and 27	P4	27th September 2023
1867-JSA-30-XX-DR-A-02201 Plots 30 and 31	P5	27th September 2023
1867-JSA-38-XX-DR-A-02201 Plots 38 and 39	P4	27th September 2023
1867-JSA-36-XX-DR-A-02201 Plots 36 and 37	P1	27th September 2023
1867-JSA-02-XX-DR-A-02201 Plot 02	P1	29th September 2023
1867-JSA-06-XX-DR-A-02201 Plots 06 and 07	P1	27th September 2023
1867-JSA-10-XX-DR-A-02201 Plots 10 and 11	P1	27th September 2023
1867-JSA-14-XX-DR-A-02201 Plots 14 and 15	P1	27th September 2023
1867-JSA-16-XX-DR-A-02201 Plots 16 and 17	P1	27th September 2023
1867-JSA-18-XX-DR-A-02201 Plots 18 and 19	P3	27th September 2023
1867-JSA-25-XX-DR-A-02201 Plot 25	P1	27th September 2023
1867-JSA-28-XX-DR-A-02201 Plots 28 and 29	P4	27th September 2023
1867-JSA-20-XX-DR-A-02201 Plots 20 and 21	P3	27th September 2023
1867-JSA-23-XX-DR-A-02201 Plot 23	P1	27th September 2023

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.
The scheme shall be based upon the principles within the agreed Preliminary Drainage Strategy prepared by Jackson Consulting Engineers (Ref: DR-REP-0320 Rev 00) dated: 26 September 2023 and shall also include:
- Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
 - Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);

- c) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- d) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- e) Full details of the maintenance/adoption of the surface water drainage system;
- f) Permissions to connect to a receiving watercourse or sewer;
- g) Measures taken to prevent pollution of the receiving groundwater and/or surface water
- h) A timetable for implementation and completion

- 3 Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts, in accordance with policy ENV 8 of the East Cambridgeshire Local Plan (as amended 2023). This condition is pre-commencement due the drainage measures being one of the first phases of construction.
- 4 No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.
- 4 Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts in accordance with policy ENV 8 of the East Cambridgeshire Local Plan 2015 (as amended).
- 5 Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority.
- 5 Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development in accordance with policy ENV 8 of the East Cambridgeshire Local Plan 2015 (as amended).
- 6 Prior to the commencement of the development hereby approved a scheme and timetable to deal with contamination of land and/or groundwater shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme and timetable shall then be implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

1. A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. This should include a conceptual model, and pollutant linkage assessment for the site. Two full copies of the desk-top

study and a non-technical summary shall be submitted to and approved in writing by the Local Planning Authority.

2. A site investigation and recognised risk assessment carried out by a competent person, to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:

(i) A desk-top study has been completed, satisfying the requirements of paragraph (1) above.

(ii) The requirements of the Local Planning Authority for site investigations have been fully established, and

(iii) The extent and methodology have been submitted to and approved in writing by the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to and approved in writing by the Local Planning Authority.

Following written LPA approval of the site investigation the LPA will require:

3. A written method statement for the remediation of land and/or groundwater contamination affecting the site. This shall be based upon the findings of the site investigation and results of the risk assessment. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. The remediation shall be undertaken fully in accordance with the details agreed.

4. Where remediation as per paragraph 3 is required, prior to any occupation of the development, the provision of two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works, together with any requirements for longer-term monitoring and pollutant linkages, maintenance and arrangements for contingency action shall be submitted and approved in writing by the Local Planning Authority.

Notwithstanding requirements (1) to (4) above, If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy.

- 6 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 ENV 9 of the East Cambridgeshire Local Plan 2015 (as amended).
This condition is pre-commencement in view of the need to understand the risks associated with the development in advance of intrusive works commencing.
- 7 No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:
- a) the statement of significance and research objectives;
 - b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
 - c) The timetable for the field investigation as part of the development programme;
 - d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

- 7 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 (as amended). The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 8 No demolition/development shall commence until a Construction Environmental Management Plan (CEMP) regarding mitigation measures for noise, dust and lighting during the construction phase and incorporating any phasing arrangements and hours for construction and construction deliveries, has been submitted to and agreed in writing by the Local Planning Authority. The CEMP shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction. The CEMP shall be adhered to at all times during all phases.
- 8 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 9 No works shall commence (including any demolition) until the Local Planning Authority has been provided with either;
- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
 - b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

The works shall be carried out strictly in accordance with the License arrangements.

- 9 Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 10 No works shall commence until a Landscape & Ecological Management Plan ('LEMP') has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include but shall not be limited to the following details;
- i) all trees and hedgerow to be retained, and methods of their protection during construction.
 - ii) A site-wide soft landscaping scheme including a timetable for its implementation.
 - iii) A scheme for the long-term management and maintenance of the soft landscaping.
- 10 Reason: In the interests of visual amenity and protecting and enhancing biodiversity in and around the site in accordance with policies ENV 1, ENV 2 and ENV 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023). This condition is pre-commencement in order to ensure adequate protection of existing flora during works.
- 11 With the exception to demolition, no works shall proceed above ground level until details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels, and cross sections, of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in strict accordance with the levels shown on the approved drawing(s).

- 11 Reason: To ensure that the precise height of the development can be considered in relation to adjoining dwellings and land to protect and safeguard the visual amenity of the area and amenities of the adjoining occupiers in accordance with Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 12 With the exception to demolition, no works shall proceed above ground level until details of the final road, path and private driveway construction, including 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).
- 12 In the interests of highway safety and amenity in accordance with policies ENV 2 and COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 13 With the exception to demolition, no works shall proceed above ground level until details of a footway improvement scheme, which enhances the existing footway north of the access as shown on 0320-JCE-00-SI-SK-C-8040 Revision P01, leading to the mouth of the access at Old Fir Close has been submitted to and approved in writing by the Local Planning Authority. The works shall then be completed in accordance with the approved details prior to first occupation.
- 13 Reason: To encourage sustainable travel and in the interests of highway safety in accordance with policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended).
- 14 With the exception to demolition, no works shall proceed above slab level until the precise details and colour of all facing brickwork, roof tiles, render and weatherboarding has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.
- 14 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended)
- 15 With the exception to demolition, no works shall proceed above slab level until details of a lighting scheme for all streets, paths and open space has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be accompanied by a technical report prepared by a qualified competent person setting out;
- i) the specification of lights,
 - ii) locations and heights of lighting columns,
 - iii) the light levels to be achieved over the intended area and at the development site boundaries and the surrounding area.
- The approved scheme shall be implemented on site prior to first occupation of the development or in agreed phases and retained as such thereafter.
- 15 Reason: To safeguard the residential amenity of occupiers, the visual impact of the development and protection of nocturnal biodiversity in accordance with policies ENV 1, ENV 2 and ENV 7 of the East Cambridgeshire Local Plan 2015 (as amended).
- 16 With the exception to demolition, no works shall proceed above slab level until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include hard surfacing of all roads and paths serving the dwellings and any on-plot hard landscaping. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation

programme submitted to and approved in writing with the Local Planning Authority prior to first occupation.

- 16 Reason: In the interests of visual and residential amenity in accordance with policy ENV 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023)
- 17 With the exception to demolition, no works shall proceed above slab level until details of all boundary treatments and gates have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments and gates shall be in situ in accordance with the approved details prior to the first occupation of the dwelling or in accordance with an implementation programme submitted to and approved in writing with the Local Planning Authority prior to first occupation.
- 17 Reason: In the interests of visual and residential amenity in accordance with policy ENV 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023)
- 18 With the exception to demolition, no works shall proceed above slab level until a refuse collection scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include;
 - i) Confirmation that the main road within the site (as detailed on plan reference 1867_A_8001-P16) can accommodate gross vehicles weights of up to 26 tonnes, and
 - ii) Confirmation of agreement that where refuse vehicles have to access an unadopted road for waste collection, that East Cambridgeshire District Council will bear no responsibility for any damage to that road surface.
- 18 Reason: To ensure that suitable means of waste collection is achieved, in accordance with Policy ENV 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Policy 14 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
- 19 With the exception to demolition, no works shall proceed above slab level until details until an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 19 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 20 Prior to the occupation of the development, the pedestrian visibility splay associated with its driveway as shown on 0320-JCE-00-SI-SK-C-8040 Revision P01 shall be provided and thereafter be maintained free from obstruction exceeding 0.6m above the level of the adjoining footway.
- 20 Reason: In the interests of highway safety in accordance with policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended)
- 21 Prior to first occupation 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.
- 21 Reason: In the interests of highway safety in accordance with policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended)
- 22 Prior to the first occupation the development 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 road in accordance with the details approved.

- 22 Reason: In the interests of highway safety and residential amenity in accordance with policies COM7, COM8 and ENV 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 23 All dwellings not served by a garage, 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 be located within the rear garden prior to the occupation of that dwelling.
- 23 Reason: To encourage sustainable travel in accordance with policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended).
- 24 The bungalows hereby permitted shall be built to the standard meeting M4(2) 'Accessible and Adaptable Dwellings' as set out under Part M of Schedule 1 to the Building Regulations 2010 (or its successor) and confirmation of this shall be provided to and agreed in writing by the Local Planning Authority prior to the first occupation of the bungalows.
- 24 Reason: To ensure the development meets the needs of older and/or less-mobile residents in accordance with policy HOU 4 of the East Cambridgeshire Local Plan 2015.
- 25 In the event that any foundations for the proposed development require piling, prior to the commencement of any such piling the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.
- 25 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 26 The side window serving the north-facing kitchen of Plot 35 shall be obscure glazed (denoted as 'OG') and hinged as shown on drawing 1867-JSA-34-XX-DR-A-02201 P2 and thereafter retained as such in perpetuity.
- 26 Reason: In the interests of residential amenity in accordance with policy ENV 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023)

