



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

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Abbey Developments Ltd
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EN6 5DU

This matter is being dealt with by:

Anne James

Telephone: 01353 616241
E-mail: anne.james@eastcambs.gov.uk
My Ref: 18/01053/OUM
Your ref

12th January 2022

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

OUTLINE PLANNING PERMISSION

Subject to conditions

The Council hereby **approves** the following:

Proposal: Outline planning application for erection of up to 53 houses on land to the east of Sutton to include public open space and details relating to access
Location: Land Rear Of Garden Close Sutton Cambridgeshire
Applicant: Abbey Developments Ltd

This consent for outline planning permission is granted in accordance with the application reference **18/01053/OUM** registered 27th July 2018.

Subject to the additional conditions set out below:

ADDITIONAL CONDITIONS

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

Plan Reference	Version No	Date Received
GEOPHYSICAL SURVEY		27th July 2018
Renewable Energy and Water Consumption Assessment		27th July 2018
STATEMENT OF COMMUNITY INVOLVEMENT		27th July 2018
PHASE 1 GROUND CONDITIONS ASSESSMENT		27th July 2018
Arboricultural Assesment		27th July 2018
Archaeological Evaluation		27th July 2018
Contaminated Land Study		27th July 2018
Ecological Assessment		27th July 2018

Flood Risk Assessment		27th July 2018
Heritage Assessment		27th July 2018
Landscape Impact Assessment		27th July 2018
Topographical Survey		27th July 2018
Transport Assessment		27th July 2018
Utilities Statement		27th July 2018
36783_5501_SK02	B	27th July 2018
CSA/3881/100	C	27th July 2018
CSA/3881/101	C	27th July 2018
CSA/3881/102	A	27th July 2018
CSA/3881/103	A	27th July 2018

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the appearance, landscaping, scale and layout (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this permission.
- 2 Reason; The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 3 Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 4 The proposal is for up to 53 dwellings.
- 4 Reason: To allow for a design led approach in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 5 No above ground construction shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service or alternative scheme has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative scheme shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.
- 5 Reason: To ensure the appropriate infrastructure is in place to ensure adequate public safety provision in accordance with Policies Growth 3 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 6 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours:
07:30 - 18:00 each day Monday - Friday
07:30 - 13:00 on Saturdays and
None on Sundays or Bank Holidays.
- 6 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation

measures for noise, dust and lighting during the construction phase. These 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. The CEMP shall be adhered to at all times during all phases.

- 7 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
- 8 No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.
The scheme shall be based upon the principles within the Flood Risk Assessment (FRA) and Drainage Strategy prepared by Peter Brett Associates (ref: 36783 FRA Rev B) dated July 2018 and shall also include:
 - a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events
 - b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
 - c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers
 - d) Full details of the proposed attenuation and flow control measures
 - e) Site Investigation and test results to confirm infiltration rates;
 - f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
 - g) Full details of the maintenance/adoption of the surface water drainage system;
 - h) Measures taken to prevent pollution of the receiving groundwater and/or surface water;The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF and PPG.
- 8 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. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 9 Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purpose. The maintenance plan shall be carried out in full thereafter.
- 9 Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of para 167 and 169 of the NPPF 2021 and ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 10 Prior to or as part of the first reserved matters application, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.

- 10 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 and the Climate Change SPD.
- 11 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 11 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015, Policy NP2 of the Sutton Neighbourhood Plan 2019 and the Natural Environment SPD, 2020.
- 12 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
- (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.
- 12 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 13 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority
- 13 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 14 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and

approved in writing by the local planning authority. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI which shall include:

- o The statement of significance and research objectives;
- o The programme and methodology of site investigation and recording;
- o The nomination of a competent person(s) or organisation to undertake the agreed works;
- o The programme for post-excavation assessment and subsequent analysis, reporting, publication and dissemination, and deposition of the resulting archive. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI. Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.

- 14 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 15 No development shall take place until a scheme to dispose of foul water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to occupation of the dwellings.
- 15 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it is detailed as one of the model conditions.
- 16 Prior to first occupation the form and content of Welcome Travel Packs to be issued to new residents on the first occupation of each new dwelling shall be agreed with the Local Planning Authority. The Packs should encourage residents to travel using sustainable modes of transport and shall be provided to new occupiers of the development.
- 16 Reason: In order to encourage future residents to travel using sustainable modes of transport in accordance with Policy COM7 of the East Cambridgeshire Local Plan 2015
- 17 Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on Drawing Nos 36783_5501_SK02 B and CSA/3881/102 A, in writing by the Local Planning Authority.
- 17 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the Local Plan 2015.
- 18 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 18 Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 19 No development shall take place until a detailed Arboricultural Method Statement (AMS) has been submitted and approved in writing by the Local Planning Authority. The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected

at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.

- 19 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and Policy NP2 of the Sutton Neighbourhood Plan 2019. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 20 Prior to the first occupation or commencement of use of the development, details of replacement tree planting, including any trees for removal that can be moved to a suitable location with a tree spade, indicating positions or density, species, and planting size shall be submitted to and approved by the Local Planning Authority. Planting shall take place in accordance with the approved details within the first planting season following completion of the development or in accordance with the program of planting approved by the LPA. Any such trees that are removed die or become, in the opinion of the LPA, seriously damaged or defective within a period of five years of planting shall be replaced with specimens of a similar size and species as originally required.
- 20 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and NP2 of the Sutton Neighbourhood Plan 2019.
- 21 All works shall be carried out in accordance with the Tree Survey, Arboricultural Impact Assessment [Hayden's Arboricultural Consultants dated 27th July 2018]. If, during construction, it becomes apparent that further works or changes are required, work shall not progress any further on site until the applicant has secured a site meeting with a suitably qualified professional to agree the details and phasing of any tree surgery works not detailed in the submitted report. A written schedule shall be submitted to and approved in writing by the Local Planning Authority.
- 21 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 and NP2 of the Sutton Neighbourhood Plan 2019.
- 22 Prior to first occupation of the approved development, a Woodland Management Plan shall be submitted to and approved by the Local Authority. The Management Plan should be prepared by a qualified arboricultural/forestry consultant and include the following elements:
 - o A statement for the overall vision of the woodland as part of the development
 - o Type and frequency of management operations to achieve a sustainable woodland
 - o Frequency of safety inspections
 - o Special measures relating to protected species or habitats
 - o Special recommendations for trees located in close proximity to properties
 - o Identification of any other proposed actions

All works shall be carried out in accordance with Woodland Management Plan and shall be retained in perpetuity

- 22 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and NP2 of the Sutton Neighbourhood Plan 2019.
- 23 In pursuant of Condition No 2, the design and layout of the site shall take into account the setting of the Conservation Area and key views across the site as detailed on Drawing No: CSA/3881/102
- 23 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area, in accordance with policies ENV2 and ENV11 of the East Cambridgeshire Local Plan 2015 and Policy NP8 of the Sutton Neighbourhood Plan 2019.

INFORMATIVES RELATING TO THIS APPLICATION

- 1 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.
- 2 East Cambridgeshire District Council is a Community Infrastructure Levy (CIL) Charging Authority. All applicants for full planning permission, including householder applications and reserved matters following an outline planning permission, and applicants for lawful development certificates are required to complete the CIL Additional information Requirement Form - https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/2
- Exemptions from the Levy are available but must be applied for and agreed before development commences, otherwise the full amount will be payable.
- For more information on CIL please visit our website <http://www.eastcambs.gov.uk/planning/community-infrastructure-levy> or email cil@eastcambs.gov.uk.
- 3 This decision notice should be read in conjunction with the Section 106 Obligation dated 10th January 2022 and the development completed in strict accordance with the provisions contained therein, to the satisfaction of the Local Planning Authority.
- 4 The decision to approve this application was made by Planning Committee on 7th November 2018, having regard to the policies and proposals in the Local Development Plan and all relevant materials considerations, including the NPPF.
- 5 This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an offence to carry out works within the public highway without permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents and approval under the Highways Act 1980 and Street Works Act are also obtained from the County Council.
- 6 The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent. All clearance, conversion and demolition work in association with the approved

scheme shall be carried out outside of the bird nesting season which runs from March to August inclusive

Note: If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out and documented. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check and document the process. Only if there are no active nests present should work be allowed to commence.

- 7 The comments of the East Cambridgeshire Access Group regarding requirements and recommendations for accessibility of the development are attached for your attention.
- 8 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-mineralsand-waste/watercourse-management/>
Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas
- 9 Appropriate signage should be used in multi-functional open space areas that would normally be used for recreation but infrequently can flood during extreme events. The use of clear signage within a development to explain the remaining risks or required responses is essential. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that Chief Executive Gillian Beasley www.cambridgeshire.gov.uk infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design

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



Rebecca Saunt

Planning Manager

Dated: 12th January 2022