

20/01755/RMM

Land Adjacent To Melton Farm

Newmarket Road

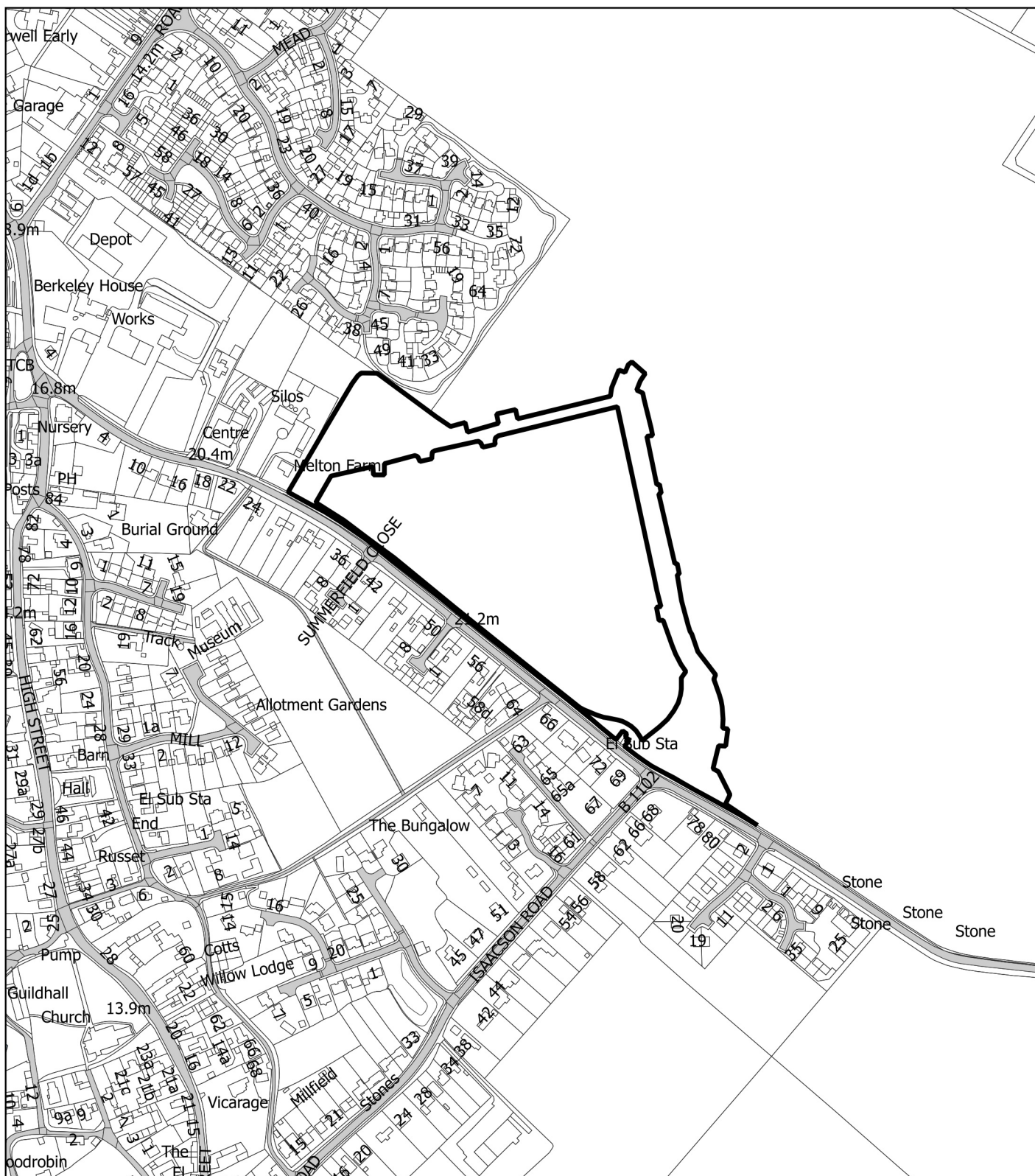
Burwell

Reserved matters for internal access, layout, scale, appearance and landscaping for the provision of an internal spine road, landscaping and associated drainage and related infrastructure of previously approved 15/01175/OUM to provide up to 350 dwellings (including affordable housing provision) with associated open space, sports provision, access and 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=QLQZONGGLAV00>





20/01755/RMM

Land Adjacent To
Melton Farm
Newmarket Road
Burwell



East Cambridgeshire
District Council

Date: 21/06/2021
Scale: 1:5,000



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MAIN CASE**Reference No:** 20/01755/RMM**Proposal:** Reserved matters for internal access, layout, scale, appearance and landscaping for the provision of an internal spine road, landscaping and associated drainage and related infrastructure of previously approved 15/01175/OUM to provide up to 350 dwellings (including affordable housing provision) with associated open space, sports provision, access and infrastructure**Site Address:** Land Adjacent To Melton Farm Newmarket Road Burwell**Applicant:** This Land Limited**Case Officer:** Dan Smith Senior Planning Officer**Parish:** Burwell**Ward:** BurwellWard Councillor/s: David Brown
Lavinia Edwards**Date Received:** 22 December 2020 **Expiry Date:** 16 July 2021
Report Number W34

1.0 RECOMMENDATION**1.1** Members are recommended to APPROVE the application subject to the recommended conditions summarised below and set out in full in appendix 1.

1. Approved Plans
2. Commencement within 2 years
3. Precise details of fences and feature walls
4. Precise details of hard landscaping materials
5. Construction of highway to adoptable standards

2.0 SUMMARY OF APPLICATION**2.1** This reserved matters application relates to outline application 15/01175/OUM which granted outline planning permission for the redevelopment of land to provide up to 350 dwellings (including affordable housing provision) with associated open space, sports provision, access and infrastructure. That application also approved the detailed matter of the access point on to Newmarket Road.

- 2.2 The current application seeks approval of the reserved matters (internal access, appearance, landscaping, layout and scale) in respect of the provision of an internal spine road, landscaping and associated drainage and infrastructure related to the road.
- 2.3 The entire planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.
- 2.4 The application has been referred to planning committee at the request of Councillor David Brown on the grounds that it is a major application and to honour commitments made at an earlier Planning Committee.

3.0 PLANNING HISTORY

3.1

15/01175/OUM	Redevelopment of land at Newmarket Road, Burwell to provide up to 350 dwellings (including affordable housing provision) with associated open space, sports provision, access and infrastructure	Approved	31.10.2019
15/01175/NMAA	Non-material amendment to wording of Condition 14 (Energy and Sustainability Strategy) of 15/01175/OUM	Accepted	08.12.2020
14/00149/SCREEN	SCREENING OPINION Residential Development		26.02.2014

- 3.2 The following applications relating to the original outline permission (15/01175/OUM) are currently pending consideration:

15/01175/DISB	To discharge Conditions 5 (Phasing Plan) and Conditions 6 (Soft & Hard Landscaping), 15 (Lighting), 16 (Surface Water Drainage), 17 (Foul Water Drainage) and 29 (Footway/Cycle Path)
15/01175/DISC	To discharge Condition 11 (Land Contamination)

15/01175/NMAB Non-material amendment to vary wording of conditions

3.3 The following applications relating to the original outline permission (15/01175/OUN) were submitted but later withdrawn:

19/01578/RMM Reserved matters for appearance, landscaping, layout and scale of planning application 15/01175/OUN (Phase 1)

15/01175/DISA To discharge conditions 5 (Phasing Plan), 14 (Energy and sustainability Strategy), 15 (Light Management Plan), 16 (Surface Water Drainage Scheme), 17 (Foul Water Strategy) and 34 (Residential Travel Plan) on Decision dated 31.10.2015 for Redevelopment of land at Newmarket Road, Burwell to provide up to 350 dwellings (including affordable housing provision) with associated open space, sports provision, access and infrastructure

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The wider application site on which outline permission was granted comprises 27.3 hectares (67.5 acres) of greenfield agricultural land and adjoins the existing built form of Burwell to the west and south. Open countryside adjoins the site to the east and the north, with Newmarket Road defining the south west boundary of the site.
- 4.2 The site is allocated for residential development for approximately 350 dwellings, in the East Cambridgeshire Local Plan 2015, under Policy BUR1 – Housing allocation, land off Newmarket Road, and was granted outline permission in 2019 as detailed above.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees as summarised below. The full responses are available on the Council's web site.

Parish Council - 27 January 2021

States it supports the initial comments made by the County Council's Historic Environment Team [on archaeology]. Also asks that the option of a roundabout at the access point to Newmarket Road/Isaacson Road is revisited and if found as not deemed necessary, for up to date data to be provided to the Parish Council to support the decision. It notes that the applicant intends to engage with the Parish Council over the provision of the proposed Sports Hub.

Ward Councillors - 7 January 2021

Councillor David Brown states he wishes to call the application in to Planning Committee on the grounds that it is a major application and to honour commitments made at an earlier Planning Committee.

Local Highways Authority (LHA) - 17 March 2021 and 22 June 2021

Initially stated no objections in principle to the internal layout proposed, but questioned whether the access arrangement with Newmarket Road was in accordance with the approved outline permission. Also made comments in respect of the location of the footway cycleway on private land, the general street design and layout, surface water strategy, street trees and tree pits, speed limits, highways adoption, street lighting and future maintenance and management.

Amended plans and technical documents were subsequently submitted and the LHA has considered them and has confirmed that they are acceptable in terms of highway safety and the detailed design of the roads, drainage features and landscaping. It has noted that vehicle tracking and visibility splays are acceptable and that the provision of additional speed management measures on the spine road have made the 20mph design speed acceptable. It notes that formal adoption of roads, paths, verges and drainage will also be subject to s38 and s278 technical assessment and vetting.

Lead Local Flood Authority - 27 January 2021, 12 March 2021 and 15 April 2021

Initially objected to the application on the basis of concerns regarding the depth of the drainage basin and the specification of infiltration testing and hydraulic calculations.

It subsequently withdrew its objection to the application following the consideration of additional drainage information.

Cambridgeshire Archaeology - 18 January 2021 and 17 March 2021

Initially noted that it has commented on previous schemes that the archaeological excavation will require particularly careful stripping and excavation owing to the character of the Late Bronze Age to Early Iron Age settlement found here. States it is essential that a single archaeological contractor is secured by condition to undertake the archaeological investigation programme if the two sites are to be excavated at separate times to ensure that the character of archaeology is not lost by different personnel and approaches.

Expressed concern regarding the proposed development phasing plan [required by condition on the outline application and the subject of a separate application to discharge that condition] which divides the site into development zones and would make archaeological excavation difficult to achieve. It objected to that phasing plan and recommended that the developer to enable the archaeological sites be dug as individual entities rather than in a piecemeal approach that would be problematic in discovery, analytical and publication terms.

Noted that if the developer were able to secure the land shown in the two areas on the attached plan for excavation prior to the commencement of development, this issue would be removed.

Later commented that discussions with the applicant's archaeological consultant confirmed that the Archaeological Excavation Areas (AEAs) will be dealt with as single exercises in advance of construction works. On the basis that this is secured by the original condition on the outline permission, it removed its objection.

Anglian Water Services Ltd - 15 January 2021

Notes that there are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. States that the impacts on the public foul sewerage network are acceptable to Anglian Water.

Technical Access Group - 18 January 2021

Makes recommendations regarding the detailed design matters regarding the cycle/footway, street lighting, tactile paving, footpath construction, shared surfaces and accessible parking.

ECDC Trees Team - 26 January 2021 and 18 March 2021

Notes that while the concept of the avenue planting with upright Beech is a nice idea, the reliance on a single species does not future-proof the design against climate change or new pest and diseases. Suggests alternating with a different species of upright tree such as Hornbeam is good practice and would be beneficial.

States the infiltration basin adjacent the entrance could include a standalone feature specimen tree that is tolerant of the wet conditions such as Cypress or Walnut and would also aid drying the area out. Confirmed that the rest of the soft landscaping scheme and the landscape management plan is acceptable and appropriate.

Amendments to the landscaping scheme were made and the Trees Officer has commented that the revised landscaping scheme is very good with the paired avenue planting of three species of trees used ensuring that the site is future-proofed against climate change and any new pests and diseases.

Waste Strategy (ECDC) - 26 January 2021

Requests detailed plans showing turning circles, drag distances for residents, flats storage and presentation and reversing requirements. [The current application does not relate to the provision of dwellings and those details would be sought as part of later applications for dwellings.]

West Suffolk District Council - 11 February 2021

Notes that the application site is situated within East Cambridgeshire, adjacent to the boundary of West Suffolk. States it has no comments to make.

Environmental Health - 7 January 2021

States it has no comments to make.

Environment Agency - 12 January 2021

States it has no comments to make.

Design Out Crime Officers - 14 January 2021

States it has no comments to make.

Cadent Gas Ltd - No Comments Received

The Ely Group of Internal Drainage Board - No Comments Received

CCC Growth & Development - No Comments Received

Cambridgeshire Fire and Rescue Service - No Comments Received

Head of Strategic Planning - No Comments Received

Conservation Officer - No Comments Received

- 5.2 A site notice was displayed near the site on 22 January 2021 and a press advert was published in the Cambridge Evening News on 14 January 2021.
- 5.3 **Neighbours** – 417 neighbouring properties were notified and the matters raised in the responses received are summarised below. Full copies of the responses are available on the Council's website.
- 5.4 Affects public views
Contrary to Policy
Form and character
Groundwater issues
Highway safety
Landscape impact
Loss of public amenity
Noise sensitive
Over bearing
Parking and Turning
Pollution issues
Residential amenity
Surface water drainage
Visual amenity
Comments regarding provision of community facilities
Comments regarding provision of dwellings
Comments on the principle of housing development and its impacts
Need for footpath/cycle path between Burwell and Exning
- 6.0 The Planning Policy Context
- 6.1 East Cambridgeshire Local Plan 2015 (Local Plan)
- | | |
|----------|--|
| GROWTH 2 | Locational strategy |
| GROWTH 3 | Infrastructure requirements |
| GROWTH 4 | Delivery of growth |
| GROWTH 5 | Presumption in favour of sustainable development |
| ENV 1 | Landscape and settlement character |
| ENV 2 | Design |
| ENV 4 | Energy efficiency and renewable energy in construction |
| ENV 7 | Biodiversity and geology |
| ENV 8 | Flood risk |
| ENV 9 | Pollution |
| ENV 12 | Listed Buildings |
| ENV 14 | Sites of archaeological interest |
| COM 4 | New community facilities |
| COM 7 | Transport impact |
| COM 8 | Parking provision |
| BUR 1 | Housing allocation, land off Newmarket Road |

- 6.2 Supplementary Planning Documents (SPD)
 Design Guide – Adopted March 2012
 Flood and Water – Adopted November 2016
 Contaminated Land - Adopted May 2010
 Developer Contributions and Planning Obligations – Adopted May 2013
 Natural Environment SPD – Adopted September 2020
 Climate Change – Adopted June 2020
- 6.3 National Planning Policy Framework 2019 (NPPF)
 Section 2 Achieving sustainable development
 Section 4 Decision-making
 Section 5 Delivering a sufficient supply of homes
 Section 6 Building a strong, competitive economy
 Section 8 Promoting healthy and safe communities
 Section 9 Promoting sustainable transport
 Section 11 Making effective use of land
 Section 12 Achieving well-designed places
 Section 14 Meeting the challenge of climate change, flooding and coastal
 change
 Section 15 Conserving and enhancing the natural environment
 Section 16 Conserving and enhancing the historic environment
- 6.4 Planning Practice Guidance (PPG)

7.0 PLANNING COMMENTS

- 7.1 The application site is part of an allocated housing site, allocated in the Local Plan under policy BUR 1 for approximately 350 dwellings. The wider site benefits from an outline permission (15/01175/OUM) for up to 350 dwellings (including affordable housing), open space, sports provision, access and infrastructure. Approval of the detailed matter of the main access to the site was also given at outline stage. The detailed matters of appearance, landscaping, layout and scale were reserved at outline stage for future consideration.
- 7.2 Delegated approval of the outline application was granted by planning committee subject to conditions and the completion of a legal agreement. The outline application was approved on 31 October 2019.
- 7.3 The current Reserved Matters application seeks approval of the reserved matters of internal access, layout, scale, appearance and landscaping for the provision of an internal spine road, landscaping and associated drainage. It does not change the main vehicle access to the site approved by the outline permission, nor does it propose the direct provision of housing. Given that no buildings are proposed as part of this application, the reserved matter of scale (which relates to the scale of buildings) is not considered in detail. All other reserved matters, namely internal access, layout, appearance and landscaping are relevant to the consideration of the impact of the development which is detailed below.

7.4 Principle of Development

- 7.5 The principle of the residential development of the wider site has been established through the outline planning permission (15/01175/OUM) to which this Reserved Matters application relates. That outline permission also considered the detailed matter of access and fixed the points of access onto the site including the main vehicle junction onto Newmarket Road to the south via a T-junction and the cycle and pedestrian access via Ness Road to the west.
- 7.6 In response to the consultation on this current application, some local concern has been expressed regarding the principle and detailed impacts of the residential development of the site and the access points, particularly suggestions that the main vehicle access onto Newmarket Road should be via a roundabout. While those ongoing concerns are acknowledged, these matters have already been considered at outline stage and found to be acceptable and the reconsideration of the principle of the development and the approved access cannot and should not be revisited at this stage.
- 7.7 This reserved matters application provides the detailed design for the part of the site on which the spine road and the associated landscaping and drainage features would be provided. It is the impacts of that detailed design which should be considered in reaching a decision on this application.

7.8 Visual Amenity and Landscape impact

- 7.9 Policy ENV1 of the East Cambridgeshire Local Plan, 2015 recognises the importance of the edge of settlement locations and requires developments to demonstrate that their location, scale, form, design, materials, colour, edge treatments and structural landscaping will protect, conserve and where possible enhance the settlement edge, space between settlements, and their wider landscape setting. Policy ENV 2 of the Local Plan requires that all development be designed to a high quality, enhancing and complementing local distinctiveness and public amenity by relating well to existing features and introducing appropriate new designs. The allocation of the site under Policy BUR 1 of the Local Plan requires that the development have particular regard to site layout and soft landscaping and provide appropriate landscaping as a buffer where necessary to existing developments. These requirements are also reflected in Section 15 of the NPPF – Conserving and enhancing the natural environment.
- 7.10 The primary elements of the application are two areas of open space at opposite ends of the site frontage with Newmarket Road and the internal spine roads which run from the approved main access point and into the centre of the site and from that point back down towards the Melton Farm Green open space and pedestrian entrance at the western end of the frontage. This layout broadly accords with the previously approved Development Framework Plan.
- 7.11 As part of this application, a detailed landscaping scheme for the phase has been submitted, as required by conditions 2 and 6 on the outline permission. This shows hard and soft landscaping proposals for the streets, including a significant provision of paired street trees along the main spine road creating an avenue character along the main entrance way into the site. The landscaping of the Melton Green open

space area at the western end of the site and the village green open space adjacent to the main entrance to the site have also been specified and include grassed areas, shrub planting, wildflower areas and areas of tree planting. The proposals also detail the installation of native hedge and tree planting along the front boundary of the site with Newmarket Road adjacent to the proposed cycleway and a feature wall and planting on either side of the main entrance.

- 7.12 These landscaping proposals have been considered by the Council's Trees Officer who recommended that additional species of trees be used for the avenues to ensure that the scheme is robust and future-proofed against disease. Those suggested changes have been made and the Trees Officer is content that the landscaping scheme is acceptable.
- 7.13 The landscaping approach for the site is considered to result in a good quality public realm that would ensure no harm to the visual amenity of the area. It also brings forward a good level of public amenity through the provision of public open space areas and equipped areas of play. These areas will be supplemented by additional areas in later phases, but the open space and play areas provided as part of this application are broadly consistent with the Development Framework Plan approved at outline stage.
- 7.14 The proposed hard landscaping approach is considered acceptable, however some additional detail is required in respect of the precise materials to be used. A condition would therefore be applied requiring that detail to be submitted for approval prior to the commencement of the hard landscaping works. While acceptable in principle, further details of the fencing and feature walls at the entrance to the site are also required and would therefore be required by an appropriately worded planning condition.
- 7.15 On the basis of the above, the proposed development is considered to be acceptable in terms of its impact on the visual amenity and character of the area in accordance with policies ENV 1, ENV 2 and BUR 1 of the East Cambridgeshire Local Plan 2015 and section 15 of the NPPF.
- 7.16 Historic Environment**
- 7.17 Policy ENV 12 of the Local Plan requires that proposals not materially harm the immediate or wider setting of Listed Buildings. Policy 14 of the Local Plan requires all new development to have regard to its impact upon the historic environment and protect, enhance and where appropriate, conserve nationally designated and undesignated archaeological remains, heritage assets and their settings. The allocation of the site under Policy BUR 1 of the Local Plan requires that appropriate evidence of the archaeological potential and significance of the site be provided. These principles are also reflected in Section 16 of the NPPF - Conserving and enhancing the historic environment.
- 7.18 The site is neither within nor close to Burwell's Conservation Area and the Council's Conservation Officer has not offered any objections to the proposed development. The Mill to the north of Melton's Farmhouse is a grade II listed building and the impact of the detailed proposals on that building have been considered. At outline planning stage it was considered that the area of green space proposed on the part

of the site closest to that building would provide a visual buffer and would mitigate the impact of the development on that building. The current reserved matters application provides further details of that green space and extends it to occupy all of the westernmost portion of the site where it bounds Melton Farm extending the green space buffer further north. This benefits the setting of the listed building when compared to the outline application and would ensure the development has a neutral impact on that heritage asset. On that basis, the proposed development is considered acceptable in terms of its impact on listed buildings in accordance with the requirements of policy ENV 12 of the East Cambridgeshire Local Plan 2015.

- 7.19 The archaeological interests of the current site and wider site are significant as detailed at outline stage with the late Bronze Age to early Iron Age settlement having been found on the wider site. An archaeological condition was applied to the outline permission requiring that no development occur in a particular phase until a programme of archaeological work had been carried out. The County Archaeology Team expressed concerns in response to this current Reserved Matters application regarding the phasing plan which was submitted as part of the discharge of condition application 15/01175/DISB. While those concerns were not directly relevant to the current Reserved Matters application, subsequent discussions with the applicant's archaeological consultant which confirmed that the Archaeological Excavation Areas (AEAs) will be dealt with as single exercises in advance of construction, mean it no longer objects to the application in any case.
- 7.20 On that basis, the proposed development is considered to be acceptable in terms of its impact on the historic environment in accordance with policies ENV 12, ENV 14 and BUR 1 of the East Cambridgeshire Local Plan 2015 and Section 16 of the NPPF.
- 7.21 Highways**
- 7.22 Policy COM7 of the Local Plan requires all new developments to be designed to reduce the need to travel, particularly by car, and should promote sustainable forms of transport appropriate to its particular location. Development proposals shall also provide safe and convenient access to the highway network and be capable of accommodating the level/type of traffic generated without detriment to the local highway network and the amenity, character or appearance of the locality. Policy ENV 2 requires that development is designed to minimise conflict between motor vehicles and pedestrians and cyclists, provide safe and convenient access for people with disabilities, provide good access to public transport services and ensure that networks of pedestrian and cycle routes (linking to existing routes where opportunities exist) give easy access and permeability within developments and to adjacent areas. Policy BUR 1 requires that the development provide footpath and cycle linkages between Felsham Chase, Newmarket Road and Ness Road, provide a foot/cycle path link through the site between Newmarket Road and Ness Road, provide safe vehicular access from Newmarket Road and provide necessary highway improvements and traffic management measures on nearby roads. These principles are also reflected within Section 9 of the NPPF - Promoting sustainable transport.
- 7.23 The submitted drawings show the main spine road for the site including carriageway paths and verges connected to the vehicle access approved at outline stage. The

main spine road has been designed to provide safe access to the plots on phase 1 of the development as well as to connect the later phases of the site to the main vehicle access on Newmarket Road.

- 7.24 Visibility splay information for the junctions off the spine roads which would be used to provide access to parcels has been provided and is acceptable. Likewise, swept path drawings for refuse vehicles have been submitted to demonstrate that such vehicles can safely use the spine roads. Pedestrian and cycle crossing points are across the main spine roads and parcel accesses are also detailed. While the internal road layout was initially designed to standards for 30 mph roads, in response to the request of the LHA the roads have been redesigned to meet 20mph design speeds. Minor amendments to traffic tables on the roads have also been made and have been sited so as to allow the site to be accessed via buses so as not to preclude the potential for buses to serve the development.
- 7.25 The LHA has indicated it is content with the proposed road layout in terms of highway safety and the applicant is proposing that the spine roads and associated cycle ways and pavements would be adopted by the Local Highways Authority. A condition would be applied requiring the construction of the highway to adoptable standards.
- 7.26 The proposed pedestrian access path at the western end of the site frontage would connect the wider site with the centre of Burwell to the west and provide access to shops and services there. The path would also provide easy access for residents of Burwell to the Melton Farm Green open space and children's play areas.
- 7.27 The proposed shared footway/cycleway adjacent to Newmarket Road, required by condition on the outline permission, largely falls just outside the boundary of this reserved matters application. The application does however make an amendment to the line of the proposed path to deviate around an existing substation on the site frontage. This amendment sees the cycleway curve away from Newmarket Road into the site, running behind the substation before returning to join the line of Newmarket Road again close to the bellmouth of the approved main vehicle access. While this is a deviation from the line of the path shown on the plans associated with the outline permission, it is considered to be acceptable in terms of highway safety and visual impact and can be approved as part of this reserved matters application. The footpath/cyclepath link would remain secured by the condition on the outline permission.
- 7.28 On the basis of the above, the proposed development is considered to be acceptable in terms of its impact on highways in accordance with policies ENV 2, COM 7 and BUR 1 of the East Cambridgeshire Local Plan 2015 and Section 9 of the NPPF.
- 7.29 Flood Risk and Drainage**
- 7.30 Policy ENV 8 of the Local Plan requires all developments to contribute to an overall flood risk reduction. Policy ENV 2 requires that Sustainable Urban Drainage Schemes (SuDS) be integrated into developments so they provide wider green infrastructure benefits. These requirements are also reflected in Section 14 of the

NPPF - Meeting the challenge of climate change. Cambridgeshire's Flood and Water SPD which supports Policy ENV 8 is also relevant.

- 7.31 The submitted scheme includes drainage features for the site, both to adequately drain the surface water from the internal access roads and also to provide the surface and foul drainage infrastructure for housing parcels on the phase 1 part of the wider site. These drainage proposals are required by conditions 16 and 17 to be submitted alongside reserved matters applications. While their specification is being formally considered as part of the discharge of conditions application which was submitted under reference 15/01175/DISB on the outline permission, they have also been considered as part of the current application to ensure that they are acceptable in terms of the layout of the site and in terms of their drainage specification.
- 7.32 All surface water drainage is proposed to be achieved through infiltration via surface water sewers which discharge either to one of four soakaways alongside the spine roads or to the main surface water infiltration basin located on part of the village green adjacent to the main entrance to the site. The Lead local Flood Authority has confirmed it is content with the proposed surface water drainage arrangements in respect of the specification of the drainage and the levels of infiltration proposed which is sufficient to ensure the acceptable drainage of the site.
- 7.33 The majority of the drainage features would be below ground under roads and verges and would not impact on the character of the site. The drainage basin at the entrance to the site would be open and form a landscape feature at the entrance to the site. It has been successfully incorporated into the designed landscape and is considered acceptable in terms of its visual impact.
- 7.34 On that basis, the proposed development and the detailed drainage arrangements are considered acceptable in accordance with policies ENV 2 and ENV 8 of the East Cambridgeshire Local Plan 2015, the Flood and Water SPD and Section 14 of the NPPF.
- 7.35 Residential Amenity**
- 7.36 Policy ENV 2 of the Local Plan requires that development does not have any significantly detrimental effect on the residential amenity of nearby occupiers, and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity. Policy ENV 9 of the Local Plan requires that all development minimise light and noise pollution.
- 7.37 The site is bounded by residential development on its north western boundary and on the opposite side of Newmarket Road to the south west.
- 7.38 The spine road and associated drainage areas are not considered to result in any significant impact on the residential amenity of existing neighbours, being some distance from existing dwellings and largely at ground level. The spine road is taken from the approved access point and the impact on amenity from the general residential use of the site has already been considered as part of the outline application and found to be acceptable.

- 7.39 The siting of the public open space including children's play area on the boundary with Melton Farm and residential properties on Burghley Rise is not considered likely to cause any significant harm to the residential occupiers of those dwellings in terms of noise or disturbance and would be screened by existing and supplementary landscape planting.
- 7.40 The siting of that open space along the entirety of the boundary with Melton Farm also responds to the recommendations of the original planning officer's report for the outline application, in that it would provide a buffer between the farm site and new homes on the site which might be affected by noise from the farm site.
- 7.41 On that basis, the proposed layout, appearance, scale and landscaping of the spine road and associated infrastructure and drainage is considered acceptable in terms of its impact on residential amenity in accordance with policies ENV 2 and ENV 9 of the East Cambridgeshire Local Plan 2015.
- 7.42 Conditions**
- 7.43 The outline application was granted subject to numerous conditions regarding the wider development of the site. The conditions on the outline permission which would remain relevant to the detailed development proposed by this current application include:
- the timescale for implementation;
 - the carrying out of development in accordance with an approved phasing plan;
 - landscaping details;
 - archaeology;
 - contamination;
 - light management;
 - surface water drainage;
 - foul water drainage;
 - management of development waste;
 - management of construction practices;
 - ecological mitigation;
 - implementation of vehicle and pedestrian/cycleway accesses and links;
 - provision of roads to at least binder course.
- 7.44 Matters which require additional conditions in respect of the current application have been detailed above and the conditions are provided in full in Appendix 1.
- 7.45 Planning Balance**
- 7.46 The proposed development is consistent with the development approved and envisaged at outline stage and would allow the delivery of housing parcels on the wider site. No significant harm is identified to result from the proposed development and the application is considered to propose acceptable details regarding the spine roads and landscaping. It makes adequate provision for drainage features, public open space and play space which are consistent with the requirements of the outline permission.
- 7.47 It is therefore recommended that the application is approved.

8.0 COSTS

- 8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.
- 8.2 Unreasonable behaviour can be either procedural 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.
- 8.4 In this case members' attention is particularly drawn to the following points:
- The allocation of the site for development under Local Plan Policy BUR 1.
 - The extant permission 15/01175/OUM which considered and gave permission for the principle of residential development on the site and the detailed access points.
 - The lack of objection from statutory consultees

9.0 APPENDICES

- 9.1 Appendix 1 - Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
20/01755/RMM	Dan Smith Room No. 011 The Grange	Dan Smith Senior Planning Officer 01353 665555
15/01175/OUM	Ely	dan.smith@eastcambs.gov.uk

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

Appendix 1 – Conditions

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

Plan Reference	Version No	Date Received
000364	PL03	1st March 2021
000365	PL03	1st March 2021
000366	PL03	1st March 2021
00161	P03	22nd December 2020
00264	P02	22nd December 2020
00265	P02	22nd December 2020
00266	P02	22nd December 2020
00461	P02	22nd December 2020
00462	P02	22nd December 2020
000361	PL04	9th June 2021
000362	PL04	9th June 2021
000363	PL04	9th June 2021
00162	P03	9th June 2021
00261	P03	9th June 2021
00262	P03	9th June 2021
00263	P03	9th June 2021
1005.0003/TN/3		9th June 2021
1005.0003.008	E	9th June 2021
1005.0003.009	E	9th June 2021
1005.5003.200	G	9th June 2021
1005.5003.101	A	9th June 2021
1005.5003.102	A	9th June 2021
1005.0003.010	c	9th June 2021

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 3 Notwithstanding the plans, hereby approved, prior to the installation of the fencing and feature walls at the entrance to the site, precise details of the fencing and walls including materials, coursing and lettering of the signage shall be submitted to and approved in writing by the Local Planning Authority. The fences and feature walls shall thereafter be installed in full accordance with the approved details.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 4 Notwithstanding the plans, hereby approved, prior to the commencement of hard landscaping of the site, precise details of the hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. The hard landscaping shall thereafter be carried out in full accordance with the approved details.
- 4 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

5. The highway shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) before the last dwelling is occupied.
5. Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.