

**MAIN CASE**

**Reference No:** 16/00535/FUM

**Proposal:** Erection of 88 dwellings, garages, parking, roads & associated site works.

**Site Address:** Land Parcel East Of 2 The Shade Soham Cambridgeshire

**Applicant:** C J Murfitt Ltd

**Case Officer:** Barbara Greengrass, Senior Planning Officer

**Parish:** Soham

**Ward:** Soham North

Ward Councillor/s: Councillor James Palmer  
Councillor Carol Sennitt

**Date Received:** 4 May 2016

**Expiry Date:** 30 April 2017

[R251]

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**1.0 RECOMMENDATION**

1.1 Members are requested to delegate APPROVAL of this application to the Planning Manager, following the completion of a S106 legal agreement and the following draft conditions (with any minor revisions to the conditions delegated to the Planning Manager). The planning conditions can be read in full in the attached APPENDIX 1.

Conditions;

- 1 Approved plans
- 2 Time limit full
- 3 Archaeological investigation
- 4 Construction Environmental Management Plan
- 5 Waste Management Plan
- 6 Construction times
- 7 Foul water drainage
- 8 Public rights of way
- 9 Contamination survey
- 10 Unexpected contamination
- 11 Fire hydrants
- 12 Noise attenuation measures
- 13 Tree protection
- 14 Soft landscaping
- 15 Landscape maintenance

- 16 Boundary treatments
- 17 Access closure
- 18 Crossing provision and relocation
- 19 Materials
- 20 Road construction
- 21 Wheel washing
- 22 Adoptable standards
- 23 Surface water drainage
- 24 Surface water maintenance
- 25 Energy and sustainability
- 26 Ecology mitigation
- 27 Travel plan
- 28 Traffic management plan
- 29 Phasing of development

1.2 The S106 agreement will secure the following;

- Affordable housing
- Transfer of the public open space areas and bund to the Council and financial contributions for the long term maintenance of these areas.
- Financial contributions to the Council for the long term maintenance of the onsite SUDS system.
- Contribution for wheelie bins.

## **2.0 SUMMARY OF APPLICATION**

2.1 The application seeks permission on a site of 3.77 hectares (9.3 acres), for the erection of 88 dwellings of which 22 (25%) will be affordable housing with associated infrastructure, garaging and public open space.

2.2 A new vehicular and pedestrian access into the site is proposed from The Shades to the west of the site. The existing pedestrian crossing will be repositioned to a point further south to a position just south of the existing road island, in order to accommodate the new ghost and right hand turn lane into the development. An additional pedestrian crossing is proposed to the north of the new site entrance just south of the junction with Kingfisher Drive.

2.3 The applicant proposes to construct the development in two phases each with their proportionate amount of affordable housing units and open space provision. Phase one to the north side of the site provides for 3200 sq m of public open space and Phase two provides for 3000 sq m of public open space.

2.4 The 22 affordable dwellings comprise the following mix, with a tenure mix of 70% rented and 30% shared ownership;

- 9 x 3 bedroom dwellings
- 13 x 2 bedroom dwellings

The mix of market housing is as follows;

Phase One, 12 two bed dwellings, 13 three bed dwellings and 4 four bed dwellings, Phase Two 10 two bed dwellings, 19 three bed dwellings and 8 four bed dwellings.

The application is accompanied by a design and access statement, Transport Assessment, Ecology appraisal, Noise Impact Assessment, Archaeological Evaluation, Tree survey, Flood Risk Assessment, and Contaminated land report.

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.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

2.6 The application has been brought to Planning Committee as it proposes more than 50 dwellings.

### 3.0 **PLANNING HISTORY**

01/01160/FUL	Change of use from agricultural to D1 (non residential training). Approval of layout to include pre-fabricated office accommodation, road access and car parking.	Refused	11.12.2002
12/00247/OUM	Proposed food store (A1), together with associated parking, servicing area and petrol filling station, a community style pub/restaurant (A3,A4) associated car parking and highway engineering works.	Withdrawn	15.10.2015

### 4.0 **THE SITE AND ITS ENVIRONMENT**

4.1 The application site is located adjacent to the development envelope for Soham and part of the site has been allocated for housing under Local Plan Policy SOH8 with the remainder of the site forming an employment/mixed use allocation under Local Plan Policy SOH9

4.2 The site consists of four agricultural fields, two of which are under arable cultivation, one is no longer used and laid to grass and the other is a horse pasture. The site is located adjacent to the existing Northfield Road Business Park and residential properties bound the site to the south with the northern boundary being a mixture of residential and open land.

## 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.

**Environmental Health** (domestic) – The findings of the Geo-Environmental Desk Study dated March 2015 prepared by Brown 2 Green are accepted. The report recommends further investigation to identify suspected asbestos and also recommends that a Phase 2 intrusive investigation should be carried out in a farm machinery and scrap metal storage area. Due to the proposed sensitive end use of the site (residential) it is recommended that standard contaminated land conditions 1 and 4 are attached to any grant of permission.

**Road Safety Audit** - The traffic calming was installed to reduce vehicle speeds and improve safety, particularly in light of the new school. Removal of traffic calming the inclusion of alternate mitigation measures would be a retrograde step. Please ensure that a kerb to kerb gap of between 3.1 and 3.9m is avoided. The footway should be retained. Any crossing facility must be appropriate to the flows to and from the school and we would expect that even if installed as an uncontrolled crossing, it will be set onto a raised table to assist with traffic calming. The original zebra crossing is raised. The existing priority give way traffic calming feature is to be removed to allow for the relocation of the crossing. There is no indication that the relocated crossing is to be raised – this would mitigate against the removal of the traffic calming feature. However, this would require careful design to ensure that a raised crossing did not adversely affect the adjacent driveways.

**Strategic Land Advisor** - No Comments Received

**Cambridge Ramblers Association** - The site is crossed and part-bounded by Soham Byways 21 and 23. The CRA stated that the proposed site plan is very unclear about how these byways will be safeguarded or diverted should the development be approved. The site plan suggests that Byway 21 is replaced by a hedge – and similarly Byway 23 is part hedge and part nothing. It is important to note that Byway 21, leading to Soham Footpath 21, links across the A142 Soham Bypass to a footpath across North Field. Byway 23 is also a route with a link to a number of Drovers to the east; it also links to both a Byway and footpath to the west. The connectivity is critical and the new development should provide appropriate routes for both Byways in future. *During construction both routes should be kept clear and free from obstruction, unless suitable alternatives are provided and signed.*

**Lead Local Flood Authority** - Since our last response on 7 December 2016 we have received additional information from the applicant. We have also had correspondence with a neighbouring resident regarding existing flooding issues immediately downstream of the site. Following this correspondence we met with the resident and a representative of the Internal Drainage Board (IDB) on 13 February 2017.

We have been made aware that at least one of the properties immediately downstream currently floods on a regular basis due to the capacity of the ditch network being exceeded. We are concerned that the proposed development may add to this problem as surface water would be formally directed into the system ditch network.

The IDB confirmed during the site meeting that they have a Main Drain on the opposite side of The Shade which has capacity to accept flows from the site. They confirmed that provided flow rates were restricted to the Board's greenfield run-off rate (1.1 l/s/ha) they would not object to a connection into the Main Drain. This would be the LLFA's preferred option.

In addition to the above points, the present drainage layout shows an area to be used for flood storage in the north; however we understand that a noise bund is now required in this area which will impinge on the storage capacity. This will need to be addressed in any updated drainage layout. Please note that the drainage scheme will also need to address how run-off from any proposed bund will be managed.

Until the above has been addressed we maintain our objection."

**Soham Town Council** – Raised strong objections to the scheme for the following reasons:

- Land was originally excluded from any development
- Site is of ancient importance and should be protected.
- The boundary hedge should be protected
- The footpath and bridleway will be 'lost' within the proposal.
- There should be a significant reduction in house numbers
- Any building on the other side of the ancient hedge is unacceptable given the historical importance.
- The entrance amendments are an improvement on the original scheme.
- There are no plans for the drainage outflow into the ditch.
- The plans are continually changing with no reference to previous amendments.
- The site already causes flooding problems for residents.
- The pumping station at the North park site has to be permanently working to cope with current demands.

In response to consultation on the willingness to accept the principle of the long term maintenance of the bus shelters the Town Council reject the offer made and will not be willing to take on the long term maintenance of the required bus shelters with the sum of money proposed.

**Anglian Water Services Ltd** - The foul drainage from this development is in the catchment of Sutton Water Recycling Centre that will have available capacity for these flows. Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures. 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, AW is unable to provide comments on the suitability of the surface water management.

**Cambridgeshire Archaeology** – The site has been subject to an archaeological evaluation the results of which have identified significant remains of late bronze Age –Early Iron Age , Roman and medieval date. These would be severely damaged so a condition is recommended for a programme of archaeological investigation should be undertaken in advance of development, to mitigate the impact of development on these important archaeological assets. The programme of work should include the excavation and recording of the archaeology, post excavation analysis and publication of the results.

#### **CCC Growth & Development - No Comments Received**

**Environment Agency** – The site is located within Flood Zone 1; as such no comments have been made on the Flood Risk Assessment. The extant Water Cycle Study (WCS) suggests that there is a foul water capacity problem at Soham. However, the EA are aware that this is in the process of being reviewed and re-written. This therefore, may alter the conclusions drawn from the original version of the WCS. However, Anglian Water Services (AWS) response to the planning application (documented in the 'Planning Applications – Suggested Informative Statements and Conditions Report' planning ref: 16/00535/FUM) suggests the capacity issues at Soham WRC are still present. In light of this, EA support their recommend Condition for a foul water strategy. The development lies within the area traditionally supplied by Anglian Water Services Ltd. It is assumed that water will be supplied using existing sources and under existing abstraction licence permissions. The planners should seek advice from the water company to find out whether this is the case, or whether a new source needs to be developed or a new abstraction licence is sought. The Agency may not be able to recommend a new or increased abstraction licence where water resources are fully committed to existing abstraction and the environment.

The location of development should take into consideration the relative availability of existing developed water resources. The timing and cost of infrastructure improvements will be a consideration. This issue should be discussed with the water company. Every opportunity should be taken to build water efficiency into new developments, and innovative approaches should be encouraged. The Environment Agency supports all initiatives aimed at reducing water use. The extent of water efficiency measures adopted will affect the demand for water for the development and I would expect that this will be taken into consideration. It is assumed that new houses will be constructed with water meters fitted. Other water saving measures that EA wish to see incorporated include low flush toilets, low flow showerheads, water butts for gardens etc. The Environment Agency also supports the idea of greywater recycling as it has the potential to reduce water consumption in the average household by up to 35%. This must, however, be achieved in a safe and hygienic manner.

There is little apparent mention of waste or resource efficiency, there needs to be consideration of the waste hierarchy and the promotion of waste prevention measures. It would be helpful if the development incorporates a full Materials Management Plan (as detailed in Cambridgeshire County Council's minerals and

waste response), so opportunities for waste minimisation, reuse and recycling are realised at the earliest stage.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer. Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. Soakaways must not be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

**Environmental Health** - Due to the size of the development and the proximity of nearby residential properties it is advised that construction times and deliveries during the construction and demolition phase are restricted to the following:

08:00 – 18:00 each day Monday – Friday

08:00 – 13:00 on Saturdays and

None on Sundays or Bank Holidays

With no burning of waste during the construction or clearance phases and a condition ensuring the submission of a CEMP.

Regarding noise, the EHO has read the report by Cambridge Acoustics dated October 2016. It is noted that the site layout has also been altered, which improves the noise levels at receptors. There are 2 main noise sources, the road and the business park.

The road noise at night has been predicted to be 32dB(A) inside the closest residential dwellings when windows are partially open. This exceeds the World Health Organisation/BS8233 guideline level of 30dB(A). The EHO agrees that the guidance says this can be relaxed by up to 5dB, however it is advised that developers to aim to achieve 30dB internally with windows open (or alternative ventilation to allow for summer cooling). Ultimately it is a planning decision if you consider the necessity for the development is such that this exceedance in noise levels is not an issue. However, as the noise consultant discusses in section 6.1.4 alternative passive or mechanical ventilation strategies can be incorporated within the design. The EHO would therefore recommend this for noise sensitive 1st floor rooms within the dwellings proposed to the north (from the plans this appears to be 10 properties?). The EHO would advise more detail is required with regard to the type of system being installed to demonstrate that residents will have sufficient air flow without needing to open their windows and be exposed to noise levels above government guidelines. It is important any trickle vents are also acoustically treated to the necessary standard.

The report specifies that the majority of the noise from the business park (when rated in accordance with BS4142) will fall under the measured background noise level. However the rated noise level of the punching machine at M & J Engineering is reported as being above the background noise level, and this has been

predicted at 4dB above background at the façade of plot 39. The noise consultant has calculated the noise level if the garden of this property is screened by a 1.8m high close boarded fence and that this would reduce the noise level by 4.5dB therefore giving a rating noise level of 0.5dB under the background noise level. The EHO understands the points on page 16 as to why these figures should not be regarded as causing adverse impact and do not consider we could request further mitigation for this if both the 1.8m close boarded garden fence and the acoustic barrier along the boundary with the industrial estate are erected and the industrial site has limited hours of use. (According to the noise report, planning permission 03/01047/FUL for the M & J Engineering site has a condition to limit times of use and a noise limit which the predictions indicate would be met.

Additional comments 8 Feb 2017 - The mitigation measures outlined in the noise report are sufficient. The noise level from the road at night slightly exceeds government guidance, however, as stipulated previously, this is within the 5dB acceptance for reasonable internal conditions if the development is considered necessary or desirable.

I would therefore advise if you consider the development is necessary or desirable then the guidance level can be relaxed by the 2dB predicted. I would also recommend a Construction Environmental Management Plan is submitted (Condition NS5A) in order to ensure that the impact of the development phase on surrounding residents is minimised.

**Housing Section** - The applicant is now proposing an affordable housing mix of 9 x 2 bedroom houses and 14 x 3 bedroom houses. Whilst this will meet some need, there is a much more pressing demand for 2 bedroom houses than for 3 bedroom houses and accordingly the Housing Strategy Officer would prefer the applicant to increase the provision of 2 bedroom homes and reduce the provision of 3 bedroom homes.

Planning policy requires the provision of 30% affordable housing on sites of this size. The site layout which has been provided (drawing number 14:083-102) does not appear to include 30% affordable.

Additional comments – 20 March 17 – I confirm that the mix and tenure split of 70% and 30% is acceptable.

**Local Highways Authority** – initially objected to the proposal as the junction was unsatisfactory to serve the proposed development by reason of its inadequate location and alignment/configuration on the highway. The proposal would therefore likely result in the detriment of highways safety along with the detriment to the free flow of traffic and so lead to danger and inconvenience to users of the public highway.

The location of the proposed junction is too close to the Pedestrian Zebra Crossing. If permitted this is likely to lead to vehicles stopping on this crossing when queuing to turn right in to the development. It is also likely that drivers exiting the junction, travelling north, will carry speed out of the junction, if no approaching



vehicles are present, as visibility is good in this direction resulting in the potential conflict with pedestrian on the crossing and posing a real safety concern at this location. This crossing is on the main route for parents and children when walking to/from the primary school, north of this location. Therefore all and any appropriate mitigation measures should be taken and included within the design to ensure the safe passage of pedestrians along this route. The Zebra Crossing therefore would be required to be relocated further north should this proposed junction location remain, due to the aforementioned safety concerns.

Visibility was inadequate and aspects of the layout were unacceptable.

Additional comments – 2 March 2017- The LHA have no further objections (subject to conditions) following a CCC Road Safety Stage 1 Safety Audit. The LHA do not object to the relocation of the crossing as shown on the drawing (rev F). The final design and exact location shall be determined at the Stage 2 Safety Audit and include where necessary all safety mitigating measures.

**Minerals And Waste Development Control Team** - The development site falls partially within the Mineral Safeguarding Area for sand and gravel, designated by the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (Policy CS26 Mineral Safeguarding Areas & Proposals Map C). Policy CS26 and the associated designation seek to ensure that the needless sterilisation of mineral resource will not occur. The policy states that development will only be permitted when the applicant has demonstrated that the mineral is no longer of any economic value; or can be extracted prior to development; or it will not inhibit extraction; or the development is not incompatible. However, in this instance the development is located in the proximity of existing development which would act as a constraint to mineral extraction, and the mineral itself is a limited resource. In these circumstances it is unlikely that the mineral would be worked as an economic resource. However, in the event that mineral is extracted during the course of the proposed development the County Council would expect to see the mineral put to a sustainable use i.e. either used in the development itself or potentially taken off site to be processed and used for aggregate purposes (in the event of the latter advice should be sought from the County Council as this may require planning permission from the County Council as the Mineral Planning Authority). Ensuring the sustainable use of mineral extracted during the course of a development is consistent with the principles of the adopted Minerals and Waste Core Strategy (Policy CS42) which addresses incidental mineral extraction. *Conditions relating to the submission of a Detailed Waste Management and Minimisation Plan (DWMMP) and Construction Environmental Management Plan (CEMP) are recommended.*

**Senior Definitive Map Officer** – The amended plan has ensured that the original objection has been overcome, subject to conditions relating to the submission of an access scheme.

**Head Of Strategic Planning** - No Comments Received

**Senior Trees Officer** – Originally objected to the proposal. This proposal is for a moderate size development within currently vacant fields. The site features

boundary hedging and trees. A footpath runs through the middle of the site which features the most significant of the boundary vegetation. There is an industrial development to the Northern aspect of the site, which is screened along the Western edge by boundary planting although the Northern edge is highly visible from the proposed development site. There are few individual trees of significance although collectively the vegetation offers valuable landscape character and screening.

An Arboricultural report has been submitted with the application clarifying the vegetation to be retained.

I have no objection to the proposals subject to conditions.

The most significant vegetation is to be retained within the proposed layout of the site. I am pleased to see the plans are accommodating the existing landscape within the design including the vegetation adjacent the footpath. I feel it this will prove effective for character and screening respectively.

There are a few locations where the buildings are in close proximity with trees although any issues arising from this can be managed by pruning during occupancy. I do advise leaf guards are installed in guttering with any trees adjacent to these properties.

**Ward Councillors** – Cllr Sennitt echoed concerns that the Town Council Planning Committee has over the historical importance of this land.

**Transport Assessment Team** – Initially objected as insufficient detail was presented to make a sound assessment of the transport impact of the scheme.

Updated comments 7 Feb 17 - No Objection subject to Mitigation Package: Sufficient detail has been presented to make a sound assessment. Indicative Mitigation: Should the development be approved the applicant developer should:

- Provide bus stop shelters for the two nearest bus stops on The Shade;
- Bus shelter maintenance contribution of £7,000 per shelter;
- Contribution of £15,000 towards the design of cycle lanes on The Shade;
- Condition of a Travel Plan.

**Fire And Rescue Service** – The Fire Authority would ask that adequate provision be made for fire hydrants. Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5, section 15.

**The Ely Group Of Internal Drainage Board** – The area has had a number of flooding problems; the board is aware that the adjacent properties have had a history of flooding from overland flows from across the area of the site and into the property. The board acknowledges that surface water is to be balanced on site and can only be discharged at 1.11/s/ha of impermeable area. The applicant must ensure that any storage systems installed are maintained so the existing problems

are not exacerbated. The board has concerns over the condition of the route surface water will take from this site to the get to the Board's drainage system. The route should be surveyed to ascertain its existing condition. An alternative option would be for a new culvert to be laid from the site to the Board's main drain.

**NHS Cambridgeshire** - In its capacity as the primary healthcare commissioner, NHS England has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development. Assuming the above is considered in conjunction with the current application process, NHS England would not wish to raise an objection to the proposed development. Otherwise the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated. The terms set out above are those that NHS England deem appropriate having regard to the formulated needs arising from the development. NHS England is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

5.2 Neighbours – 57 neighbouring properties were notified, a site notice was posted and an advert was placed in the Cambridge Evening News and the responses received are summarised below. A full copy of the responses are available on the Council's website.

- Harmful impact on wildlife
- Visual impact and overshadowing
- Additional traffic impact and road safety
- Flood risk
- Loss of green space and agricultural land
- Lack of provision of public services
- Safety of children from traffic increase
- Loss of privacy
- Overlooking
- Disturbance due to behavioral issues from social housing
- Drainage and foul water issues
- Noise impact
- Lack of visitor parking
- Overcrowded and cramped development
- Machinery operating times
- Impact upon trees
- Air pollution from increased traffic
- Heritage impact on Saxon field
- Impact on healthcare services and transport links
- Inadequate drainage provisions
- Poor layout of social/market housing

6.0 The Planning Policy Context

## 6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision
SOH 8	Housing allocation, land east of The Shade
SOH 9	Employment/mixed use allocation, land east of The Shade

## 6.2 Supplementary Planning Documents

Design Guide  
Developer Contributions and Planning Obligations  
Cambridgeshire Flood and Water  
Contaminated land

## 6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 8 Promoting healthy communities
- 10 Meeting the challenge of climate change, flooding and coastal change

## 7.0 **PLANNING COMMENTS**

The main issues to consider to the determination of this application are:

- The principle of development
- Visual impact
- Noise impact
- Access, highway safety and transport impact
- Housing mix and layout
- Public open space
- Residential amenity
- Flood risk and drainage
- Ecology and biodiversity
- Archaeology

## 7.1 **Principle of Development**

- 7.1.1 The site is located within the settlement boundary of Soham and the southern section of the site has been identified within Policy SOH 8 of the East Cambridgeshire Local Plan as a housing allocation for development of approximately 45 dwellings. The principle of residential development on this site is therefore acceptable. The applicant proposes construction in two phases. This part of the site is identified as Phase Two and will contain 49 dwellings.
- 7.1.2 The northern section of the site forms part of a larger allocation of land for employment use within Policy SOH 9 of the East Cambridgeshire Local Plan. The residential development of approx. 1.61 hectares (3.98 acres) of this land is therefore contrary to Policy. The applicant has provided information stating that there is limited demand for commercial land within Soham and generated from a local need. In addition, it is advised that the cost of development is currently higher than the value and it would therefore not be viable to bring this forward for employment use. Officers have sought the advice of an independent valuer who have undertaken research as to the demand and availability of employment land in the area and they agree with the applicants report that there is very limited demand currently and other similar sites have remained undeveloped. The valuer has also looked at the viability of developing this part of the site for employment use and concludes that, taking account of the values that might be achievable, the viability must be called into question. It is therefore accepted that, in reality, this site is at present not likely to deliver employment use, and on that basis the principle of residential use is accepted.
- 7.1.3 Consideration has also been given to the implications of this development on the delivery of the remainder of the employment allocation, as Policy SOH 9 requires the land to be accessed from The Shade, and it would not be appropriate to access this employment site via this residential development. Alternative access points have been explored with the applicant, and it is accepted that alternatives do exist, should the land come forward for employment use. Consideration has also been given to the principle of siting residential properties alongside employment uses in terms of the impact of potential noise and disturbance on residential amenity. It is considered that since it was the original intention of Policies SOH 8 and 9 to accommodate these uses alongside one another this principle has been accepted. Any subsequent noise mitigation measures which would need to be provided to protect residential amenity will need to be addressed as part of any future scheme coming forward to develop this land.
- 7.1.4 For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the location of the site within the settlement boundary means that the site is considered to be in a sustainable location.
- 7.1.5 The local planning authority is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all Local Planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits. The benefits of this application are considered to be: the provision of 88 dwellings

including affordable housing, built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short term through construction work and future occupiers of the dwellings.

## **7.2 Visual impact**

- 7.2.1 The most significant feature of the site is the presence of Public Byway 23 across the site, which provides a valuable amenity to the local residents as a well used route, linking to the network of paths to the east of the site and also providing links to Public Byway 21, which runs along the eastern edge of the site and Public Right of Way 25, which links to the Northfield Park development to the south. The importance of this attractive route is highlighted within Policy SOH 8 where it states that any development of the site for housing should retain and enhance this green lane and retain and enhance the public footpaths crossing the site. The Town Council has expressed strong objections to the residential development of this site as it has historic value as a medieval field and the loss of the footpath and bridleway should be resisted as should the loss of the ancient hedge along the Byway.
- 7.2.2 Following lengthy discussions with the applicant amendments have been secured which retain in-situ green Byway 23 together with as much of the bounding hedgerow as possible, although this will entail removing vegetation and scrub together with a small section of hedge to provide for access. Every effort has been made to retain this important feature of the site. It is considered that whilst the rural and tranquil nature of the lane will be lost, this will be retained and enhanced with new planting, as much as possible and given the sites allocation within the Local Plan, the development of the site for residential purposes has been accepted. The Byway to the north will remain in-situ and the footpath to the south will be diverted through the development site. These requirements are now acceptable to the County Rights of Way Definitive Map Officer.
- 7.2.3 The site, is also well enclosed from the east and north east by mature boundary vegetation and the industrial estate, and to the south by mature trees and hedging and the Northfield Park dwellings. The most open view of the site will be from The Shade and it will also be visible from the A142 although will be set back some distance from it. The dwellings will be visible along The Shade but as frontage development will not appear out of keeping with the mix of development types in the vicinity and the existence of new housing development nearby, as well as the recent permission for residential development opposite the site, at the corner of Kingfisher Drive.
- 7.2.4 Views of the proposed development would be softened over time by additional planting, within the site and although the development will impact on the adjoining residents the position of built form and boundary treatments have been incorporated to minimise this.
- 7.2.5 The proposal sits against existing residential development to the north and south with the industrial site to the north east of the site and in this respect will not look out of character in the area. The proposed density, of 23 dwellings per hectare, (9 per acre), with provision of two open space areas, and the retention of the Public Byway, allows for a development which does not appear overdeveloped in the

context of its surroundings and the linkages of the public byways and footpath to the open spaces will provide for an attractive green space with a sense of place, not only for the future residents but for passers by using these routes.

- 7.2.6 It is considered that the robust and defensible edge allows the new housing to be integrated into the townscape setting with limited adverse effects on visual amenity. The open land to the north remains as an open green buffer between the A142 and the town. The development of this site for 88 dwellings can be achieved without causing significant harm to the character and appearance of the area and as such complies with Policies ENV 1, ENV 2 and the relevant parts of SOH 8 of the Local Plan.

### **7.3 Noise impact**

- 7.3.1 Upon request the applicant has provided a noise impact assessment. This identifies two noise sources impacting the future residents on the site, one being the traffic noise from the A142 and the other from the industrial units at Northfield Park.
- 7.3.2 Following negotiations the plan has been amended to provide for acceptable acoustic measures to safeguard the residential amenities of the future occupiers. Noise attenuation is to be provided by the provision of a 2 metre high earth bund along the eastern boundary of the site to largely provide protection from the industrial units. This will be sited along the western boundary of Public Byway 21 so will provide a pleasant boundary to the Byway and the open space beyond. The applicant originally proposed a 2 metre high fence but this was considered visually intrusive and problematic to maintain in the long term. Attenuation measures also include the provision of a 2 metre high acoustic fence along the garden boundaries of Plots 40, 48 and 49 and acoustic trickle ventilators to the windows on Plots 12-21, 35-39, 41-52, 68-71 and 84. All noise from the industrial estate can be adequately mitigated with the attenuation measures in place and in any event, the times of operation for these uses is limited to 7am to 6pm Monday to Saturday. Road traffic noise is within acceptable limits during the day but at night it will slightly exceed Government guidance by 2db, however the Environmental Health Officer is satisfied that this is within the 5db acceptance for reasonable internal conditions. These measures will be secured by condition. With the attenuation measures in place the development accords with Policy ENV 2 and SOH 8, in respect of ensuring that future occupiers enjoy high standards of amenity and that the noise from the business park is adequately mitigated, and with Policy ENV 9 in ensuring that the existing businesses in the Northfield Road Business Park will not have their operations restricted as a result of this development.

### **7.4 Access and impact on highway safety and the transport network**

- 7.4.1 Access to the site is from The Shades, just south of the junction with Kingfisher Drive and near to the Public Byway. This access road will spur off to the north to provide for Phase one and cross the Byway to access Phase two, with provision of private drives and courtyards. This feeder road will provide the main route for vehicles, cycles and pedestrians. A new pedestrian crossing is to be provided between the new access and Kingfisher Drive and the existing pedestrian

crossing moved further south to allow for the right hand turn lane to be accommodated.

- 7.4.2 Following lengthy negotiations, the County Highway Authority do not object to the re-location of the existing crossing and provision of a new crossing and these measures will be secured by Grampian condition to be completed prior to the completion of Phase one of the development, so following completion of 39 dwellings.
- 7.4.3 The access roads within the site have been examined by the County Highway Authority and are considered to be adequate in regard to their width, layout and visibility and built to adoptable standards. Conditions are suggested to include the submission of a traffic management plan, for the construction stage. The access location in regard to accessibility and permeability have also been assessed and deemed acceptable by the County Council Transport Planning team. The Transport Statement has been substantially amended since its original submission to overcome various concerns raised by the Transport Planning team. The team has been re-consulted on the amendments and are now satisfied that the proposed development does not have a severe cumulative residual impact on the local road network.
- 7.4.4 The Transport Planning Team have however raised no objection subject to a mitigation package to be secured by S106 or planning condition. These are;

*1.0 Provision of two bus stop shelters for the bus stops on The Shade near to The Birches. Works to include relocation of bus stops to locations suitable for a shelter and include a flag and hard standing for a shelter. Details of the bus stop locations to be submitted and agreed with the Local Highway Authority and installed as part of S278 works by the applicant. A commuted sum would be required for the future maintenance of a bus stop shelter and agreed as part of a S106 agreement of £7,000 per shelter. This will be used by Soham Town Council for the sole purpose of shelter maintenance. Works to be installed prior to occupation of any dwellings.*

#### Reasoned Justification

The relocation of the two nearest bus stops and the installation of a shelter at each bus stop as part of S278 works are key to providing travellers with adequate waiting facilities to enhance the attractiveness of local bus services. The improvement is necessary in planning terms to improve the provision at the bus stops within the vicinity of the development and to provide adequate facilities to accommodate the additional bus users resulting from the proposed development and to make bus travel more attractive to residents as an alternative to the private car. Therefore the bus stop relocation, posts and shelter provision is compliant with Paragraph 32 and 35 of NPPF. The provision of shelters is only being sought for the closest stops to the development and therefore is directly related to the development and the ones that residents from the development will use. Given that the obligation is only sought for the stops most attractive to future residents of the site this is considered reasonable in scale and kind. Maintenance. For the



bus stop shelter to remain of use and to continue to satisfy the three tests it needs to be maintained or it will fall into disrepair. This obligation is required to ensure this is the case. The level of contribution, at £7,000 has been calculated based on standard unit rates and assumptions so is therefore reasonable in scale and kind.

*2.0 Contribution of £15,000 towards the cost of the design of cycle lanes or a shared footway and cycleway linking the development with the Town Centre along The Shade, Townsend, Hall Street and Pratt Street.*

Reasoned justification

This improvement will allow residents to access Soham Town Centre and destinations between. It is considered to be in line with paragraphs 32 and 35 of NPPF, and will help reduce the traffic impact of the site on the road network of Soham and is therefore necessary to make the development acceptable in planning terms. The Shade is on the direct desire line for cycling between the site and the town centre and is therefore directly related to the development. The contribution is considered to be fairly and reasonably related in scale and kind to the development. This scheme has been identified in Cambridgeshire County Council's Transport Investment Plan and whilst a contribution has been identified for the scheme, it is intended that other developments in Soham would also make contributions towards this scheme to allow its future installation.

*3.0 Should approval be given a condition should be included for the details of the Travel Plan to be approved by the Local Planning Authority and Cambridgeshire County Council prior to occupation of any dwelling.*

Reasoned justification

A Travel Plan and Welcome Pack is necessary to make the development acceptable in planning as NPPF paragraph 36 makes it clear that Travel Plans are a 'key tool' to maximise the use of sustainable modes and should be provided for all developments that generate significant amounts of movements. A Travel Plan is appropriate for developments of this size, and consists of information for residents of sustainable travel opportunities, monitoring and promotion. The Travel Plan is directly related to the development as it will be tailored for the specific uses and needs of the development in light of the opportunities available for sustainable modes in Soham. The Travel Plan is by its nature reasonable in scale and kind.

- 7.4.5 The justification for the requirement to relocate the bus stops and provide shelters is accepted by Officers and it is considered that this mitigation measure can be reasonably sought. However, following consultation, the Town Council have advised that they are not willing to take over the long term maintenance of the bus shelters and it is therefore not reasonable to have the bus stops re-located as they were only being re-located to allow the shelters to be installed. On this basis the County have accepted that it is therefore no longer feasible to ask for this mitigation.

- 7.4.6 Officers are of the view that the third mitigation contribution for the cycleway, is not entirely reasonable as mitigation for this development and there is no certainty that the additional contributions required to make this a feasible project will actually be forthcoming in the near future to allow this development to directly benefit from it. Upon seeking further clarification the Transport team have clarified that the financial contribution sought for the cycle route is primarily to ascertain what measures are practical to improve provisions for cyclists between the site and Soham Town Centre. This will provide further details of the overall cost and design of the route, and will allow for other contributions to be targeted. It is sought where possible then to collect contributions for this scheme to make it possible and allow for improvements for cycling to be implemented.
- 7.4.7 Officers are of the view that whilst desirable this project is in its infancy and this contribution is sought prematurely and there is limited certainty that other developments would come forward in the short term to directly benefit and contribute to this cycle route
- 7.4.8 In respect of the requirement for a Travel Plan, this is considered reasonable given the requirements of the NPPF and can be secured by planning condition.
- 7.4.9 The layout indicates that two car parking spaces per dwelling will be provided and on Phase One a total of 11 visitor's spaces have been provided with 12 spaces on Phase Two. The developer has been encouraged to limit the use of tandem parking and rear parking courts which have no natural surveillance. Much of the parking provision is provided in the form of a parking space in front of a garage, with garages generally set back in the streetscene. The Highway Authority is satisfied that the spaces are adequately sited and practical to use.
- 7.4.10 Based on the consultation responses, it is considered that the layout demonstrates a safe and accessible environment has been created, allowing sufficient parking, manoeuvring and visitors parking provision. The proposal also provides for a network of routes for pedestrians and cyclists and safeguards the Byways and footpath routes in and adjoining the site. The proposal therefore complies with Policies COM 7, COM 8 and SOH 8 of the Local Plan, subject to the contributions sought above by the Transport Team.

## **7.5 Housing mix and layout**

- 7.5.1 The application proposes 88 dwellings, 22 of which are affordable housing. This equates to 25% provision so does not accord with Policy HOU 3 and SOH 8, in relation to the level of provision as these Policies require 30% provision. However the applicant submitted a viability assessment to prove that this level of provision is not viable on the scheme proposed. This has been assessed by an independent valuer who has concluded that the provision of 25% affordable housing would be viable. On this basis it is accepted that the provision of 25% should be accepted for this development. The mix of tenure will be in line with the Council's requirements of 70% rented and 30% shared ownership and mix of size has been amended to include more 2 bed units, to better reflect the current need for dwellings on the Housing Register and as advised by the Senior Housing Strategy and Enabling Officer.

- 7.5.2 The amount and mix of affordable housing will be secured by way of a S106 legal agreement.
- 7.5.3 The mix of market housing is as follows, Phase One, 12 two bed dwellings, 13 three bed dwellings and 4 four bed dwellings, Phase Two 10 two bed dwellings, 19 three bed dwellings and 8 four bed dwellings. For Phase Two, Policy SOH 8 requires a mix of dwelling types and sizes to reflect current evidence of need in Soham which the applicant advises is the case . Phase one does not accord with the mix in Policy HOU1 of the Local Plan as there are far more 2 and 3 bedroom dwellings and limited 4 bedroom properties. The applicant has advised that this mix has been chosen to reflect market demand. The applicant also advises that there is ample provision of 4 bed properties in the market place. Given the applicants submission the mix of houses is considered acceptable to meet current needs in the locality.
- 7.5.4 The obvious desire to retain as much of the existing landscape features surrounding and within the site including the Byways and public footpaths within the site, both advocated by Policy SOH 8, have formed key parameters which have dictated the layout concept, as has the need for noise attenuation. In addition, the desire to ensure existing amenities of residents adjoining the site are protected as much as possible has also formed a key factor on the layout masterplan.
- 7.5.5 The scheme as a whole comprises largely semi detached dwellings with garages set back which gives a sense of space between, with provision of 15 detached dwellings throughout to give variety. The development also incorporates a number of terraced rows to the western end of the site and the provision of cranked pairs to provide features of more interest particularly on corners fronting the open space and at the site entrance. The Shades has frontage development with vehicular access and garaging to the rear of Plots 1-5 which is welcomed as this will be in keeping with the streetscene in the vicinity of the site. Four of the frontage dwellings will have access via the frontage but the garages are set back and do not dominate the streetscene. Likewise a step is provided in the front row of dwellings to break up the length of built form.
- 7.5.6 The position of the green lane near the entrance to the site will provide an attractive feature at the site entrance which then leads directly to views of the open space situated within the middle of the site and incorporating the Byway and the bund. Dwellings front the open space giving a sense of place to the development, with footpath linkages retained across the space. The affordable homes are located on each phase of the development, along the northern edge of the site and in the south west corner to the rear of existing properties fronting The Shade. The designs are similar but give variety in detailing and window design. Materials have not been submitted but this detail can be dealt with by condition, with a view to incorporating a range of materials to add variety, by including red and buff brick with render, some use of weatherboarding and a mix of black and red pantiles and slate.

## **7.6 Public open space**

- 7.6.1 The amount of public open space provision on each phase accords with the requirements of each phase but the two spaces will adjoin one another to provide

for a more comprehensive approach. The provision within Phase two accords with the 0.3 hectares required by Policy SOH 8 and the area within Phase one is also 0.3 hectares.

7.6.2 Although the site layout plan shows provision for two LAPS', the provision would need to provide both a Local Area of Play and a Local Equipped Area of Play and these will be secured by S106 legal agreement. The noise bund has been incorporated within the open space and has been designed in consultation with the Councils Open Spaces and Facilities Manager, to maximise its use for play and with a view to the acceptable long term maintenance. Although the bund rises to a height of 2 metres it will have a 1 metre top and slopes of 1 in 3, which means it can be sensitively planted to allow scope for informal play. The open space and bund will be landscaped in accordance with a scheme to be agreed by condition and will include a scheme for the whole estate including supplementary planting were necessary and in particular along the northern edge of the Byway where it adjoins the open space. These open space areas will be provided and transferred to the Council by way of a S106 agreement for future maintenance with the payment of a commuted sum

## **7.7 Residential amenity**

7.7.1 The residents impacted by this development are to the north, south and south west of the site. To the north, the adjoining dwelling fronts The Shade and has an extensive rear garden. The dwellings immediately adjoining the property will be frontage and not impact in terms of loss of privacy or overbearing impact. Further into the site the rear of the property will be overlooked at right angles but it is considered that the properties are sufficiently far removed from the neighbouring dwelling, at some 110 metres back from the site frontage, and are at an angle which would not cause unacceptable loss of privacy. Along the southern edge of the site the dwellings will back onto the dwellings at Northfield Park which back onto the site also. The back to back distances achieved are considered acceptable, being some 10 to 15 metres away from the site boundary and the intention to retain the boundary screening will help to assimilate the development and protect residential amenity in terms of overlooking. It is acknowledged that some level of noise and disturbance will be experienced by all existing adjoining residents but this is at a level which would be expected when a new housing development takes the place of an open field.

7.7.2 To the south west corner of the site the residents will be most impacted by the development as these residents have small rear gardens with open boundaries and the dwellings themselves are of traditional scale and character. The developer has been asked to carefully consider the impact on the residential amenities of these residents. The layout has been amended to site the new dwellings away from these properties and to angle them to prevent direct overlooking of private space. The dwelling on Plot 78 has been sited side on to Number 68 and is a distance of 5 metres away from the site boundary and a distance of 11 metres away from the dwelling at Number 68, with no side windows facing into the property. The dwelling on Plot 77 is sited side on to Number 66 at a distance of 11 metres from the site boundary with intervening car parking. Car parking is also provided along the boundary fronting Plot 78. A close boarded fence will therefore be required in this location to provide adequate

privacy for these residents and this will be secured by planning condition. In terms of the impact on Number 64a, Plots 76 and 77 back the garden at right angles at a distance of 8 metres away so views will be possible into parts of that rear amenity space. However given the angle and distance this is not considered significant and will not cause direct back to back interlooking so accords with the Councils design guide. The layout therefore protects the privacy of these residents. Suitable separation distances and boundary treatments are proposed to ensure the residential amenity of the adjoining residents are not unduly compromised. It is considered that the proposal accords with Policy ENV 2 in this regard.

- 7.7.3 The layout has been assessed and it is considered that it provides a satisfactory level of amenity for the future residents of the dwellings, in relation to plot sizes and design/positioning of dwellings. It is considered that the residential amenity of the future occupiers will be safeguarded in terms of any overlooking or noise disturbance.

## **7.8 Flood Risk and Drainage**

- 7.8.1 The Lead Local Flood Authority initially raised concerns about the drainage proposals, as the existing drainage regime had not been fully understood and insufficient information was provided for on site, but also concerns were raised as to how the water would be dealt with when it left the site, as this was originally proposed to leave in a northerly direction where concerns were raised by a neighbouring resident regarding existing flooding problems. The scheme has been revised to provide for a SUDs system which utilises the existing drains on the site for storage with controlled outflow to the Boards main drain on the opposite side of The Shade. A surface water drainage condition will therefore be attached to ensure the final details for the discharge are agreed but the Lead Local Flood Authority and the IDB have advised they are satisfied that this would give an acceptable solution. Updated comments are awaited from the Lead Local Flood Authority and these will be reported verbally.

## **7.9 Ecology and biodiversity**

- 7.9.1 A preliminary ecology appraisal was submitted with the application which recommended further bat, reptile and breeding bird surveys. A protected species survey report was then requested and submitted which draws the following conclusions.
- 7.9.2 *Bats* – bats were considered to be roosting within the local area and the hedgerow along the lane experienced increased levels of bat activity. Some of this hedgerow is to be removed although habitat links across the site generally will not be severed with the retention of hedgerows along the site boundaries. Some foraging habitat will be lost temporarily until new hedgerow with trees planting along the lane is mature. Mitigation is recommended including low light levels, installation of 20 bat boxes and planting of a new hedgerow with trees along the north western boundary of the site.
- 7.9.3 *Reptiles* – a reptile survey confirmed no presence but precautionary measures are recommended for the scrub

7.9.4 *Breeding birds* – a habitat assessment was made to determine whether any birds of conservation concern might nest on the site. No significant harm was identified but mitigation is proposed in new hedging as above and provision of 20 small bird nesting boxes.

7.9.5 These mitigation measures will be secured by condition as will the retention of existing boundary hedgerows and trees and the provision of new landscaping.

## **7.10 Archaeology**

7.10.1 The developer has already undertaken excavation work on the site during the course of consideration of the planning application in accordance with Policy SOH 8. The results have identified significant remains, so the Senior Archaeologist has recommended that a programme of archaeological investigation is commissioned and undertaken before development takes place.

## **7.11 Other material matters**

7.11.1 Policy ENV 4 requires all proposals for new development to aim for reduced or zero carbon development in accordance with the zero carbon hierarchy. Applicants are required to demonstrate how they have considered maximising all aspects of sustainable design and construction. This has not been submitted as part of the planning application so will be required by condition.

## **7.12 Planning Balance**

7.12.1 The benefits of the development are the contribution it would make in terms of housing supply as well as the economic benefits of construction and additional population to support local businesses, the provision of affordable housing and public open space. These weigh significantly in favour of the proposal.

7.12.2 On balance it is considered that there will be no significant adverse impacts that would weigh against the proposal and it is therefore recommended for approval.

## **8.0 COSTS**

8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.

8.2 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.

8.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for

costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

8.4 In this case Members' attention is particularly drawn to the following points:

*Part of the site is allocated for housing and the site is within the settlement boundary of Soham.*

## 9.0 **APPENDICES**

9.1 Draft conditions

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<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
16/00535/FUM	Barbara Greengrass Room No. 011	Barbara Greengrass Senior Planning Officer
01/01160/FUL 12/00247/OUM	The Grange Ely	01353 665555 barbara.greengrass @eastcambs.gov.uk

National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](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 - 16/00535/FUM Conditions

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

Plan Reference	Version No	Date Received
14:083-210		17th January 2017
14:083-211		17th January 2017
14:083-212		17th January 2017
14:083-213		17th January 2017
14:083-214		17th January 2017
14:083-215		17th January 2017
14:083-216		17th January 2017
14:083-217		17th January 2017
14:083-218		17th January 2017
14:083-219		17th January 2017
14:083-220		17th January 2017
14:083-221		17th January 2017
14:083-222		17th January 2017
14:083-223		17th January 2017
14:083-224		17th January 2017
14:083-225		17th January 2017
ACOUSTIC REPORT		17th January 2017
002/2015/07	P1	7th February 2017
002/2015/03	P3	15th February 2017
FLOOD RISK ASSESSMENT		7th February 2017
002/2015/05	P1	7th February 2017
TREE SURVEY		17th January 2017
ARCHAEOLOGICAL TRIAL		17th January 2017
TRANSPORT ASSESMENT		17th January 2017
002/2015/06	P2 22/02/2017	22nd February 2017
14:083-102	F	17th February 2017
14:083-103		17th February 2017
14:083-126		7th December 2016
PROTECTED SPECIES SURVEY REPORT		24th October 2016
002/2015/01 DRAINAGE	P2	10th November 2016
BOUNDARY TREATMENT		18th April 2016
GEO-ENVIRONMENTAL DESK STUDY		18th April 2016
ECOLOGICAL APPRAISAL		18th April 2016
STAGE 1 SAFETY AUDIT		29th November 2016
14:083 - 1000 LAND AC		16th November 2016
PLANNING STATEMENT		4th May 2016
14:083-26		4th May 2016
14:083-0		4th May 2016
VIABILITY APPRAISAL		8th September 2016

- 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 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. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:
  1. The approval of a Written Scheme of Investigation to include the excavation and recording of archaeological remains and an appropriate outreach element;
  2. Fieldwork in accordance with the agreed Written Scheme of Investigation;
  3. Completion of a Post-Excavation Assessment report (PXA) and approval of an approved Updated Project design: to be submitted within 6 months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;
  4. Completion of the programme of analysis and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority ;
  5. Production of an archive report and the preparation of site archive for deposition at the Cambridgeshire Archive facility, or another appropriate store approved by the Planning Authority.

Developers will wish to ensure that in drawing up a scheme, the timetable for the investigation is included within the details of the agreed scheme.

- 3 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.
- 4 Prior to the commencement of development, a site wide Construction Environmental Management Plan (CEMP), shall be submitted to and approved in writing by the local planning authority. The CEMP shall accord with and give effect to the waste management principles set out in the adopted Cambridgeshire & Peterborough Minerals and Waste Core Strategy (2011) and Waste Hierarchy. The CEMP shall include the consideration of the following aspects of construction:
  - a) Site wide construction and phasing programme
  - b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers
  - c) Construction hours
  - d) Delivery times for construction purposes
  - e) Soil Management Strategy including a method statement for the stripping of top soil

- for re-use; the raising of land levels (if required); and arrangements (including height and location of stockpiles) for temporary topsoil and subsoil storage to BS3883 (2009) and / or its subsequent amendments
- f) Noise monitoring method including location, duration, frequency and reporting of results to the LPA in accordance with the provisions of BS 5228 (2009) and / or its subsequent amendments
- g) Maximum noise mitigation levels for construction equipment, plant and vehicles
- h) Vibration monitoring method including location, duration, frequency and reporting of results to the LPA in accordance with the provisions of BS 5228 (2009) and / or its subsequent amendments
- i) Setting maximum vibration levels at sensitive receptors
- j) Dust management and wheel washing measures to prevent the deposition of debris on the highway
- k) Site lighting
- l) Drainage control measures including the use of settling tanks, oil interceptors and bunds
- m) Screening and hoarding details
- n) Access and protection arrangements around the site for pedestrians, cyclists and other road users
- o) Procedures for interference with public highways, (including public rights of way), permanent and temporary realignment, diversions and road closures.
- p) External safety and information signing and notices
- q) Liaison, consultation and publicity arrangements including dedicated points of contact
- r) Consideration of sensitive receptors
- s) Prior notice and agreement procedures for works outside agreed limits
- t) Complaints procedures, including complaints response procedures
- Membership of the Considerate Contractors Scheme
- u) Location of Contractors compound and method of moving materials, plant and equipment around the site
- v) An Emergency Incident Plan for dealing with potential spillages and / or pollution incidents.

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

- 4 Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers (District Council to insert policy references); and to comply with the National Planning Policy for Waste October 2014; and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012.
- 5 Prior to the commencement of development, a Detailed Waste Management and Minimisation Plan (DWMMP) shall be submitted to and approved in writing by the local planning authority. The DWMMP shall include details of:
  - a) Construction waste infrastructure if appropriate including a construction material recycling facility to be in place during all phases of construction

- b) anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste.
- c) measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site.
- d) any other steps to ensure the minimisation of waste during construction
- e) the location and timing of provision of facilities pursuant to criteria a/b/c/d.
- f) proposed monitoring and timing of submission of monitoring reports.
- g) the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development.
- h) a RECAP Waste Management Guide toolkit shall be completed, with supporting reference material
- i) proposals for the management of municipal waste generated during the occupation phase of the development, to include the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable material; access to storage and collection points by users and waste collection vehicles

The Detailed Waste Management and Minimisation Plan shall be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

- 5 Reason: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with the National Planning Policy for Waste October 2014; and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012.
- 6 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 08:00 to 18:00 each day Monday-Friday, 08:00 to 13:00 on Saturdays and none on Sundays, Bank or Public Holidays.
- 6 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 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 approved scheme(s) shall be implemented prior to occupation of any dwelling.
- 7 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 would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 8 Prior to commencement of development, an access scheme shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall include provision for;
  - a. the design of access and public rights of way routes and their surfacing, widths, landscaping and structures.

- b. any proposals for diversion and closure of public rights of way and alternative route provision.
- 8 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 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 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.
- 9 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.
- 10 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.
- 10 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.

- 11 No development shall take place until details of the position and number of fire hydrants required has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details, including any phasing arrangements.
- 11 Reason: To ensure the appropriate infrastructure is in place to ensure adequate public safety in accordance with Policies Growth 3 and ENV 2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted
- 12 The noise attenuation measures as detailed within the Noise Impact Assessment January 2017 and detailed on the site layout plan 14:083-102 Rev F, shall be implemented in accordance with those details. The noise bund shall be constructed and completed prior to occupation of any dwelling and the acoustic fencing relating to the individual plots concerned shall be installed prior to occupation of the affected dwelling. The acoustic trickle ventilators to the windows of the properties identified on the layout plan, shall be installed prior to occupation of that dwelling, to accord with the specifications to be first agreed in writing by the Local Planning Authority.
- 12 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 The tree protection measures as shown on drawing TIP17-1103L shall be implemented prior to the commencement of development on the relevant Phase, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development of the relevant phase is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered
- 13 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.
- 14 Prior to first occupation of any dwelling on the relevant Phase a full schedule of all soft landscape works, for that phase, shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 14 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 15 Prior to any occupation of any dwelling on the particular Phase, a scheme for the maintenance of the soft landscaping for a minimum period of ten years from last occupation, for that phase, shall be submitted to and agreed in writing by the Local Planning Authority. All works shall be maintained in accordance with the agreed scheme. The scheme shall include the following:
  - i) methods for the proposed maintenance regime;
  - ii) detailed schedule;
  - iii) details of who will be responsible for the continuing implementation
  - iv) details of any phasing arrangements
- 15 Reason: To ensure the longevity of the landscaping scheme, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 16 No above ground construction shall commence within each Phase, until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority, for that phase. The boundary treatments shall be in situ in accordance with the approved details prior to the occupation of the dwelling to which it relates. The details shall include the provision of a 1.8m high close boarded boundary fence along the western boundary of the site alongside Plots 77 to 87 to be erected prior to the commencement of development on Plots 76 - 83 and Plots 87 - 88.
- 16 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 17 Upon commencement of development of phase two the gated entrances on the eastern and western boundaries of the site shall be permanently kept shut and shall not be used as a means of vehicular access to the site.
- 17 Reason: To safeguard the residential amenity of neighbouring occupiers, and in the interests of highway safety in accordance with policies ENV2 and COM 7 of the East Cambridgeshire Local Plan 2015.
- 18 Prior to the occupation of the last dwelling on Phase one, the existing Zebra crossing on The Shade shall be relocated and the new pedestrian crossing point installed in accordance with the approved drawing number 14:083-102 Rev F, to Cambridgeshire County Council standard.
- 18 Reason; In the interests of highway safety in accordance with policy COM 7 of the East Cambridgeshire Local Plan 2015. This is a Grampian condition.
- 19 No above ground construction shall take place within each Phase on site until details of the external materials to be used on the development of that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 19 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 20 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 adopted County road in accordance with the details approved on drawing number 14:083-102 Rev F.
- 20 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 21 Prior to commencement of the development of each Phase wheel washing facilities shall be provided on site and retained during construction of that phase.
- 21 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 22 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 on each phase.
- 22 Reason: To ensure that the highways end appearance is acceptable and to prevent the roads being left in a poor/unstable state, in accordance with policies COM7 and ENV2 of the East Cambridgeshire adopted Local Plan April 2015.
- 23 Development shall not begin 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 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) Temporary storage facilities;
- 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;
- i) A timetable for implementation
- j) The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

- 23 Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development in accordance with policies ENV 2 and ENV 8 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.
- 24 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 purposes. The maintenance plan shall be carried out in full thereafter.
- 24 Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework and policies ENV 2 and ENV 8 of the East Cambridgeshire Local Plan 2015.
- 25 Prior to the commencement of development, 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.
- 25 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015. This condition is pre-commencement as some of the measures may be below ground level.
- 26 The development shall be carried out in accordance with the mitigation and enhancement proposals contained within Section 4 of the Protected Species Survey report dated October 2016.
- 26 Reason: To protect species and sites of nature conservation, in accordance with Policies ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 27 Prior to occupation of the first dwelling on each phase, a travel plan, to include information for residents of sustainable travel opportunities, monitoring and promotion, shall be submitted to approved by the Local Planning Authority and thereafter provided in accordance with those details.



- 27 Reason: In order to maximise the use of sustainable modes of transport in accordance with paragraph 36 of the National Planning Policy Framework.
- 28 No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority. The principle areas of concern that should be addressed are:
- i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
  - ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
  - iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
  - iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway
- 28 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.
- 29 The development hereby permitted consists of two phases as shown on Drawing No. 14:083-102 rev F and shall be completed in accordance with the phasing plan submitted.
- 29 Reason: The applicant has requested that the development be undertaken in a phased manner for the purposes of CIL.