
MAIN CASE

Reference No: 16/01772/FUM

Proposal: Full application for the erection of 77 no. dwellings for residential use along with access, associated landscaping parking and infrastructure

Site Address: Land Adjacent 43 Mepal Road Sutton Cambridgeshire

Applicant: Linden Homes

Case Officer: Julie Barrow, Senior Planning Officer

Parish: Sutton

Ward: Downham Villages
Ward Councillor/s: Councillor Anna Bailey
Councillor Mike Bradley

Date Received: 11 January 2017 **Expiry Date:** 28 July 2017

[S39]

1.0 **RECOMMENDATION**

1.1 Members are requested to delegate APPROVAL of this application to the Planning Manager, following 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.

- 1 Approved plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Archaeological Investigation
- 4 Surface water drainage/SuDS
- 5 SuDS maintenance
- 6 Foul drainage
- 7 Waste management and minimisation plan
- 8 Fire hydrants
- 9 Reporting of unexpected contamination
- 10 Tree Protection Measures
- 11 No pruning/cutting or felling/removal
- 12 Soft landscaping scheme
- 13 Landscaping maintenance
- 14 Hard landscaping
- 15 Sample materials
- 16 Noise mitigation
- 17 Construction times

- 18 Construction Environmental Management PI
- 19 Plot 18 fixed glazing
- 20 Permitted development - ext and outbldg
- 21 Estate road construction
- 22 Estate Rd before last dwelling occupied
- 23 Standard Estate Road
- 24 Visibility splays
- 25 Access drainage
- 26 Biodiversity Improvements
- 27 Sustainability statement
- 28 LAP details
- 29 Footpath widening
- 30 Travel Plan Welcome Pack

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks consent for the construction of 77 dwellings for residential use together with the access, associated landscaping, parking and infrastructure.
- 2.2 The application was originally submitted as a hybrid application with full planning permission sought for the construction of 77 dwellings, on a site broadly the same as that now under consideration, and outline consent sought for up to 350 dwellings on land to the north and west of the current application site. Following receipt of a number of consultee comments regarding the hybrid scheme the applicant withdrew the outline element of the application and is proceeding at this time with only the full element. The applicant is continuing to discuss the principle of an outline application with a number of consultees with a view to the submission of an outline application in the future.
- 2.3 The application is supported by the following documents:
 Design and Access Statement
 Management Company Statement
 Arboricultural Survey
 Phase 1 Geo-Environmental Desk Study
 Phase 2 Geo-Environmental Site Investigation
 Preliminary Ecological Appraisal
 Surface Water Drainage Strategy
 Flood Risk & Drainage Statement
 Sustainability Statement
 Statement of Community Involvement
 Heritage Assessment
 Transport Assessment and Technical Addendum
 Lighting Report
 Landscape Management Plan
 Utilities Statement
 Report on Existing Noise Climate
- 2.4 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.

3.0 **PLANNING HISTORY**

3.1

16/01173/SCREEN	SCREENING Proposed development	OPINION residential	13.09.2016
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4.0 **THE SITE AND ITS ENVIRONMENT**

4.1

The site is located on the northern edge of the village and is currently used for agricultural purposes and was previously a part of the former WWII Mepal Airfield. The site's southern and eastern boundaries are defined by fencing and Old Mepal Road respectively, the northern and western boundaries face out onto open countryside. The land to the south is predominantly in residential use with a mixture of ribbon development and modern housing estates. The A142 is situated to the north-east of the site, beyond a wooded area on the edge of the village.

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.

Sutton Parish Council (on Full application) – Sutton Parish Council opposes a development of more than 250 homes as indicated in the emerging Local Plan. The current Local Plan 2015 indicates only 50 dwellings on the proposed development site.

Sutton Parish Council has concerns that the proposed application cannot be supported locally in regards to increase in traffic, school places and capacity at the doctor's surgery.

Sutton Parish Council strongly request that ECDC look at the capacity of these services. The Primary school will not cope with the development as indicated by CCC and the school.

Sutton Parish Council supports the CC Officer response dated 7 February 2017 submitted to ECDC in relation to the education section 2.

Would like the following conditions added to the application:

1. Open space to be released during the first stage of development and not wait until the full development is completed
2. Burial ground – Developer to facilitate the provision of a burial ground in a suitable area of the village not necessarily as part of the development

In addition the Parish Council would like to ensure that the Public Open Space can be fully used and is not part of the drainage plans e.g. swale.

Witcham Parish Council (on Full application) – The Council has concerns and reiterates the comments in respect of the previous application, namely whilst the

Council is not opposed to the development (outside of the Parish of Witcham) there are concerns regarding the impact on local infrastructure which would affect the residents of Witcham. For example more traffic on the A142 which will cause more congestion getting to and from Witcham both at the Witcham Toll and Mepal access points (requires roundabouts as at Sutton to improve safety and traffic flow for those entering on to/leaving the A142), schools doctors and other health and emergency services, sewerage and water systems etc.

Mepal Parish Council (comments made on 16/01772/OUM) – Whilst the council was not opposed to the development of Phase 1 (outside the Parish of Mepal) there are concerns regarding the impact on local infrastructure which would affect the residents of Mepal. The development would mean more traffic on the A142 which will cause increased congestion at the Sutton roundabout heading to Ely and potentially an increase in traffic cutting through Mepal and Witcham to avoid the roundabout at Sutton. The increased pressure on the doctor's surgery in Sutton which is used by many Mepal residents is a concern. It was discussed that the development could potentially benefit Mepal & Witcham Primary School as it is the only school in the area with capacity at the moment.

Ward Councillor – No comments received.

Fenland District Council – No objection.

CCC Transport Planning (first response) –

- 16/01645/FUL should be included as a committed development and included within the assessments.
- Assessments of the site access junction, roundabout of Mepal Road with Ely Road and The Brook, junction of The Brook with High Street and roundabout of Ely Road with A142 required.
- Accident study and proposed trip generation accepted.
- Distribution and assignment – model should be increased to 60 minutes.
- Design Year Assessment – noted that only an assessment of the roundabout of Mepal Road with The Brook and Ely Road has been undertaken.
- Access details need to be agreed.
- Parking should be provided in accordance with ECDC standards.
- Further off-site impact assessments need to be carried out.

CCC Transport Planning (second response) –

- The Gravity model is acceptable for use in this assessment.
- The inclusion of application 16/01645/FUL is acceptable.
- The PICADY assessment has been undertaken using version 5.1. This is out of date and does not use the latest algorithms. The Highway Authority does not accept anything older than version 6. It has previously been requested that dimensioned plans be provided showing the geometry inputs into ARCADY/PICADY.
- It is noted that the proposed development has an impact on the roundabout of A142 with Ely Road and the business park and the junction of the Brook with High Street. The Highway Authority acknowledges that the two junctions have capacity issues at the moment, but by adding the development traffic this will make the issue worse. The vehicles from the development will just join the end

of the queue making the junctions even more over capacity. Details need to be provided demonstrating how the development is going to mitigate its impact on the highway network.

CCC Transport Planning (third response) –

- The modelling using PICADY version 5.1 has been verified by the applicant and is accepted.
- The dimension plans have been provided and the models are agreed.
- 3 It is noted that the junctions of the roundabout of A142 with Ely Road and the business park and the junction of the Brook with High Street have capacity issues, and will be made worse by the development. However, this development's impact is not considered to be severe in scale.
- The development is expected to increase pedestrian and cycle flows between the site and the village amenities. The following mitigation package is considered to be essential to mitigate the development and therefore would seek to be agreed with the applicant as follows.

These measures are to give choice and improve the potential take up of walking and cycling and are requested via a planning condition. These are:

- Widening of the footway on the west side of Mepal Road to 2.5m in width where possible to allow for shared walking and cycling between the site and its junction with The Brook. The details of this should be agreed with the Local Planning and Highway Authority as part of a S278 agreement;
- That should approval be given a condition is added requiring the Travel Plan Welcome Pack to be agreed with the Local Planning Authority prior to the occupation of any dwelling.

Local Highway Authority (first response) –

The Highway Authority has the following comments and requests that the information and details therein are provided prior to the determination of this application

Highways Adoption

The highways authority will be unable to adopt areas of water attenuation, filtration, SUDs, carriageway and footways with water attention underneath, public open space or footpaths/cycleways through them, car parking areas or trees within the highway.

Where the adopted highways surface water is discharged in to an area of attention these area must be adopted by an authority or governing body in order for the discharging highway to be adopted.

We would be unable to adopt the road to the south west of the site (plots 23 -33) as parking spaces have been allocated to property numbers which is not permitted in the adopted highway. We would only be able to adopt the footway and school cycle/pedestrian link (adjacent to the carriageway only) if it connects to the other adopted road within the estate.

Any street lighting on adopted roads will need to be approved by the CCC lighting team. This aspect is outside the remit of this application and will be determined upon technical approval of adoption under S38 (HWA80)

Design Layout

No priority route has been shown on the shared use area adjacent to plots 21 to 23

No footway widening has been shown at the front of the site on Mepal Road. The section of footway leading to the proposed access (phase 1) is too narrow to accommodate this development or the shown numbers in the masterplan. These details should be submitted as part of phase 1. It states with the D&AS (SUT 1) that pedestrian links and highways improvements will be included but these details must be determined as part of the access approval for this phase.

Masterplan & Phase 2 comments

If the internal roads are not adopted it is unclear how the legal right of passage for the public will be secured to the proposed burial grounds, open spaces, football fields.

The access on Mepal Road will require a footway fronting the site to be provided. This will also need to be illuminated as per CCC standards.

Local Highway Authority (second response) –

With a development of this size we would normally seek to adopt the estate roads. However due to the drainage strategy put forward and the layout of the roads in section we would be unable to do so.

The footway widening on Mepal Road has been added for the length of the site. It will be for my Transport Planning Colleagues to determine if the footway is wide enough to accommodate the number of pedestrians in this development and the wider masterplan.

CCC Growth & Development (on full application) - The following number of children would be expected from this development, being:

77 dwellings (based on the tenure mix given in planning application but where intermediate housing has been treated the same as market housing for child yield purposes).

- 25 early years children of which 13 would be eligible for funded places.
- 24 primary school children
- 15 secondary school children

Early Years - Additional Early Years places will be required.

Primary - The Council is proposing to mitigate the impact of current and allocated housing in Sutton through provision of a 0.5 FE extension to the primary school which will provide 105 new places. Although not a consideration for this planning application, the Council highlights that should future unallocated development in Sutton come forward, the proposed school expansion may not be sufficient and

then a revised project will be needed which may require a larger expansion of the school and which may also need to include the acquisition of further, additional land outside of the current primary school boundary.

Secondary - Witchford Village College currently operates at full capacity, having already increased its Planned Annual Number (PAN) intake from 150 pupils per annum to 180 pupils per annum, and whilst some pupils are from out-of-catchment, these numbers are limited to siblings. It is forecast that there will be pressure for places at the college going forward as a result of proposed development and in-catchment pressures and therefore the Council proposes that 2FE (300 places) will be required at the College, of which the wider development would account for approximately a third of those places.

Library provision - The development will be served by mobile library provision, as there is no static library provision in Sutton since the small community library closed in 2002. The mobile library service currently visits Sutton on the 1st and 3rd Tuesday of each month, stopping at Scott Court and the Brooklands Centre. These stops already serve the existing community of about 4,000 residents. If this development were consented it would increase the population by 193 which would place some pressure on the existing mobile service.

Household waste recycling facilities - Household waste from residents of this development will be served by the Witchford site for which a project is identified on the Regulation 123 List.

CCC Waste Planning Authority (comments made on 16/01772/OUM) - The proposed development does not fall within any designations made by the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy or Site Specific Proposals Plan. However, Policy CS28 Waste Minimisation, Re-use, and Resource Recovery of the adopted Core Strategy requires any development over the value of £300,000 to provide a waste management audit and strategy, and to submit a completed RECAP Waste Management Design Guide Toolkit. Both of these requirements can be secured by planning condition

CCC Historic Environment Team (comments on 16/01794/OUM) – Records indicate that the site lies in an area of high archaeological potential. There is no objection to development proceeding subject to a programme of archaeological investigation secured by condition.

Lead Local Flood Authority (first response) -

The submitted documents have been reviewed and at present the LLFA object to the application for the following reasons:

1. The pipe numbering used in the MicroDrainage outputs does not match that used on the Phase 1 Drainage Strategy drawing (828-07-01, Rev P2); therefore we cannot assess whether the outputs accurately reflect how surface water will drain following development

2. The attenuation basin is located in an area shown to provide public open space. Whilst as LLFA we support the multi-functional use of spaces, the basin is an

'online' feature and is therefore likely to be wet for a considerable amount of time throughout the year.

3. The Phase 1 Drainage Strategy drawing (828-07-01, Rev P2) shows crates being used along the southern boundary. Whilst the LLFA is not averse to the use of such crates, they are presently shown to be within multiple ownership (i.e. some crates cross from public space into private gardens. This presents maintenance issues; therefore they should be located wholly within either public or private areas.

4. The applicant has not submitted a management/maintenance plan detailing who will be maintaining the different elements of the surface water drainage scheme and the activities that will need to be undertaken.

5. It is unclear how the overland flow routes have been derived as some are shown to flow uphill.

Lead Local Flood Authority (second response) -

Since our letter dated 22nd May 2017 we have received an updated Drainage Strategy drawing from the applicant to correct the pipe numbering. Whilst there still appear to be some discrepancies, these are minor in nature and as such we are willing to remove our objection subject to appropriate conditions.

Environment Agency – Refer to comments made on hybrid application:

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 Materials Management Plan, so opportunities for waste minimisation, reuse and recycling are realised at the earliest stage.

There is no mention of waste or resource efficiency, which appears to be an oversight given the quantities of construction waste that would be generated on site, not to mention the municipal waste arising associated with the operational phase. The only reference to soil removal and use on site during construction was made in the Phase 2 Geo Environmental site investigation report.

The interaction of development planning and water resource management is a key issue for this region, and there are three key elements to consider. (These feature in Section 7.8 of the Regional Water Resources Strategy published in 2001). Our comments are made under these key aspects.

Development should not be committed ahead of secure water supplies.

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. We 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. We support all initiatives aimed at reducing water use. The extent of water efficiency measures adopted will affect the demand for water for the development and we 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 we wish to see incorporated include low flush toilets, low flow showerheads, water butts for gardens etc. We also support 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.

It is the responsibility of the applicant to ensure that no local water features (including streams, ponds, lakes, ditches or drains) are detrimentally affected, this includes both licensed and unlicensed abstractions.

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.

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

Natural England (comments made on 16/01772/OUM) – Based on the plans submitted natural England considers that the proposed development will not have likely significant effects on the Ouse washes SSSI, SAC, SPA and Ramsar site.

Green infrastructure (GI) provision indicated in the submitted Masterplan appears to fall short of current best practice standards. Development on this scale should be expected to incorporate significant high quality, accessible GI, ideally around 40% of the development by area should consist of GI and its design should complement the objectives and targets of the Cambridgeshire Green Infrastructure Strategy.

Natural England expects the LPA to assess impacts upon local sites (biodiversity and geodiversity), local landscape character and local or national biodiversity priority habitats and species.

CPRE (comments made on 16/01772/OUM) - CPRE notes that the land has been allocated in the Local Plan for housing and thus makes no comment on the suitability of the site for housing as the Local Planning Authority has conceded the principle of development. However, CPRE is concerned about the effect such a large housing estate will have on the neighbouring flat open countryside. Softening the edge of the development is required to reduce impact on flat open countryside. We therefore note with approval the Design and Access Statement for land North of The Brook which at para.5.9 states: *The design of the layout has particular regard*

to the scale, height and massing of buildings and landscaping, in order to minimise amenity impact on adjoining properties whilst recognising the need to provide an attractive rural edge to Sutton's northern boundary. The plans do indeed show the edge of the development will be planted with large-growing trees.

Cambs Fire & Rescue (comments made on 16/01772/OUM) – Should the Planning Authority be minded to grant approval the Fire Authority would ask that adequate provision be made for fire hydrants.

Designing Out Crime Officer - This appears to be a very acceptable layout allowing high levels of natural surveillance. Vehicle parking is within curtilage of the property, allowing natural surveillance designed to deter searching behaviour and distraction type offences, particularly if occupants are vulnerable or elderly. This office is happy to support this Application, and would welcome communication with the Applicant should this receive planning approval so we can advise on security aspects of the build and the public open space to ensure that defensible space areas are clearly defined to help promote the area of the house and garden as being private. It is noted that 30% of the properties will be affordable and should the applicant wish to submit an Application for Secured by Design this office will be happy to consult.

East Cambridgeshire Access Group (comments made on 16/01772/OUM) – Concerned about the access onto the A142 via Ely Road with the proposed level of traffic.

Environmental Health (Scientific Officer) – The finding of the Phase I Geo-Environmental Desk Study dated March 2016 and Phase II Geo-Environmental Site Investigation dated February 2016 prepared by BRD are accepted. The site poses a low risk from contamination once the former runway has been removed. It is recommended that a condition requiring further site investigation is not required. An unexpected land contamination condition is recommended.

Conservation Officer – There will be very limited impact on the designated heritage assets identified within the heritage statement. It would have been useful to show the position of the plates on a map to show the exact view taken, particularly to prove that there are no existing views towards the church tower to the south from the north.

The overall layout appears to be well considered in the most part with the LAP and the possible SUDS pond to the east of the site being well overlooked.

To the southwest of the site there is a large rectangular area which it is unclear what this is? Also the row of terraced properties along the southern boundary to the site doesn't appear to fit with the layout of the rest of the site, in particular with parking areas all being located immediately in front of the properties to the south and north. This should be looked at to see if this could be broken up and appear less car dominant.

The design of the proposed dwellings is of a standard house type to be expected from a large house builder and whilst inoffensive is relatively uninspiring. There is

however a consistent approach across the site and a variation of materials including brickwork and render.

Trees Officer - This proposal is for a large development upon existing agricultural land. There are existing trees upon the boundary of the site and a small band of existing trees within the site. The trees upon the boundary of the site are for retention with additional planting while the trees within the site are to be removed.

There is no objection to the principle of development in this location with the retention of the boundary trees. The loss of trees internally is acceptable with successful replanting within the development.

The success of this scheme is highly dependent upon a quality landscaping proposal. A landscape architect should be consulted for a full assessment of these and future plans.

Waste Strategy Team (first response) –

Of the 77 units shown the waste team expects at least 36 to fall into the category of private/unadopted driveway including the majority of the affordable/housing association properties.

All of these properties would be expected to bring bags and bins to the adopted highway for collections on the relevant day which in turn may lead to bins being left out continuously, black sacks being put out early leading to spillages cause by animals and fly-tipping as has been seen in many other areas of similar poor design.

Concerns have also been raised about the 'central square' adjacent properties 21-23 as the turning circle for a refuse freighter would not allow for it to easily manoeuvre around this area, also as there is no turning circle at the end of properties 24-33 as mentioned above making the entire area unsuitable for waste collections.

The waste team would request that the developers provide an updated version of the site plans having consulted the RECAP Waste Management Design Guide to take into account vehicle turning circles, distances residents and crews would have to move bins and bags and the possibility of a recycling centre in part of the extended site given the number of properties.

5.2 Site notices posted, advertisements placed in the Cambridge Evening News and adjoining occupiers notified. The responses received are summarised below. A full copy of the responses are available on the Council's website.

9 responses received to 16/01772/OUM raising the following points –

- The school does not have capacity for this level of development.
- Overall development should be restricted to no more than 120 homes.
- The village is getting too large. School, Doctors surgery and roads cannot cope.
- Loss of 'open fields' view.
- Abundance of wildlife in woodlands.
- Proposal too large – will enlarge the village by approx. 25-30%.

- Little public advice on improvements to infrastructure.
- Local Plan proposes 50 dwellings in phase one. Applicant proposes 77.
- Revised draft Local Plan proposes 25 dwellings. Applicant proposes 427.
- Volume of traffic on Mepal Road and B1381 including construction traffic.
- No additional on-site retail, education or health facilities.
- Some residents experience problems with the capacity of the existing potable water systems and drainage network.
- Primary school currently using temporary portacabins.
- Are traffic calming measures and additional crossings proposed?
- Current park in terrible state. What provisions will be made for another play park?
- What will noise restrictions be during construction process?
- Loss of light and privacy to homes that border the site.
- Plans show access path to rear of existing dwellings – could cause security issues.
- Development will create noise and dust/dirt.
- Not to our gain to build on greenbelt area.
- Concerns regarding surface water drainage. At present the ditch to the SE corner blocks and on occasion floods.

3 responses received to 16/01772/FUM raising the following points –

- Do not want any more greenfields to be taken and turned to concrete.
- See no benefit to the village – only greed on the developer’s part.
- 77 houses are over and above the 50 originally mentioned.
- Does not appear to be any infrastructure in place to accommodate an increase in population.
- Surgery and school already oversubscribed.
- Increase in traffic entering and leaving the village.
- Whole scheme will make Sutton a small town rather than a village.
- See comments made on original planning application.
- 77 homes too dense for this small space.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

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

ENV 9	Pollution
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision
SUT 1	Housing allocation, land north of The Brook

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations

Design Guide

Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

Flood and Water

6.3 National Planning Policy Framework 2012

6 Delivering a wide choice of high quality homes

7 Requiring good design

10 Meeting the challenge of climate change, flooding and coastal change

11 Conserving and enhancing the natural environment

7.0 PLANNING COMMENTS

7.1 Principle of development

7.1.1 The majority of the site is located within the established settlement boundary of Sutton and has been identified within Policy SUT1 of the East Cambridgeshire Local Plan as a housing allocation for the development of 50 dwellings. The principle of residential development on the site is therefore acceptable. The application seeks consent for the construction of 77 dwellings and the difference in the number of dwellings proposed is addressed below.

7.1.2 The site is located on the northern edge of Sutton, adjacent to existing residential development and within close proximity to the range of local services that are on offer in the village. 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.

7.1.3 The Council 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.

7.1.4 The benefits of the application are considered to be the provision of 77 dwelling, 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.

- 7.1.5 The application site, together with the additional land to the north and west that originally formed part of the hybrid application is included in the draft Local Plan, with draft Policy SUT.H1 proposing that development of the site should provide in the region of 250 dwellings, new football pitches, land for a burial ground, public open spaces and areas of play. The draft Local Plan has undergone two rounds of public consultation, however, at present the document has very limited weight.
- 7.1.6 Policy SUT1 within the current Local Plan requires development proposals for this site to demonstrate how they fit with the longer-term plans for the area to the north of The Brook via an indicative Development Framework or broad concept plan for the whole area. The applicant has therefore submitted a Masterplan with this application, based on the original hybrid application. The Masterplan includes the provision of public open space, a SuDS pond, potential burial ground and football pitches. It should be noted that Sutton Parish Council has indicated that it may wish to see the burial ground located elsewhere in the village and for the applicant to facilitate this.
- 7.1.7 Notwithstanding the above, the applicant has shown its intention to bring forward the wider site and is actively engaging with various stakeholders in order to inform a further outline planning application. The approval of this application would not preclude any additional development.
- 7.2 Housing density, mix and layout
- 7.2.1 The application proposes 77 dwellings, 23 of which are affordable units (30%). The affordable element complies with Policy HOU3 and SUT1. The applicant has stated that the precise mix of housing has been informed through market research and discussions with the Council's Senior Housing Strategy and Enabling Officer.
- 7.2.2 Policy SUT1 states that approximately 2.5 hectares of land is allocated for 50 dwellings. This application seeks consent for 77 dwellings on a slightly larger site, extending to over 2.8 hectares. Policy SUT1 does not give any reasoned justification or evidence for the development of 50 dwellings and the applicant has sought to bring additional land forward as part of this application in order to provide additional open space. As stated above the applicant is committed to developing the wider site and this first phase of development is seen as the financial enabler for the remainder of the land.
- 7.2.3 The density of the development now equates to 27dph and Policy HOU2, which relates to housing density, states that the appropriate density of a scheme will be judged on a site-by-site basis taking into account a number of criteria including the existing character of the area and the need to make efficient use of land. The area to the east and south of the site is residential in nature with varying densities from 22dph on the north side of Tower Road to 36.3dph on the northern edge of St Andrews Close. Given that it is anticipated that the land to the north and west of the site will be developed in the future it is considered that the density proposed reflects the general character of the area and is acceptable on this occasion.
- 7.2.4 The 23 affordable dwellings will be made up of 16 two bed units and 7 three bed units. All of the dwellings on site are either two or two-and-a-half storeys in height. In her initial Comments the Council's Senior Housing and Enabling Officer stated

that there is considerable demand for one bed properties in Sutton and that there is little demand for 4 bed properties. The lack of any 4 bed affordable dwellings was therefore not of concern.

- 7.2.5 The applicant was invited to reconsider the mix of smaller affordable dwellings and has increased the number of 2 bed dwellings during the course of the application. The applicant has also stated that the size of the 2 bed units is comparable to the HCAs guidelines for a 1 bed unit. The applicant also maintains that the proposed mix is based on recent local market research and meets local need. The Senior Housing and Enabling Officer has since reviewed housing needs data gathered last year that indicates that there is a need for a wider range of house types in Sutton. As the mix of affordable housing proposed does still meet housing need she has no objection to the proposal.
- 7.2.6 The majority of the affordable units are concentrated in the south-west corner of the site, on either side of a strip of woodland that is to be retained on the site. Parking provision for these units is to the front of the dwellings and amendments have been made to the road and footpath layout to improve pedestrian safety. Two pairs of shared ownership semi-detached dwellings are located more centrally on the site. Policy HOU3 makes reference to the need to physically integrate the affordable units into the open market housing development by using appropriate design methods. The applicant has not agreed to requests to better integrate the affordable units and maintains its view that the future provider of these units will prefer them to be arranged in this way. In the absence of any evidence of this from the provider it is considered that the proposal does not strictly accord with Policy HOU3 in this regard.
- 7.2.7 Of the 54 Market dwellings proposed there will be 2 two bed units, 20 three bed units, 30 4 bed units and 2 five bed units. The mix is weighted towards larger properties and does not strictly accord with the indicative mix set out in the Developers Contributions SPD. The applicant maintains that the mix proposed is in direct response to local need. Additional evidence from Carter Jonas has been supplied by the applicant and refers generally to the lack of demand for 1 bed units, with most first time buyers preferring to purchase a 2 bed unit.
- 7.2.8 Policy HOU1 expects developments of 50 or more dwellings to provide a proportion of dwellings that are suitable or easily adaptable for occupation by the elderly or people with disabilities. The applicant has advised that the “Deeping” house type of which there are 7 proposed, meets the Building Regulations 2010 Approved Document M4 category 3: wheelchair user dwellings – 2(a) ‘allow simple adaptation of the dwellings to meet the needs of occupants who use wheelchairs’.
- 7.2.9 Policy SUT1 makes reference to the need for the provision of an element of self-build properties. This has not been included as part of this scheme with the applicant intending to incorporate an area for self-build plots within the wider area. Given that this is an enabling form of development and self-build plots are generally required to be provided on schemes of more than 100 dwellings the deviation from Policy SUT1 in this respect is considered acceptable.
- 7.2.10 The applicant has worked with the case officer to achieve a satisfactory layout across the site, which broadly complies with the East Cambridgeshire Design Guide

SPD in relation to plot sizes and distance between inter-visible windows. The layout is in part dictated by the need to ensure that the wider area can be development in the future and to provide acceptable levels of public open space. Much of the development will remain private with the roads, open spaces and SuDS features controlled by a management company. The applicant has responded to concerns raised by the case officer in this regard confirming that a Residents Management Company will be set up and under the terms of each plot transfer purchasers are legally bound to become members. As the legal control of the company is with residents it is expected that the Company will remain active and solvent. The need for the Management Company is partly driven by the fact that the Local Highway Authority will not adopt roads that have underground drainage systems beneath them and the drainage strategy required for this site dictates that this has to be the case.

7.3 Public open space

- 7.3.1 Policy SUT1 requires the provision of a minimum of 0.35 hectares of public open space on-site, including a play area. This was based upon a site of approximately 2.5 hectares and the construction of 50 dwellings.
- 7.3.2 The application site now extends to just over 2.85 hectares and 77 dwellings are proposed. Based upon the standards set out in the Developer Contributions SPD a proposal of this size should provide a total of 0.571 hectares of public open space. The applicant has submitted a plan detailing various areas of public open space including a LAP located close to the centre of the site. The remainder of the public open space is concentrated on the periphery of the site with the bulk on the northern edge. The application site has been extended during the course of the application to provide additional public open space and the area to the north was included as it will connect with a larger area of open space as shown on the master plan.
- 7.3.3 The landscape corridor on the southern boundary of the site has been removed from the open space calculation as it acts as a channel for surface water drainage to the attenuation basin in the south-east corner of the site. It is considered that this corridor does not form useable open space but it will have additional value in the form of a biodiversity corridor as well as forming part of the drainage scheme.
- 7.3.4 Concerns have been raised that the attenuation basin in the south-east corner will be wet for much of the year as the surface water from across the site is directed to this area before being discharged to a ditch on the eastern boundary. The applicant has however demonstrated that the area will only be wet during a 1 in 100 year event and on this basis it is considered that it will function as usable open space.
- 7.3.5 With the adjustment made for the removal of the SuDS corridor the applicant is providing 0.522 hectares of open space, which falls short of the requirements of the SPD by approximately 500 square metres (equates to 9% of the total open space required).
- 7.3.6 Given that the wider site is expected to come forward and includes provision of sports pitches and significant areas of open space that will adjoin the current proposal then a shortfall of 9% on the required open space could be considered

acceptable. The master plan demonstrates how the open space will be linked with additional areas and it would not be desirable to comprise the future development in any way by requesting additional open space as part of this proposal. The under provision of open space on this application is therefore given limited weight.

- 7.3.7 As parts of the open space are also integral to the drainage strategy the applicant does not intend to offer any parts for adoption, rather they will be maintained by the Residents management Company, details of which are set out above.
- 7.3.8 The impact of noise on the area of public open space towards the north-east corner of the site has also been considered. The north-eastern boundary of the site is located approximately 65m from the A142, which is beyond a wooded area on the opposite side of Mepal Road. Noise monitoring carried out by the applicant indicates that the noise levels would exceed the World Health Organisation requirement of 55dB by approximately 6dB on the north-eastern fringe of the open space. Any movement away from the A142 will reduce noise levels. As detailed below the applicant has demonstrated that noise levels in rear gardens will be acceptable and given that there are several areas of open space across the development, with further areas to come forward as part of the wider scheme, it is considered that future occupiers will be able to utilise different areas of open space at different times according to their perception of noise levels and desired use of the open space. Any adverse impact of noise on the use of open space will attract weight against the proposal but this is considered to be limited in this case.
- 7.3.9 The impact of noise on residential amenity is addressed at 7.6 below.

7.4 Visual Impact

- 7.4.1 The site is located on the edge of the existing settlement and is visible to traffic travelling south along the A142. On a more local level the site is located at the end of Mepal Road, with views across the site and the wider area due to be developed from the road itself. The site is screened from the south by the existing built form to the north of The Brook. The primary school, British Legion Club, a community centre and Bowls Club are located to the south-west of the site with views possible across the wider site from the playing field to the north of these buildings. The site occupies a slightly elevated position above The Brook, but for the most part the development will only be visible from the immediate boundaries of the site, with the exception of the views from the A142.
- 7.4.2 The site currently comprises open field in agricultural use and is typical of a Fenland landscape. This proposal will alter the character of the area, creating a more urban environment and extending the village of Sutton to the north.
- 7.4.3 The northern and eastern edges of the site are softened through the placement of the public open space and the proposal will be subject to a comprehensive landscaping scheme. The vast majority of the dwellings are two-storey, with a small number of two-and-a-half storey dwellings within the site. When viewed from the north the dwellings will sit against a back-drop of existing residential development and as stated above, the density of the scheme is not out of character with the built form to the south.

7.4.4 Policy SUT1 clearly states an intention for the wider area to be developed and the draft Local Plan Policy SUT.H1 does the same. If the wider area is developed this site will be encompassed by this development but in the short to medium term it is considered that the 77 dwellings proposed can be achieved without causing significant harm to the character and appearance of the area and as such complies with Policies ENV1 and ENV2 of the Local Plan.

7.5 Traffic and transportation

7.5.1 Access to the site is from Mepal Road, in accordance with Policy SUT1. The access is proposed north of the junction of Mepal Road and Millfield. The first section of the access road as it enters the site and bears right in front of the play area will be offered for adoption. It is anticipated that this road will be continued when the wider area is developed and will create a circular route with an access further north along Mepal Road.

7.5.2 In its consultation response the Local Highway Authority has confirmed that it is unable to adopt carriageways and footways with water attenuation underneath. It is also unable to adopt the road to the south-west of the site (plots 23-33) as parking spaces have been allocated to dwellings, which is not permitted in the adopted highway.

7.5.3 The applicant has responded to comments made in relation to the design of the shared use area adjacent to plots 21-23 and the footway to the front of the site. The Local Highway Engineer has asked the County Council's Transport Planning Team to review the external works, including this footway and at the time of writing their comments have not been received. It is possible that the footway will need to be the subject of further examination and design work, all of which could be secured by condition.

7.5.4 The Local Highway Authority raises no objection to the layout and positioning of the access with the required visibility achievable on Mepal Road.

7.5.5 The application has been accompanied by a Transport Assessment and following receipt of initial comments from the Transport Planning Team at Cambridgeshire County Council a Technical Addendum was submitted in May 2017. The Technical Addendum addresses the request to use a 60minute drive time to a place of work in the transport modelling and makes the assumption that the application for the construction of a new convenience store with 3 retail units on the edge of Sutton will proceed. A full assessment of a number of key junctions within and on the edge of Sutton was also carried out.

7.5.6 The Technical Addendum concludes that the A142/B1381/Elean Business Park roundabout and The Brook/High Street/the Row staggered crossroads junctions are saturated during the peak hours. The detailed review found that during the peak hours there was 'spikes' of congestion and that this was not experienced for the entirety of the peak period. The notion of 'peak spreading' was explored and demonstrated that drivers would time their journeys to avoid the busier periods within the peak. Notwithstanding this information, the report concludes that the proposed development would provide minimal increases in congestion during the peaks and that it would not trigger mitigation improvements in line with the NPPF.

- 7.5.7 The Transport Planning Team has further queried the technical data and methods used by the applicant and has raised concerns about the impact of the proposal on the A142/Ely Road roundabout and the junction of the Brook with High Street. Further information was requested in relation to how the development will mitigate its impact on the highway network.
- 7.5.8 The applicant's transport consultants have responded to these comments by providing further clarification on the technical data and methods and by pointing out that the impact of the development on the A142/Ely Road junction is 33 two-way vehicle movements during the PM peak period. Similarly the Technical Addendum predicts a relatively modest number of vehicle movements at The Brook/High Street junction. Based upon this data the applicant maintains that the impact upon the highway network would not be severe and that no mitigation is required. At the time of writing further comments are awaited from the Transport Planning Team, however, the impact of the proposal on the highway network would not appear to be significantly adverse and as such the applicant has satisfied the requirements of Policy COM7 to provide safe and convenient access to the highway network and to accommodate the level/type of traffic generated without detriment to the local highway network. The Transport Planning Team has confirmed that it agrees with the applicant's assessment and subject to conditions requiring the footpath on Mepal Road to be widened and the provision of Welcome Travel Packs there is no objection to development proceeding.
- 7.5.9 Policy SUT1 requires the developer to provide a new pedestrian and cycle link to the village centre and primary school via land adjoining 26 The Orchards. The link is shown on the layout plan and the applicant has agreed to carry out any off-site works required on The Orchards, on land owned by ECDC. These works can be secured through a S106 Agreement.
- 7.5.10 The layout shows indicates that two parking spaces per dwelling are to be provided, by way of on-plot parking and parking to the front of a number of dwellings. A number of dwellings are also served by private driveways and the applicant has sought to minimise tandem parking on the main routes through the site. There is still an element of tandem parking across the development, however, Policy COM8 does not prohibit the use of tandem parking and the refusal of the application on this basis would not be justified. The proposal also incorporates a number of visitor spaces.
- 7.5.11 The proposal provides a network of routes for pedestrians and cyclists through the development and it is expected that these will be continued when the wider site comes forward. On balance it is considered that the proposal complies with policies COM7 and COM8 in relation to highway safety and parking provision, together with the elements of Policy SUT1 that relate to traffic and transportation.

7.6 Residential amenity

- 7.6.1 As stated above, the applicant has designed the layout in accordance with the East Cambridgeshire Design Guide SPD and it is considered that most future occupiers will enjoy satisfactory levels of amenity space and access to public open space. The plot sizes accord with the Design Guide SPD and some minor layout changes

have been made to ensure that there is no loss of privacy or over looking from inter-visible windows.

- 7.6.2 As stated above, the north-eastern boundary of the site is located approximately 65m from the A142, with Plot 77 a further 10m from the road. Plots 75-77 front onto Mepal Road, as do plots 1-4 and the applicant has submitted a noise assessment, which considers the effects of road noise on these plots. Noise monitoring equipment was placed on the very northernmost corner of the site and the data captured indicates that plots 75-77 in particular may be subject to high levels of road noise. The rear gardens serving the frontage plots will be afforded a degree of protection by the dwellings themselves and it is expected that daytime noise levels in gardens will be acceptable.
- 7.6.3 The noise assessment indicates that where windows are kept closed on the frontage plots noise levels will also meet acceptable levels, however, internal criteria would be exceeded for habitable rooms closest to the eastern site boundary. This may result in the need for mechanical ventilation in some rooms, particularly bedrooms and living rooms where there are no openings on quieter aspects. The Council's Environmental Health Team has been extensively consulted on the application and the applicant's noise consultants have also examined the scheme in more detail at the request of the local planning authority.
- 7.6.4 Government Guidance does not prohibit the use of mechanical ventilation and where development is considered necessary or desirable, despite external noise levels above World Health Organisation guidelines, internal target levels may be relaxed by up to 5dB and reasonable internal conditions still achieved. The applicant's noise consultants have made reference to this guidance and have also pointed to its own research on the effect on noise levels of partially opened windows combined with closed curtains at night and fully furnished rooms. Based upon this research the noise consultants consider that an acceptable level of noise can be achieved even with opening windows.
- 7.6.5 The Environmental Health Team has confirmed that the relaxation of internal noise guideline levels by up to 5dB has been taken into consideration at other locations, such as Soham, Littleport and Ely. It is therefore a matter of planning judgement as to whether this proposal is considered necessary or desirable and whether the relaxation/increase can therefore be justified.
- 7.6.6 Notwithstanding the above it is accepted that the frontage plots will be subject to higher levels of noise than the remainder of the site. The three dwellings in the north-east corner will be more acutely affected and may require some form of mechanical ventilation. The vast majority of the site will not be adversely affected by noise.
- 7.6.7 Policy ENV9 states that proposals will be refused where there are unacceptable impacts arising in relation to the natural environment, general amenity and the tranquillity of the wider rural area, including noise and light pollution. In exceptional cases development proposals may be permitted where it can be clearly demonstrated that the environmental benefits of the development and the wider social and economic need for the development substantially outweigh any adverse impact in terms of pollution.

- 7.6.8 The site is allocated for residential development and will have an impact on the rural character of the area, however, the proposal will provide much needed housing for the village of Sutton and is fully compliant with Policy HOU3 in relation to affordable housing. As detailed earlier in this report the site is allocated within the current Local Plan and a draft allocation has been put forwarded for the wider site in the Draft Local Plan. The site is well connected to the village of Sutton and the proposal offers significant social and economic benefits. Given that a very small number of dwellings may be subject to noise, that if necessary can be mitigated against through the use of mechanical ventilation, it is considered that the benefits of the proposal outweigh any minor adverse impact from noise and that refusal of the application on noise grounds would not be justified. On this basis it is also considered that future occupiers of the frontage plots will enjoy a satisfactory level of residential amenity and that the proposal also complies with Policy ENV2 in this respect.
- 7.6.9 The applicant's noise consultants have also considered the current planning application at The Isle of Ely Sports Club for the construction of a new firing range. The new range would be approximately 500 metres north-west from the nearest proposed residential dwellings on this site. Shooting is expected to take place from a fixed position with a significant degree of noise attenuation in place. Such measures would be required as part of the firing range development and the Council's Environmental Health Team has not raised any specific concerns in relation to the determination of this application.
- 7.6.10 A landscape corridor is proposed along the southern boundary of the site to act as a buffer with the existing dwellings on Tower Road and Elizabeth Court. Nos. 13 and 14 Tower road site approximately 11 metres from the boundary of the site and No. 14 sits approximately 15 metres from the side elevation of Plot 18. At this distance the proposed dwelling is not considered to be overbearing or result in an unacceptable loss of light. The only window to feature at first floor level in the side elevation of Plot 18 serves a landing and this can be conditioned to remain fixed shut and fitted with obscure glazing. There is sufficient separation distance between Plots 22-28 and Nos. 30-33 Elizabeth Court to ensure that there will be no significant overlooking or loss of privacy. A satisfactory relationship between Plot 1 and No. 43 Mepal Road has also been achieved.
- 7.6.11 The development of the site will result in some construction noise and disturbance and it is recommended that a Construction Environmental Management Plan is put in place prior to development commencing on site. This can be secured by way of condition, as can the recommended construction hours.
- 7.6.12 On balance it is considered that the proposal meets the requirements of Policies ENV2 and ENV9 in relation to residential amenity and noise pollution.

7.7 Flood risk and drainage

- 7.7.1 The site is located in Flood Zone 1, where the majority of residential development should be directed. A Flood Risk Assessment and Drainage Strategy has been submitted with the application and these documents have been the subject of some discussion and consultation with the Lead Local Flood Authority. The topography of the site is such that there is a fall from the north-west to the south-east of

approximately 3.5m. The site is bordered on the eastern boundary by a ditch to which the current Greenfield overland flows run to.

- 7.7.2 The applicant has explored the potential use of various SuDS techniques in order to address surface water drainage on the site. However, the fact that the site is underlined with impermeable gravelly clays and silt prevents water from infiltrating into the ground and a limits the use of soakaways. The applicant will therefore be required to collect, contain and then direct water to the watercourse on the eastern boundary. The drainage strategy consists of the use of permeable surfaces on the main carriageways, private and shared drives and footways. Water will then be stored in crates under these surfaces where the outfall will be directed to the landscape buffer on the southern boundary of the site and an attenuation basin in the south-east corner that will also function as an area of public open space.
- 7.7.3 The LLFA has confirmed its agreement to the drainage strategy, however, it points out that the attenuation basin is an 'online' feature and is therefore likely to be wet for a considerable amount of time throughout the year. The applicant has responded by making a further amendment to the strategy to ensure that the attenuation basin remains dry in the majority of 'common' storm events and will only be actively wet during the higher design storms. In the 1 in 100 year event the maximum volume of water likely to collect in the basin equates to approximately 150mm. The LLFA has responded by confirming that it is satisfied that the use of a low-flow channel can ensure surface water is contained within the channel for the majority of events rather than spilling out into the attenuation area.
- 7.7.4 Subject to conditions requested by the LLFA in respect of the next level of detail for the drainage strategy and the submission of a SuDS Maintenance Plan it is considered that the applicant has demonstrated that an adequate drainage strategy can be put in place and that the proposal will not increase flood risk elsewhere. On this basis the proposal is considered to comply with Policy ENV8 in relation to flood risk.

7.8 Ecology and biodiversity

- 7.8.1 A Preliminary Ecological Appraisal has been submitted with the applications. The site is made up of various habitats including arable land, bare ground, dense scrub, scattered trees, improved grassland and standing water. The proposal will result in the loss of some or all of these habitats.
- 7.8.2 Skylark were recorded in the wider area during the survey and could potentially use the arable land within the site. The scrub and scattered tree habitat is also suitable for nesting birds. Any grounds works, including clearance, will therefore need to either take place outside of the bird nesting season or the site should be subject to a check for nesting birds prior to any work taking place. Similarly the site is considered to have low potential for reptiles and any clearance works should only be undertaken after a check for the presence of any reptiles has taken place. With the exception of these precautionary measures it is considered that there are no ecological constraints that would prevent the development from taking place. Any loss of habitat can be partially mitigated by the installation of a number bird and bat boxes and this can be secured by condition.

- 7.8.3 Natural England has stated that the proposal is not likely to have significant effects on the Ouse Washes Special Area of Conservation, Special protection Area and Ramsar site and on this basis has no objection to the development. These comments were made in respect of the hybrid application and confirmed as part of this application.
- 7.8.4 A Tree Survey has also been submitted with the application detailing the trees within the site and close to the boundaries. The applicant intends to retain the majority of the trees on the boundaries and fell a number internally to accommodate the development. The Trees Officer raises no objection to this proposal subject to new tree planting within the site. It is considered that this can be achieved as part of the soft landscaping scheme to be secured by condition.
- 7.9 Other material matters
- 7.9.1 The Environment Agency has commented on the hybrid application and noted that there needs to be consideration of the waste hierarchy and the promotion of waste prevention measures. It is considered that this can be addressed through the submission of a Waste and Materials Management Plan that can be secured by condition. This view is supported by Cambridgeshire County Council's Growth and Economy Team.
- 7.9.2 The Environment Agency's response also makes reference to water resources and the need to consult with Anglian Water. Anglian Water has confirmed in its pre-application advice to the applicant that the water supply to the proposed development can be provided from the existing mains in Mepal Road. Anglian water has also commented on the current application and confirmed that foul drainage is in the catchment of Witcham Water Recycling Centre that will have available capacity. It has also confirmed that the sewerage system at present has available capacity.
- 7.9.3 Waste Strategy team raised concerns in respect of the layout and the practicalities of collecting waste. An amended site plan and layout has been submitted including an additional turning head close to plots 24-33 to address these concerns. The applicant has had reference to the RECAP Waste Management Design Guide SPD and on the basis that ECDC will be indemnified against any damage caused, waste can be collected from the development despite the roads not being offered up for adoption.
- 7.9.4 The applicant has submitted a sustainability statement, which details key measures to be incorporated in the development to accord with the requirements of Policy ENV4. The Statement details how a number of key considerations that would previously have been assessed through the Code for Sustainable Homes will be addressed through the application of Building Regulations standards together with an appropriate level of developer responsibility. These include energy demand reduction, water consumption, materials use and waste management.
- 7.9.5 A number of residents and the Parish Council have raised concerns regarding the capacity of the local school. The County Council has confirmed that the planned expansion of the primary school will accommodate the current proposal for 77 dwellings. The development of the wider site will require an alternative solution and

the applicant is currently engaging with the primary school and the County Council on this basis. Witchford Village College is also operating at capacity and again, the development of the wider site will need to be taken into account in any future expansion of the college. As the majority of the site now under consideration is allocated in the Local Plan no financial contributions will be sought in addition to the CIL payments that will need to be made by the developer.

7.9.6 The Heritage Assessment submitted with the application demonstrates that the proposal will have a very limited impact upon designated heritage assets include Sutton Conservation Area. The Conservation Officer does not dispute the conclusions reached given the distance between the site and any designated assets and the lack of intervisibility between them. The Historic Environment Team at Cambridgeshire County Council has recommended that a programme of archaeological investigation is commissioned and undertaken before development takes place.

7.9.7 A number of residents have raised concerns regarding the capacity of the health facilities in Sutton. As the current site is allocated in the Local Plan the development will be subject to CIL payments and any additional infrastructure contributions cannot be requested. The applicant is however seeking to establish capacity levels in relation to the future development of the wider area and whether any financial contributions can be made.

7.10 Planning balance

7.10.1 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 and the provision of affordable housing. The proposal is considered by the applicant to be the first phase of a wider scheme and this development will enable later phases to come forward, which will include the provision of community facilities. The benefits of the proposal attract significant weight in favour.

7.10.2 The housing mix does not strictly accord with the Council's Developer Contributions SPD, with the majority of the market dwelling being three and four bed roomed dwellings. This is justified by the applicant by their market research and the Council's Senior Housing and Enabling Officer raises no objection to the mix of affordable dwellings. Any conflict with Policy HOU1 in relation to HOU1 therefore attracts limited weight.

7.10.3 The layout of the development takes the applicant's Masterplan into account and the location of significant areas of open space on the periphery of the development protects the rural edge of Sutton with no significant and demonstrable harm caused to the character and appearance of the area. A slight under provision in open space attracts limited weight against the proposal, however, this will be corrected through the development of the wider site.

7.10.4 The proposal will have an impact on the local highway network with the introduction of additional vehicles at key junctions within and on the edge of Sutton. The number of additional movements is not however considered to be significant and is unlikely to result in a severe impact on the highway network. However, given that

several key junctions are operating close to capacity there will be some minor adverse impact that attracts weight against the proposal.

- 7.10.5 The applicant has demonstrated that adequate levels of residential amenity can be achieved for existing and future residents with some minor adverse impacts in relation to noise on a small number of plots. On balance it is considered that there would not be a significantly detrimental effect on residential amenity and any adverse impacts from noise would attract limited weight.
- 7.10.6 The applicant has demonstrated that satisfactory drainage strategy can be put in place to minimise flood risk and there are no adverse effects anticipated in respect of biodiversity and ecology. The proposal provides an opportunity to provide a landscape/wildlife corridor and overall the biodiversity enhancements attract weight, albeit limited, in favour of the proposal.
- 7.10.7 The County Council has confirmed that the additional primary and secondary pupils can be accommodated and there are no other significant adverse impacts that weigh against the proposal. The benefits are therefore considered to outweigh the minor adverse impacts outlined above and the proposal is recommended for approval.

8.0 COSTS

- 8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as 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 site is allocated in the Local Plan for housing development
 - No objections raised from LLFA
 - Policy compliant on affordable housing
 - All other material planning considerations are satisfactory

9.0 APPENDICES

- 9.1 Draft planning conditions.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
16/01772/FUM	Julie Barrow Room No. 011 The Grange	Julie Barrow Senior Planning Officer
16/01173/SCREEN	Ely	01353 665555 julie.barrow@eastca mbs.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 - 16/01772/FUM Conditions

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

Plan Reference	Version No	Date Received
HT.A30-02		20th March 2017
HT.A30-03		20th March 2017
HT.A36-01		20th March 2017
HT.A36-02	A	20th March 2017
HT.A36-03	A	20th March 2017
COLST PLANNING13		20th March 2017
DEEP PLANNING11	E	20th March 2017
GREE PLANNING05	B	20th March 2017
HAD PLANNING13		20th March 2017
SHARNBROOK PLANNING 01		19th December 2016
LIGHTING DESIGN BRIEF		20th March 2017
MMA13814/001	R0	20th March 2017
BRD2626-OR2-A		20th March 2017
BRD2626-OR1-A		20th March 2017
1073352-15-03A	Red Line	19th June 2017
377-LP-01	B	19th June 2017
377-SK-01	C	19th June 2017
377-SK-02	C	19th June 2017
377-SK-03	C	19th June 2017
377-SK-04	C	19th June 2017
377-SK-05	C	19th June 2017
377-SK-07	C	19th June 2017
377-SK-08	B	19th June 2017
828-07-01	P5	19th June 2017
SUSTAINABILITY STATEMENT		20th March 2017
EDS 07-0102.01 E	1 of 3	18th May 2017
EDS 07-0102.01 D	2 of 3	18th May 2017
EDS 07-0102.01 A	3 of 3	18th May 2017
TREE SURVEY		17th February 2017
2842.TCP		17th February 2017
ECOLOGICAL APPRAISAL	March 2016	20th March 2017
SH-G209	A	20th March 2017
SH-G208	B	20th March 2017
SH-G104	B	20th March 2017
HT.414-01		20th March 2017
HT.414-02	A	20th March 2017
HT.414-03		20th March 2017
HT.414-04	A	20th March 2017
HT.414-05		20th March 2017
HT.A22-01		20th March 2017
HT.A22-02		20th March 2017
HT.A22-03		20th March 2017
HT.A30-01		20th March 2017
EVE.PE1		20th March 2017
MYL.PE1		20th March 2017

LEV.PE1
HWK.PE1
COL.PE2

20th March 2017
20th March 2017
20th March 2017

- 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.

- 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 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 be based upon the principles within the agreed surface water drainage strategy prepared by ID Ltd (ref: 828-07-01 - Rev P4) dated 9th November 2016 and shall also include:
 - a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events
 - b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
 - c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers
 - d) Full details of the proposed attenuation and flow control measures
 - e) Site Investigation and test results to confirm infiltration rates;
 - f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
 - g) Full details of the maintenance/adoption of the surface water drainage system;
 - h) Measures taken to prevent pollution of the receiving groundwater and/or surface water;
 - i) A timetable for implementationThe drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

- 4 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.
- 5 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.
- 5 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.
- 6 No development shall take place until a scheme to dispose of foul drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to the occupation of any dwelling on the site.
- 6 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.
- 7 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 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.

- 7 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. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 8 No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.
- 8 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to permission being granted, however, the information is needed prior to commencement in order to ensure that the necessary infrastructure is able to be provided.
- 9 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.
- 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.
- 10 No development shall take place until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to the commencement of any development, site

works or clearance in accordance with the approved details, and shall be maintained and retained until the development 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.

- 10 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. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 11 Except as detailed on the approved plans, no trees shall be pruned or removed/felled and no hedges shall be removed without the prior written approval of the Local Planning Authority
- 11 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.
- 12 Prior to first occupation or commencement of use a full schedule of all soft landscape works 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.
- 12 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 Prior to any occupation of the development, a scheme for the maintenance of the landscaping for a minimum period of 5 years from last occupation, 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
- 13 Reason: To ensure the longevity of the landscaping scheme, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.

- 14 No above ground construction shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: all boundary treatments within and on the perimeter of the site;. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.
- 14 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 15 No above ground construction shall take place on site until details of the materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 15 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 16 No above ground construction shall take place until details of the noise mitigation measures that may be required for Plots 1-4 and Plots 75-77, including any additional detailed noise assessments, have been submitted to and agreed in writing by the Local Planning Authority.
- 16 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 17 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 08:00 - 18:00 each day Monday-Friday, 08:00 - 13:00 Saturdays and none on Sundays, Public Holidays or Bank Holidays.
- 17 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 18 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.
- 18 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.
- 19 The first floor landing window in the south elevation of Plot 18 shall be fitted with obscure-glazing and fixed shut and retained as such in perpetuity.
- 19 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order), the dwelling shall not be extended in any way, and no structures shall be erected within the curtilage of the dwelling.
- 20 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 21 Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road.
- 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.
- 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 No above ground construction shall take place until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 23 Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015.
- 24 Prior to first occupation visibility splays of 2.4m x 43m shall be provided each side of the vehicular access onto Mepal Road. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- 24 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 25 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 25 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV8 and COM7 of the East Cambridgeshire Local Plan 2015.
- 26 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall

be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.

- 26 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 27 The development shall be carried out in accordance with the details submitted in the Sustainability Statement dated December 2016 prepared by AES Sustainability Consultants.
- 27 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015.
- 28 Prior to first occupation details of the LAP playspace layout shall be submitted to and approved in writing by the Local Planning Authority. The LAP shall be completed in accordance with the approved details prior to the occupation of the 50th dwelling on the site and shall be open and available for use.
- 28 Reason: To ensure adequate play facilities are provided on site in accordance with Policy SUT1 of the East Cambridgeshire Local Plan 2015.
- 29 No above ground construction shall take place until details of the widening of the footway on the west side of Mepal Road to 2.5m in width where possible have been submitted to and agreed in writing by the Local Planning Authority. The works shall be completed prior to the first occupation of the development.
- 29 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 30 Prior to first occupation the form and content of Welcome Travel Packs to be issued to new residents on the first occupation of each new dwelling shall be agreed with the Local Planning Authority. The Packs should encourage residents to travel using sustainable modes of transport and shall be provided to new occupiers of the development.
- 30 In order to encourage future residents to travel using sustainable modes of transport in accordance with Policy COM7 of the East Cambridgeshire Local Plan 2015.