

MAIN CASE

Reference No: 20/00360/RMM

Proposal: Reserved Matters for appearance, landscaping, layout and scale for the construction of 258 dwellings and associated infrastructure following outline planning application 13/00785/ESO (Orchards Green Phase 3)

Site Address: Land North Of Cam Drive Ely Cambridgeshire

Applicant: Taylor Wimpey

Case Officer: Angela Briggs Planning Team Leader

Parish: Ely

Ward: Ely North
 Ward Councillor/s: Simon Harries
 Alison Whelan

Date Received: 9 March 2020 **Expiry Date:** 10th August 2020

[V49]

1.0 **RECOMMENDATION**

1.1 Members are recommended to APPROVE the application subject to the recommended conditions below. The conditions can be read in full on the attached appendix 1.

- 1 Approved Plans
- 2 Time Limit – Reserved Matters – 2 years
- 3 Sample materials
- 4 Soft and hard Landscaping implementation
- 5 Play equipment details
- 6 Tree protection
- 7 Biodiversity
- 8 Street furniture
- 9 Sample panel
- 10 Details of windows and doors
- 11 Landscape maintenance

2.0 **SUMMARY OF APPLICATION**

2.1 The application seeks reserved matters approval for details of appearance, landscaping, layout and scale for the construction of 258 dwellings on land to the

North of Cam Drive. Access was approved as part of the outline planning permission. This is the second phase of development on the wider site as part of the Endurance Estates outline consent, although it is technically Phase 3, in accordance with the Phasing Plan, approved as part of the outline application. The site forms part of the wider North Ely scheme (Ref: 13/00785/ESO) for residential led development of up to 1,200 homes with associated employment and community uses (including a care home, extra care home), supporting infrastructure, and open space/landscaping, granted in June 2016, following completion of the S106 agreement.

- 2.2 The applicant intends to construct 258 dwellings, including 26 affordable dwellings (10%) in accordance with the S106 Legal Agreement. The application would also bring forward areas of open space, 2 toddler play areas, and cycle and pedestrian linkages beyond the site and along the new open space alongside the A10. The application is accompanied by a full suite of supporting documents and plans.
- 2.3 The applicant is required to comply with a number of conditions attached to the outline planning permission prior to commencing work on this site.
- 2.4 Amended plans have been received during the course of the application dealing with the internal road layout, to ensure that they meet the County's standards, which has resulted in minor alterations to the soft landscaping scheme. Also, amended plans were submitted to address drainage concerns from the LLFA, and to address concerns from the Council's Waste Management team. Further to this the plans have been amended to address concerns regarding noise impact for plots 116, 117, 128, 129, 130, 131, 132, 138, 139 and 140.
- 2.5 The application is based on a number of parameter plans and the relevant Design Codes approved as part of the outline planning permission. These address Land Use, Urban Design Framework (including building heights), Access, Landscape and Open Spaces, Play Provision and Density by Character Areas. The character areas that are relevant to this phase are Downham Meadow and Long Fen (known as the Green Edge alongside the A10)
- 2.6 The proposal has been the subject of extensive pre-application discussions over the past 18 months where Officers have worked with the developer to shape the scheme alongside the approved SPD and Design Codes documents. The pre-application scheme was based on 255 dwellings, which accords with the approved Design Code of 34 dwellings per hectare (dph) for this phase. The developer increased this by 3 dwellings to 258, to provide more smaller dwellings, giving it an overall density of 35dph. Furthermore, Taylor Wimpey presented the scheme to the Cambridgeshire Quality Design Panel on 2nd September 2019, where the design details of the proposal were discussed in depth and Members of the panel were able to debate on the scheme. The proposal received positive feedback from this meeting, which then informed their final design. The Quality Panel report is attached at appendix 2, for further reference. A Member's Briefing meeting was also held on 3rd October 2019 to give the opportunity for Taylor Wimpey to present their pre-application proposal to Councillors, followed by a Question and Answer session at the end. The pre-application proposal was generally well received by those who attended and specific questions were raised relating to parking provision,

and pedestrian/cycle connections to the wider area, including the Leisure complex off Downham Road.

2.7 The application is being considered alongside another reserved matters application for details of the new roundabout on the A10, which was approved as part of the outline consent and is required to be delivered as part of this phase of development, Ref: 20/00797/RMM, in accordance with condition 34 of the outline permission. This is a minor application and, in accordance with our Constitution, can be determined under delegated powers. At the time of writing, this is still pending consideration and awaiting consultee comments from the Local Highways Authority.

2.8 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 The site has a lengthy planning history. The application made in 2011 refers to the site to the North of King's Avenue, to the East of this part of North Ely.

13/00785/ESO	Residential led development of up to 1,200 homes with associated employment and community uses (including care home or extra care home). Supporting infrastructure, and open space/landscaping on land to the west of Lynn Road in Ely.	Approved	26.11.2014
16/01794/RMM	Reserved Matters application for approval of details of access, appearance, scale, layout and landscaping for the construction of 199 dwellings, garages, roads, footpaths, cycleways, open spaces and associated infrastructure and other works in respect of Parcel A and B in Phase 1 of outline planning permission, 13/00785/OUM	Approved	07.09.2017
11/01077/ESO		Approved	18.06.2015

Residential development, a local centre comprising retail food store (A1), uses within Use Classes A1/2/3/4/5. D1 and business units (B1), primary school, pre-school nursery, playing fields, place of worship and/or community hall, together with open space, allotments, landscaping, highways, infrastructure and associated works (Land at High Flyer Farm, North of King's Avenue)

19/00702/MPO

To vary the S106 agreement to facilitate an early review on viability, increase the level of affordable housing on Phase 2 or 3, whichever is the later, with a further viability review at Phase 5, and to secure the early delivery of the A10 roundabout and associated infrastructure

Approved at
Committee
8th January
2020
Awaiting
completion

20/00797/RMM

New highway access from the A10 carriageway as detailed under condition 34 of 13/00785/ESO

Pending
Consideration

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site comprises of one parcel of land to the North of Cam Drive and is formally known as Phase 3 (in accordance with the approved phasing plan). Phase 3 is approximately 13.28 hectares (32.82 Acres). The site bounds the A10 to the West and the Phase 1 (Hopkins Homes) development to the East, and Cam Drive to the South. The site is relatively level although is slightly higher than Cam Drive and the A10. The site is currently vacant with existing soft landscaping features along the site boundaries. The wider area is characterised mainly by dwellings, along Cam Drive and the new dwellings under construction on Phase 1, together with a Primary School and a Care Home to the East of the site, both of which are now occupied. Phase 1 would also bring forward some commercial units and a community facility, which are still the subject of discussions between the LPA and the landowner.

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.

5.2 **Local Highways Authority – 27th April 2020**

Comments:

- The cycle link to the west doesn't join any highways or ECDC cycle infrastructure. It would be nice to join this site to the leisure centre. This is a LPA and S106 issue as I can't ask for it as the Highways Authority.
- We will not be adopting visitor parking spaces as part of the highway
- The footway / cycleway links by plots 1, 9 and 40 go over vehicle access points. This is potentially dangerous
- The cross road junction by the access with Cam Drive I don't like. If it has to stay the kerb line in the east side needs sorting and give way markings on either side need including
- I do not like the square corners on the bends in the road. These will just get parked on causing safety issues or become rubbish traps
- I do not want a grass verge on the first block as you come from Cam Drive on either side of the road. They are proposing a tandem parking arrangement which would likely mean that residents will just park on the grass rather than using their drives as it will be easier. Bad street scape, maintenance issues and potential safety hazard in this location as visibility of the accesses will be blocked
- The junction radii by plot 26 needs tightening
- The approach road to the roundabout on the north east side needs amending. This should taper in width not do what is shown (by plot 258)
- The access width of 4.3m by plot 72 should be 5m this is two narrow which goes for any other access I have missed e.g. leading to plots 1 or 13 or 138 or 248 or 253 etc.
- In this instance 5.5m for a shared use + 2x 0.5m maintenance strips will be acceptable as Nigel has already said so
- The road by plots 26 and 29 to 20 narrows to 5m for no reason why not continue this at 5.5m like the approach road and shared use area is joins?
- The roads should be constructed to CCC spec if proposed for adoption so cambered not hung

We do not adopt swales, ditches or areas of water attenuation so if the Highways Authority Surface Water is to be discharged in to the ditches etc. then these need to be adopted by ECDC the parish or Anglian Water only no third party maintenance companies will be accepted.

Further comments following amendments – 7th July 2020:

No objections in principle to this application or any further comments on the layout.

5.3 **Environmental Health – 14th July 2020**

I have read the Noise Impact Assessment produced by Cass Allen and dated 23rd December 2019.

We discussed this report back in March where I gave you my initial thoughts -

- The report advises that the acoustic bund has been approved and discharged already.
- It advises that all gardens will achieve target levels (50dB is the desired level but there is an upper limit of 55dB). Some gardens on the perimeter of the site will be above 50dB but below 55dB and so all external areas meet acceptable levels.
- With regard to internal sound levels the report finds that areas of the site will exceed target levels with a partially open window even if you do find the site necessary and desirable and relax the levels by 5dB. In some instances the exceedances is by as much as 6dB (bedroom on Plot 139). These exceedances are primarily at the perimeter of the site adjacent to the A10.

There is a lot of information on the portal but I've managed to locate the floor plans for Plot 139. Bedroom 2 appears to have dual aspect glazing whereas Bedroom 1 does not.

I've copied the justification paragraph from the NIA where they explain why they think this will be acceptable but essentially it goes against ECDC policy of an open window requirement -

“3.23 Whilst these exceedances are not ideal, they are acceptable in our view. The reasons for this are as follows:

- The ECDC proposed target criteria would not normally be achievable across a site located near a main road in our experience. We do not expect that the ECDC criteria will be achieved across the rest of the wider Ely North development.
- Good acoustic design has been adopted in the development layout. The development has been designed to minimise the noise levels external to habitable rooms. The design includes a significant noise bund to the A10 and a significant distance buffer between the dwellings and the surrounding roads.
- The design is therefore in-line with guidance given in ProPG Planning & Noise (May 2017), which states: Designing the site layout and the dwellings so that the internal target levels can be achieved with open windows in as many properties as possible demonstrates good acoustic design. Where it is not possible to meet internal target levels with windows open, internal noise levels can be assessed with windows closed, however any façade openings used to provide whole dwelling ventilation (e.g. trickle ventilators) should be assessed in the “open” position and, in this scenario, the internal LAeq target levels should not normally be exceeded.
- Where possible, habitable rooms have been located on facades facing away from the roads however there are still many habitable rooms facing the roads. There is always a conflict in these cases between the need to ensure good

acoustic design and the need to provide attractive and inclusive streetscapes and ergonomic building layouts. It would not normally be desirable or practicable to design developments to have no outward facing windows to habitable rooms.

- The predicted resultant noise levels at the 'worst case' facades would be rated as 'low' to 'medium' risk when assessed in accordance with the ProPG guidance (specifically Figure 1 in the ProPG main document). It is common to have habitable rooms with open windows on facades subject the 'Low' and 'Medium' risk noise levels.

3.24 The exceedances of the ECDC target levels for the partially open window scenario are therefore acceptable in our view, provided that the relevant internal BS8233 levels (refer Table 1) are complied with when windows are closed and background ventilators are open.”

Since our initial discussions of the highlighted section above we have worked with the applicant and the acoustician to change some of the housing types to address these problems.

Further comments following amendments – 8th July 2020:

No objections. The amended house types will offer better protection from the road noise so no further concerns.

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

5.5 **Lead Local Flood Authority (LLFA)** - 23 March 2020

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

1. Maintenance and management plan

The LLFA require submission of a full maintenance and management plan, which should cover both private areas and proposed adopted areas, and include details on adoption agreements. Please refer to section 5.18 of the Cambridgeshire Surface Water Guidance for Developers, for further information on this submission requirement. Appendix A includes an example plan.

2. Surcharging on the 1 in 1 year flood event

According to the Drainage System Modeling, surcharging will occur during a 1 in 1 year rainfall event. The drainage system should be designed under full pipe conditions to accept a 1 year design storm without surcharging above the pipe soffit on sites with average ground slopes of greater than 1%.

3. Pipe reference numbers on Engineering Layout drawing

Pipe reference numbers must also be included on the Engineering Layout Drawings, prepared by Taylor Wimpey, to ensure that the plan can be reviewed alongside the Micro drainage calculations.

4. Flooding exceedances plan

The Flooding exceedances plan, prepared by Taylor Wimpey, must be updated to include finished floor levels and the depth of flood water within each of the proposed

flooded areas. This is to ensure that there is no increase in flood risk to properties on or off site.

Pipe reference numbers must also be included on the Flooding exceedances plan, to ensure that the plan can be reviewed alongside the Micro Drainage calculations.

Further comments following amendments – 22nd June 2020:

We have reviewed the following documents:

- Addendum to Orchards Green - Phase 3 Surface Water Drainage Strategy, Taylor Wimpey East Anglia Limited, 22259-13. Dated: April 2020.
- Foul And Surface Water Drainage Statement, Taylor Wimpey East Anglia Limited, JD/2000/13. Dated: 30th January 2020.

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to this reserved matters application.

The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving, swales and attenuation basins. Surface water will then be discharged from the site via two different outfalls into the existing ditches to the south of the site at a rate of 4 l/s and 9.5 l/s, which is equivalent to the existing greenfield runoff rates.

The LLFA is supportive of the use of permeable paving, swales and attenuation basins as in addition to controlling the rate of surface water leaving the site they also provide water quality treatment which is of particular importance when discharging into a watercourse.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

A maintenance plan has now been submitted, demonstrating that the permeable paving, attenuation basins and swales will be maintained by a private management company in line with the CIRIA SuDS Manual.

Please note that full details will still be required to address Condition 10 of 13/00785/ESO.

- 5.6 **ECDC Trees Team - 26 March 2020**
The landscaping proposals are acceptable, overall the species mix is acceptable and will enhance the development over time.
- 5.7 **Conservation Officer - 30 April 2020**
The application is accompanied by a heritage assessment which satisfies NPPF requirements. Given the location, separation distance and presence of surrounding development, no demonstrable heritage impacts have been identified.
- 5.8 **Environmental Health – Scientific Officer - 20 April 2020**
I have read the Phase 1 and 2 Desk Study and Site Environmental Report dated 16 January 2019 prepared by Geosphere Environmental and agree with the findings.

5.9 **Strategic Planning** - No Comments Received

5.10 **Housing Section** - 15 April 2020

The Strategic Housing Team supports the above application as it will deliver 10% affordable housing on site and will meet the required tenure of 70% rented and 30% Intermediate Housing in accordance with the approved s106 agreement.

The affordable housing mix proposed will meet the housing needs of those households in Ely as well as helping towards meeting the Councils overall Objectively Assessed Need for affordable housing.

5.11 **Parks and Open Space** - 12 May 2020

All seem good to me, a little hard looking on a small screen, but it did confirm I had looked at the plans a while back.

5.12 **Waste Strategy (ECDC)** - 30 March 2020

- There are a significant number of properties on private driveways which appear to be further than the maximum 30 metres as prescribed by the Waste Management Design Guide and the waste team would like to confirm that we may consider collecting from private roads if the whole area in question is built to an adopted standard, including suitable turning spaces and the Council is provided with an indemnity by the developers/owners.
- This is especially relevant to units 1 to 9, 41 to 50, 72 to 81, 115 to 121, 139 to 144, 243-247 & 253 to 258.
- If the developers are not prepared to build the roads to adoptable standards and indemnify the Council then all bags and bins will need to be brought to the adopted highway on collection day and all residents should be made aware of this during initial sales enquiries to avoid confusion when moving in.
- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances and/or loose gravel/shingle driveways; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).
- Where a developer requires East Cambs District Council to collect waste and recycling from outside a new property and the road(s) are private and unadopted East Cambs District Council requires the developer to sign the developers indemnity agreement to mitigate against possible compensation claims. Vehicles will not enter onto private roads without agreement. Until the indemnity agreement is signed then the waste and recycling collections will be made from the point of where the road meets the adopted highway. The

developer also has the responsibility to ensure that the new property owners sign a home-owners indemnity agreement at completion of sale (if the road is to remain private). Once the road is adopted by the Highways Authority the indemnity agreement becomes null and void. For further information on collection distances crews will travel to collect waste and recycling please refer to the RECAP Waste Management Design Guide.

Further comments following amendments – 1st July 2020:

No objection.

5.13 **NHS England** - No Comments Received

5.14 **Environment Agency** - 6 April 2020

We have reviewed the Reserved Matters information submitted and have no comments to add.

5.15 **Natural England** - 19 March 2020

No Objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

5.16 **Design Out Crime Officers** - 20 March 2020

Thank you for the opportunity to comment in regards to the layout, landscaping and appearance on this large development. Having reviewed documents and drawings I have noted the comments regarding Secured by Design which I fully support and I consider that this development should fully support community and reduce vulnerability to crime. I would ask that the applicant consider a Secured by Design application as this development could achieve Secured by Gold accreditation. I would be pleased to work with them to achieve this.

5.17 **Cambs Wildlife Trust** - 30 April 2020

The ecological report covers all the relevant issues and meets the requirements of the planning conditions.

5.18 **Ely Cycle Campaign** - No Comments Received

5.19 **The Ely Group Of Internal Drainage Board** - No Comments Received

5.20 **City of Ely Council** - 1 April 2020

The City of Ely Council would support this application, subject to the placement of the toddler play area being located further away from the A10, as it is felt the intended location is much too close to the A10.

5.21 **Ward Councillors** - No Comments Received

5.22 **Consultee For Other Wards In Parish - No Comments Received**

5.23 **Anglian Water Services Ltd - 6 April 2020**

No objection.

We have reviewed the documentation provided by the applicant as part of this planning application. The submitted documents include no further or applicable information relating to surface water drainage as part of this application. Therefore we have no comments relating to the submitted documents. Anglian Water would wish to be re-consulted if any additional information relating to foul and surface water drainage is provided by the applicant.

5.24 **Neighbours** – A site notice was posted on 29th April 2020, an advert placed in the Cambridge Evening News on the 26th March 2020, and 136 neighbouring properties were notified. 1 response was received neither objecting nor supporting the application and is summarised below. A full copy of the responses are available on the Council's website.

- Highway Safety – I strongly believe that if we are to have more houses, and this side of the pedestrian access to the leisure park, then we need a pedestrian crossing going across Downham Road which leads into the grassed area to the underpass. Crossing the road to the cut through to the grassed area is treacherous. The more houses we have this side, the more people will be crossing to access the leisure park. There is no safe crossing for families, children or adults to get there. Also we would like a crossing this end of Cam Drive to access the Lantern School.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision
ELY 1	Housing-led sustainable urban extension, North Ely

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

North Ely SPD

6.3 National Planning Policy Framework 2019

2 Achieving sustainable development

5 Delivering a sufficient supply of homes

8 Promoting healthy and safe communities

9 Promoting sustainable transport

11 Making effective use of land

12 Achieving well-designed places

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

15 Conserving and enhancing the natural environment

16 Conserving & enhancing the historic environment

6.4 Planning Practice Guidance

7.0 PLANNING COMMENTS

7.1 The main issues to consider in the determination of this application are the principle of development, housing mix and density, character and appearance, residential amenity, green infrastructure and landscaping, traffic and transportation and ecology.

7.2 Principle of Development

7.3 Policy ELY1 of the Local Plan, 2015 allocated approximately 210 hectares of land for a mixed use urban extension of up to 3000 dwellings, 2 primary schools, sufficient employment uses to deliver approximately 1300-1500 jobs; two local centres providing retail and community facilities; and an extension of Ely Country Park. A Strategic Master plan has been prepared for the whole area in order to bring together Endurance Estates, the promoters of the western half of North Ely and the Church Commissioners, landowners of the eastern half of the allocation.

7.4 The North Ely Supplementary Planning Document (North Ely SPD) then sets out the planning requirements for the development of this new community, indicating the design and development principles that must be met to enable a 'special extension to a special city'.

7.5 As stated above, outline planning permission for the residential led development of up to 1200 homes with associated employment and community uses (including care home and an extra care home), supporting infrastructure and open space/landscaping on land to the West of Lynn Road was granted on 20th June 2016. The S106 Agreement attached to the planning permission secures the provision of affordable housing across the site together with the open space. A

number of financial contributions towards matters such as business support, education and highway improvements are also secured through the Agreement. In addition to this, and more recently, an application to modify the S106 has been submitted which confirms the affordable housing quantum across the wider site, with another viability review due before Phase 5, and to secure the early delivery of the new roundabout on the A10 as part of this phase of development (Phase 3).

- 7.6 One of the two primary schools to be delivered as part of the North Ely extension has already been constructed by Cambridgeshire County Council and has been taking pupils for the past 5 years. The Care Home, known as 'The Orchards', has also been constructed and is now occupied. The Isle of Ely Primary School and the Care Home are located to the East of the land that forms part of this reserved matters application and is accessed via a section of the Spine Road constructed to facilitate the school and open up the remainder of the Endurance Estates land in later phases. The reserved matters application does not include these areas, although it would abut the site with the Care Home. Phase 3 is shown on the Land Use Parameter Plan as residential, park/green area, linear green spaces, green edges to Ely/A10, and the entrance into North Ely off the A10. Phase 3 accords with this parameter plan.
- 7.7 Endurance Estates have discharged a number of strategic site-wide planning conditions that will inform all future reserved matters applications. These include a site-wide phasing plan and strategies for the provision of broadband, foul and surface water drainage. Matters such as a site-wide biodiversity strategy and specification for a noise bund alongside the A10 have also been addressed in the discharge of condition applications.
- 7.8 This second reserved matters application will bring together the North Ely vision set out in adopted policy and the current built form emerging on Phase 1 and Cam Drive. The North Ely SPD seeks to use neighbourhood areas, character areas and development typologies to promote a gradual transition from urban to rural character. There are 3 development types identified on the outline approval parameter plan for the Downham Meadow area which are:
- Urban Village – a small parcel of development within the north east corner of the character area;
 - Suburbia – sense of enclosure with a variety of dwellings of 2 or 3 storeys and strong building lines where dwellings front onto green spaces;
 - Green Living – Detached or semi-detached dwellings, predominantly 2 storeys, close to communal green spaces, and are lower in density and located on the edges of the development.

Long Fen is a landscape character area where this is no built development and would assimilate itself with the soft landscaped buffer and bund alongside the A10.

- 7.9 The fourth layer of development form is to be found in the character areas referred to in the North Ely SPD as being based on development patterns and materials palette, which make each character area a distinct unit with its own identity. This reserved matters application takes in most of the Downham Meadow character area and some of the Long Fen character area. In accordance with the outline planning

permission Endurance Estates has prepared a Design Code for each of these character areas, which have been submitted to and approved by the Local Planning Authority under the guidance of Place Services, the LPA's Urban Design Consultants. The Design Codes are addressed in further detail in the following material considerations.

7.10 Housing Mix and Density

7.11 The mix of housing across the site should be informed by local need and this is reinforced in condition 49 of the outline consent, through Policy HOU1 of the Local Plan and through the Developer Contributions SPD. The North Ely SPD seeks to secure a low/medium density across the whole of North Ely with a wide range of dwelling types, size and tenure to be provided, creating choice, a varied building form and meeting community needs.

7.12 The S106 Agreement sets out an affordable housing requirement of 10% of the first two phases of development on the Endurance Estates land. Although this proposal is Phase 3, it would be the second phase of development on the Endurance Estate land, and therefore would deliver 10% affordable housing, in accordance with the S106 Agreement and the more recent modification of the S106 agreement which required a viability review to be submitted and to confirm the affordable housing quantum across the site. A further viability review would need to be submitted before Phase 5, to ensure that the development, as a whole meets the local housing need, depending on market conditions at the time.

7.13 Taylor Wimpey are therefore proposing to construct 258 dwellings which includes 26 affordable dwellings in accordance with the requirement to provide 10% affordable dwellings at this stage.

7.14 The application proposes the following mix of market dwellings:

- 38 x 2 bed (16%)
 - 113 x 3 bed (49%)
 - 67 x 4 bed (29%)
 - 14 x 5 bed (6%)
- TOTAL: 232 dwellings**

The affordable dwellings are split in the following way:

- 3 x 1 bed (12%)
 - 11 x 2 bed (42%)
 - 10 x 3 bed (38%)
 - 2 x 4 bed (8%)
- TOTAL: 26 dwellings (18 affordable rent, 8 shared ownership)**

7.15 The Council's Housing Strategy and Enabling Officer has accepted the mix of affordable units and confirms that it addressed local need and meets the requirements of the outline planning condition and S106 Agreement. The affordable dwellings are pepper-potted across the site in small clusters and are tenure-blind designed to blend in with the market dwellings.

- 7.16 The mix of dwellings includes a greater number of 3 bedroom dwellings than that envisaged in the Developer Contributions SPD (paragraph 4.2.3). The applicant has submitted a Housing Mix Assessment in which it states in paragraphs 6.8 – 6.17 that their own market research indicates that there is a significant demand for smaller units, hence 49% of the market dwellings are proposed to be 3-bed and 16% 2-bed. The assessment goes on to state: *“The reason for the high level of demand for smaller units is due to various factors, principally that the median house price to income ratio in East Cambs is in the third highest in the East of England at 7.6. The formation of smaller households occurs through young people leaving home, splitting of larger families through separation or divorce, and in-migration for work. Additionally, older households take the opportunity to down-size once children leave home or when they become too frail to maintain a large dwelling”* This follows a similar approach to other developers in the District, and on the adjacent development, on Phase 1 by Hopkins Homes, and the Local Planning Authority has no evidence to suggest otherwise.
- 7.17 In accordance with conditions 51 and 53 of the outline consent, 20% of the dwellings (52 in total) are designed to Lifetime Homes standards. In addition, 52 dwellings are also flexible dwellings that are designed to be suitable for home office working.
- 7.18 As stated above, the application site spans across two of the character areas set out in the outline consent and for which there is an approved parameter plan. All of the residential plots are within the Downham Meadow character area, which is completely residential in nature. There is no built development on the Long Fen character area as this is all open space and the green edge of this phase of development. In accordance with the Urban Design Framework parameter plan, the majority of the dwellings are 2 storeys in height with some 2.5 storeys facing Cam Drive and a very small number of 3 storeys which terminate the views within the Urban Village development area in the north east corner of this phase. The overall density of the site is 35dph (14.3 dwellings per acre). The parameter plan states that the maximum density of this character area should be no more than 34dph (14.1 dwellings per acre). The unit number increased from 255 to 258 to allow for a few more smaller dwellings to be incorporated into the scheme, without compromising the quality of the three development types proposed. It is considered that the additional 3 dwellings would not unduly unbalance the development as a whole and as such, it would not be reasonable to refuse the application on the basis that the development exceeds the density stated by 1dph.
- 7.19 Plots 51 – 225 are within the middle ‘suburbia’ area where the density is greater, followed by the ‘urban village’ to the north east part of the site, Plots 125 – 258, which are characterised by dwellings fronting green spaces with a less formal street layout and then the ‘green living’ section, Plots 1 – 50, in the south western corner of the site which has a lower density and is characterised by dwellings facing large areas of open spaces and is defined by bigger spaces between plots. These three areas bring together a unique identity which responds to the green edge of the site and its landscape led setting, which is in accordance with the Downham Meadow Design Code.
- 7.20 Character and Appearance

- 7.21 The application has been the subject of extensive pre-application discussions, centred on the layout of the development and relationship of the built form with the green spaces within and around the site. The Downham Meadow character area is defined by its green corridors with foot and cycle paths coinciding with the linear drainage features and swales. The cycle path connects the built environment with the edges of the development, and there will be a new link on the south western end of the site joining Cam Drive. The cycle path wraps around the perimeter of the site, alongside the green edge, beside the A10 (Long Fen character area), which would then join up with the adjoining phase to the North.
- 7.22 There are 2 main linear green corridors within the Downham Meadow part of the development, one along the Cam Drive frontage (Green Park) and the other separating the 'green living' parcel from the 'suburbia' parcel. There are also smaller green corridors in the urban village parcel in the north eastern end of the site. The Long Fen character area complements these green corridors by introducing more drainage basin areas and open space around the edges of the site. Long Fen would also provide a toddler play area along the green edge of the site which accords with the outline permission and S106 Agreement. Details of this are discussed in the Green Infrastructure and landscaping section of this report. These green spaces also provide an opportunity to enhance biodiversity and has been examined in detail as part of the landscaping strategy submitted with the application.
- 7.23 The main access points to the Downham Meadow character area is in accordance with the Access Parameter Plan. The site can be accessed via the main roundabout on Cam Drive and via the new roundabout on the A10, subject of planning application Ref: 20/00797/RMM, which is currently pending consideration. There would also be another access from Cam Drive between the Downham Road/Cam Drive roundabout and the Cam Drive/Stour Green roundabout. The new roundabout on the A10 would connect with the existing dormant roundabout at the end of the spine road, between the new Care Home and the Isle of Ely Primary School. Internally a series of tertiary roads lead to private access roads, many of which also address key areas of open space and pedestrian and cycle routes through the development.
- 7.24 The built form within Downham Meadow is designed to produce a variety of scales and enclosures to create a successful townscape, in accordance with the Downham Meadow Design Code. Using appropriate variations in height, density, building typology and road-scape contributes to the creation of attractive and characterful spaces. In line with the Design Code, focal buildings on corners and edges of the site, gateways and view corridors together with the definition of streets, spaces and edges help to orchestrate a rich and varied experience for future occupiers and visitors. The majority of houses are two and two and a half storeys. Single storey carports help to create a continuous frontage with a strong rhythm along Cam Drive Linear Park. Garages are provided along the Green Edge (alongside the A10) and Linear Green Spaces (drainage and swales), set well back from the frontage to create a less enclosed frontage. In some areas the front boundaries on key edges would be marked by metal estate railings. Key views and vistas were identified during the assessment of the site, and to ensure that the views to Ely Cathedral were not impeded. The proposal therefore takes the opportunity to identify key

areas for focal, gateway and landmark buildings, to add visual interest in key locations. Gateways and focal buildings, not only provide legibility to the scheme but also promotes way-finding and visual interest in the urban built form. These features are clearly shown on the place-making plan, submitted with the application.

- 7.25 Where the site abuts the adjacent Phase 1 development, there is a distinctive change in character, and the care home acts as a landmark building which separates this section from Phase 3. To the eastern side of the site, there would be another linear green space, which forms part of Phase 1 and would act as another distinctive boundary cursor with the road ways from Phase 1 connecting into Phase 3, and eventually linking the two phases from the East.
- 7.26 The Design Code for Downham Meadow sets out a broad range of materials that are reflective of Ely and its variety of architectural styles. The proposal would see a variety of cream, buff and red bricks to match the Ely palette. Horizontal banding in 'Yorkstone' or similar is proposed to suit the Ely palette. Proposed roofs are a mix of slate-effect and clay-effect plain tiles and pantiles. Some dwellings would also feature chimneys to reflect Ely's heritage and to help break up the roof forms and provide visual interest across the roof scape. Box dormers are proposed on a number of dwellings which would be GRP finished with lead effect to the main body and side cheeks, and white fascia. Windows frames would be uPVC and doors and door canopies would reflect the traditional Ely style.
- 7.27 As already mentioned, the proposal was reviewed by the Cambridgeshire Quality Panel on the 2nd September 2019, which was at the pre-application stage only, although the proposal, subject of this application, is a very similar scheme following some positive feedback from the Panel. Their full comments are attached as appendix 2 for reference.
- 7.28 It is considered that the scheme addresses a core principle of the North Ely SPD to design buildings to ensure architectural and design variety and excellence and complies with the approved Design Code. The built form also responds to and draws references from the rich historic townscape in central Ely, in accordance with Policy ENV2 of the Local Plan, 2015.
- 7.29 Residential Amenity
- 7.30 The scheme has been designed in accordance with the East Cambridgeshire Design Guide SPD taking into account the requirement to provide sufficient plot sizes and amenity space. Attention has also been given to the need to ensure that the minimum distance of 20m between rear inter-visible windows is maintained and it is considered that future occupiers of the scheme will enjoy a satisfactory level of amenity.
- 7.31 The care home is a 3-storey, 'L' shaped building, to the north-east of the site. The car parking and main entrance is to the rear of the care home which is adjacent to the site boundary. Phase 3 takes into account this building by placing car parking adjacent to the care home's car parking area. Dwellings along this boundary are gable end to the site boundary and therefore avoiding significant overlooking. The care home is positioned forward of the site and there is a separation distance of about 20-25m to the site boundary, which is acceptable.

- 7.32 The site adjoins the existing Phase 1 development by Hopkins Homes, and The Orchards care home, to the East. There are 2 and 3 storey dwellings along Cam Drive, to the South, and the boundary with the A10 is to the West of the application site. There is also a small group of dwellings to the South of the tip of the site, which are a mix of two and three storeys (an off-shoot of Cam Drive).
- 7.33 The Planning Layout Plan (Sheet 1 of 2) submitted as part of the application, indicatively shows part of the built form under Phase 1 to bring additional context to the scheme. The proposed layout ensures that there are sufficient distances between these buildings and acknowledge their frontages so that they correspond with this scheme. There would also be a built-up frontage facing Cam Drive, although this would set well back behind existing landscaping, a new green park and a Secondary Street, with a varied separation distance of between 60 -100m between the proposed dwellings and the existing ones along Cam Drive.
- 7.34 In accordance with the outline planning permission a noise assessment has been submitted with the application. The noise assessment identifies that the A10 and Cam Drive will be the main sources of noise for future occupiers of this scheme. Noise measurements have been taken from points alongside each road and the data collected and transferred into a model, used to predict and determine indoor ambient and maximum noise levels within the habitable rooms of assessed location within the development.
- 7.35 The model shows that the site would experience high levels of traffic noise from the A10 during the day and night, although noise levels were slightly lower during the night. Concerns were raised by the Environmental Health Officer regarding these noise levels, which in some cases were between 4db and 9db over the acceptable range of noise limits as recommended by the World Health Organisation guidelines for maximum indoor noise levels within bedrooms at a height of over 4.5m. The plots directly affected by these excessive noise levels are 116, 117, 128, 129, 130, 131, 132, 138, 139 and 140. These dwellings are closest to the A10 and would experience the greatest impacts.
- 7.36 Between the A10 and the proposed dwellings would be a 2m high (above existing site levels) noise attenuation bund which would consist of an earthworks landscaped mound to complement the existing green edge along the A10, and to protect views towards Ely Cathedral. This bund was required as part of condition 16 of the outline planning permission and details of this bund were discharged under Ref: 13/00785/DISA. The bund would be positioned behind the existing soft landscaping along the A10 and is about 50m in width. The Green Edge would be positioned behind this giving an extra 50-75m in depth of green space and a further 30-40m (more in some areas) of cycle path and green frontage before reaching the built up frontage. The bund details did not take into consideration the exact layout of Phase 3 as it was unknown then, so the modelling submitted as part of the discharge of conditions did not reflect the proposed layout, and hence Officers asked the developer to re-model based on the proposed layout, for a more precise representation of the noise levels.
- 7.37 The plots affected were revised and secondary windows have been incorporated into the house types to ensure that a window can be open for natural ventilation.

One of the plots was substituted for another house type to ensure that a dual aspect could be achieved, and to help minimise the noise levels. Ultimately, having dwellings near main roads, is challenging, but it was accepted at the outline stage that dwellings would be located in this section and a degree of higher noise level would be expected by future occupiers. In this case, the number of plots affected is relatively low and it is considered that the developer has managed to overcome these concerns by altering the house types to protect future occupiers from excessive noise levels whilst still be able to open their windows. The noise levels were not excessive along Cam Drive and as such, no changes were required for these plots.

- 7.38 In terms of boundary treatments, there are several types ranging from low level metal and knee rail timber posts to higher metal railings and brick wall and timber close boarded fencing (some with trellis above) on the development. The brick walls are used where boundary lines are visible in the public domain with the close boarded fencing being use between plots within private areas which are all acceptable and provide adequate screening between private and public spaces.
- 7.39 Subject to the measures outlined above being incorporated into the development it is considered that future residents, would enjoy a satisfactory level of ventilation without resorting to mechanical forms of ventilation and will not be adversely affected by noise to any significant extent. The proposal therefore complies with Policy ENV9 of the Local Plan in this regard. All other matters to residential amenity comply with the requirements of the Design Guide SPD and Policy ENV2 of the Local Plan, 2015.
- 7.40 Green Infrastructure and Landscaping
- 7.41 The North Ely SPD sets a vision for a significant amount of North Ely to comprise multifunctional green infrastructure, incorporated as an integral part of the design and layout of the development. This includes all types of green infrastructure, ranging from the Country Park to be provided in the eastern half of North Ely to gardens, green urban spaces and informal and formal play areas and sports fields. Green infrastructure should also provide for the recreational needs of the community as well as enhancing biodiversity and creating new habitats for wildlife.
- 7.42 As mentioned in this report the proposal conforms to the Landscape and Open Space parameter plan and the inclusion of green corridors and open spaces within the site, in accordance with the approved Downham Meadow and Long Fen Design Codes. Since the consideration of the Phase 1 development, the Local Highways Authority is now allowing trees to be planted within the highway and they would be adopted as part of that highway by the County Council. This has enabled areas of hard landscaping to be broken up by trees and softened to integrate better with the overall green strategy for the site. Phase 3 incorporates a lot of green spaces particularly as it also includes Long Fen, the Green Edge, which is centred on green living, open spaces and enhancing biodiversity. The site includes areas of existing trees and established hedges. The proposal seeks to retain all existing hedgerows, which would be enhanced by inter-planting. Most trees are also retained except where it is essential to facilitate the scheme, such as for access.

- 7.43 A landscape masterplan, strategy, a detailed play area proposal, infrastructure plan and a series of planting plans have been submitted with the application, together with an arboricultural statement and tree protection and removal plan. Further details are also included within the Design and Access Statement which make reference to the design codes for each of the character areas. The landscaping strategy is designed to bring together the landscape character aspects of this part of the fenland landscape and the character and qualities associated with the 'Isle of Ely'. A linear approach has been adopted, which also reflects the linear nature of the existing tree line within the site, in particular where these are associated with the linear areas of open spaces and the drainage channels/swales. Trees feature quite heavily in this phase, particularly as trees can now be included within the highway, and there is a strong avenue of trees along the northern section of the site.
- 7.44 The majority of residential units of the Downham Meadow site falls within the development type of 'Suburbia' with medium density residential development providing a variety of housing types and sizes close to open spaces an amenity provision, well linked to encourage pedestrian and cycle traffic. Strong frontage definition through hedges, domestic fencing and mixed planting as well as defensible mixed planting where space is limited, are also features within the landscaping strategy for this area. Served by Secondary Streets with green wedges and avenue trees, residential parcels are accessed via smaller Tertiary Streets as well as shared surfaces and drives. This hierarchy of street types is reflected through the use of distinctive surface and landscape treatments, providing greenery at every level. Similar landscaping features are also seen across the Green Living and the Urban Village parcels although they are reflective of their character areas. This accords with the Landscape Framework within the approved Downham Meadow Design Code.
- 7.45 The Long Fen Green Edge character area is completely landscaped led, in accordance with the approved Long Fen Design Code, with an abundance of new trees, swales and drainage basins. This linear green space provides a recreational route for pedestrians and cyclists meandering through a landscape created by swales and drainage basins, framed and separated by lines and groves of native trees. The acoustic noise bund along the outer edge of this space, facing the A10, will alongside with strategic tree and shrub planting provide a visual and acoustic screen to this important route into Ely. At connection points into the residential parcel, informal nodes will be created containing sculpted lawn areas, natural play elements and seating.
- 7.46 The Long Fen linear green edge is the largest area for ecological enhancement and thus comprises a variety of grasslands with differing mowing regimes to provide a mosaic of different habitats. The noise bund towards the A10 will be planted with a native woodland scrub mix and large trees on a loose grid with woodland meadow being established beneath and along the bottom of the bund. The bottom of the swales will receive a wetland meadow mix where seasonal water levels allow and banks will be seeded with a tussock grass mixture. Additional biodiversity will be provided by a special pollen and nectar meadow in proximity to productive landscape elements such as the communal gardens and orchards where a high density of pollinators will improve cropping. Grass verges will be seeded with a flowering lawn mix which can be mown more regularly whilst still providing flowers

as food source. Where connections into the residential parcels are proposed, naturalising bulbs will be incorporated to give early Spring colours and food source.

- 7.47 The two 'formal' play spaces for the site are located within the Green Edge and the eastern Linear Green whose narrow geometry provides excellent surveillance from adjacent properties facing them. These play areas are consistent with the outline planning permission. The Green Edge play area is aimed at Toddlers and Juniors and is located in roughly the same location as shown on the outline plan. Play equipment will be chosen to complement the rural fen character of the surrounding landscape and comprise of natural materials such as wood, rocks and live willow structures. The play elements will nestle amongst the various Fen features, creating a playable green rather than a detailed playground. Pockets of colourful and fragrant planting will provide a stimulating and educational backdrop, as well as some comfortable seating.
- 7.48 The North Ely SPD acknowledges the fact that the existing green infrastructure, including watercourses will be incorporated into the development and that they will form an integral part of the drainage strategy. A site-wide surface water drainage strategy has been approved as part of the discharge of condition application made by Endurance Estates prior to the submission of the Phase 1 application.
- 7.49 The Council's Trees Officer has assessed the landscaping, planting proposals and arboricultural details submitted for this phase, and supports the overall landscaping strategy. No further conditions have been recommended to support this strategy and if the application is approved, a condition would be appended to ensure that the landscape strategy is implemented as approved and maintained.
- 7.50 It is considered that the proposed landscape strategy meets the objectives of the North Ely SPD and the approved Design Codes, in relation to green infrastructure and landscaping and the requirements of Policy ENV1 of the Local Plan, and the Downham Meadow and Long Fen Design Codes, in respect of landscape character.
- 7.51 Traffic and Transportation
- 7.52 The Access Parameter plan details the main vehicle, pedestrian and cycle points into the development and the current scheme accords with this plan. The main access point to the site was approved as part of the outline planning permission. A further access point is currently being considered as part of Ref: 20/00797/RMM. As stated, a series of cycle paths and foot paths run through and around the development, connecting it with various points outside it. The scheme therefore promoted walking and cycling over vehicle movements in accordance with the North Ely SPD.
- 7.53 The junction of Cam Drive and Stour Green was installed in 2016 to facilitate the construction of the primary school. The shared cycle/footpath to the north of Orchard Grounds was also installed together with a crossing point on Cam Drive, which now has traffic lights added to it since the school opened.
- 7.54 The applicant will also work with the Local Highways Authority to secure a number of off-site improvements for cyclists in accordance with condition 41 of the outline planning permission, which would include a new footway to the north side of Cam

Drive, west of Stour Green, and a scheme of enhancements to facilitate cycling through the public open space at Stour Green. These are details which are required to be submitted prior to the occupation of the first dwelling in Phase 3.

- 7.55 In terms of car parking provision, the Design Code sets out the key principles relating to car parking and a variety of methods can be utilised with the key objective of accommodating all resident parking on plot, within a parking courtyard or the adjoining street. The applicant has been encouraged to and has minimised the use of tandem parking following pre-application discussions, but the Design Code acknowledges that in some cases on plot parking may involve two spaces, one in front of the other, or even garage parking to ensure compliance with Local Plan Policy COM8 (parking provision). The percentage of non-tandem parking across the site is 59% (compared with 48% on Phase 1) and therefore the number of tandem parking is less than the majority provided across the site.
- 7.56 The proposed parking strategy complies and exceeds the Council's car parking standards and Design Code requirements, and provides future residents with a wide variety of choice. The site as a whole exceeds the required average of 2 parking spaces per dwelling, achieving 2.40 parking spaces per dwelling. A small number of parking courts are proposed and these have been designed to ensure that they are overlooked, safe, secure and accessible whilst not dominating the street-scene. The proposal would provide the following car parking spaces which is dependent on the size of the dwelling:
- 1-3 bed homes = 2 spaces per dwelling
 - 4 bed homes = 3 spaces per dwelling
 - 5 bed homes = 4 spaces per dwelling
 - Parking courts = 12 spaces maximum
- 7.57 The total number of parking spaces are broken down as follows:
- Allocated parking spaces = 439
 - Allocated garages = 107
 - Carports/Link roof space = 52
 - Formal visitor spaces = 19
 - **TOTAL = 617**
- 7.58 In terms of cycle parking, the proposed layout promotes cycling by providing convenient, attractive routes and well-designed streets (designed to low speeds). To support that, each dwelling has secure, easy to access cycle storage within the plots. The cycle storage is provided in line with the approved Design Code requirements, providing at least 2 x easily accessible spaces for each plot. Cycle storage is provided in either a shed within the back garden, or within a secure garage. Where accesses to cycles is through a proposed carport, an additional 1.2m wide circulation strip has been provided to avoid the need to remove a vehicle to gain access.
- 7.59 The Local Highways Authority have stated that it will not adopt visitor parking bays within the highway unless they serve a highway function. They are also difficult to manage if they cannot be adopted. In this case it is considered that their location

adjacent to areas of public open space meets this requirement. The under provision of designated visitor spaces is based on the premise that the larger dwellings have more than the standard number of car parking spaces allocated, and therefore 'over-providing', and as such the demand for visitor parking would be lower than on sites that are not over-providing on designated car parking spaces. On this basis that there will be no parking controls on the development it is considered that visitor parking will be on-street and that the streets have been designed to accommodate this. On balance, it is considered that the location of the site close to the city centre with enhanced on and off-site linkages that car and cycle parking provision are adequate and complies with the approved Design Code and Policy COM8 of the Local Plan, 2015.

- 7.60 Specific consultee comments have been raised regarding providing safer connections to the wider area and a link to the new Cinema and Leisure Park off Downham Road. This was also mentioned by a Councillor at the Member's Briefing last October. The questions specifically related to why there was not a direct link from the site to the Leisure Park. Phase 3 is the closest of the sites to the Leisure Park and would appear to be in the best location to offer this. However, the site is also close to the A10 which is a very busy single carriageway of 60mph traffic speeds. Prior to the submission of this application, Taylor Wimpey did take on board these questions and spoke to the Local Highways Authority about providing a footpath connection in the south/western corner of the development to the existing A10 roundabout. This was considered as fundamentally dangerous by the LHA and a pedestrian link would not be supported on highway safety grounds. There is a dropped kerb crossing at the end of Downham Road, before the A10/Little Downham roundabout which then leads to the underpass to the Leisure Park. Furthermore, this area is outside of the application site and an additional crossing in this location is not required by the S106 or the outline planning permission, and therefore the LPA cannot insist that this is provided. The layout therefore retains the cycle link to Cam Drive as shown on the Planning Layout Plan (Sheet 1 of 2) which would link to this dropped kerb towards the Leisure Park and towards Lynn Road in the other direction.
- 7.61 A detailed Travel Plan has been submitted by Endurance Estates prior to the submission of the Phase 1 application and has been approved on the recommendation of Cambridgeshire County Council. The Plan seeks to minimise the number of single occupancy vehicle trips generated by the development and to support more sustainable modes of transport. A Travel Plan Co-ordinator has been employed by Cambridgeshire County Council in order to promote this issue further and future residents should benefit from these measures. Taylor Wimpey will comply with the approved Travel Plan and ensure that the proposed measures, marketing, promotion and monitoring are delivered through this Phase.
- 7.62 Ecology
- 7.63 A site-wide Biodiversity Strategy has been approved in relation to the Endurance Estates land. All reserved matters applications are required to submit a Site Biodiversity Survey and Assessment that demonstrates how it accords with the aims and objectives of the Biodiversity Strategy.

- 7.64 The current application site is of limited ecological value, with the exception of the existing trees and hedgerows that are along the boundaries of the site and the existing tree line within the site which are potential habitats for bats and birds. The proposal is therefore seen as an opportunity to enhance biodiversity and ecology on the site. As detailed above the scheme includes the enhancement of existing green infrastructure and the creation of new features that will provide additional habitats. A sensitive lighting scheme will be employed to minimise disturbance to any habitats suitable for bats and appropriate construction methods will be utilised to avoid harm to other animals such as badgers.
- 7.65 The applicant has submitted a Biodiversity Assessment which has been assessed by the Cambs Wildlife Trust. An updated walkover survey of the site was undertaken to ensure the baseline status remained as understood. The proposals retain all existing site hedgerows, which will be enhanced by inter-planting. Most trees are also to be retained except where essential to facilitate the scheme, such as for access. Many of the principles in this report are also reflected in the green infrastructure and planting plans discussed above in this report as they are intertwined and mitigation measures have been recommended for bats and birds. A condition would be reasonable to ensure that these mitigation measures are carried out to safeguard and enhance these wildlife and their habitats. An arboricultural statement and tree protection plan has also been submitted which would protect the trees on site and add to the site's biodiversity value.
- 7.66 Subject to compliance with the biodiversity and tree reports and landscape strategy it is considered that the proposal meets the objectives of the North Ely SPD in relation to the enhancement of biodiversity and creation of new habitats for the wildlife, and Policy ENV7 of the Local Plan, 2015.
- 7.67 Other Material Matters
- 7.68 The applicant has considered the need for bin storage on the development with all plots having adequate arrangements for both and complying with the Council's Waste Management Strategy, the RECAP (County Waste Management Strategy) SPD, and Policy ENV2 of the Local Plan, 2015.
- 7.69 The applicant has submitted an Energy Statement which sets out the sustainability approach that would be taken across the development. The developer would adopt a fabric-first approach to design which would comprise of energy efficient building fabric and insulation to all heat loss floors, walls and roofs and high efficiency double glazing throughout. The development would also incorporate low-carbon and renewable energy in the form of PV panels on rooftops. Both of these approaches would comply with Part L of the current Building Regulations and as such it is considered acceptable and would accord with Policy ENV4 of the Local Plan, 2015, the approved Downham Meadow Design Code, and the North Ely SPD.
- 7.70 Matters addressed by conditions on the outline planning permission
- 7.71 Endurance Estates, the site promoter, has discharged a number of site-wide strategic conditions, including those relating to the phasing plan for the whole development, the biodiversity strategy, broadband strategy, and foul and surface water drainage for the whole development. Taylor Wimpey is required to address a

number of other planning conditions attached to the outline consent prior to work commencing on site. In summary these relate to the following matters:

- Submission of a Construction Environmental Management Plan (CEMP);
- Green Infrastructure Plan for Phase 3;
- Land contamination, if further unexpected contamination is found during construction;
- Fire Hydrants;
- Further details of the new A10 roundabout – pending consideration as part of Ref: 20/00797/RMM;
- Phase 3 off-site cycleway and footpath;
- Public Transport infrastructure along the Spine Road;
- Bus stops on Cam Drive.

7.72 Planning Balance

7.73 The applicant has submitted a scheme for 258 dwellings that accords with the outline planning permission, the parameter plans attached to it and the approved Design Codes. This is the second phase of development, (although it is identified as Phase 3 on the approved phasing plan), in a significant urban extension to Ely and will provide a significant number of homes. The applicant has demonstrated that matters in relation to residential amenity, highways, waste management and drainage can be adequately addressed and the scheme complements the site's location close to the city centre, and Phase 1. The applicant will build upon the details agreed at the outline stage and as part of the site-wide conditions in relation to drainage and green infrastructure and has committed to securing a number of the off-site infrastructure improvements. On balance it is considered that this reserved matters application does not give rise to any adverse effects that would outweigh the benefits of this scheme and therefore the application 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:

- No objections have been received from statutory consultees;
- The proposal is in accordance with the outline planning permission, the approved parameter plans and the Design Codes.

9.0 APPENDICES

9.1 Appendix 1 – Recommended Conditions
Appendix 2 – Cambridgeshire Quality Panel report

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
20/00360/RMM	Angela Briggs Room No. 011 The Grange	Angela Briggs Planning Team Leader
13/00785/ESO	Ely	01353 665555 angela.briggs@east camb.s.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.eastcamb.s.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX 1 - 20/00360/RMM Conditions

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

Plan Reference	Version No	Date Received
ELY/PH3/AA22/02	A	5th June 2020
ELY/PH3/NA45/03	A	5th June 2020
ELY/PH3/NB31/02	A	5th June 2020
ELY/PH3/PA25/01	A	5th June 2020
ELY/PH3/PA25/02	A	5th June 2020
ELY/PH3/PA25/03	A	5th June 2020
ELY/PH3/PA25/04	A	5th June 2020
ELY/PH3/PA34/01	A	5th June 2020
ELY/PH3/PA34/02	A	5th June 2020
ELY/PH3/PA34/03	A	5th June 2020
ELY/PH3/PA34/04	A	5th June 2020
ELY/PH3/PA44/03	A	5th June 2020
ELY/PH3/PT36/01	A	5th June 2020
ELY/PH3/PT36/02	A	5th June 2020
ELY/PH3/PT36/03	A	5th June 2020
ELY/PH3/PT37/01	A	5th June 2020
ELY/PH3/PT37/03	A	5th June 2020
ELY/PH3/PT37/04	A	5th June 2020
ELY/PH3/SG1	A	5th June 2020
ELY/PH3/SG2	A	5th June 2020
2875-PP-04	P3	11th June 2020
2875-PP-03	P4	11th June 2020
2875-PP-05	P3	11th June 2020
2875-PP-06	P3	11th June 2020
2875-PP-07	P3	11th June 2020
2875-PP-08	P3	11th June 2020
ELY/PH3/BTL/01	B	1st July 2020
2875-PP-09	P3	11th June 2020
2875-PS-01	P3	11th June 2020
2875-PS-02	P3	11th June 2020
ELY/PH3/AHL/01	B	1st July 2020
ELY/PH3/AL 01	B	1st July 2020
ELY/PH3/CSL/01	B	1st July 2020
ELY/PH3/EWL/01	B	1st July 2020
ELY/PH3/HDL/01	B	1st July 2020
ELY/PH3/HOL/01	B	1st July 2020
ELY/PH3/HSL/01	B	1st July 2020
ELY/PH3/LML/01	B	1st July 2020
ELY/PH3/MFL/01	B	1st July 2020
ELY/PH3/ML/01	B	1st July 2020
ELY/PH3/PAL/01	B	1st July 2020
ELY/PH3/PCL/01	B	1st July 2020
ELY/PH3/PML/01	B	1st July 2020
ELY/PH3/SBD/01	B	1st July 2020
ELY/PH3/SHL/01	B	1st July 2020

2000/500		9th March 2020
25290ea-04		9th March 2020
25290ea-05		9th March 2020
JBA 19/286 TR01	C	9th March 2020
2875-SP-01	P1	9th March 2020
Heritage Statement	0	9th March 2020
House Type Brochure		9th March 2020
Design Code Compliance Statement		9th March 2020
Contamination Report	1	9th March 2020
Foul and Surface Water Drainage Statement A		9th March 2020
20000/202	B	5th June 2020
2000/121	B	5th June 2020
2000/120	B	5th June 2020
20000/204	B	5th June 2020
20000/203	B	5th June 2020
20000/200	B	5th June 2020
2000/122	B	5th June 2020
2000/123	B	5th June 2020
2000/124	B	5th June 2020
20000/201	B	5th June 2020
20000/118	B	5th June 2020
RP01-19412 Rev 2	Addendum Noise Asses	5th June 2020
LC/22259/13	April 2020	5th June 2020
ELY/PH3/NC31/01	A	5th June 2020
ELY/PH3/PT36/04		9th March 2020
ELY/PH3/PT37/02		9th March 2020
ELY/PH3/NB31/01		9th March 2020
ELY/PH3/NB31/03		9th March 2020
ELY/PH3/PA44/02		9th March 2020
ELY/PH3/NT40/01		9th March 2020
ELY/PH3/NT41/01		9th March 2020
ELY/PH3/NA44/02		9th March 2020
ELY/PH3/NA51/01		9th March 2020
ELY/PH3/AA11/01		9th March 2020
ELY/PH3/AA22/01		9th March 2020
ELY/PH3/AA31/01		9th March 2020
ELY/PH3/AA31/02		9th March 2020
ELY/PH3/AA31/03		9th March 2020
ELY/PH3/AA31/04		9th March 2020
ELY/PH3/AA41/01		9th March 2020
ELY/PH3/SG5		9th March 2020
ELY/PH3/SG6		9th March 2020
Arboricultural Impact Assessment	C	9th March 2020
Biodiversity Assessment	1.0	9th March 2020
Energy Statement	B	9th March 2020
Noise Assessment	1	9th March 2020
RECAP Waste Management Design Guide Toolkit		9th March 2020
Utilities Statement Note		9th March 2020
Transport Statement Note		9th March 2020
ELY/PH3/BTD/01		9th March 2020
2875-LA-01	P1	9th March 2020

WLC290-1300-002	B	9th March 2020
WLC290-1300-001	B	9th March 2020
WLC290-1300-003	B	9th March 2020
2000/100	C	9th March 2020
1339-3-1803	C	9th March 2020
1339-3-1804	C	9th March 2020
2875-LA-02	P2	9th March 2020
1339-3-1802	C	9th March 2020
1339-3-1801	D	9th March 2020
1339-3-1800	D	9th March 2020
2000/134		9th March 2020
2000/133		9th March 2020
2000/132		9th March 2020
2000/131		9th March 2020
2000/130		9th March 2020
2000/138		9th March 2020
2000/137		9th March 2020
2000/136		9th March 2020
2000/135		9th March 2020
2000/139		9th March 2020
ELY/PH3/SCL/01		9th March 2020
ELY/PH3/SLP		9th March 2020
25290ea-03		9th March 2020
25290ea-02		9th March 2020
25290ea-01		9th March 2020
ELY/PH3/RSL/01	B	1st July 2020
ELY/PH3/NA44/01	B	1st July 2020
ELY/PH3/NA45/01	B	1st July 2020
ELY/PH3/NA45/02	B	1st July 2020
ELY/PH3/NB51/01	B	1st July 2020
ELY/PH3/NB51/02	B	1st July 2020
ELY/PH3/NT41/02	B	1st July 2020
25290ea-09		9th March 2020
JBA 19/286 TP01	C	9th March 2020
25290ea-11		9th March 2020
25290ea-10		9th March 2020
25290ea-08		9th March 2020
25290ea-07		9th March 2020
25290ea-06		9th March 2020
ELY/PH3/NT42/01	A	1st July 2020
2875-PP-01	P5	29th June 2020
2875-PP-02	P5	29th June 2020
ELY/PH3/NT41/03	A	1st July 2020
ELY/PH3/PA44/01	B	1st July 2020
ELY/PH3/PL1	C Sheet 1 of 2	1st July 2020
ELY/PH3/PL2	C Sheet 2 of 2	1st July 2020
22259-SK3		1st July 2020
ELY/PH3/SG3	A	5th June 2020
ELY/PH3/SG4	A	5th June 2020

1 Reason: To define the scope and extent of this permission.

- 2 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 3 Notwithstanding the details shown on Drawing no ELY/PH3/ML/01 Rev B, no above ground construction shall take place on site until samples 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.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 4 All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from last occupation (as specified by condition 11) 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.
- 4 Reason: To ensure the longevity of the landscaping scheme, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 5 No above ground construction shall take place until details of the equipment and surfacing of the Downham Meadow play areas have been submitted to and agreed in writing by the Local Planning Authority. The details shall also include the timing of the delivery of the play areas.
- 5 Reason: To ensure the play areas are constructed to an appropriate standard and delivered at the appropriate time and to safeguard the residential amenity of neighbouring occupiers, in accordance with Policy ENV2 of the East Cambridgeshire Local Plan, 2015
- 6 The tree protection measures as shown on Drawing JBA 19/286 TP01 Rev C, shall be implemented prior to the commencement of 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.
- 6 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.

- 7 The development shall be carried out strictly in accordance with the mitigation measures and the Phase 3 Work Schedule, shown in Table 6.1 of the Biodiversity Assessment, prepared by The Ecology Consultancy, dated December 2019.
- 7 Reason: To protect and enhance species in accordance with Policies ENV1, ENV2, and ENV7 of the East Cambridgeshire Local Plan, 2015.
- 8 No above ground construction shall take place until details of all street furniture have been submitted to and approved in writing by the Local Planning Authority.
- 8 Reason: To safeguard the character and appearance of the area, in accordance with Policy ENV2 of the East Cambridgeshire Local Plan, 2015
- 9 No above ground construction shall take place until a sample panel measuring no less than 1 metre square has been constructed on site showing details of the proposed brickwork, including colour, texture, bond, pointing and mortar mix to enable a site inspection and agreement in writing by the relevant officer. The panel shall remain on site for the duration of the development and once the development is completed the sample panel shall be removed. All works shall be carried out in accordance with the approved details.
- 9 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 No above ground construction shall take place on site until details of the windows and doors to be used in the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.
- 10 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 11 Prior to any occupation of the development, a scheme for the maintenance of the soft and hard landscaping for a minimum period of five 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

The management and maintenance of the soft and hard landscaping shall be the responsibility of the developer until such time as any areas of public open space have been adopted by a public body or transferred to a private management company.

- 11 Reason: To ensure the longevity of the landscaping scheme, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.