
MAIN CASE

Proposal: Residential development, a local centre comprising retail foodstore (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.

Location: Land at High Flyer Farm North of Kings Avenue, Ely Cambridgeshire

Applicant: Church Commissioners For England

Agent: WYG Environment Planning Ltd

Reference No: 11/01077/ESO

Case Officer: Melissa Reynolds

Parish: Ely

Ward: Ely North

Ward Councillor/s: Councillor Mike Rouse
Councillor Elaine Griffith-Singh
Councillor Lindsey Harris

Date Received: 20 December 2011 Expiry Date:

[P108]

1.0 EXECUTIVE SUMMARY

1.1 This report updates Members about viability issues, the Heads of Terms for the S106 agreement and planning conditions for this application.

RECOMMENDATION 1: That approval be delegated to the Planning Manager at a later date, following completion of a S106, based on the Heads of Terms set out in Appendix 2, and subject to the conditions (with any minor revisions to the conditions delegated to the Planning Manager) set out at Appendix 3.

RECOMMENDATION 2: Recommend to Full Council that:

- i. The Community Infrastructure Levy (CIL) Regulation 123 List be amended to include the children's centre, health and country park infrastructure requirements; and
- ii. That the CIL receipt arising from this application be specifically allocated to the following projects:
 - a. District Leisure Centre

- b. Littleport Secondary School
- c. Health
- d. Children's Centre
- e. Country Park

1.2 **No site visit is required.**

2.0 **INTRODUCTION**

2.1 This report should be read in conjunction with the report submitted to the Special Planning Committee Meeting on 28th March 2014 and the update report to the Planning Committee on 4th June 2014.

2.2 At that meeting, the officer's report was noted. This included that there was on-going work in relation to affordable housing, heads of terms ('HoT') for the Section 106 legal agreement ('S106'); and detailed planning conditions. It was expected that the issue would be brought back to the Committee in August or September. This report back has been delayed to ensure that the viability assessment and HoT for the S106 were agreed with the County Council.

2.3 The purpose of this report is to provide the Planning Committee with an update in order that work can proceed on the preparation of a detailed S106 and update to the Community Infrastructure Levy ('CIL') Regulation 123 ('R123') list.

3.0 **UPDATE**

3.1 Since the update at its meeting on 4th June 2014, officers and the Council's consultant on viability, Bespoke Property Consultants ('BPC'), have continued discussions with the developer to finalise the assessment of viability, HoT for the S106 and planning conditions.

3.2 On 16th September 2014, BPC gave a presentation on the methodology used for assessing viability of the North Ely developments to Members of the Council. No figures were provided at that time but it was helpful for members to gain insight into the approach taken to the review of the developments' finances.

3.3 Agreement between the developers, Cambridgeshire County Council ('CCC') and East Cambridgeshire District Council ('ECDC') has been reached on the assessment of viability and HoT. As a consequence, on 23rd October 2014, the County Council's Economy and Environment Committee agreed to approve the draft S106 package in terms of the allocation of the contributions or value of works in kind to provide County infrastructure.

3.4 ECDC has received the final report on viability from BPC. This includes details of build costs, sales values, levels of professional fees, sales and marketing costs, profit levels, S106 contributions, affordable housing levels, phasing and cash flow, finance costs and benchmark land values. It sets out a way forward and recommendations including a viability review mechanism for capturing up to 30% of the units as affordable housing. The report can be found at Appendix 1.

3.5 Alongside this work, the County Council has progressed with its planning application for a new primary school at North Ely, named the 'Isle of Ely Primary School'. This planning application was approved by CCC's Planning Committee on 9th October 2014. This ensures that the new school can be delivered ahead of the rest of the development. This is to provide the capacity lacking currently at the St Mary's C. of E. Primary School, where temporary places are currently being provided. The new school is scheduled to be open in September 2015.

4.0 DELIVERABILITY AND VIABILITY

4.1 Members are reminded that the need to consider the viability of schemes is included within national planning guidance. The National Planning Policy Framework (NPPF), in paragraph 173, states:

'To ensure viability, the costs of any requirements likely to be applied to the development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be delivered.'

The NPPF also allows for a return to encourage the landowner to bring the site forward for development. This return is generally dependent on three factors:

- i) The planning status of the site and the lawful alternative uses it can be used for;
- ii) The aspirations and needs of the land owner; and
- iii) The need of the local authority to see the scheme developed.

4.2 The Church Commissioners are not prepared to start with an unviable scheme in the anticipation that the scheme will become viable overtime. This Council cannot force the Church Commissioners to adopt this approach. It would not be in line with Government advice and the Council would be judged to be unreasonable if it did this.

5.0 S106

5.1 The scheme cannot provide 30% affordable housing and all of the contributions that have been requested by consultees and other sections of this Council. Officers have, therefore, considered the need for affordable housing and the contribution requests against the three tests for S106 agreements which require these to be:

- i) Necessary to make the development acceptable in planning terms;
- ii) Directly related to the development; and
- iii) Fairly and reasonable related in scale and kind to the development.

5.2 In considering the HoT, input from Members has been provided in relation to priorities for Ely and the District. Discussions have also taken place with officers and Members of the County Council.

5.3 The schedule of S106 HoT, available at Appendix 2, is the outcome of this work and discussions. Few sites within surrounding Districts have been able to achieve more affordable housing than has been agreed. The schedule reflects a quantum of 15% affordable housing to be delivered on the site. A significant contribution is proposed towards a new primary school, and other contributions required to mitigate the development have been agreed; albeit that some will need to be achieved through the review mechanism. It is anticipated that this review mechanism will capture additional affordable housing.

6.0 **CIL**

6.1 Members will see that it is recommended that a number of infrastructure items are funded by CIL, as there is insufficient surplus from the scheme to fund the infrastructure required to mitigate the development through S106 contributions alone. This will require a change to the Regulation 123 list, which identifies projects that could benefit from CIL funding.

6.2 The following projects are already on the Council's CIL Regulation 123 List:

- Littleport Secondary School – This is a contribution towards the new Littleport Secondary School and Special School. It is assumed that young people from North Ely will, in general, attend Ely College using places freed up by the new Littleport Secondary School.
- Leisure Centre – This is a contribution towards the new District Leisure Centre, which will meet the indoor sports facility needs of North Ely residents.

6.3 The following projects will need to be added to the CIL Regulation 123 List:

- Children's Centre – This is a contribution towards the existing Children's Centre in Ely.
- Health – This is in accordance with the NHS Cambridgeshire policy for new developments. Discussions are currently taking place involving NHS Cambridgeshire, the local Clinical Commissioning Group and other partners and interested parties, to consider and approve the best solution to meet the primary health care needs of North Ely. A number of options for allocation of the funds include extension of existing facilities in Ely and also the option of a new facility within a later phase of the North Ely development. An agreed final solution is urgently being sought.
- Country Park – The costs for the design and layout of the new North Ely Country Park and also the future maintenance of this facility. The Council has commissioned consultants, Sheils Flynn, to develop a design for this large new park facility and their work will be out to public consultation from 6th-28th November. The Park will be delivered over a number of years, with the current application involving a relatively small first phase, sited to the north of Thistle Corner. The majority of the park will follow in future applications.

6.4 The estimated CIL receipts, arising from this development are set out in Table 1, below, for information purposes. As only Full Council can formally allocate CIL funding, these allocations are indicative only and should be treated with caution. In accordance with the recommendation set out at the end of this report, it is proposed that CIL receipts from the development will be specifically allocated to fund infrastructure necessary to mitigate the impact of this development, and as such it is proposed that there will be a separate Regulation 123 List to provide for this infrastructure.

Infrastructure	Allocation
<i>Children's Centre</i>	<i>£34,386</i>
<i>Littleport Secondary</i>	<i>£1,113,856</i>
<i>Health</i>	<i>£750,986</i>
<i>Leisure Centre</i>	<i>£1,000,000</i>
<i>Country Park</i>	<i>£622,868</i>
<i>Meaningful Proportion</i>	<i>£633,257.25</i>
<i>Admin</i>	<i>£103,870.85</i>
Total	£4,259,224

Table 1: Indicative CIL allocations

6.5 It would be desirable if the update of the CIL Regulation 123 list, to reflect the above items, could be resolved ahead of the completion of a S106. As it is estimated that the s106 agreement could take a few months to draft this should be possible. This is in order to provide certainty over the ability to deliver key infrastructure needs arising from the development proposals.

7.0 PLANNING CONDITIONS

7.1 The National Planning Policy Framework (NPPF) (paragraph 206) makes clear that planning conditions should only be imposed where they are:

- Necessary;
- Relevant to planning;
- Relevant to the development to be permitted;
- Enforceable;
- Precise; and
- Reasonable in all other respects.

7.2 The National Planning Practice Guidance (NPPG) (Paragraph 011) (as of 22-04-14) states that where it is possible to overcome a planning objection to a development proposal equally well by either a planning condition or planning obligation, a condition should be used.

7.3 An up-to-date list of planning conditions, agreed with the developer and relevant consultees is provided at Appendix 3. This list reflects the HoT, which have developed further since the September meeting.

7.4 Notable changes to the proposed planning conditions are summarised below:

- Reference to enabling works in order to allow some site preparation works to go ahead. This has been included only where there is no detriment in doing so.
- Phasing includes reference to sub-phases in places due to the relatively large size of the three phases identified. This will practically help with the timing of submission and level of detail.
- The Design Code condition has included wording to ensure, as recommended by the North Ely SPD, that compliance is considered with each reserved matters submission.
- Refined wording for several conditions.
- Reference to the maintenance and management of public open spaces has been moved to the S106 HoT.

8.0 OTHER

8.1 For Members' information, one item is not addressed by the S106 or conditions because it will be secured through separate agreements outside of the planning system or do not arise directly from the development:

- Drainage to the existing catch waters – agreement between the developer and the Internal Drainage Board under land drainage legislation will secure this.

9.0 RECOMMENDATIONS

RECOMMENDATION 1: That approval be delegated to the Planning Manager at a later date, following completion of a S106, based on the HoT set out in Appendix 2, and subject to the conditions (with any minor revisions to the conditions delegated to the Planning Manager) set out at Appendix 3.

RECOMMENDATION 2: Recommend to Full Council that:

- i. The CIL Regulation 123 List be amended to include the children's centre, health and country park infrastructure requirements; and
- ii. That the CIL receipt arising from this application be specifically allocated to the following projects:
 - a. District Leisure Centre
 - b. Littleport Secondary School
 - c. Health
 - d. Children's Centre
 - e. Country park

10.0 APPENDICES

10.1 Appendix 1 – BPS' Report – 24rd October 2014

10.2 Appendix 2 – S106 Heads of Terms

10.3 Appendix 3 – Planning Conditions

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
11/01077/ESO – Planning application file Agenda Item 4 of Special Planning Committee Meeting 28 th March 2014 Agenda Item 5 of Planning Committee 4 th June 2014	Room No. 021 The Grange Ely	Melissa Reynolds Senior Planning Officer – North Ely 01353 665555 Melissa.Reynolds@eastcambs.gov.uk

**Review of viability report on
development at Land to the
North and East of the Princess
of Wales Hospital, off
Prickwillow Corner and Lynn
Road, Ely (Application
11/01077/ESO)**

On behalf of East Cambridgeshire District
Council

Rev B
October 2014

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Bespoke Property Consultants

maximising development potential

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Appendix D	Viability review format

1.0 Instructions and background information

- 1.1 Bespoke Property Consultants (BPC) has been instructed by East Cambridgeshire District Council to review the applicant's viability assessment of the proposed development at Land to the North and East of the Princess of Wales Hospital, off Prickwillow Corner and Lynn Road, Ely (Application 11/01077/ESO)
- 1.2 In carrying out this review, BPC has been issued with an updated appraisal dated 22 May 2014 by Smith Gore (SG) which assesses the viability of the proposed development.
- 1.3 BPC have not inspected the property in detail but have carried out two site visits to establish the general parameters and site constraints.
- 1.4 BPC have met with SG on 20 August, 4 December 2013 and with the Council on 30 August, 26 September 2013, 20 January, 19 March, 29 April and 18 September 2014, with four conference calls on 30 September, 18 December 2013, 14 May and 10 August 2014. We have since been in discussion and negotiation with the applicant on the various elements of their appraisal, the S.106 costs and the benchmark land value.
- 1.5 This assessment is provided for the purposes of agreeing appropriate S.106 obligations and is not a valuation of the subject site or scheme. It is provided for the sole use of the party to whom it is addressed. It is confidential to the addressee and their professional advisors. Bespoke Properties Ltd accepts responsibility to the Client named at the start of this report alone that this report has been prepared with the skill, care and diligence reasonably to be expected of a competent consultant, but accept no responsibility whatsoever to any person other than the client themselves.
- 1.6 Neither the whole nor any part of the report nor any reference thereto may be included in any published document, circular, or statement, or published in any way, without the prior written approval of Bespoke Properties Ltd of the form and context in which it may appear and should remain confidential in accordance with the terms of the Freedom of Information Act.

2.0 Executive Summary

- 2.1 We have reviewed the updated appraisal Smith Gore (SG) of 22 May 2014 and concluded that the main issues relating to the viability of the scheme are the infrastructure costs used in the applicant's appraisal, the value in the open market of the units produced, the benchmark land value of the site and the required S.106 and CIL obligations.
- 2.2 SG updated their appraisal of the scheme in May 2014 and we have since agreed amendments which lead to the appraisal results at Appendix A. The format of this assessment is to analyse all costs and values on a per acre basis. This is not a normal format for viability appraisals, but is sufficient to establish the general principles of viability in the case of a large outline application such as this.
- 2.3 We have reviewed the inputs and assumptions used by SG as set out in section 4 below and found them on the whole to be reasonable, but would comment as follows on the main issues which have been resolved with the exception of benchmark land value.
- a) The build cost rates for infrastructure are within an acceptable range, but the drawings to which they are applied are not detailed enough to determine a definite quantum of cost. The proposed review mechanism will make this assessment more accurate.
 - b) The previously proposed sales values of the units by SG compared to the average values per square foot within the local market research sample we undertook were lower. However SG have now accepted the rate we put forward of £220/ft², subject to a trigger for increased S.106 payments being applied at XXX when doing the first viability review.
 - c) The benchmark land value for the site based on its market value has been agreed at xxx per gross acre. The applicant was previously seeking a value of xxx pa gross , and had included existing highway land at Lynn Road within the gross area of the site, which is correct in planning terms but not for viability purposes.
- 2.4 We attach at Appendix B the council's S.106 and CIL list applicable to the scheme. To make the scheme viable certain non-essential items have been foregone and the timing of other items will have to suit an as yet to be determined cashflow. The applicant was offering £10.108M as being the viable for all contributions. However now the cost of the Lynn Road land has been excluded this amount has risen and been agreed at £10.426M. The full amount of S.106 costs

and CIL being sought by the Council is £13,416,418. The difference between the two figures of £2,990,004 will be sought through a viability review mechanism.

- 2.5 In addition to the S.106 / CIL payments, the applicant is offering 15% affordable housing on the basis of affordable rented and intermediate tenures.
- 2.6 Should the Council be minded to grant consent with less than a policy-compliant S.106 contributions, and/or provision of affordable housing, we would recommend a viability appraisal mechanism is included in the S.106 agreement to be carried out on a phase by phase basis. We have agreed each sub-phase for viability review purposes should be 200 units, with the review carried out 50 units prior to the start of the next phase.
- 2.7 The Council and the applicant have agreed that the under provision of S.106 contributions noted at para 2.4 above will be recovered first from a review then additional affordable housing will be sought. The split of land value increase has been agreed at 55% developer and 45% to the council after sales values hit a trigger level of xxx. The increased sales value assists the applicant with meeting its obligations on best value for the land.
- 2.8 In order to be compliant with CIL Regulation 122, any S.106 contributions generated by the appraisal procedure must be capped at the value of the contributions foregone plus indexation from the date of the planning consent. The schedule at Appendix B does this, with the exception of affordable housing which will be expected to be delivered on site in future phases if additional affordable housing is secured by a review.
- 2.9 It is understood the applicant is intending to sell all or part of the site. Therefore to avoid impeding such sales the viability appraisal will have to be forward-looking and not reconsider previous phases which were agreed to deliver less than policy compliant S.106 obligations.
- 2.10 We attach at Appendix C a schedule of data that will be required for future viability appraisals and the acceptable sources for that data. We recommend that this schedule, together with the review appraisal format attached at Appendix D, is included in the S.106 Agreement.

3.0 Policy Context

3.1 NPPF

3.1.1 Para 173 of the NPPF states *'To ensure viability, the costs of any requirements likely to be applied to the development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.'*

3.1.2 The NPPF therefore allows for a profit for the developer which allows for the risks in developing and funding the scheme.

3.1.3 The NPPF also allows for a 'return' to encourage the landowner to bring the site forward for development. This 'return' or premium is generally dependent on three factors:

- i) The planning status of the site and the lawful alternative uses it can be used for
- ii) The aspirations and needs of the land owner
- iii) The need of the local authority to see the scheme developed

3.2 Council Policy

3.2.1 The site is within an area identified in the extant local plan as being suitable for a development of 500 units subject to all other planning policies being satisfied.

3.2.2 The site falls within an area of North Ely which, under the emerging Core Strategy, is designated for a masterplan to achieve delivery of 3,000 units and a 'local centre'.

3.2.3 The current application is for 800 units which is in excess of the Local Plan allocation but fits with the new masterplan objective. In viability terms the site needs to be assessed on its own merits but with a view to not impeding the masterplan objectives.

4.0 Assessment Inputs and Assumptions

4.1 Assessment methodology

- 4.1.1 The applicant has supplied their own appraisal which reconciles all costs and values to a residual land value per acre. The intention of this appraisal is to determine a residual land value and compare it to the benchmark land value, as yet to be agreed as noted below.
- 4.1.2 We have amended the appraisal to reflect the agreed position on planning conditions and other appraisal assumptions. This appraisal is attached at Appendix A and the applicant has confirmed they are content with it.
- 4.1.3 The country park land has been included in the gross area of the site at a cost of £1.18M in terms of the benchmark land value.

4.2 Unit Mix

- 4.2.1 The unit mix for the scheme has yet to be determined, however the applicants have put forward a development density of 15,100 ft² per net acre. This is the only data upon which the appraisal is based in terms of the scope of the scheme for residential development.
- 4.2.2 We have checked this density with the Council and asked them to compare it to the allocation for the subject site, and the emerging masterplan densities. The Council have confirmed that they are content with this density in this location, subject to agreement on the eventual unit mix, and therefore variation of density across the site at the reserved matters stage with any financial implications being caught by the proposed review mechanism.

4.3 Values of residential units

- 4.3.1 SG have agreed our proposed sales value of £220/ft² which is an increase of £5/ft² from their previous appraisal.
- 4.3.2 The comparative data obtained by Bespoke Property Consultants is based on market research undertaken on the internet, and from several visits to agents in Ely. It is for similar properties to those anticipated for the scheme. An average value per ft², based on 95% of asking price to allow for negotiation, is used to assess the actual achievable value of the units.

4.3.3 As the mix has not yet been established, but we anticipate will include flats, particularly around the local centre, ground rent values will need to be factored into the appraisal, which SG have not yet done, but this can be dealt with in the viability reviews.

4.3.4 At present the SG appraisal allows for affordable housing values at £130/ft². This is a reasonable if optimistic assumption without grant. More evidence will be required to support the position in terms of agreed values from local registered providers at the time of each review. We have already carried out research to establish which providers would be interested in the site and have shared this information with the applicant.

4.3.5 We have allowed for provision of 5% of the self-build units. This reduces the CIL requirement and will be treated as a sale of serviced land when carrying out the reviews.

4.3.6 Consideration may be given at the time of a review to a wider mix of tenures in order to improve the viability of the scheme whilst meeting local housing need. This could include the provision of shared equity (discounted market sale), private rental units. Whilst the latter does not fall within the definition of Affordable Housing, they can fulfil a function in meeting some local housing need, and may have cashflow benefits for a scheme such as this.

4.4 **Build costs**

4.4.1 The base build cost allowance made in the SG appraisal is £106.80/ft². Our consultant QS has reviewed this against BCIS local data and concluded it is reasonable when allowances are made for external work, garages and the likely mix of units.

4.4.2 SG have provided a cost plan for the infrastructure works by Messrs Gleeds. This has been reviewed and discussed between Gleeds and our consultant QS. The conclusion of this review is that the rates applied are appropriate, however the drawings available at the present time do not have sufficient detail to conclude that the capital cost is completely accurate. This is not an unusual situation with regard to an outline planning application, hence our recommendation that a detailed review is carried out prior to the start of each sub-phase on site.

4.5 **Appraisal assumptions**

4.5.1 **Professional Fees** –A figure of 8% has been used for Professional Fees. This is within the normal range for this type of scheme.

- 4.5.2 **Sales and Marketing** have been allowed at 3% which is considered appropriate in the current market, in particular on large mixed use schemes,. In addition the applicant has allowed for the affordable housing marketing and sale costs of 1.5% which we believe is acceptable.
- 4.5.3 **Profit** – the applicant has adopted figures of 20% for profit on open market sales and 6% on affordable housing which are acknowledged to be the level required to ensure debt finance. This gives a blended rate of 17.9% which is acceptable.
- 4.5.4 **S.106 Contributions** The available funding for Section 106 and CIL costs have been determined at £10,426,414, This is £2,990,004 less than the Council's requirement as shown at Appendix C, this balance will be sought via the review mechanism.
- 4.5.5 The applicant's appraisal allows a contingency of 5% which we believe is appropriate for this type of development particularly as the design detail is yet to be finalised.
- 4.5.6 **Finance costs** – An interest rate of 7% has been used which is within the range of current market activity as an all-in rate including fees.
- 4.6 **Benchmark Land Value**
- 4.6.1 SG in our meeting on 4 December 2013, suggested that the applicant was seeking a benchmark land value of xxxxx per gross acre.
- 4.6.2 We have worked on a number of large schemes and none of them have come to the value per acre that SG has quoted. In order to advise the Council on a suitable benchmark, our starting point is the average sales value per ft² for the locality, as that will always drive the value of residential land. Secondly, the planning status of the site needs to be considered, and as noted above the site is allocated for 500 units in the extant Local Plan, but the applicant is seeking 800 units. Lastly the benchmark land value needs to consider the needs of the local authority to bring forward the site to meet its 5 year housing supply.
- 4.6.3 We set out below evidence from four sites where benchmark land values have been agreed with both the District Valuers Service, the respective local councils and where necessary the county councils. For the purposes of this exercise the names of the sites have been omitted due to confidentiality issues, but the location and appropriate residential sales values are identified.

- i) Central Kent – 6,000 unit scheme, sales value £220/ft², benchmark land value £125,000/acre
- ii) Central Kent – 3,000 unit scheme, (application 223 unit phase) sales value £186/ft², benchmark land value £200,000/net acre (takes account of infrastructure on previous phases to service it).
- iii) Cambridgeshire – 950 unit scheme, sales value £186/ft², benchmark land value £100,000/acre.
- iv) West Sussex (central) – 500 units, sales value £272/ft², benchmark land value £100,000/acre. (NB the correlation between sales value and land value is partially distorted by the fact that the applicant had to provide a large area of landscape buffer to create the site as an extension to a large village).

4.6.4 The applicants have now agreed the benchmark land value at xxxx per acre. The gross area of the site equates to 112.584 acres which amounts to a benchmark land value of xxxxxx. This is exclusive of the 2.496 acres of Lynn Road frontage which means xxxx has moved from land value to S.106 funding.

4.6.5 It should be noted as the country park has been treated the same as other S.106 items which take up land and included in the benchmark land value calculation at a cost of xxxx. We would advise that it should be excluded in any future calculation of land value for High Flyer phase 2 and the same should be noted in the S.106 agreement.

4.7 **Commercial uses**

4.7.1 The commercial elements comprise 40,203ft² of retail / office uses/D1 uses.

4.7.2 A rent of £15/ft² has been assumed by the applicant for the foodstore but this is yet to be supported by market evidence. Sales prices of £215/ft² and £133/ft² have been adopted for the D1 and B1 uses respectively.

4.7.3 The applicant's appraisal capitalises the rent with a yield of 8% which is appropriate for this type of use and location.

4.7.4 Purchase costs of 5.8% and a profit of 20% have been applied which is appropriate.

4.7.5 More evidence on the sales prices, rents and yields should be available from the applicant at the time of the review of this element of the scheme.

4.8 BPC Assessment and Conclusion

- 4.8.1 Taking account of all the comments on the applicant's inputs and assumptions as noted above we have concluded that with the CIL and S.106 requirement of £13.41M and 30% affordable housing, the scheme is currently unviable.
- 4.8.2 A viable appraisal has been agreed as shown at Appendix A with 15% affordable housing, S.106 contributions of £6,167,190 and CIL of £4,259,224 making a total of £10,426,414.
- 4.8.3 In order to assist scheme viability and increase the S.106 provisions moving forward, consideration should be given to the following:
- i) Identify trigger points for the provision of major S.106 obligations (eg schools and highway improvements) to improve cashflow.
 - iii) Consideration of alternative tenure mixes which may improve viability and cashflow assumptions.
- 4.8.4 As the scheme detail design is yet to be completed and the market for residential development is improving, we would recommend the use of a viability review for each 200 unit sub phase and to be carried out 50 units prior to the implementation of each subsequent phase. Such a viability appraisal to be forward-looking only, with an agreed maximum provision of affordable housing on any particular phase. This type of approach has been agreed by the applicant.
- 4.8.5 We would recommend a minimum of 10% and maximum of 40% affordable housing on any one phase, with a policy compliant 30% provision overall.
- 4.8.6 We would recommend the data for a review mechanism be identified from the sources noted at Appendix C.
- 4.8.7 We would recommend the review mechanism should adopt the format as set out at Appendix D with those items highlighted in green as variable and the other assumptions remaining static.

Appendix A

THIS APPENDIX IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION UNDER CATEGORY 3 OF PART 1 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 (AS AMENDED)

FINAL

Appendix B

Table 1- S.106 List and 15% Affordable Housing

Infrastructure	Cost	Initial	Review
Primary School	£6,330,000	£4,635,029	£1,694,971
Community Facilities + 3 Years Support	£397,500	£0	£397,500
Outdoor Sport + Maintenance	£948,868	£272,097	£676,771
Public Open Space/Tree/Play Area Maintenance	£510,474	£510,474	£0
Allotments	£10,000	£0	£10,000
Public Transport	£170,000	£170,000	£0
Bus Shelter Maintenance	£20,000	£20,000	£0
Bus RTPI	£28,800	£28,800	£0
Off-site Cycling*	£150,000	£150,000	£0
Lynn Road Crossing*	£15,000	£15,000	£0
A10/A142 Roundabout	£375,000	£200,000	£175,000
Travel Plan Co-ordinator	£27,509	£0	£27,509
SUDS Maintenance (off-site)	£75,837	£75,837	£0
Business Support Officer	£8,253	£0	£8,253
Lifetime Homes*	£89,953	£89,953	£0
Total	£9,157,194	£6,167,190	£2,990,004

*Indicates value of work not contribution being sought

Table 2- CIL

Infrastructure	Allocation
Children's Centre	£34,386
Littleport Secondary	£1,113,856
Health	£750,986
Leisure Centre	£1,000,000
Country Park	£622,868
Meaningful Proportion	£633,257.25
Admin	£103,870.85
Total	£4,259,224

S.106 AGREEMENT APPENDIX

SCHEDULE OF INPUTS TO THE VIABILITY APPRAISAL OF EACH PHASE

Ref.	Item	Description	Information Source
1	Residential Values	Sale Value of each residential unit type or Capital Value of units for open market rental. All to be net of incentives	RICS local valuer Internet Research Local Estate Agents Other comparable developments
2	Commercial Values	Sale Value of each commercial unit type or Capital Value of commercial units for rent based on market rents and yields All to be net of incentives	RICS local valuer Internet Research Local Commercial Agents Other comparable developments
3	Base Build Costs	Building Costs for each type of building exclusive of abnormal costs	BCIS Spons Quantity Surveyor's Cost Plan
4	Abnormal Costs	Those costs over and above the normal costs allowed in the assessment of the base build as noted in 3 above. eg: Decontamination, Demolition, Site Preparation, Archeological Surveys Foundations in excess of 1m deep Basement or Undercroft Parking	Quantity Surveyor's Cost Plan supported by evidence from appropriate surveys and engineer's reports
5	Infrastructure	Cost of roads, sewers, utilities and engineering works to service the land	Quantity Surveyor's Cost Plan supported by evidence from appropriate surveys and engineer's reports
6	Affordable Housing Income	Details of Target Rents for Social Rented Housing, First Tranche Sales and Equity Rent for Shared Ownership and discount to open market rent for Discounted Rent units, together with yields to be applied to rents and management costs to be deducted Or an offer from an agreed Registered Provider for the purchase of the Affordable Homes	Registered Provider RICS valuer familiar with Affordable Housing.
7	Social Housing Grant	Amount of Grant to be offered to the Registered Provider to assist in purchasing the affordable housing	Registered Provider HCA Investment Team
8	Other forms of Funding	HCA grants for Infrastructure EU Grants Cross Subsidy from the Registered Provider for the purchase of the Affordable Homes Other sources of Funding	Appropriate funding body
9	Planning Obligations	Capital Sums included in the S.106 Agreement Timing to be set by the Council	Council / S.106 Agreement
10	Finance	Arrangement Fees Interest rates Bank Monitoring Charges Exit Fees	Evidence from the Funder and/or industry norms identified in viability appraisal manuals
11	Marketing Costs	Sales Agent's Fees Marketing Suites Promotional Costs (not incentives) Advertising	Developer's budget and/or industry norms identified in viability appraisal manuals
12	Legal Fees for Sales	Legal Fees for Sales	Developer's budget and/or industry norms identified in viability appraisal manuals
13	Acquisition Costs	Legal Fees Stamp Duty Third Party payments Agent's Fees	Solicitor's Quotation HMRC Contract information Agent's Quotation
14	Profit	On Gross Development Value of Residential Units On Affordable Housing On Commercial Buildings	Developer's budget and/or industry norms identified in viability appraisal manuals and/or funder's requirements
15	Professional Fees	Architects, Engineers, Design Consultants etc Cost of Bonds	Developer's budget and/or industry norms identified in viability appraisal manuals
16	Build Contingencies	An appropriate allowance dealing with the status of design information at the time of the appraisal	BCIS QS Cost Plan
17	Residential Unit Mix	Building Type, Unit Type and Number of Each Size (Net Internal Area and Gross Internal Area) Tenure of each dwelling type	Architect's or Developer's accommodation schedule
18	Ground Rents	Annual ground rents and appropriate yield to capitalise the value of the freehold	RICS local valuer Internet Research Local Estate Agents Other comparable developments
19	Cashflow	Anticipated Dates when the sales revenues and costs noted above are anticipated to be received and expended	QS Cost Plan Sales Agent's advice Developer's budget and/or industry norms

Appendix D

THIS APPENDIX IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION UNDER CATEGORY 3 OF PART 1 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 (AS AMENDED)

FINAL

Church Commissioners/Highflyer Farm Phase 1

S106/Heads of Terms/Infrastructure provision by the applicant

Description of item	Contribution or other delivery mechanism	Comments
Education		
Primary School and early years education	Total of £6,330,000 £4,635,029 initially and £1,694,971 on viability review	Contribution based on 1.2 forms of entry including pre school. As confirmed in the Cambs County Council Economy and Environment Committee Report 21 October 2014, this will be the second school to be delivered on the N Ely site, phase 1 of which is currently programmed for opening by 2022.
Community Facilities		
Community centre/meeting place	£385,121	This figure is in accordance with the adopted ECDC Developer Contributions and Planning Obligations SPD. A decision is still to be made on how the funds will be used to best meet the needs of the new development and this requires further discussion with both applicants and local organisations. Options include a new facility within one of the application sites, co-location with another building such as a school, sports pavilion, the extra care scheme or the work hub. Alternatively, funding may be used to support existing community facilities within Ely.
Community facility pump prime revenue funding for 3 years	£12,379	Initial pump prime financial support required until the population grows and the building can become financially sustainable. Based on the management of other similar sized facilities, this is calculated at £10,000 per year for 3 years for the above facility which will meet the needs of the whole N Ely population.
Affordable Housing		
Affordable Housing	To be delivered by the Applicant	An Affordable Housing Scheme for each phase to be submitted to the Council and approved before commencement of that phase. 70% rented, 30% Intermediate (Shared ownership). Mix of 15% 1 bed, 50% 2 bed, 25% 3 bed and 10% 4 bed. 20 % Lifetime homes. Possible transfer (in part) to a Community Land Trust or City of Ely Council. Viability assessment required at each phase. Affordable in accordance with NPPF definition or its replacement. Shared Ownership leases as per Homes and Communities Agency (HCA) model. Rented homes to be either Affordable Rent or Social Rent. HCA design and quality

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		standards. Completed affordable units to transfer to Registered Provider (RP) or free serviced land to RP or ECDC. Transfer to include rights and services and covenant to use the transferred AH as affordable in perpetuity and to be approved by ECDC. Nomination agreements required. Mortgagee exclusion clause to be included.
Outdoor Sport		
Outdoor Sports pitches and courts (plus ancillary facilities)	Total of £921,359 £272,097 initially and £649,262 on viability review	To be used to improve and extend existing outdoor sports facilities in and around Ely, in lieu of providing them on site. It is anticipated that the funds could be used to improve, increase the capacity and extend the Downham Road facilities and the S106 figures have been based on a technical study assessment of the Downham Road site. The Study was completed by Saunders Boston on behalf of ECDC to identify costs that are relevant and reasonable. Further work is now required by the Council, working in partnership with local sports organisations, sport governing bodies and Sport England, to agree on the detail of how the funds should be allocated.
Outdoor Sport facilities maintenance (3 years)	£27,509 on viability review	Figures provided by Sport England and the Governing Bodies of Sport. Required to support the early maintenance of sports pitches, allowing them to establish and become fully playable.
Public Open Space		
Commuted maintenance sum for informal open space based on 4.8 hectares	£215,000	To be used by the Council to maintain informal open spaces within the site. The funds will be transferred as part of the land adoption process. The Open Spaces team have agreed to these figures.
Commuted maintenance sum for trees	£99,031	To be used by the Council to maintain trees within the site as appropriate. The funds will be transferred as part of the transfer and adoption process.
Children's Play Facilities	Provided by the Applicant	A Play Strategy will be provided by the applicants identifying the type, size, quality, design and delivery process, including the timing of delivery, for these facilities. A trigger will be agreed to ensure the early delivery of the first play facility. The facilities will involve: 1. 1 x Large Play Area combining a teenager facility along with a junior and toddler facility. This will be located close to the local centre and the primary school

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		2. 2 x medium play areas combining junior and toddler facilities, one to be located within the country park and of a more natural construction.
Commuted maintenance sum for play facilities	£196,077	To be used by the Council to maintain the play facilities, this figure is compliant with the adopted SPD. The funds will be transferred as part of the land transfer and adoption process.
Allotments	Provided by the Applicant	1 area of allotments with appropriate fencing and secure gate, water supply and parking for drop off and disabled use as required by Ely Allotments Association.
Allotment maintenance sum	£10,000	These funds will be paid to the Council as part of the land transfer process. It is anticipated that the land and maintenance contribution will then be passed on to the Ely Allotments Association. The funds will be used for initial maintenance of allotment areas in perpetuity and to establish them for community use.
SuD's Maintenance		
On Site SuD's Maintenance	Provided by the Applicant	The applicant will deliver a SuD's maintenance solution in perpetuity and as approved by the relevant bodies (such as the Environment Agency, Cambs County Council and ECDC).
Transport		
Public Transport	£170,000	To be used for community transport and scheduled bus service. The details are still to be confirmed and will involve consultation between the developers, the Council, Cambs County Council, the bus companies and local community transport providers.
Bus shelter maintenance	£20,000	To be paid to the Council as part of the bus shelter adoption process. The Council then expects to pass the funds on to City of Ely Council for their maintenance in perpetuity.
Bus stop Real Time Passenger Information maintenance	£28,000	To be transferred to Cambs County Council for the maintenance of the RTPI at each new bus shelter.
Off site cycle way improvements	Provided by the Applicant	To provide a new cycle route from the site towards the City Centre and Station, via a new foot and cycle bridge over the ditch into Summer Hayes and then linked to Lisle Lane. This will include a mixture of new routes plus surface and signage works to existing footpaths and roads as appropriate.
Lynn Road Crossings	2 crossings to be provided by	In accordance with the Draft Joint Transport Plan, a total of four

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	the Applicant	new crossings are to be provided as part of the two current application sites. The detailed locations are still to be agreed by Cambs County Council but there will be two crossings at the local centre and a further two crossings further south on Lynn Road, one of which is being delivered as part of the first primary school which is due to open in September 2015.
A10/A142 Roundabout	£275,000 £200,000 initially and £75,000 on viability review (tbc)	Works to be completed by Cambs County Council to improve capacity of the junction and to increase safety for cyclists. This is the current estimated figure provided by the Applicants and is currently being checked by Cambs County Council. The agreed final figure will be reported to the Committee.
Travel Plan Co-ordinator	£27,509	A contribution towards monitoring the Applicant's Travel Plan and developing good practice and a culture for sustainable transport.
Business Support		
Business Support Officer	£8,253	To encourage home working, support the work hub and actively encourage new business and employment opportunities in North Ely. To be paid to The Council.
Transfer and adoption of land		
Adoption of the informal open space, play areas and allotments.	Land to be transferred freehold to the Council, as appropriate.	The Council will draw up a transfer and adoption procedure as part of the Section 106 Agreement.
Adoption of the Country Park	Land, including the completed play area, will be transferred freehold to the Council.	In accordance with the above mentioned transfer and adoption procedure.

Appendix 3 – Planning Conditions

1. Time Limit

- a) Applications for approval of Reserved Matters must be made not later than the expiration of 15 years beginning with the date of the grant of this planning permission.
- b) The first phase of the development (which may include Enabling Works including site preparation and remediation works, construction of temporary access roads, diversion or laying of services, works associated with archaeological, biodiversity or ecological surveys relating to that phase) to which this permission relates must be begun not later than the expiration of 5 years from the date of the grant of this outline permission.
- c) Subsequent phases must be begun no later than:
 - i. The expiration of 17 years from the date of the grant of this outline permission; or
 - ii. If later, the expiration of 2 years from the final approval of the Reserved Matters for the relevant phase or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended) and to allow for the progressive process of approvals to enable the development to commence as soon as reasonably practicable and within a realistic timetable.

2. Reserved Matters Details

Save for Enabling Works, development shall not commence in a particular phase until Reserved Matters applications for that phase that cover the following matters (to the extent relevant to that phase) have been submitted to and approved in writing by the Local Planning Authority:

- (i) Siting and layout of buildings and other structures;
- (ii) Design of buildings (including floor areas, site levels and internal floor levels, height and massing);
- (iii) External appearance (including samples of the materials and finishes to be used for all external surfaces and including but not limited to roofs, elevation treatment and glazing);
- (iv) Means of access (including details of car parking, cycle storage/parking, carriageways, cycleways and footways and servicing arrangements);
- (v) Landscaping (including proposed finished levels of contours, surfacing materials for parking areas, pedestrian accesses, public access to green infrastructure, circulation areas, street furniture, lighting, floodlighting, boundary treatments and play equipment. Soft landscaping details shall include planting plans, planting specification (including cultivation and other operations associated with plant and grass establishment) and schedule of planting, including species, numbers and densities.)

Unless otherwise agreed in writing by the Local Planning Authority, the development shall in all aspects be carried out in accordance with the details approved under this condition.

Reason: In order that the Local Planning Authority is satisfied with the details of the proposed development, to safeguard character and appearance of the area and ensure that development is accessible for disabled people in accordance with Policies EN1 and EN2 of the East Cambridgeshire Core Strategy 2009; Ely 1, ENV1 and ENV2 of the draft East Cambridgeshire Local Plan (2014); the draft North Ely Supplementary Planning Document (2014) and to reflect the mitigation requirements of Chapters 10, 12 and 19 of the submitted Environmental Statement and its Addendum.

3. Development Specification, Plans and Documents

Unless otherwise required by other Planning Conditions attached to this planning permission, the development hereby permitted shall be carried out in accordance with the Revised Development Specification (February 2014) and the following Parameter Plans:

- (i) Parameter Plan 1: Movement Framework (Figure 2.1 Rev A)
- (ii) Parameter Plan 2: Land Use Framework (Figure 2.2 Rev A)
- (iii) Parameter Plan 3: Urban Design Framework (Figure 2.3 Rev A)
- (iv) Parameter Plan 4: Green Infrastructure Plan (Figure 2.4 Rev A)
- (v) Parameter Plan 5: Neighbourhood and Character Areas (Figure 2.5).

Reason: To ensure that the development is carried out in accordance with the approved Development Specification and Parameter Plans as assessed in the Environmental Impact Assessment accompanying the application, achieves high standards of urban design and accords with Policy EN2 of the East Cambridgeshire Core Strategy (2009) and Policies ENV2, ELY 1 in the East Cambridgeshire Draft Local Plan (2013), and the Draft North Ely Supplementary Planning Document (2014).

4. Site-wide Phasing Plan

As part of or prior to submission of the first Reserved Matters application, a Site-wide Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Site-wide Phasing Plan shall provide:

- i. Broad details of the intended sequence of development across the site;
- ii. The extent and location of the likely development phases and parcels and broad details of the type of any development envisaged in each phase or parcel (which may include infrastructure only phases);
- iii. Any environmental mitigation measures specified in the Environmental Statement, Environmental Statement Addendum or agreed as part of the Biodiversity Strategy approved under condition 6;
- iv. Major infrastructure including broad location of major accesses, roads, footpaths and cycleways associated with each phase;
- v. The broad location of public open space areas to be provided within each phase, including informal open spaces, Country Park, recreation areas, allotments, formal outdoor sports facilities, equipped play areas, ecological areas and habitats;

- vi. Structural landscaping and advance structural planting associated with each phase;
- vii. Primary School and Pre-School;
- viii. The Local Centre;
- ix. Place of Worship and/or Community Hall;
- x. A broad indication of the phasing and provision of SUDS and drainage associated with each phase;
- xi. Allotments;
- xii. Self build and live/work units;
- xiii. How the proposed phases relate to the character areas referred to in the Development Specification dated February 2014.

No development other than Enabling Works shall commence until such time as a Site-wide Phasing Plan has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Site-wide Phasing Plan or any subsequent amended plan approved pursuant to this condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is delivered in a structured way in accordance with the approved Parameter Plans so as to ensure that services and facilities are provided as and when required by existing and future communities, and to ensure that the development keeps within the parameters assessed in the supporting Environmental Statement and Environmental Statement Addendum and is in accordance with Policies GROWTH 3, ELY1 and ENV2 of the draft East Cambridgeshire Local Plan 2013.

5. Character Area Design Code

As part of or prior to submission of any Reserved Matters relating to a Character Area, a Design Code for that Character Area shall be submitted to and approved in writing by the Local Planning Authority.

The Design Code shall be prepared in accordance with the principles and parameters established by the Revised Development Specification (dated February 2014) and Parameter Plans specified in Condition 3 and shall include the following:

- (i) Extent of the character area and relationship to other character areas.
- (ii) High level block types and principles to establish character, density, building heights, building typologies and structure of public spaces.
- (iii) If relevant to the character area, the broad location of any Flexible Dwellings to be provided under condition 8 and self-build or custom-build dwellings to be provided under condition 9.
- (iv) Broad street hierarchy, including principles of adopting highway infrastructure, and typical street cross-sections.
- (v) If relevant, key groupings/buildings at focal points including relevant key height, scale, form, building materials and design features.
- (vi) The design approach to the public realm including in relation to materials, signage, utilities and any other street furniture.

- (vii) To the extent relevant, the treatment of development edges along the Country Park and Green Streets.
- (viii) To the extent relevant, the overall approach to incorporation of ancillary infrastructure.
- (ix) Car parking layout principles.
- (x) Approach to cycle parking for all uses and building types.
- (xi) Details of waste and recycling provision for all building types.
- (xii) Where practical, measures to demonstrate how opportunities to maximise resource efficiency and climate change adaptation in the design of the development will be achieved through external, passive means, such as landscaping, orientation, massing and external building features; .
- (xiii) Details of measures to minimise opportunities for crime.

Future Reserved Matters applications shall be in general accordance with the principles of the Design Code for the related Character Area or any subsequent Design Code approved by the Local Planning Authority unless the Local Planning Authority agree otherwise.

Reserved matters applications shall include a Design Code Statement demonstrating how the application accords with the related, approved Design Code.

Reason: To ensure high standards of urban design are achieved and maintained and a comprehensively planned development is designed to ensure a coordinated and harmonious integration between land uses, built form and spaces to reflect the scale and nature of development as assessed in the Environmental Statement (November 2011) and Environmental Statement Addendum (March 2013) , to accord with Policies EN1 and EN2 of the East Cambridgeshire Core Strategy (2009) and Policies GROWTH 3, ENV1, ENV2, ENV4, ENV7, COM5, COM7, COM8 and ELY1 of the draft East Cambridgeshire Local Plan (2013) and the draft North Ely Supplementary Planning Document (2014).

6. Biodiversity Strategy

As part of or prior to the first Reserved Matters application, a site-wide Biodiversity Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall set out how the development will improve the biodiversity of the site in accordance the principles proposed in the Environmental Statement (November 2011) and Environmental Statement Addendum (February 2014) and include details of:

- a) Appropriate habitat and species surveys (pre, during and post-construction), and reviews where necessary to address mitigation measures identified in Section 11.6 of the Environmental Statement;
- b) Measures to ensure protection of all legally protected species, habitats and species identified as being of biodiversity importance, including where appropriate avoidance of sensitive stages of species life cycles (such as the bird breeding season, mitigation for farmland species within retained agricultural land), details of any protective fencing and/or phasing of works to ensure where necessary the provision of advanced habitat areas and minimisation of disturbance - and the periods during which such measures will be in place.

- c) Details of trees and hedgerows to be removed and those to be retained together with a scheme for their protection.
- d) Identification of habitats and species worthy of management and enhancement, together with measures to provide habitat restoration and creation to deliver targets in the Cambridgeshire and UK Biodiversity Action Plans.
- e) A summary work schedule table, confirming as far as is known the relevant dates and/or periods that the prescriptions and protection measures shall be implemented or undertaken by, and who will specifically over-see their delivery and compliance;
- f) Monitoring shall be carried out in accordance with the Biodiversity Strategy, with a report to accompany each new phase application for development to be provided to the Local Planning Authorities; and
- g) Any habitats shall be maintained in accordance with the details approved under paragraph (b and d) above for a period of 10 years from substantial completion of the relevant habitat.

No development (except Enabling Works which do not affect any protected species or habitats) shall commence until such time as the Biodiversity Strategy has been approved in writing by the local planning authority. All species and habitat protection, enhancement, restoration and creation measures shall be carried out in accordance with the approved Strategy. Any variation to the prescriptions, measures, timing of delivery and/or personnel shall be agreed in writing and formally submitted as an approved variation to the Strategy.

Reason: To ensure that the development of the site conserves and enhances biodiversity in accordance with East Cambridgeshire Core Strategy (2009) Policy CS 9, Draft East Cambridgeshire Local Plan Policy ENV 7, ELY 1, NPPF paragraph 118 and the draft North Ely Supplementary Planning Document (2014).

7. Broadband Infrastructure Strategy

Prior to the commencement of development, other than enabling works referred to in condition 2, a strategy for the facilitation of latest technology broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, open access ducting to industry standards to facilitate the provision of a broadband service to that dwelling, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

Reason: To ensure that the needs of future residents to connect to the internet does not necessarily entail engineering works to an otherwise finished and high quality environment, and to assist community integration, economic

vibrancy and home working, in accordance with East Cambridgeshire Local Plan (2013) Policy EN2 and draft Policies ENV2 and COM6 of the draft East Cambridgeshire Local Plan 2013 and the draft North Ely Supplementary Planning Document (2014).

8. Site-wide Foul Drainage Scheme

Development (save for Enabling Works) in a particular phase shall not commence until a strategic solution for the disposal of foul drainage for the whole site has been submitted and approved in writing by the Local Planning Authority, in consultation with Anglian Water.

The development of that phase shall be carried out in accordance with the approved details, and no residential dwellings or other buildings shall be occupied until the approved scheme for that phase has been implemented.

Reason: To ensure a satisfactory method of foul water drainage and to prevent an increased risk of flooding and/or pollution to the water environment in accordance with East Cambridgeshire Core Strategy Policies CS7, EN7 and EN8, and draft East Cambridgeshire Local Plan Policies GROWTH 3, ENV8 and ENV9.

9. Site-wide Surface Water Drainage Strategy

No part of the development other than works of demolition or site investigation shall commence until a Surface Water Site-wide Drainage Strategy (SDS) has been submitted and approved in writing by the Local Planning Authority (in consultation with the Lead Local Flood Authority, Statutory Waste Water Undertaker, the Environment Agency and relevant Internal Drainage Board). The SDS shall include:

- a) A plan at 1:1000 scale showing the layout of proposed Site-wide drainage system including storage and attenuation ponds / detention basins, swale corridors and primary conveyance routes;
- b) Parameters for proposed sustainable drainage techniques to manage the rate and quality of surface water run-off;
- c) An overall site greenfield equivalent run off rate of up to 3.5 litres/second/hectare up to a 1 in 100 year annual probability rainfall event, including allowances for climate change, during the critical storm events.
- d) All drainage parameters that Reserved Matters applications will need to comply with, and checklists of information that Reserved Matters should contain;
- e) Arrangements for how drainage shall be implemented and maintained in perpetuity in accordance with the approved SDS.

Reason: To ensure adequate drainage arrangements to manage flood risk and pollution from the development during both the construction and long-term operational phases of the development in accordance with East Cambridgeshire Core Strategy Policies CS7, EN7 and EN8, and draft East Cambridgeshire Local Plan Policies GROWTH3, ENV8 and ENV9.

10. Travel Plan

A Travel Plan including inter-alia targets, measures to be implemented, the approach to monitoring, the actions to be taken in the event of targets not being met, and appointment of a travel plan co-ordinator shall be submitted prior to the occupation of the first dwelling for approval by the Local Planning and Highway Authority and implemented. The Travel Plan shall build on the principles contained in the Framework Travel Plan dated March 2013.

Reason: Reason: *In the interests of sustainable travel to reduce reliance on private car transport in accordance with Policies CS7 and S6 of the of the East Cambridgeshire Core Strategy (2009) and Policies Growth 3 and COM 7 of the draft East Cambridgeshire Local Plan (2013).*

11. Construction Environmental Management Plan (CEMP) and Waste Audit

Prior to the commencement of development in a phase, a Construction Environmental Management Plan (CEMP) for that phase, shall be submitted to and approved in writing by the Local Planning Authority.

The CEMP shall address the following aspects of construction:

- a) Location of contractors' compounds and infrastructure for moving materials, plant and equipment around the site;
- b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with location of loading and unloading and parking for contractors and construction workers;
- c) Construction hours and hours during which construction deliveries will take place;
- d) Details of soil management and reuse that accords with the Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (Defra 2009) including a method statement for the stripping of top soil for re-use; the raising of land levels (if required); and arrangements (including height and location of stockpiles) for temporary topsoil and subsoil storage to BS3883:2007;
- e) Details of works in proximity to existing vegetation and trees to be retained that shall accord with Trees in Relation to Construction Recommendations BS5837:2005;
- f) The proposed noise mitigation measures which shall include, but not be limited to, those set out in Sections 5.7.3 - 5.7.4 and 13.6.13 of the Environmental Statement (November 2011);
- g) Noise monitoring methods including location, duration, frequency and reporting of results to the Local Planning Authority in accordance with the provisions of BS 5228: 2009;
- h) Maximum noise levels for construction equipment, plant and vehicles;
- i) Vibration monitoring method including location, duration, frequency and reporting of results to the Local Planning Authority in accordance with the provisions of BS 5228 (1997);
- j) Setting maximum vibration levels at sensitive receptors;
- k) Dust management and mitigation measures including but not limited to the control measures identified in sections 5.7.6 – 5.7.9 of the

Environmental Statement (November 2011) along with wheel washing measures to prevent the deposition of debris on the highway;

- l) Site lighting;
- m) Drainage control measures including the use of settling tanks, oil interceptors and bunds and temporary drainage ditches and outfall flow rates;
- n) Screening and hoarding details;
- o) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- p) Procedures for interference with public highways, (including public rights of way), permanent and temporary realignment, diversions and road closures;
- q) External safety and information signing and notices;
- r) The provision of a metalled surface for a minimum distance of [X metres] along the access road from its junction with the public highway
- s) Liaison, consultation and publicity arrangements including dedicated points of contact;
- t) Consideration of sensitive receptors;
- u) Prior notice and agreement procedures for works outside agreed limits; and
- v) Complaints procedures, including complaints response procedures
Membership of the Considerate Contractors Scheme.

The CEMP shall accord with and give effect to the waste management principles set out in the adopted Cambridgeshire & Peterborough Minerals and Waste Core Strategy (2011) and Waste Hierarchy. It 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 completed RECAP Waste Management Guide toolkit, with supporting reference material.

The CEMP shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. Approved CEMPs shall be adhered to at all times during the construction phase.

Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers East Cambridgeshire Core Strategy (2009) Policy EN8 and East Cambridgeshire Local Plan (2013) Policy ENV9 and to comply with 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).

12. Green Infrastructure Plan

Development in a particular phase shall not commence until a Green Infrastructure Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The submitted Plans shall include:

- Details of advance planting around construction sites; and
- The timescale for the implementation of each aspect of Green Infrastructure within that phase of development and details of the quality standard of construction and maintenance.

The development shall be carried out and thereafter maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To plan positively for the creation, protection, enhancement and management of networks of green infrastructure, as required by East Cambridgeshire Core Strategy (2009) Policy CS7, East Cambridgeshire Local Plan (2013) Policies COM5 and ELY1 and the draft North Ely Supplementary Planning Document (2014).

13. Biodiversity Survey and Assessment

Reserved matters applications for each phase shall include a Site Biodiversity Survey and Assessment that demonstrates how it accords with the aims and objectives of the Biodiversity Strategy. It shall detail which specific ecological enhancement and/or mitigation measures are proposed and the timing for their delivery. No development shall commence within the site for which reserved matters approval is being sought until such time as the Biodiversity Survey and Assessment has been approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development of the site conserves and enhances biodiversity in accordance with East Cambridgeshire Core Strategy (2009) Policy CS9, draft East Cambridgeshire Local Plan (2013) Policies ENV7, ELY1, NPPF paragraph 118 and the draft North Ely Supplementary Planning Document (2014).

14. Air Quality/Odour No commercial food premises (including those within premises that fall within Use Class A3, A4 or A5) shall be occupied until details of odour management for that premises have been submitted to and approved in writing with the Local Planning Authority. The details shall include a specification for ventilation equipment and measures to alleviate fumes and odours, noise and vibration. All such ventilation equipment and measures shall be installed in the building to which it relates before the commercial food premises is first brought into use and shall thereafter be permanently maintained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining occupiers to the application site and future occupiers within the application site in accordance with Policies EN2 and EN8 of the East Cambridgeshire Core Strategy 2009, and Policies ENV2, and ENV9 of the draft East Cambridgeshire Local Plan 2013.

15. Archaeology

No development (including Enabling Works) on any part of a phase that comprises an area identified for archaeological mitigation shall commence until a Written Scheme of Investigation (WSI) that is in accordance with the Heritage Management Plan (4 December 2013) has been submitted to and approved in writing by the Local Planning Authority. The WSI shall include the following components, completion of each of which will trigger the phased discharge of this condition:

- a) Details of and a programme for fieldwork to be completed for any identified mitigation area within or overlapping the phase before any other works commence on that area.
- b) A post excavation assessment (to be produced for each mitigation area within 6 months of the completion of the fieldwork).
- c) Completion of post excavation analysis; preparation of site archive ready for deposition at a store approved by the local planning authority; completion of an archive report; submission of a publication report (to be completed within 2 years of the completion of the final post excavation assessment).

Reason: To ensure that any archaeological remains are suitably safeguarded and recorded in accordance with East Cambridgeshire Core Strategy Policy EN5 and draft East Cambridgeshire Local Plan Policy ENV14.

16. Spine Road Statement

As part of or prior to the first Reserved Matters application for a phase that incorporates part of the proposed Spine Road, a Spine Road Statement shall be submitted to and approved in writing by the Local Planning Authority. The Spine Road Statement shall cover the functionality of the whole of the spine road from its junction with Thistle Corner roundabout to its junction with Lynn Road, and be prepared in accordance with the Revised Development Specification (February 2014) and Parameter Plans as set out in Condition 3. The Spine Road Statement shall explain the principles to be applied along the length of the Spine Road, including:

- i) Details of the treatment of bus lay-bys, stops and shelters;
- ii) Incorporation of footways and cycleways;
- iii) Parking;
- iv) Parameters for width, landscaping and surface finishes.

Reason: To ensure high standards of urban design are achieved and maintained and a comprehensively planned development is designed to ensure a coordinated and harmonious integration of highway provision between both this application site and Endurance Estates site adjacent (approved under application E/13/00785/ESO), in order to provide an acceptable level of highway safety and infrastructure provision, and appropriate environmental enhancement to accord with Policies CS7, EN1, EN2, S6 and S7 OF THE East Cambridgeshire Core Strategy 2009, and Policies GROWTH3, ENV1, ENV2, COM7, COM8 and Ely1 of the draft East Cambridgeshire Local Plan 2013.

17. Landscaping

Within any reserved matters application for landscaping details pursuant to this approval, the details required by condition 2 shall include detailed landscape designs and specifications for the associated reserved matters site. The details shall be accompanied by a design statement that demonstrates how the landscaping scheme accords with any emerging or approved details sought as part of the design code for the site and shall include the following:

Soft Landscaping

- a) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants.
- b) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of the site.
- c) The landscape treatment of roads (primary, secondary, tertiary and green) through the development.
- d) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.) and tree pit details.
- e) The planting and establishment of structural landscaping to be provided in advance of all or specified parts of the site as appropriate.
- f) Full details of any proposed alterations to existing watercourses/drainage channels.
- g) Details and specification of proposed earth modelling, mounding, re-grading and/or embankment areas or changes of level across the site to be carried out including soil quantities, topsoil storage to BS 3882 : 2007, haul routes, proposed levels and contours to be formed, sections through construction to show make-up, and timing of works.

Hard Landscaping

Full details, including cross-sections, of all bridges and culverts.

- i) The location and specification of structures, including furniture, refuse or other storage units, signs and lighting columns/brackets.
- j) 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways.
- k) Details of all hard surfacing materials (size, type and colour) The landscaping within the application site areas shall be implemented in accordance with the approved plans for implementation and replacement of landscaping.

REASON: To ensure, as the development is built out in phases, it satisfactorily assimilates into the area and enhances the development in accordance with principles 1a, 1b and 1c of the N Ely SPD (2014) using the unique rural setting to provide a special place; provide multi functional green infrastructure as an integral part of the design and layout; and to provide a green edge for North Ely.

18. Surveys

Within any reserved matters application for landscaping details pursuant to this approval, the details required by condition 2 shall include a land survey, tree and hedge survey and arboriculture implications assessment, applicable to the associated phase, in accordance with the relevant British Standard(s), shall be submitted to and approved in writing by the local planning authority. The surveys shall include:

- a) Plans showing the location of all trees, shrub masses and hedges, categorizing the trees or groups of trees for their quality and value in accordance with the British Standard(s).
- b) Plans showing trees to be removed identified by number.
- c) Plans showing trees to be retained identified by number, with canopies accurately plotted
- d) A tree constraints plan that identifies root protection areas of retained trees within, adjacent to, or which overhang the development site.
- e) The precise location and design details for the erection of protective tree barriers and any other physical protection measures.
- f) The location of boundary features and services.
- g) Spot heights of ground level throughout the site.
- h) A method statement in relation to construction operations in accordance with paragraph 7.2 of the British Standard.

REASON: In the interests of accurately establishing the quality and value of trees and hedges on or adjacent to the site and the implications for development, with reference to the North Ely SPD (2014) 1b (iv).

19. Contamination – Arsenic

Prior to the first occupation of any phase, any areas of elevated soil-arsenic concentrations within that phase, including those identified through the A2 Environmental Limited Phase 1 Environmental Site Investigation and Phase 2 Geo-Environmental Site Investigation Reports both dated November 2011

shall be the subject of further assessment and/or remedial measures as necessary to ensure that the relevant part of the site is suitable for its proposed use.

The assessment criteria shall be those outlined in the Environment Agency's Science Report SC050021, the Soil Guideline Value for arsenic or an agreed site-specific assessment criteria or site-specific remedial target derived from a detailed quantitative risk assessment and protective of the appropriate critical receptor for the site.

A 150mm clear ventilated (sub floor) void or suitable alternative in line with the established ground gas regime and in accordance with CIRIA C665, NHBC guidance and British Standard 8485:2007 shall be incorporated within any new buildings on the site.

Reason: To ensure the site is suitable for its proposed end-use and risks posed from land contamination are appropriately mitigated in accordance with Policy EN8 of the East Cambridgeshire Core Strategy 2009, and draft Policy ENV9 of the East Cambridgeshire Draft Local Plan 2013.

20. Contamination - General

If, during the development of a phase, contamination not previously identified is found to be present at the site then no development adversely affected by that contamination (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that appropriate steps are taken to remediate the site in the interests of environmental and public safety in accordance with Policy EN8 of the East Cambridgeshire Core Strategy 2009, and draft Policy ENV9 of the East Cambridgeshire Draft Local Plan 2013.

21. Detailed Surface Drainage Design

Any subsequent reserved matters planning application shall be supported by a detailed surface water drainage design, which demonstrates that it complies with the approved Site-wide Surface Water Drainage Strategy and the flood risk assessment approved by the outline permission. This drainage design and accompanying justification shall be submitted to and agreed in writing by the Local Planning Authority prior to that part or phase of the development commencing and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed surface water drainage scheme is adequate to serve the proposed development and not increasing flood risk or pollution to accord with in accordance with East Cambridgeshire Core Strategy Policies CS7, EN7 and EN8, and draft East Cambridgeshire Local Plan Policies GROWTH3, ENV8 and ENV9. and advice in the National

Planning Policy Framework paras. 17 and 103, and the Technical Guidance to the National Planning Policy Framework paras. 2, 5, 6, 9, and 11 to 14.

22. Light Management Plan

To the extent that Reserved Matters applications include external public spaces or roads which are not intended to be adopted by the highway authority (e.g. private roads, playgrounds and sports pitches), such applications will be accompanied by a Light Management Plan (LMP), for the relevant areas, for approval by the Local Planning Authority. The LMP shall set out details of proposed permanent external lighting including luminosity and hours of operation. The relevant external lighting shall only be provided and operated in accordance with an approved LMP, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the reasonable residential amenity of future occupiers of the site and those adjacent, and in the interests of safety, to reflect the mitigation requirements of chapter xx of the submitted Environmental Statement (DATE) and the Environmental Statement Addendum, to accord with Policies EN1, EN2 and EN8 .of the East Cambridgeshire Core Strategy 2009, and Policies ENV1, ENV2 and ENV9 of the draft East Cambridgeshire Local Plan 2013.

23. Fire Hydrants

Prior to the commencement of development in a phase details of the provision of fire hydrants, or equivalent, on the phase shall be submitted to and agreed in writing with the Local Planning Authority in conjunction with the Fire and Rescue Authority.

The hydrants or equivalent shall be installed and completed in accordance with the approved details prior to the occupation of any part of the phase or in accordance with alternative details of provision approved by the Local Planning Authority.

Reason: To ensure the appropriate infrastructure is in place to ensure adequate public safety provision in accordance with Policies EN2 and S4 of the East Cambridgeshire Core Strategy 2009 and Policies Growth 3 and ENV2 of the draft East Cambridgeshire Local Plan (2013).

24. Site Access 1

Full details of the new fourth arm on the roundabout at the junction of Kings Avenue and Prickwillow Road as indicated on Parameter Plan 1, figure 2.1 shall be submitted to and approved in writing by the Local Planning Authority (LPA). The details shall be provided to the LPA with the reserved matters application relevant to that phase of development. The submitted details shall include a programme of implementation for agreement with the Local Planning Authority, and the works shall thereafter be completed in accordance with the agreed details.

Reason: In the interests of highway safety and to ensure the appropriate infrastructure is provided in a timely manner, in accordance with Policies CS7

and S6 of the East Cambridgeshire Core Strategy (2009) and Policies Growth 3 and COM 7 of the draft East Cambridgeshire Local Plan (2013).

25. Site Access 2

Full details of the priority access to the site from Lynn Road as indicated on Parameter 1, figure 2.1 Rev A shall be submitted to and approved in writing by the Local Planning Authority (LPA). The details shall be provided to the LPA with the reserved matters application relevant to that phase of development. The submitted details shall include a programme of implementation for agreement with the Local Planning Authority, and the works shall thereafter be completed in accordance with the agreed details.

Reason: In the interests of highway safety and to ensure the appropriate infrastructure is provided in a timely manner, in accordance with Policies CS7 and S6 of the East Cambridgeshire Core Strategy (2009) and Policies Growth 3 and COM 7 of the draft East Cambridgeshire Local Plan (2013).

26. Public Transport Infrastructure

Prior to the commencement of each phase of development which includes an element of the main spine road, the locations of bus stops, to achieve the desirable 400m walk catchment for each stop, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The submitted details shall include:

- the provision of shelters and real time passenger information equipment; and
- a programme of implementation for agreement with the Local Planning Authority.

The works shall thereafter be completed in accordance with the agreed details.

Reason: In the interests of highway safety and to ensure the appropriate infrastructure is provided in a timely manner, in accordance with Policies CS7 and S6 of the of the East Cambridgeshire Core Strategy (2009) and Policies Growth 3 and COM 7 of the draft East Cambridgeshire Local Plan (2013)

27. Pedestrian Crossings on Lynn Road

Prior to commencement of development of the adjacent phase of development, full details of the proposed crossing facilities for pedestrians and cyclists on Lynn Road at the Local Centre (the crossing south of the Local Centre to be provided by Endurance Estates) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The submitted details shall include a programme of implementation for agreement with the Local Planning Authority, and the works shall thereafter be completed in accordance with the agreed details.

For the avoidance of doubt, the toucan crossing on Lynn Road, between King Edgar Close and Kings Avenue is to be provided as part of the new school

application on the application site, and implementation must accord with that provision.

Reason: In the interests of highway safety and to ensure the appropriate infrastructure is provided in a timely manner, in accordance with Policies CS7 and S6 of the of the East Cambridgeshire Core Strategy (2009) and Policies Growth 3 and COM 7 of the draft East Cambridgeshire Local Plan (2013)

28. Bus Stop on Eastern Side of Lynn Road

Prior to commencement of development full details of the provision of a new bus stop to be provided on the Eastern Side of Lynn Road within the interface area of the Local Centre shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall thereafter be completed in accordance with the agreed details.

Reason: In the interests of highway safety and to ensure the appropriate infrastructure is provided in a timely manner, in accordance with Policies CS7 and S6 of the East Cambridgeshire Core Strategy (2009) and Policies Growth 3 and COM 7 of the draft East Cambridgeshire Local Plan (2013).

29. . Allotment Protection

Prior to commencement of works on any phase where allotments are to be provided (as shown on Parameter Plan 2 Land Use Framework Figure 2.2), the allotment land shall be fenced, in accordance with details to be submitted to the Local Planning Authority for written agreement, and no storage of materials, waste or other use of the land shall be carried out.

Reason: To protect the land from any adverse affects of the construction process and pollution, to retain the quality of the soil for future cultivation in accordance with Policy EN8 of the East Cambridgeshire Core Strategy (2009), Policy ENV9 of the Draft East Cambridgeshire Local Plan and the North Ely Supplementary Planning Document 2014.

30. Building Heights

Notwithstanding paragraphs 2.22 and 2.24 of the Revised Development Specification (February 2014) and Parameter Plan 3: Urban Design Framework (Figure 2.3 Rev A) building heights within the Local Centre as identified on Parameter Plan 3 shall not exceed 3-storeys (15m to ridge-line) above ground level.

Reason: To ensure satisfactory scale and massing in accordance with Policy EN2 of the East Cambridgeshire Core Strategy 2009; Policies ENV2 and ELY1 of the draft East Cambridgeshire Local Plan 2013; and the draft North Ely Supplementary Planning Document (2014).

31. Residential Dwellings in Local Centre

Notwithstanding paragraph 3.33 of the Revised Development Specification (February 2014), relevant Reserved Matters application(s) for the Local

Centre as identified in Parameter Plan 2 (Figure 2.2 Rev A) shall include proposals for residential dwellings.

Reason: To ensure satisfactory vitality and community safety in accordance with Policy EN2 of the East Cambridgeshire Core Strategy 2009; Policies ENV2 and COM1 of the draft East Cambridgeshire Local Plan 2013; and the draft North Ely Supplementary Planning Document (2014).

32. Dwelling Mix

The dwelling mix for any phase of the development containing dwellings shall provide a mix of dwelling types and sizes that contribute to the housing needs and demand of the locality at the time of submission of the Reserved Matters application for each phase. The Reserved Matters applications shall be accompanied by a statement explaining the approach taken to housing needs and demand. The dwellings shall be provided in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development provides a satisfactory mix of dwelling types in accordance with Policy CS2 in the East Cambridgeshire Core Strategy (2009), Policy HOU1 in the East Cambridgeshire Draft Local Plan (2013) and the draft North Ely Supplementary Planning Document (2014).

33. Affordable Housing

Any reserved matters application for residential development shall include a plan showing the distribution of market and affordable housing and a schedule of dwelling size (by number of bedrooms). Affordable dwellings shall be sited in clusters of between 15-30 units including where parcels adjoin. All affordable housing shall, in accordance with best practice, be designed to be tenure blind. The affordable houses shall be provided in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the delivery of a balanced community, in accordance with Policy HOU3 of the draft East Cambridgeshire Local Plan (2013) and Policy Principle 2a of the North Ely SPD, Feb 2014.

34. Flexible Dwellings/Home Working

Notwithstanding paragraph 3.39 of the Revised Development Specification (February 2014), a minimum of 5 residential dwellings hereby permitted shall comprise 'Flexible Dwellings' as described in paragraphs 3.35 to 3.38 of the Revised Development Specification, February 2014, defined as live/work units in the draft North Ely SPD.

A minimum of 10% of the residential dwellings (excluding the 'Flexible Dwellings' (live/work units) described above) that are provided on the site shall comprise dwellings that are designed to be suitable for home office working, by providing a room or a study area that can be used as a home office.

Reason: To maximise opportunities for employment, reduce the need to travel and make a positive contribution towards the establishment of a sustainable community in accordance with Strategic Objective No 1 and Policies Growth 1 and ELY 1 of the draft East Cambridgeshire Local Plan 2013 and the draft North Ely Supplementary Planning Document (2014).

35. Custom and Self-build

A minimum of 5% of residential dwellings that are provided on the site outside of the Local Centre, as identified in Parameter Plans 2 (Figure 2.2 Rev A), shall be developed as either 'Custom Build' or 'Self-Build' dwellings as defined in Principle 2a of the draft North Ely SPD.

Reason: To ensure that the development provides a satisfactory mix of dwelling types in accordance with Policy CS2 in the East Cambridgeshire Core Strategy (2009), Policy HOU1 in the East Cambridgeshire Draft Local Plan (2013) and the draft North Ely Supplementary Planning Document (2014).

36. Lifetime Homes

A minimum of 20% of residential dwellings (Use Class C3) forming part of the development shall be designed to meet the following criteria from the Habinteg Lifetime Homes Standard:

- Walls in bathrooms and toilets should be capable of taking adaptations such as handrails; and
- Potential for the provision of a stair lift. There must be a minimum of 900mm clear distance between the stair wall (on which the lift would normally be located) and the edge of the opposite handrail/balustrade.

Reason: To ensure that the development provides a satisfactory level of adaptable housing in accordance with Policy CS2 in the East Cambridgeshire Core Strategy (2009), Policies HOU1 and ELY1 in the East Cambridgeshire Draft Local Plan (2013) and the draft North Ely Supplementary Planning Document (2014).

37. Retail Floorspace

The gross sales area of any food store shall not exceed 400 square metres (GEA) and within the food-store no more than 10% gross retail floorspace shall be used for the sale and display of comparison goods.

The gross sales area (GEA) of any non-food store within the Local Centre shall not exceed 140 sq.m.

The gross sales area (GEA) of any non-food stores within the Local Centre shall not cumulatively exceed 1,450 sq m.

Reason: To maintain the local scale of the retail facilities, appropriate for the role and function of the Local Centre in accordance with East Cambridgeshire Core Strategy (2009), Policy S1, draft East Cambridgeshire Local Plan (2013)

Policies Com 1, ENV4 and ELY1 of the draft North Ely Supplementary Planning Document (2014).

38. Sustainability Standards

Notwithstanding paragraph 3.45 of the Revised Development Specification (February 2014), unless otherwise agreed in writing by the Local Planning Authority, all non-domestic development of 1,000 sqm (GEA) or more shall meet BREEAM Very Good standard or equivalent. A certificate, following post construction review, shall be issued by a BRE Licensed Assessor to the Local Planning Authority, indicating that the relevant code level has been met for that building. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings and to ensure that the development makes an appropriate positive contribution to meeting the challenges of climate change in accordance with, East Cambridgeshire Core Strategy (2009) Policy EN3, East Cambridgeshire Local Plan (2013) Policies ENV4 and ELY1 and the draft North Ely Supplementary Planning Document (2014).

39. Recycling Infrastructure

Any application for Reserved Matters submitted under condition 2 shall include consideration of the management of municipal waste generated by the development following construction, including details of any facilities for segregation and storage of recyclables, non-recyclables and compostable material and access to such facilities by users by users and waste collection vehicles.

Reason: In the interests of maximising recycling opportunities; to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011); the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; 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) and provide the mitigation measures identified in the Environmental Statement (Paragraph 15.6.288) in compliance with East Cambridgeshire Core Strategy 2009 policies CS7, EN2 and EN8 and draft East Cambridgeshire Local Plan policies ENV2 and ENV9.

40. Recycling

No more than 75 residential dwellings forming part of the development shall be occupied until temporary neighbourhood waste recycling facilities are provided on the site in accordance with details submitted to and approved in writing by the Local Planning Authority. The temporary neighbourhood waste recycling facilities shall remain in place until the permanent neighbourhood waste recycling facility within the Local Centre is provided and available for

use. The land on which the temporary facility is sited shall be made good within a period of 3 months from the installation of the permanent neighbourhood waste recycling facility within the Local Centre.

The reserved matters application for the local centre shall include details of the permanent neighbourhood waste recycling facility.

Reason: To ensure adequate facilities for residents to recycle in accordance with East Cambridgeshire Core Strategy (2009) Policy EN2, East Cambridgeshire Local Plan (2013) Policies ENV2, ELY1 and the draft North Ely Supplementary Planning Document (2014).

41. Noise Levels

The rated noise level emitted from plant or machinery located on the site shall not exceed the existing background noise level or 35 dB, whichever is the higher. The noise levels shall be measured and/or calculated at the boundary of the nearest noise sensitive property. The noise level shall be measured and/or calculated in accordance with BS41242.

Reason: To safeguard the amenities of the adjoining occupiers to the application site and future occupiers within the application site to accord with Policies EN1, EN2 and EN8 of the East Cambridgeshire Core Strategy 2009, and Policies ENV1, ENV2, and ENV9 of the draft East Cambridgeshire Local Plan 2013.

42. Binder Course Surfacing Level

Prior to the first occupation of any dwelling, school or other building, the roads, footways and cycleways shall be constructed to at least binder course surfacing level from the dwelling to the adjoin County road in accordance with details approved in writing by the Local Planning Authority in consultation with the Local Highways Authority.

Reason: In the interests of highway safety and to ensure the appropriate infrastructure is provided in a timely manner, in accordance with Policies CS7 and S6 of the East Cambridgeshire Core Strategy (2009) and Policies Growth 3 and COM 7 of the draft East Cambridgeshire Local Plan (2013).

43. Business (B1) Use

Notwithstanding any changes that may be made to the Town and Country Planning (Use Classes) Order 1987 (as amended) and/or the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any statutory instruments revoking and re-enacting those Orders, the Business (B1) floorspace permitted in the Local Centre shall be used for purposes falling within Class B1 of the Town and Country Planning (Use Classes Order) 1987 as that Order is in force at the date of this permission and for no other purposes.

Reason: To maintain the mixed-use nature of the development in accordance with Policy Ely 1 of the draft East Cambridgeshire Local Plan 2013.

44. Hours of Opening (A3/A4/A5 Uses)

The cafes/restaurants, drinking establishments and hot food take-aways (Use Classes A3, A4 and A5) hereby permitted shall not be open to members of the public other than between the hours of 07.00 and 23.00 on any day of the week, unless otherwise agreed in writing in advance by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with Policies EN2 of the East Cambridgeshire Core Strategy 2009 and Policy ENV2 of the draft East Cambridgeshire Local Plan 2013.

45. Sub-division/amalgamation of Uses

There shall be no amalgamation of units defined for A1, A2, A3, A4, A5 or D1 uses within the Local Centre without the prior written approval of the Local Planning Authority through the submission of a planning application.

Reason: To maintain the local scale of the retail facilities, appropriate for the role and function of the Local Centre Policies in accordance with East Cambridgeshire Core Strategy (2009) Policy S1, draft East Cambridgeshire Local Plan 2013 Policies COM1, ENV4 and ELY1 of the draft North Ely Supplementary Planning Document (2014).

46. HGV Deliveries

HGV deliveries to any commercial premises shall be limited to 07.00 – 20.00 each day Monday – Friday and 08.00-20.00 on Saturdays. There shall be no HGV deliveries outside of these times unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of nearby residents/occupiers in accordance with Policies EN2 and EN8 of the East Cambridgeshire Core Strategy (2009) and Policies ENV2 and ENV9 of the draft East Cambridgeshire Local Plan (2013).