

MAIN CASE

Reference No: 16/01794/RMM

Proposal: Reserved Matters Application for approval of details of access, appearance, scale, layout and landscaping for the construction of 199 dwellings, garages, roads, footpaths/ cycleways, open spaces and associated infrastructure and other works in respect of Parcels A and B in Phase 1 of Outline Planning Permission 13/00785/OUM.

Site Address: Parcels A And B Orchards Green Cam Drive Ely Cambridgeshire

Applicant: Hopkins Homes Ltd

Case Officer: Julie Barrow Senior Planning Officer

Parish: Ely

Ward: Ely North
 Ward Councillor/s: Councillor Mike Rouse
 Councillor Elaine Griffin-Singh
 Councillor Andy Pearson

Date Received: 18 January 2017 **Expiry Date:** 8 September 2017

[S81]

1.0 RECOMMENDATION

- 1.1** Members are recommended to APPROVE subject to the recommended conditions below with any changes to the conditions to be delegated to the Planning Manager. The conditions can be read in full on the attached Appendix 1.
- 1 Approved plans
 - 2 Time Limit - OUT/OUM/RMA/RMM
 - 3 Materials
 - 4 Landscaping
 - 5 Landscaping maintenance
 - 6 Orchard Grounds Play Area
 - 7 Acoustic treatment
 - 8 Tree Protection Measures
 - 9 Biodiversity
 - 10 Sustainability
 - 11 Street furniture
 - 12 Lighting
 - 13 Window and door details
 - 14 Boundary walls

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks reserved matters approval for details of access, appearance, scale, layout and landscaping for the first phase of development on land to the north of Cam drive, Ely. The site forms part of the wider North Ely scheme on land being promoted by Endurance Estates. Outline planning permission for residential led development of up to 1,200 homes with associated employment and community uses (including care home or extra care home), supporting infrastructure, and open space/landscaping was granted in June 2016 following completion of a S106 Agreement.
- 2.2 The applicant intends to construct 199 dwellings, including 20 affordable dwellings, and deliver the planned allotments to the rear of Orchard Estate together with areas of open space/landscaping and a play area on the northern section of the site.
- 2.3 The applicant is required to comply with a number of conditions attached to the outline planning permission prior to commencing work on this site.
- 2.4 Amended plans have been received during the course of the application dealing with changes to a number of house types and making minor layout changes to the main residential areas and the allotments.
- 2.5 The application is based on a number of parameter plans approved as part of the outline planning permission. These address Land use, Urban Design Framework (including building heights), Access, Landscape and Open Space, Play provision and Density by Character Area.
- 2.5 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

3.0 PLANNING HISTORY

3.1

13/00785/ESO	Residential led development of up to 1,200 homes with associated employment and community uses (including care home or extra care home). Supporting infrastructure, and open space/landscaping on land to the west of Lynn Road in Ely.	Approved	26.11.2014
11/01077/ESO	Residential development, a local centre comprising retail foodstore (A1), uses within	Approved	18.06.2015

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.

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site comprises two parcels of land to the north of Cam Drive. Parcel A extends from Cam Drive up to the cycle path that adjoins the southern edge of King Edgar Close and encompasses the area to the south of Isle Of Ely Primary School. Parcel B is located to the west of the Cam Drive/Stour Green roundabout. The area between the two parcels has outline planning permission for mixed use, including a foodstore and number of retail units, a public house/restaurant and a work hub with an option for a community space/and/or micro library.

5.0 RESPONSES FROM CONSULTEES

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

City of Ely Council – No concerns regarding this application. However, members would request that the mistakes which were made at King's Avenue are not repeated with regards to the arrangement of parking spaces, which has led to obstructive parking on traffic routes.

Ward Councillors – No comments received.

Environment Agency – *Flood risk* - The submitted information regarding flood risk demonstrates that the development is situated in its entirety in an area of Flood Zone 1 and will therefore comply with the NPPF's policies on flood risk.

Waste - Refer to comments made in 2013 in relation to the outline planning permission:

'The applicant has presented a comprehensive waste strategy document for the development. The management of waste from construction to the operational phases is detailed providing measures that should be put in place should the planning application be successful.

The use of a Site Waste Management Plan demonstrates a commitment by the applicant to ensure that good environmental outcomes can be achieved from waste arising from the development. The importance of the waste hierarchy with a primary regard to reuse and recycling clearly underpins the good waste management statements made.

It is important to ensure that construction contractors for the development use licensed waste carriers and permitted waste treatment and disposal facilities. Any hazardous waste arising from any demolition, site clearance or construction should be legally disposed of by suitable licensed contractors.'

Groundwater & contaminated land – The information submitted is in line with the WSP Parsons Brinckerhoff Surface Water Drainage Strategy July 2016, which is “reliant upon a strategic SuDS to provide on-site attenuation comprising of open ditches, attenuation basins and swales, with outflow restricted to greenfield runoff rates discharging to existing open drainage ditches and culverts beneath Cam Drive”.

There is no objection to the development as proposed in as far as it relates to the Reserved Matters Application. However, it is understood that infiltration SuDS will not be appropriate, but the strategy states in section 4.1.5 “*The developer shall however undertake a more detail assessment of ground condition and undertake additional infiltration testing within the development parcels to assess the viability and possible implementation of localise infiltration systems to supplement the primary SuDS features*”. (Informative in relation to infiltration recommended).

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

Lead Local Flood Authority – Information submitted in respect of the drainage strategy appears acceptable.

Littleport & Downham Internal Drainage Board – This development needs to be built in accordance with the overall drainage strategy for the site. It is important that the responsibility for the long-term maintenance of the on-site surface water feature is established.

Cambs Fire & Rescue – Ask that adequate provision be made for fire hydrants.

City of Ely Perspective –

- House type 954 – standard of design is uninspiring compared with other houses in the development. For example, the large windows are an uncomfortable distance from the door.
- House type 654 & 753 – the rear elevation of the garages as shown on the road elevation is rather bland. This also raises the question as to whether it is recognised that garages are used for other purposes in addition to accommodating cars.
- There are too many window styles in some houses.
- It is unreasonable to have bin collection points for than 25m from a property.
- Communal drives should be adopted to overcome responsibilities for the maintenance of the permeable paving, and in some case to allow refuse collection vehicles closer access to a property.
- If the profiled ditch is not required for drainage purposes it would be preferable to see an embankment. It is easier to maintain as a pleasant feature and does not collect debris.

Designing Out Crime Officer – This is considered to be a good layout which offers lots of natural surveillance with defensible space clearly defined and car parking within curtilage and on larger parking court areas there is evidence of lighting. This development adheres to the basic principles of Secure by Design.

East Cambridgeshire Access Group –

- Allotments – Car parking for these appear to be all the same size, 6% required for disability parking. If there are for parking for allotment holders, they will need security systems to prevent unauthorized parking.
- Houses – Require step free access, downstairs toilet with door opening outwards. Level threshold to the houses/all properties (House type 1469 and 1300 show steps).
- Flats – Stairways would require handrails on both side. Ground floor flats, to make the accommodation on the social house more flexible, consider a walk in shower. Level platform in the front of the door to enable owners to unlock the door.
- Pedestrian access all through the site – Prefer no shared access (i.e. shared with vehicles). All walkways should have identified access. Any cycle routes need to be signed and identified.
- Good general street lighting require over the site, and good street directions.

Senior Housing Strategy & Enabling Officer – The S106 Agreement requires 10% affordable housing on this phase with a tenure mix of 70% rented and 30% shared ownership. This requirement is being met in the proposed scheme. The mix and tenure is appropriate and does meet housing need in the District.

Environmental Health – Most of the issues that would normally be raised are covered within the conditions for the outline permission. The aspects to be highlighted here are:

- Confirmation of the boundary treatment to the play area – what screening will be used and details of the play equipment to be installed.
- There should be an allotment scheme to ensure users adhere to certain rules. This should include no burning of waste.

Trees Officer – This proposal includes layout and landscaping for parcels of a large scale development at the North of Ely. There are a few trees on the boundaries of the development site. Existing trees in relation to this application are largely unaffected.

Landscaping proposals have been submitted although the specific species selection is indicative with a suggested palate of species.

The planting locations also appear indicative as the planting sites are not directly referenced. These comments are subject to professional limitations and it is recommended that a landscape architect is consulted for a full assessment of these and future plans.

The landscaping proposal is uninspired. There is minimal allocation of open space and this largely appears to serve a partition function between areas of residential housing as opposed to any significant allocation to space for public use.

The tree planting appears geometric and therefore potentially sterile and artificial.

The proposed tree planting palette is limited although a restricted palette is appropriate in reference to the overall minimalistic design. The species choice is a range of standard street tree planting and native species. The selection also includes Aspen, Alder and Willow which is a welcome choice in relation to local area.

There is minimal provision of street trees and this lack of provision creates a harsh and urban street scene, while failing to making use of the potential benefits those street trees may offer for the general public.

ECDC Waste Strategy – Plots 140-155 are shown as being serviced by a bin store with combined space for 4 x dry recycling 1100lt bins and 4 x general refuse 1100lt bins, however, the District Council only collects general waste in black sacks weekly and this will need to be noted by whoever manages the flats as well as options for the removal of bulk items that may be fly-tipped in the bin-store or in the surrounding area.

ECDC is permitted to make a change for the provision of waste receptacles. This contribution is currently set at £43 per property.

Anglian Water Services Ltd - No comments received.

Historic Environment Team - No comments received.

CCC Growth & Development - No comments received.

Cambs Wildlife Trust - No comments Received

Cambridge Ramblers Association - No comments received.

Conservation Officer - No formal comments received.

Asset Information Definitive Map Team - No comments received.

5.2 Neighbours – Site notices posted, advertisement placed in the Cambridge Evening News and 73 nearby properties were notified. 5 responses received, which are summarised below. A full copy of the responses are available on the Council's website.

- Concerns regarding security of property on Orchard Estate with allotment parking at the rear.
- Understand that residents on Orchard Estate will not get first option on allotments.
- The cycle path and play area to the north of Parcel A is a potential rat run, bottleneck and hangout space.
- Butt Drove gate is a noise and privacy hazard.

- Loss of privacy from cycle and footpath as the height of the thoroughfare has been raised.
- More open space instead of allotments near the King Edgar sub-station.
- Site of the playground has moved since outline planning permission was granted.
- Expect that developers will be mindful of existing and new housing in the vicinity and propose play equipment that will not affect privacy or cause noise.
- No landscaping shown on swale at rear of King Edgar Close.
- Trees on northern edge could have adverse effect if not maintained.
- Concerns regarding tree selection and placement.
- Allotments of various sizes and only 27 to be provided.
- Expect dog waste collection point and litter bins to be provided.
- Increase in 8 dwellings from outline stage.
- Concerned that future glazing changes will change overall look of development.
- Not enough space for new access road onto Cam Drive.
- Consideration should be given to working hours and keeping building materials secure.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

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

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations
 Design Guide
 Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated
 Flood and Water
 North Ely SPD

6.3 National Planning Policy Framework 2012

- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 10 Meeting the challenge of climate change, flooding and coastal change
- 11 Conserving and enhancing the natural environment
- 12 Conserving and enhancing the historic environment

7.0 PLANNING COMMENTS

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

7.2 Principle of development

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

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

7.2.3 As stated above, outline planning permission for the residential led development of up to 1200 homes with associated employment and community uses (including care home or extra care home), supporting infrastructure and open space/landscaping on land to the west of Lynn Road was granted on 20 June 2016. The S106 Agreement attached to the planning permission secures the provision of affordable housing across the site together with allotments and open space. A number of financial contributions towards matters such as business support, education and highway improvements are also secured through the Agreement.

7.2.4 One of the two primary schools to be delivered as part of the North Ely extension has already been constructed by Cambridgeshire County Council and has been taking pupils for the past year. The Isle of Ely Primary School is located to the north and west of the land that forms part of this reserved matters application and is accessed via a section of spine road constructed to facilitate the school and open up the remainder of the Endurance Estates land in later phases. The reserved matters application does not include all of the land immediately to the east and west of the section of spine road. This area is shown on the Land Use Parameter Plan as a local centre with a food store and four additional retail units, a public house/restaurant, work hub with offices and an option for a community space and/or micro library. Endurance Estates are being encouraged by the Council to bring this local centre forward as soon as is practicable in order to create a sense of community and meet the objective of Policy ELY1 to demonstrate a phased

approach to development so that jobs, facilities and infrastructure are delivered alongside housing.

- 7.2.5 Prior to the submission of this reserved matters application Endurance Estates have discharged a number of strategic site-wide planning conditions that will inform all future reserved matters applications. These include a site-wide phasing plan and strategies for the provision of broadband, foul and surface water drainage. Matters such as a site-wide biodiversity strategy and specification for a noise bund alongside the A10 have also been addressed in the discharge of condition application.
- 7.2.6 This first reserved matters application will bring together the North Ely vision set out in adopted policy and the current built form on Lynn Road and Cam Drive. The North Ely SPD seeks to use neighbourhood areas, character areas and development typologies to promote a gradual transition from urban to rural character. The site lies within the South West neighbourhood, with its special features described in the North Ely SPD as being a new gateway to Ely from the A10 and cathedral views. The reserved matters site does not extend as far as the A10 but it has been designed to protect views of Ely Cathedral with its linear pattern of development and retention of the north-south linear drainage features. The scheme also seeks to meet the objectives of the North Ely SPD to provide an urban frontage onto prominent green areas together with allotments.
- 7.2.7 The majority of the reserved matters application falls within the 'suburbia' development type and the applicant is seeking to deliver an urban development that has a sense of enclosure with a variety of dwellings and strong building lines where dwellings front onto green spaces. A small amount of the current proposal falls within the Urban Village development type, where densities are slightly higher than the Suburbia development type. This form of development is to be found on the edges of the local centre referred to above.
- 7.2.8 The third layer of development form is to be found in the character areas referred to in the North Ely SPD as being based on development patterns and materials palette, which make each character area a distinct unit with its own identity. This reserved matters application takes in all or part of three character areas – Orchards Grounds, Cam Grove and Downham Meadow. In accordance with the outline planning permission Endurance Estates have prepared a Design Code for each of these character areas, which have been submitted to and approved by the Local Planning Authority under guidance of Place Services, the LPA's Urban Design consultants. The Design Codes are addressed in further detail below.

7.3 Housing mix and density

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

- 7.3.2 The S106 Agreement sets out an affordable housing requirement of 10% of the first two phases of development on the Endurance Estates land. Future phases will be subject to a review mechanism, which may see an increase in the number of affordable dwellings being provided, dependent on market conditions at the time.
- 7.3.3 Hopkins Homes are therefore proposing to construct 179 market dwellings and 20 affordable dwellings in accordance with the requirement to provide 10% affordable dwellings at this stage.
- 7.3.4 The application proposes the following mix of market dwellings:
- 6 x 1 bed (3%)
 - 26 x 2 bed (15%)
 - 81 x 3 bed (45%)
 - 64 x 4 bed (36%)
 - 2 x 5 bed (1%)
- The 20 affordable dwellings are split in the following way:
- 8 x 1 bed (40%)
 - 9 x 2 bed (45%)
 - 3 x 3 bed (15%)
- 7.3.5 The Council's Senior Housing Strategy & Enabling Officer has accepted the mix of affordable units and confirms that it addresses local need and meets the requirements of the outline planning condition and S106 Agreement.
- 7.3.6 The mix of market dwellings includes a greater number of 3 bedroom dwellings than that envisaged in the Developer Contributions SPD. The applicant has submitted a Housing Mix, Content and Affordable Housing Scheme Statement in which it is stated that the most commonly sought after market housing unit is a 3 bed home. The applicant also cites the fact that current market conditions indicate that couples and single people (smaller household) commonly want to buy 3 bed homes and to under-occupy new homes allowing for flexibility and room for changes in circumstances and visiting guests. This follows a similar approach to other developers in the District and the Local Planning Authority has no evidence to suggest otherwise.
- 7.3.7 In accordance with the outline consent 20% of the dwellings (40 in total) are designed to Lifetime Homes standards. 20 dwellings are also designed as flexible dwellings that are designed to be suitable for home office working.
- 7.3.8 As stated above, the application site spans across three of the character areas set out in the outline consent and for which there is an approved parameter plan. Plots 1-100 fall within Orchard Grounds character area, which is residential in nature and described in its Design Code as being a 'family home orientated residential neighbourhood with an abundance of open spaces and good connections to the adjacent primary school'. In accordance with the Urban Design Framework parameter plan the majority of dwellings in Orchard Grove are two storey in height with dwellings fronting Cam Drive up to two-and-a-half storeys.
- 7.3.9 Plots 101-155 are within the Cam Grove character area, which is shaped by its location close to the proposed local centre core and the surrounding urban streets

and dwellings. The density of this area is expected to be greater than the adjoining character areas, as are the building heights. Parcel B, Plots 157-199, lies within the Downham Meadow character area, which will also include the majority of Phase 3 of the wider development. This area sits in between the Cam Grove local centre and the Ely Green Edge that will serve as a buffer with the A10. The density of the residential housing reduces from that in Cam Grove and this parcel of development is reflective of that.

7.4 Character and appearance

- 7.4.1 The application has been the subject of extensive pre-application discussions, centred on the layout of the development and the relationship of the built form with the green spaces and allotments. The Orchard Grounds area is defined by its green corridors with foot and cycle-paths coinciding with linear drainage features. The existing linear drainage feature on the site has been incorporated into the scheme with a cycleway running alongside it, connecting the existing cycleway beyond the northern boundary of the site to the cycleway constructed from Cam Drive as part of the primary school development. The north-south green corridor will act as an informal area for recreation as well as being retained as part of the functioning drainage system. It also provides an opportunity to enhance biodiversity and has been examined in detail as part of the landscaping strategy submitted with the application.
- 7.4.2 In accordance with the Land Use parameter plan Orchard Grounds includes a number of allotments that act as a buffer to existing built form on Lynn Road/Orchard Estate. These allotments shall, in the first instance, be offered to named residents of Orchard Estate and it is anticipated that they will be managed by the Ely Allotments Association. Under the outline planning permission the applicant is required to submit details of a scheme for the management and setting out of the allotments and it is anticipated that an application to address this condition will be made immediately following the approval of the reserved matters application.
- 7.4.3 The main access point to the Orchard Grounds character area is in accordance with the Access parameter plan and is located in between the Lynn Road/Cam Drive roundabout and the Cam Drive/Stour Green roundabout. The main access road through this part of the development will run north to south, maintaining the linear feel and protecting distant views of Ely Cathedral. The main area of open space marks the end of this spine road and the layout fulfils the criteria of providing a strong built frontage alongside open space. A series of tertiary streets lead onto private access roads, many of which also address key areas of open space and pedestrian and cycle routes through the development.
- 7.4.4 The built form within Orchard Grounds is designed to produce a series of broadly rectilinear blocks with a series of key block corners that feature a dual frontage dwelling. The key edges are defined by sequence of similarly designed dwellings, particularly those alongside the linear green corridor and around the central 'square' that marks the end of the east-west secondary road that runs past the primary school.

- 7.4.5 In accordance with the suburbia development type the dwellings are set back a modest distance from either the highway or private drive, allowing for small gardens. In many places the front boundaries on key edges will be marked by metal park railing fencing.
- 7.4.6 The Design Codes set out a broad range of materials that are reflective of Ely and its variety of architectural styles. In the detailed Orchard Grounds section there is reference to the use of predominantly brick elevations with elements finished in render. Many of the house types utilised in the scheme are inspired by the Georgian style of architecture and there is a strong use of buff brick and grey roof materials throughout Orchard Grounds, intermixed with some red brick and pantiles.
- 7.4.7 The character of Cam Grove is shaped by its location close to the local centre and the surrounding urban streets and dwellings. This character area also includes the primary school that has already been constructed. The higher density of development accords with the urban village development type. This area features a number of apartment blocks that frame the edge of the development where it meets the local centre and the school. The design of these blocks is also reflective of the design and appearance of the school. There is a more inconsistent approach to boundary treatments together with a strong mix of materials, more appropriate to this character area.
- 7.4.8 Beyond the Cam Grove character area and the local centre the development reverts to the suburbia development type and a lower density of development. The northern edge of the parcel of land included in this application will be three storey in height with another strong linear green corridor adjoining its western boundary. Only a small part of this application falls within the Downham Meadows character area and the design code for the area makes a number of references to the fact that it lies adjacent to the A10 and that it will form a new gateway into the city from this main highway. There is a strong sense of enclosure alongside the green corridor as well as corner buildings that feature detailing that subtly distinguishes them from other buildings to support legibility. There is also a return to buff brick as the predominant external material.
- 7.4.9 All three design codes make reference to the Cam Drive Linear Park, a green open space that runs along the frontage of the development and interacts with the existing vegetation along Cam Drive. A cyclist route transects this linear park providing cyclists with the opportunity to access the facilities on the western side of Ely without having to ride on Cam Drive itself.
- 7.4.10 The outline planning application was reviewed by the Cambridgeshire Quality Panel and a similar review of this reserved matters application and the Design Codes was carried out by the Panel. The Panel had a number of positive comments to make on the scheme and Codes and a number of changes were made as a result of the review. In particular the relevance of the documents to Ely has been explored further as well as connections to off-site infrastructure.
- 7.4.11 It is considered that the scheme addresses a core principle of the North Ely SPD to design buildings to ensure architectural and design variety and excellence. The built form also responds to and draws references from the rich historic townscape in central Ely.

7.5 Residential amenity

- 7.5.1 The scheme has been designed in accordance with the East Cambridgeshire Design Guide SPD taking into account the requirement to provide sufficient plots sizes and amenity space. Attention has also been given to the need to ensure that the minimum distance of 20 metres between rear inter-visible windows is maintained and it is considered that future occupiers of the scheme will enjoy a satisfactory level of amenity.
- 7.5.2 As stated above, the allotments in Orchard Grounds have been located to the rear of dwellings on Lynn Road/Orchard Estate in order to provide a buffer between the existing and proposed dwellings and maintain a 'green edge' to the development. Amendments to the layout of the allotments and parking areas serving them have been made during the course of the application in order to minimise any noise and disruption to nearby occupiers. It is anticipated that a number of allotments will be taken on by residents on Orchard Estate and possibly by future residents of North Ely. It is therefore considered that parking provision should be kept to a minimum to encourage allotment holders to walk and cycle to them.
- 7.5.3 The area of open space to the north of Orchard Grounds also acts as a buffer to the existing dwellings on King Edger Close. Comments have been received from residents on King Edger Close raising concerns regarding the positioning and layout of the open space and the fact that a play area is proposed in this location. King Edger Close is separated from the open space by an existing drainage feature and cycle path, both of which are outside the current application site. These areas are maintained by the County Council and as they act as a primary route from Lynn Road to the primary school it is expected that there will be a certain level of use and activity, particularly at either end of the school day. The open space will be designed to allow users of the paths to interact with it and the area will be subject to a comprehensive landscaping scheme. Details of the play equipment to be installed in this area will be submitted as a discharge of condition application.
- 7.5.4 In accordance with the outline planning permission a noise assessment has been submitted with the application. As the Cam Grove local centre has not yet been designed it is not possible to fully assess the effects of noise from this area of the development on future residents. Future applications for the local centre will therefore need to take account of the surrounding built form and appropriate noise mitigation measures put into place.
- 7.5.5 The noise assessment identifies that the A10 and Cam Drive will be the main sources of noise for future residents of this scheme. Noise measurements have been taken from points alongside each road and the data collected used to predict and determine indoor ambient and maximum noise levels within the habitable rooms of assessed locations within the development.
- 7.5.6 Within living rooms at all assessed locations appropriate double glazing and standard acoustic trickle ventilation should be installed as a minimum. To meet the criteria for indoor ambient noise levels and World Health Organisation guidelines for maximum indoor noise levels within bedrooms to the south of the development,

standard acoustic trickle vents should be replaced with enhanced acoustic trickle vents. For all other bedrooms standard trickle vents will be adequate.

- 7.5.7 The Environmental Health Officer has raised the fact that noise limits may be exceeded in some rooms if windows are opened. However, given the location of the site close to the city centre it is to be expected that there will be some road noise. There are dwellings on the southern side of Cam Drive set much closer to the road and given the fact that this development is both necessary and desirable to deliver much needed housing it is considered that refusal of the scheme on noise grounds would not be justified.
- 7.5.8 To meet the upper limit for gardens and amenity spaces to the south of the development they should be enclosed by a 2m high timber close boarded fence with no gaps and fully sealed with the ground. All other garden and amenity spaces can be enclosed in standard timber fencing.
- 7.5.9 Subject to the measures outlined above being incorporated into the development it is considered that future residents will enjoy a satisfactory level of ventilation without resorting to mechanical forms of ventilation and will not be adversely affected by noise to any significant extent. The proposal therefore complies with Policy ENV9 in this regard. All other matters in relation to residential amenity comply with the requirements of the Design Guide SPD and Policy ENV2.

7.6 Green infrastructure and landscaping

- 7.6.1 The North Ely SPD sets a vision for a significant amount of North Ely to comprise multifunctional green infrastructure, incorporated as an integral part of the design and layout of the development. This includes all types of green infrastructure, ranging from the Country Park to be provided in the eastern half of North Ely to gardens, green urban spaces and informal and formal play areas and sports fields. Green infrastructure should also provide for the recreational needs of the community as well as enhancing biodiversity and creating new habitats for wildlife.
- 7.6.2 As detailed earlier in this report this proposal confirms with the Landscape and Open Space parameter plan with the inclusion of the green corridors and open space to the north of Orchard Grounds. The ability to achieve tree lined streets and avenues is affected by the Local Highway Authority's policy not to allow trees within the public highway and the applicant has therefore had to work within this constraint.
- 7.6.3 A landscape Masterplan and design statement has been submitted with the application, both of which make reference to the design codes for each character area. The landscape strategy is designed to bring together the landscape character aspects of this part of the fenland landscape and the character and qualities associated with the 'Isle of Ely'. A linear approach has been adopted to the siting of trees and swathes of shrub planting, in particular where these are associated with the linear areas of open space and the drainage channels/swales.
- 7.6.4 The existing green infrastructure features will be enhanced within appropriate planting with features such as the green corridor in Orchard Grounds treated with a wildflower grass sward with species restricted to those that relate to the local

landscape character. The open space to the north will be more formal with hedge and shrub planting around the car park areas to the allotments. The Cam Drive linear park within Orchard Grounds will be made up of mown grass with tree planting where space permits to add interest.

- 7.6.5 The Cam Grove section of linear park incorporates a drainage channel/swale that will be surrounded by clusters of waterside tree and shrub planting. The higher density of development in Cam Grove will be reflected in its landscape strategy with boundary hedge planting and pockets of ornamental shrub planting. A similar approach is also taken to the small section of Downham Meadows that is included in this application.
- 7.6.6 The landscape strategy has been reviewed for the Local Planning Authority by Place Services and a number of recommendations have been made in respect of the scheme that can be taken forward and secured by condition to enhance the strategy.
- 7.6.7 The North Ely SPD acknowledges the fact that existing green infrastructure, including watercourses, ponds and lakes, will be incorporated into the development and that they will form an integral part of the drainage strategy. A site-wide surface water drainage strategy has been approved as part of the discharge of condition application made by Endurance Estates prior to the submission of this application. Once Hopkins Homes have secured reserved matters approval for the first phase of development a detailed sustainable drainage strategy will be submitted to the Council for approval. The linear green corridor in the Orchard Grounds area will form a key part of this strategy. It is anticipated that the northern parts of the feature will function as a meadow and be accessible. The southern parts of the ditch are likely to be wetter and characterised by perimeter grasses with a possible noticeable water-line.
- 7.6.8 Subject to the submission of further landscaping details that can be secured by condition it is considered that the proposal meets the objectives of the North Ely SPD in relation to green infrastructure and landscaping and the requirements of Policy ENV1 in respect of landscape character.

7.7 Traffic and transportation

- 7.7.1 The Access parameter plan details the main vehicle, pedestrian and cycle points into the development and the current scheme accords with this plan. As stated above, a series of cyclepaths and footpaths run through the development, connecting it with various points outside it. The scheme therefore promotes walking and cycling over vehicle movements in accordance with the North Ely SPD.
- 7.7.2 Prior to the submission of this application the access at the junction of Cam Drive and Stour Green was installed to facilitate the construction of the primary school. The shared cycle/footpath to the north of Orchard Grounds was also installed together with a crossing point on Cam Drive.
- 7.7.3 The applicant has engaged with the Local Highway Authority in relation to the layout of the scheme and will construct the main access point to Orchard Grounds in accordance with the details agreed at outline planning permission stage. The

applicant is also working with the Local Highway Authority to secure a number of off-site improvements for cyclists in accordance with conditions attached to the outline planning permission.

- 7.7.4 The Design Codes set out the key principles relating to car parking and a variety of methods can be utilised with the key objective of accommodating all resident parking on plot or within the 'footprint' of the block for apartments. The applicant has been encouraged to minimise the use of tandem parking but the Design Codes acknowledge that in some cases on plot parking may involve two spaces, one in front of the other or even garage parking to ensure compliance with Local Plan Policy COM8 (parking provision).
- 7.7.5 With the exception of the one-bedroom units, two parking spaces per dwelling are provided as a minimum with the majority of properties also benefiting from a garage. A variety of solutions have been employed to achieve this standard with a number of dwellings served by two parking spaces, one in front of the other. In certain locations amendments have been made to the parking arrangements to ensure that the parking spaces are provided side by side. This is particularly so for dwellings located opposite the primary school.
- 7.7.6 A small number of parking courts are proposed and these have been designed to ensure that they are overlooked, safe, secure and accessible while not dominating the streetscene. The proposal also incorporates ten visitor spaces, below the number required by Policy COM8, which states that up to one space per four dwellings is required. Their location 'on-street' is in accordance with the North Ely SPD and the approved Design Codes and they are located alongside areas of public open space.
- 7.7.7 The Local Highway Authority has stated that it will not adopt visitor parking bays within the highway unless they serve a highway function. In this case it is considered that their location adjacent to areas of public open space meets this requirement. The under-provision of designated visitor spaces is based on the premise that there is no way to control the use of the spaces and that residents are likely to take advantage of them. On the basis that there will be no parking controls on the development it is considered that visitor parking will be on-street and that the highways have been designed to accommodate this. In addition the applicant has 'over-provided' in respect of the number of on-plot parking spaces with a number of dwellings having three spaces. On balance it is considered that the location of the site close to the city centre with enhanced on and off-site linkages that parking provision is adequate.
- 7.7.8 A detailed Travel Plan has been submitted by Endurance Estates prior to the submission of this application and has been approved on the recommendation of Cambridgeshire County Council. The Plan seeks to minimise the number of single occupancy vehicle trips generated by the development and to support more sustainable forms of transport. A Travel Plan Co-ordinator has been employed by Cambridgeshire County Council in order to promote this issue further and future residents should benefit from these measures.

7.8 Ecology

- 7.8.1 A site-wide Biodiversity Strategy has been approved in relation to the Endurance Estates land. All reserved matters applications are required to submit a Site Biodiversity Survey and Assessment that demonstrates how it accords with the aims and objectives of the Biodiversity Strategy.
- 7.8.2 The current application site is of limited ecological value, with the exception of the existing drainage features. The proposal is therefore seen as an opportunity to enhance biodiversity and ecology on the site. The applicant will carry out pre-construction checks to ensure that any nesting birds and reptiles present on the site are protected. As detailed above the scheme includes the enhancement of existing green infrastructure and the creation of new features that will provide additional habitats. A sensitive lighting scheme will be employed to minimise disturbance to any habitats suitable for bats and appropriate construction methods will be utilised to avoid harm to other animals such as badgers.
- 7.8.3 The applicant has submitted a Tree Survey and Arboricultural Impact Assessment with the application. This states that six low quality or poor longevity individual trees and a section of one low quality landscape feature will need to be removed in order to achieve the proposed layout. All other existing landscape features can be protected through the use of protective fencing and a 'no dig' approach to construction will need to be employed in some areas.
- 7.8.4 Subject to compliance with the biodiversity and tree surveys and landscape strategy it is considered that the proposal meets the objectives of the North Ely SPD in relation to the enhancement of biodiversity and creation of new habitats for wildlife and Policy ENV7 of the Local Plan.

7.9 Other matters

- 7.9.1 The applicant has considered the need for cycle and bin storage on the development with all plots having arrangements for both.
- 7.9.2 The applicant has set out its broad approach to environmental sustainability with the application. This includes the inclusion of measures and standards above and beyond the requirements of current Building Regulations and traditional housing procurement. In order to ensure that a key objective of the North Ely SPD in relation to the setting of high environmental standards is met the applicant can be required to submit a supplementary sustainability statement based upon the information included in the Planning Statement submitted with the application. On this basis it is considered that the proposal complies with the North Ely SPD and Policy ENV4 of the Local Plan.

7.10 Matters addressed by conditions on outline planning permission

- 7.10.1 Endurance Estates, the site promoter, has discharged a number of site-wide strategic conditions including those relating to a phasing plan for the whole development, the biodiversity strategy, broadband strategy and foul and surface water drainage for the whole development. Hopkins Homes is required to address

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

- Submission of a Construction Environmental Management Plan
- Contaminated land reports
- Site-specific surface water drainage scheme
- Site-specific foul drainage scheme
- Provision of fire hydrants
- Phase 1 off-site cycleway and footpath
- Allotment management scheme and allotment fencing
- Temporary neighbourhood waste recycling facilities

7.11 Planning balance

7.11.1 The applicant has submitted a scheme for 199 dwellings that accords with the outline planning permission and the parameter plans attached to it. This is the first phase of development in a significant urban extension to Ely and will provide a significant number of homes. The applicant has demonstrated that matters in relation to residential amenity, highways and ecology can be adequately addressed and the scheme complements the site's location close to the city centre. The applicant will build upon the details agreed at outline stage and as part of the site-wide conditions in relation to drainage and green infrastructure and has committed to securing a number of the off-site infrastructure improvements. On balance it is considered that this reserved matters application does not give rise to any adverse effects that would outweigh the benefits of the scheme.

8.0 COSTS

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

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

8.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

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

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

9.0 APPENDICES

9.1 Appendix 1 – Draft Planning Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
16/01794/RMM	Julie Barrow Room No. 011 The Grange	Julie Barrow Senior Planning Officer
13/00785/ESO	Ely	01353 665555 julie.barrow@eastca mbs.gov.uk

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

APPENDIX 1 - 16/01794/RMM Conditions

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

Plan Reference	Version No	Date Received
112	A	31st May 2017
113	A	31st May 2017
019	A	31st May 2017
015	A	31st May 2017
105	A	31st May 2017
208	A	31st May 2017
203	A	31st May 2017
204	A	31st May 2017
206	A	31st May 2017
012	A	31st May 2017
013	A	31st May 2017
010	A	31st May 2017
011	A	31st May 2017
085	A	31st May 2017
086	A	31st May 2017
052	A	31st May 2017
213	A	31st May 2017
114	A	31st May 2017
115	A	31st May 2017
116	A	31st May 2017
117	A	31st May 2017
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119	A	31st May 2017
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121	A	31st May 2017
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446	A	31st May 2017
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430	A	31st May 2017
404	A	31st May 2017
405	A	31st May 2017
406	A	31st May 2017
002.1	J	31st May 2017
003.1	J	31st May 2017
098	A	31st May 2017
212	A	31st May 2017
201	B	31st May 2017
059	A	31st May 2017
037	A	31st May 2017
035	A	31st May 2017
062	A	31st May 2017
063	A	31st May 2017
080	A	31st May 2017
081	A	31st May 2017
082	A	31st May 2017
043	A	31st May 2017
044	A	31st May 2017
060	A	31st May 2017
069	A	31st May 2017
070	A	31st May 2017
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050	A	31st May 2017
051	A	31st May 2017
033	A	31st May 2017
072	A	31st May 2017
047	B	31st May 2017
048	A	31st May 2017
016	A	31st May 2017
017	A	31st May 2017
040	A	31st May 2017
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046	A	31st May 2017

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103	A	31st May 2017
087	A	31st May 2017
088	A	31st May 2017
077	A	31st May 2017
079	A	31st May 2017
303	A	31st May 2017
300	A	31st May 2017
301	A	31st May 2017
302	B	31st May 2017
PARAPET DETAIL		31st May 2017
DECORATIVE BAND DETAIL		31st May 2017
DOOR CANOPY DETAIL		31st May 2017
DET 05:09	E	31st May 2017
DET 05:24	A	31st May 2017
DET 05:31	Q1 - Q3 Quoin detail	31st May 2017
DET 07:01	Eaves & gable Detail A	31st May 2017
DET 07:35	A	31st May 2017
DET 07:80	A	31st May 2017
CHIMNEY STACK		31st May 2017
HH.DET.09:08	Post & Rail	31st May 2017
HH.DET.09.25	Railing details	31st May 2017
HH.DET.09.26	Railing details	31st May 2017

HH.DET.09.27	Railing details	31st May 2017
HH.DET.12.10	1 of 2	31st May 2017
HH.DET.12.20 'A'	Doorcase & Fanlight	31st May 2017
DET 12:29	B	31st May 2017
HH.DET.12.30'A'	A	31st May 2017
HH.DET.12.33		31st May 2017
HH.DET.12.34		31st May 2017
HH.DET.12.36	Door surround	31st May 2017
12:39		31st May 2017
DET 12:43	Front door surround	31st May 2017
DET 14:14	Cat slider dormer	31st May 2017
DET 14:20	C	31st May 2017
DET 14:21	A	31st May 2017
DET 15:34	A	31st May 2017
DET 15:35	A	31st May 2017
004	C	4th August 2017
002.2	I	4th August 2017
003.2	I	4th August 2017
209	B	4th August 2017
210	B	4th August 2017
214	B	4th August 2017
001		28th December 2016
TREE SURVEY	A	28th December 2016
5776-D	A	28th December 2016
014		28th December 2016
018		28th December 2016
020		28th December 2016
021		28th December 2016
032		28th December 2016
034		28th December 2016
042		28th December 2016
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092		28th December 2016
200	A	18th January 2017
202		28th December 2016
205		28th December 2016
207		28th December 2016
211		28th December 2016
304	A	18th January 2017
407		28th December 2016

409		28th December 2016
411		28th December 2016
412		28th December 2016
IP15_060_07_279		16th August 2017
414		28th December 2016
415		28th December 2016
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422		28th December 2016
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432		28th December 2016
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502		28th December 2016
108		28th December 2016
107		28th December 2016
106		28th December 2016
109		28th December 2016
104		28th December 2016
LANDSCAPE DESIGN STATEMENT	B	31st May 2017
SITE BIODIVERSITY ASSESS		16th August 2017
HT.DET.12.10	2 of 2	31st May 2017
ENVIRONMENTAL NOISE ASSESS		31st May 2017
001	C	31st May 2017

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 3 Notwithstanding the details shown on Drawing No. 004 Rev C, no above ground construction shall take place on site until samples of the materials, including hard surfacing materials, to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 4 Notwithstanding the details contained within the Landscape Design Statement dated May 2017 Rev B prepared by IDP Landscape and shown on Drawing No. 001 Rev. C, no above ground construction shall take place until a revised landscaping strategy based upon the details submitted and the details contained within the Place Services letter dated 14th August 2017 have been submitted to and approved in writing by the Local Planning Authority.

- 4 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 5 Prior to any occupation of the development, a scheme for the maintenance of the soft landscaping for a minimum period of 5 years from last occupation, shall be submitted to and agreed in writing by the Local Planning Authority. All works shall be maintained in accordance with the agreed scheme. The scheme shall include the following:
 - i) methods for the proposed maintenance regime;
 - ii) detailed schedule;
 - iii) details of who will be responsible for the continuing implementation
 - iv) details of any phasing arrangements
- 5 Reason: To ensure the longevity of the landscaping scheme, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 6 No above ground construction shall take place until details of the equipment and surfacing of the Orchard Grounds play area have been submitted to and agreed in writing by the Local Planning Authority. The details shall also include the timing of the delivery of the play area.
- 6 Reason: To ensure the play area is constructed to an appropriate standard and delivered at the appropriate time and to safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 The dwellings identified in Fig. 5 and Fig. 6 of the Environmental Noise Assessment dated 3rd March 2017 prepared by dB Consultation Ltd shall be fitted with 4/12/4mm glazing and enhanced acoustic trickle vents in the bedrooms and the rear garden and amenity spaces shall be enclosed by 2m high close-boarded timber fencing with a minimum surface mass of 10kg/m². The fencing shall be installed in lieu of fencing for those dwellings (plot Nos. 84-88, 99-109, 187- 194) where boundary walls are not already proposed as shown on Drawing Nos. 002.2 I and 003.2 I.
- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 8 The tree protection measures as shown on Drawing No. 5776-D Rev A shall be implemented prior to the commencement of development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered
- 8 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.

- 9 The development shall be carried out strictly in accordance with the Phase I Works Schedule contained within the Phase I Site Biodiversity Assessment dated June 2017 prepared by SES.
- 9 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 10 Prior to the commencement of development, an energy and sustainability strategy for the development, based upon the applicant's commitment to achieving beyond current Building Regulations as set out in the Planning and Environmental Statement submitted with the application, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 10 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015. This condition is pre-commencement as some of the measures may be below ground level.
- 11 No above ground construction shall take place until details of all street furniture have been submitted to and approved in writing by the Local Planning Authority.
- 11 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 Notwithstanding the Draft Light Management Plan submitted with the application, no above ground construction shall take place until a detailed Light Management Plan in respect of all areas not intended to be adopted by the highway authority has been submitted to and approved in writing by the Local Planning Authority.
- 12 Reason: To safeguard the residential amenity of neighbouring occupiers, and in the interests of safety, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 No above ground construction shall take place on site until details of the windows and doors to be used in the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.
- 13 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 14 No above ground construction shall take place on site until details of the boundary walls and samples of the materials to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 14 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.