

MAIN CASE

Reference No: 19/00754/OUM

Proposal: Outline planning application with all matters reserved (except for access) for up to 44 residential dwellings, new internal access road and footpaths, open space, sustainable urban drainage system and associated landscaping, infrastructure and earthworks.

Site Address: Site North Of 196 - 204 Main Street Witchford
Cambridgeshire

Applicant: Catesby Strategic Land Ltd.

Case Officer: Andrew Phillips, Planning Team Leader

Parish: Witchford

Ward: Stretham
Ward Councillor/s: Bill Hunt
Lisa Stubbs

Date Received: 23 May 2019 **Expiry Date:** 20 November 2019
[U105]

1.0 **RECOMMENDATION**

1.1 Members are recommended to approve the application subject to the signing of the S106 Agreement and the following draft conditions with authority delegated to the Planning Manager and Legal Services Manager to complete the S106 and to issue the planning permission. The recommended planning conditions can be read in full within Appendix 1.

1. Approved Plans
2. Reserved Matters
3. Time Limit
4. Archaeological Investigation
5. Construction Times
6. Construction Environmental Management Plan (CEMP)
7. Noise Mitigation
8. Piling Foundations
9. Fire Hydrants
10. Tree Protection
11. Footpath/Cycle Links
12. Surface Water Drainage
13. Foul Water Drainage
14. Travel Plan

- 15. Roads built to adoptable standards
- 16. Future Road Management
- 17. Access Drainage
- 18. Renewable Energy
- 19. Biodiversity
- 20. Potential Contamination
- 21. Unknown Contamination
- 22. Biodiversity Protection
- 23. Site Access

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks outline planning permission with only details of a single access onto Main Street to allow for up to 44 dwellings being sought; all other matters are reserved for future reserved matters application(s). The proposal also includes public open space, sustainable drainage systems and other associated infrastructure.
- 2.2 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council’s Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**
- 2.3 The application has been called in to Planning Committee by the ward district councillors in order for the application to have the public benefit of a committee hearing.

3.0 PLANNING HISTORY

3.1 Off site, directly on the opposite side of the road:

18/01821/FUM	The construction of forty-five dwellings including external works, roads and parking	Pending Consideration
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On site:

08/00108/OUT	Outline application for detached dwelling with access and off street parking	Refused	12.03.2008
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4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is an open field located outside of the village framework and is between Main Street and the A142. Public Rights of Way (PRoW) define the northern and western boundary; while Main Street is located to the south. There is also several residential properties located adjacent to the southern boundary of the site and to the east is another open field.

4.2 The boundaries of the site are defined by a range of trees that provide a strong character to the PRoWs and also benefit the character of Main Street.

4.3 The site measures 2.29 hectares/5.66 acres.

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.

Ward Councillors – Cllr Bill Hunt – 23 August 2019

“There is much concern in Witchford and I feel that this application would benefit from being "called in" and the wider and more open debate that a committee hearing allows.

Please call in unless Cllr Stubbs objects before Noon on Tuesday 27th August.”

Cllr Lisa Stubbs – 27 August 2019

“No objection to this being called in”

Witchford Parish Council – 20 June 2019

It objects to this proposal as it is outside of the village framework within the Consultation Draft Witchford Neighbourhood Plan and this should be granted significant weight in determining the application.

The Witchford Landscape Character Assessment that it has adopted argues against cul-de-sac development with no links to the village.

The site is bordered by two byways open to all traffic; the trees that are located on these byways form both an important visual character and wildlife habitat.

It seeks a condition to protect these trees in perpetuity and to prevent encroachment of the byways.

It notes and welcomes the pedestrian/cycle link from the site into Granny's End Drove byway. Seeks a condition to improve Granny's End Drove to Marroway Lane.

It is concerned over air and noise pollution affecting properties close to the A142 and will not accept mechanical ventilation. On this basis the number of dwellings should be reduced and the green open space increased.

24 July 2019

“Witchford Parish Council objects to the Flood Risk Assessment for this application as presented in your letter of 8th July 2019. The Parish Council is greatly concerned about the proposal to lay a pipe along Granny's End Drove, which is a historic green lane bounded by established hedges and trees with high biodiversity value for the area. The Parish Council considers that the balancing pond should empty at its western end where it is only a short distance for the overflow to run into the ditch running along the A142 bypass.

In relation to the Revised Tree Survey Report included with your letter dated 12th July 2019, Witchford Parish Council reiterates its previous statement that the existing trees and hedges on the boundary of this site should be protected by planning condition, including sufficient protection for the roots.”

19 September 2019

“The Parish Council objects to the proposal to designate the attenuation basin in this development site as part of the Public Open Space. The Parish Council expects that public open space should be safe, suitable and permanently available for public use.

The Parish Council considers that Witchford is not able to accept additional housing development as the village is already accepting a level of housing development over and above its allocated housing number as explained below:

To inform the Witchford Neighbourhood Plan, East Cambridgeshire District Council has provided an updated housing requirement figure to be met within Witchford during the period 2018 to 2031. This figure is 252 dwellings, or 19.4 dwellings per annum in the period 1st April 2018 to 31st March 2031. At 1st April 2018, Witchford parish had 'net commitments' from sites with planning permission for 252 dwellings. The Neighbourhood Plan allocates 3 sites which have the benefit of planning consent totalling 330 homes.

Land north of Field End	168 homes
Land at Common Road	116 home
Land to south of Main Street	46 homes

In addition, the Neighbourhood Plan allows for further dwellings to be delivered via appropriate policy compliant infill within the Witchford development envelope. Therefore, housing provision in Witchford is already 31% in excess of the housing requirement, without the additional 44 dwellings at this site 19/00754/OUM Site north of 196-204 Main Street. The current housing stock in Witchford is slightly over 970 houses. (In 2015 the dwelling stock stood at 970 'Cambridgeshire Population and Dwelling Stock Estimates, Mid-2011 to Mid-2015', Cambridgeshire CC). This means that Witchford is projected to grow by over 33% during the Plan period - again this is without the additional 44 dwellings at this site.”

Historic Environment Team (Archaeology) – 8 June 2019

States that the area is in an area of high archaeological potential and requires a pre-commencement archaeological condition.

CCC Growth & Development – 18 June 2019

Comments that while there is a project for Rackham Primary School, currently the County Council does not have the ability to gain the land to deliver the project.

Provides details that the already approved developments in the area will exceed the capacity in both Early Years and Primary School provision. A cost of at least £38,931 per early years and primary school place is required. However, without the land it is not possible to deliver this project.

With all the planned growth in the locality, plus this proposal the capacity of Witchford Village College (secondary school) will be exceeded; a cost of £24,667 per place is needed in order to provide an extension to the secondary school.

Finally a contribution of £3,181 is required to improve library provision to cover the additional people proposed.

Seeks all possible education contributions prior to commencement on site.

Local Highways Authority –

20 June 2019

The visibility splays appear to cut across land in the ownership of other parties. The main access is acceptable but those shown on the minor access crossing the footway is not suitable to serve more than one property.

5 August 2019

“I note that my earlier comments with respect to the eastern site access have not been addressed in the revised Transport Statement which continues to show a 3-4m access without clarity of use. My observations of the 20th June therefore remain applicable. Please could the use of this access be confirmed so that I can make the necessary recommendations?”

5 September 2019

Following removal of the second access has no objections to this proposal, though seeks standard condition HW1A and a specific condition to ensure the access is suitably built.

This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's

responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

Local Highways Authority (Transport Team) - 23 July 2019

“Background

This document reviews the Transport Statement produced by David Tucker Associates on behalf of Catesby Strategic Land Ltd, for the development of up to 44 residential dwellings at land off Main Street, Witchford.

Transport Statement Review

2.0 Policy

The review of relevant local and national policy is acceptable for use.

3.2 Local and Wider Road Network

The description of the local highway network is acceptable for use.

3.3 Existing Traffic Flows

It is noted that an ATC survey was conducted over a 7-day period along Main Street between 13/12/18 and 19/12/18. It is noted that the date the survey were conducted is not a neutral date as it is so close to the Christmas holiday period. However since junction capacity models are not required the surveys are acceptable for this application.

3.4 Personal Injury Collision Data

The applicant has requested 60 months of accident data from 2013 to the end of May 2018 from Cambridgeshire County Council. It is noted that this accident data is now a year out of date, The Highway Authority advises the applicant to request the most recent accident data from Cambridgeshire County Council.

3.5 Pedestrian and Cycle Access

The applicant is advised to include the widths of the footways on either side of Main Street within the pedestrian access description.

The applicant needs to provide an isochrone map of the walking and cycling distances from the site using real walking routes, not as the crow flies. The recommended maximum walking distance is 2km and cycling distance is 5km.

3.6 Local Amenities and facilities

The description of the local amenities and facilities is acceptable for use.

3.6.6 Mode share

The use of 2011 census data to calculate mode share is acceptable for use.

3.7.1 Bus provision

It is noted that the closest bus stop to the site is 100m away on Main Street, which is serviced by the 39 Ely-Chatteris-March service. The applicant is advised to

include an audit of the current bus stop infrastructure for the bus stops on Main Street.

4.1 Development Proposals

It is noted that despite the development being for 44 dwellings the TS has assessed the impact of 50 dwellings.

4.2 Access

Access proposals are to be agreed with Cambridgeshire County Council Highways, Geoffrey Ellwood is the key contact.

4.6 Car and cycle parking

It is noted that car parking will be provided in accordance with East Cambridgeshire's District Councils car parking standards. It is noted that the applicant has not provided any information regarding the provision of cycle parking. Cycle parking must be provided in accordance with East Cambridgeshire's District Councils cycle parking standards, which states a minimum of 1 secure covered cycle storage space per dwelling.

4.7 Travel Plan

If the application is recommended for approval sustainable welcome packs including free bus travel vouchers will be conditioned.

5.1 Proposed Traffic Generation

The use of TRICS to calculate the trip generation is acceptable for use.

It is noted that the applicant has manually excluded sites from London, Wales, Scotland and Ireland. The trip generation is acceptable for use.

5.2 Traffic Impact

It is noted that the distribution is based on the ATC results and shows 22% east and 78% west during the AM Peak and 57% east and 43% west during the PM Peak.

It is noted that the applicant had conducted junction modelling for the site access junction. However, The Highway Authority does not consider the developments trip generation to warrant junction modelling, as the site only creates 25 trips in the AM peak and 24 trips in the PM peak. Therefore the Highway Authority has not reviewed the junction modelling as it is not required.

Conclusion

The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development. Were the above issues addressed the Highway Authority would reconsider the application.

CCC therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed."

11 October 2019 - States

"The Highway Authority does not object to the proposals subject to the following -

Condition

Prior to first occupation of development, the developer shall be responsible for the provision and implementation of Travel Welcome Packs to be agreed in writing with

the Local Planning Authority. The Travel Welcome Packs should include the provision of free bus travel vouchers and/or cycle discount vouchers.”

Environment Agency – 27 June 2019

States that the capacity of Witchford Water Recycling Centre needs to be checked as there is a discrepancy between East Cambridgeshire District Water Cycle Study (Final Draft Report, November 2017) and data from Anglian Water.

With the potential impacts from cumulative development wants to ensure that Anglian Water are specifically consulted.

States there is no mention of waste or resource efficiency and expects the developer to demonstrate of the waste hierarchy and the promotion of waste prevention measures.

The proposal should be designed so that each house is only using 110 litres per person per day.

Only clean uncontaminated water is allowed to discharge into any soakaway, watercourse or surface water sewer.

Provides other guidance and advice in regards to other legislation and licensees needed.

11 July 2019

“We have no comments to make on the amended documents.”

Anglian Water Services Ltd - 3 July 2019

It has assets within the locality and would like to ensure that the developer is aware of this through an informative.

States that the foul drainage from this development is in the catchment of Witchford Recycling Center that has capacity for this proposal.

The sewerage system at present is confirmed as having capacity for the proposal.

Lead Local Flood Authority - 14 June 2019

Objects to the proposal on the grounds of:

- Need to demonstrate that housing shown in the central eastern section of the site will not be at risk of surface water flooding. Developer needs to show protection measures.

Also provides more general guidance on infiltration.

8 July 2019

Has reviewed the Flood Risk Assessment and Concept Masterplan May 2019 and no objection in principle.

The surface water can be managed through the use of an attenuation basin and a swale system in the north east corner of the site.

Any works to existing watercourses will require Ordinary Watercourse Consent.

States that the majority of the site is at a very low risk of surface water flooding. The area that is at risk of flooding in a 1 in 100 year event has been shown to be left as open space.

Requests conditions in regards to surface water drainage and its long term maintenance.

Requests informatives in regards to Ordinary Watercourse Consents and pollution control.

17 September 2019

It remains supportive of the proposal.

Internal Drainage Board – 17 June 2019

Is outside their district but within an area that drains into it.

The views of the Lead Local Flood Authority should be sought.

23 July 2019

Restates previous comment.

Environmental Health – 11 June 2019

Seeks conditions in regards to construction times, Construction Environmental Management Plan and piling.

Based on a 3m high acoustic barrier both outdoor (garden) and internal living (even with a partially open window) are acceptable.

However, there are 11 properties along the northern boundary that will need to be designed to prevent sensitive rooms being placed facing northwards.

Lighting can be controlled by way of angling of lights and minimising upwards spread of light.

Environmental Health (Scientific)- 15 August 2019

“Thank you for consulting me on the above proposal. I have read the Phase 1 Desk Study prepared by GRM dated December 2018 and accept the findings and recommendations that a Phase II investigation is carried out. I recommend that standard contaminated land conditions 1 and 4 are attached to any grant of permission. I have read the Air Quality Assessment report prepared by RPS dated January 2019 and accept the findings and recommendations. Mitigation measures should be implemented in the construction phase as recommended to minimise dust. However, no conditions are considered necessary with regard to air quality.”

Housing Section – 10 June 2019

Seeks 30% affordable housing in line with policy HOU3 (this proposal could secure up to 13 affordable dwellings).

The developer should be encouraged to bring forward a mix of 77% rented and 23% shared ownership.

Provides advice on S106 drafting.

East Cambridgeshire Access Group – 12 June 2019

Welcomes the footpaths throughout the site and looks forward to more detailed plans.

Asset Information Definitive Map Team - 10 June 2019

Comments that the proposal will have access to Public Byway 5 Wentworth on the eastern boundary and Public Byway 6 Wentworth on the northern boundary.

States:

“There is no legally defined and recorded width for this byway, and we are not able to advise what it would be. As the dimensions are not known, we cannot guarantee that you would be able to improve or modify the boundary of the development abutting the byway to the correct alignment of the Byways in question. An applicant therefore would proceed with any development that might affect the highway at their own risk.”

Provides general guidance on its own legislation.

Cambridge Ramblers Association - 12 July 2019

“We are very concerned about development outside the village development envelope. The proposed density of dwellings is very high for a rural location and the plans suggest very little green space. In particular, there is a concern about the threat to existing trees and hedgerows which make up the boundaries of the adjacent byways, Dunham's Lane and Granny's End Drove. Of particular note, should development be approved, is the great importance of ensuring that the scheme incorporates the proposed Witchford Pedestrian/Cycle Spine Route, which runs right through the site.”

Designing Out Crime Officer (Police) – 18 June 2019

With the application being outline with all matters reserved apart from access, it seeks that any future application fully follows the principles of 'Secured by Design'.

Cambridgeshire Fire and Rescue Service - 27 June 2019

Is seeking fire hydrants to be provided as a condition or through a S106 Agreement.

Waste Strategy (ECDC) - 25 June 2019

Requests:

- Seeks a tracking map to show how vehicles are supposed to move around the site.
- East Cambridgeshire District Council will not enter private land and expects the developer to comply with RECAP Guidance.
- All public open spaces will need to provide litter and dog waste bins.
- Provides details of how bins can be purchased.

ECDC Trees Team – 27 June 2019

Raises concern that the early mature ash tree adjacent to 198 Main Street has been omitted.

Objects “to the removal of the category A Lime Tree (T7) as this forms an important visual amenity asset to the street scene of Main Street and it should be retained through a re design of the layout.”

The remainder of the layout design is considered good.

2 August 2019

“It is a shame to loss T14 the early Mature Ash from my previous comments but I understand this is unavoidable in order for this application to proceed, and due to the increasing health issues with Ash trees nationally it is the most logical tree for removal.

I still strongly object to the removal of the Category A Lime Tree (T7) as this forms an important visual amenity asset to the street scene of Main street and it should be retained through a re design of the layout.”

Parks and Open Space - No Comments Received

NHS England - No Comments Received

- 5.2 A site notice was displayed near the site on 6 June 2019 and a press advert was published in the Cambridge Evening News on 13 June 2019. In addition 23 neighbouring properties have been directly notified by letter.

9 Marroway Lane – (6 June 2019) Objects to the proposal on the grounds of:

- Development is outside of the village framework (2015).
- Significant other development within the village, cumulative burden in regards to traffic and pollution.
- Loss of public amenity, one of the last green spaces left in west of village.
- Harm to biodiversity.
- Out of keeping with the character of this part of the village.

11 Marrowway Lane – (8 June 2019) Objects on the grounds of:

- Development is outside of the village framework (2015).
- Significant other development within the village, cumulative burden in regards to traffic and pollution.
- Loss of public amenity, one of the last green spaces left in west of village.
- Harm to biodiversity.
- Out of keeping with the character of this part of the village.

196 Main Street – (23 June 2019) Objects on the grounds of:

- Outside village framework (2015).
- Harm to rural character of the area.
- Potential harm to ecology.
- Impact/pollution from vehicles.
- Cumulative impacts on highway network from several residential developments both long term and during construction.
- Loss of the large lime tree adjacent to their property.
- Potential future concerns for instance of overlooking of future applications.

198 Main Street – (21 June 2019) States that they live adjacent to the site access, which will run along their entire side boundary and will lead to the removal of several mature trees.

Raises concern over the pollution (specifically noise and light pollution) of the amount of vehicles running along her boundary will cause.

Makes reference to the application (18/01821/FUM) on the opposite side of the road.

Raises concern over the continued growth in traffic movements in Witchford, with Main Street being used as a bypass for the A142 and A10.

Makes reference to the byways, bus stop and the potential for further growth in the area.

200A Main Street – (24 June 2019) Seeks the following to be taken into consideration:

- Potential for 80 additional vehicles in the area.
- Combined traffic with the proposal for 45 dwellings on the opposite side of the road.
- Entrance to the site is too narrow.
- What would the access route be for heavy plant?
- Impact from construction work on existing dwellings.
- Drainage concerns.
- Light pollution.

- Impact on biodiversity.

223 Main Street – (24 June 2019) Notes the proposal and seeks to be kept informed of all stages of the proposal.

Also notes while development is outside of village framework so are many graded planning permissions.

(18 September 2019)

Supports amendment as it should improve highway safety and allow more vegetation to be retained.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
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

6.2 Supplementary Planning Documents Cambridgeshire Flood and Water Design Guide Contamination Developer Contributions

6.3 National Planning Policy Framework 2019

- 2 Achieving sustainable development
- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 8 Promoting healthy and safe communities

- 9 Promoting sustainable transport
- 10 Supporting high quality communications
- 11 Making effective use of land
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving & enhancing the historic environment

6.4 Planning Practice Guidance

6.5 Other Guidance

Submission Version Witchford Neighbourhood Plan 2019 – 2031. – now submitted to the Council for independent examination.

- Policy WNP SS1 – A spatial strategy for Witchford
- Policy WNP LC 1 – Landscape and settlement character
- Policy WNP LC2 – Witchford area of separation
- Policy WNP GI1 – Public Rights of Way
- Policy WNP GI3 – Development and Biodiversity

Including Witchford Neighbourhood Plan Landscape Appraisal Final Report, December 2018

7.0 PLANNING COMMENTS

7.1 The main issues to consider are:

- Principle of Development
- Highway Impact and Parking
- Residential Amenity
- Visual Amenity
- Housing Mix
- Historic Environment
- Ecology
- Flood Risk and Drainage
- S106/Contributions

7.2 Principle of Development

7.3 The local planning authority is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, Local Planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits.

- 7.4 Witchford is classified as a large village in the 2015 Local Plan and has good access to services and facilities, which include a church, primary school, secondary school and a pub. It also has relatively easy access to two business parks (Sedgeway and Lancaster Way) and is in close proximity to Ely.
- 7.5 It should be noted that Witchford has got several major housing proposals and approvals both along Main Street and along the northern boundary with the A142 and while all applications must be determined on their individual merits the cumulative impacts should be duly considered.
- 7.6 It is acknowledged that Witchford Parish Council is preparing a Neighbourhood Plan (NP) which is at regulation 16 “plan proposal” consultation stage. Given its stages in preparation, it is considered that the emerging NP can be afforded only very limited weight, given previous appeal decisions and the advice within the NPPF at paragraph 48. This sets out the weight to be afforded to emerging plans. This states that the more advanced the plan is in its preparation, the greater the weight that may be given to it. Also the extent to which there are unresolved objections and the degree of consistency with the NPPF. As we are mid-consultation, it is too early to know the scale and degree of objections that will be raised in response to the draft policies. Nor do we have the benefit of the Examiners views and recommendations. As such the Plan is considered to be still at the early stages of preparation, hence the limited weight to be applied to it. The Landscape Appraisal Final Report December 2018, prepared to accompany and inform the NP, has been prepared by a Chartered Landscape Architect and is considered to have significant weight in the determination of this application
- 7.7 The site is outside the village framework but is in close proximity and is situated between two parcels of the framework. There is a public footpath leading into the village along the southern boundary and there are Public Rights of Ways (PROWs) to the west and north of the site.
- 7.8 It is accepted that the western edge of Witchford is not as sustainable, as the eastern edge. The eastern edge of Witchford having easier access to Lancaster Way Business Park, the centre of Ely and Ely Train Station.
- 7.9 With the lack of a five year land supply and with the proposal being in very close proximity to the edge of the village it is considered that this proposal is acceptable in principle, as it is in a relatively sustainable location. Therefore the presumption in favour of sustainable development is engaged in accordance with paragraph 11 of the NPPF.
- 7.10 Highway Impact and Parking
- 7.11 Policy COM7 of the Adopted Local Plan 2015 seeks to ensure sustainable and safe methods of transport, while policy COM8 seeks to provide a suitable level of parking provision.
- 7.12 The developer during the application has reduced the number of access points onto Main Street from two to one in order to overcome the concerns of highway safety from the Local Highways Authority. Conditions are recommended in order to

ensure both highway safety and long term maintenance of the future internal roads of the proposal.

- 7.13 The access is a 5.5m wide road with one 2m footway on the eastern side of the road; normally two footpaths are sought but with the developer seeking to minimise the impact on 198 Main Street and most people likely to be walking eastwards into the village in this case a single footpath is acceptable.
- 7.14 It is noted that historically Cambridgeshire County Council Highways Authority has underestimated the impact that the developments of North Ely and Lancaster Way would jointly have on the Witchford Road/A10 roundabout; at the current time East Cambridgeshire District Council is working with developers and the County Council to form a new solution to this roundabout. In addition it is accepted that Main Street Witchford is a partial 'bypass' road to the A142 and on this basis takes a much higher level of traffic than what is expected to accommodate during rush hour traffic. It is also understood that people are likely to use Main Street/Grunty Fen Road to avoid parts of the A10. East Cambridgeshire District Council have added A142/Witchford Road 'Lancaster Way' roundabout to its infrastructure project list in order that Community Infrastructure Levy (CIL) money can be used to upgrade this roundabout. If this development was approved, it would be CIL liable and would therefore contribute to the improvements to the Lancaster Way roundabout.
- 7.15 It is noted that the application site is located close to a bus stop, has good access by foot into the centre of the village and has recreational routes via the Public Rights of Way (PRoW).
- 7.16 The requested condition by the County Transport Team in regards to the need for a Travel Plan are considered to be reasonable and a condition is therefore recommended.
- 7.17 The developer is showing walkways through the site that will provide new links between Main Street and the byways. While it is noted that people are crossing the field, this is not a formal route and thus the provision of formal new routes is a benefit of the proposal. It is also important that landscaping is preserved and enhanced to make this route remain a viable recreational walk.
- 7.18 With a net density of 23 dwellings per hectare/14 dwellings per acre (for 44 dwellings) it is considered reasonable to expect that each dwelling will be able to easily accommodate two car parking spaces. Secure covered cycle storage will also need to be demonstrated for each dwelling. With the Local Highways Authority not adopting visitor parking spaces, unless it serves a wider public benefit (e.g. near a school or public open space), the applicant will also have to look at how 1 visitor space per 4 dwellings can be provided as part of a reserved matters application.
- 7.19 The proposal subject to suitable conditions is considered to meet with policies COM7 and COM8 of the adopted Local Plan.
- 7.20 Residential Amenity

- 7.21 Policies ENV2 and ENV9 seek to protect both existing and future residents from harm to their residential amenity and potential pollution.
- 7.22 196 and 198 Main Street are located on either side of the proposed access. The developer has maintained a gap of 3m between highway and 196 Main Street and 4m between highway and 198 Main Street. This will allow landscaping on both sides of the road and suitable boundary treatment in order to minimise the impacts of the proposal on these properties. However, it is still considered that there will be minor – moderate harm to these properties amenity by bringing traffic noise and light pollution to the side and rear of 196 and 198 Main Street; while currently this is a situation they only have from the front of their properties. It is noted that 198 Main Street could be facing an access to a 100% affordable housing scheme (18/01821/FUM) on the opposite side of the road (although this application has not been determined); the potential combined impact has been assessed and is considered to be moderate but would not be significant enough to warrant refusal.
- 7.23 A future reserved matters application should easily be able to accommodate dwellings that prevent any significant harm to these properties, with sufficient set back distances and compliance with the Design Guide SPD.
- 7.24 It is considered that subject to a well considered layout, design and scale the proposal would not have any detrimental impact on any other nearby property's residential amenity.
- 7.25 The indicative layout shows that the developer is proposing a 1.5m high bund with a 1.5m high acoustic fence on top of it along the northern boundary (adjacent the A142), this would keep the proposed dwellings (on the indicative layout) just outside of the detrimental levels of noise pollution (specifically during night time) and allow for windows to be at least partially opened; thus not needing mechanical ventilation. However, there are still 11 dwellings that are borderline acceptable and at reserved matters stage the internal design of these dwellings will need to be considered and potentially look to prevent 1st floor habitable rooms facing the A142 to ensure acceptable noise levels. The maximum predicted noise levels will need to be secured by a condition, to ensure residential amenity is protected.
- 7.26 With the net density being relatively low and the proposal being up to 44 dwellings it is considered entirely possible for a developer to provide suitable amenity space for the proposed dwellings and separation distances that would meet the minimum standards set in the Design Guide SPD
- 7.27 Conditions are recommended to ensure that construction disturbance is minimised through a Construction Environmental Management Plan (CEMP), as well as controlling hours of construction work and piling. Conditions will also be required in regards to potential contamination but it is noted that the Environmental Health Scientific Officer is not seeking any conditions or mitigation in regards to Air Quality.
- 7.28 In regards to residential amenity it is considered that the proposal complies with policies ENV2 and ENV9 of the Adopted Local Plan, Contamination SPD and the Design Guide SPD.

- 7.29 Visual Amenity
- 7.30 Tree lined avenues along the PRow and trees adjacent to Main Street form an important feature in defining the character of this area; there also other trees along the other boundaries of the site. However, this site is not within a Conservation Area nor are any of the trees benefiting from a confirmed Tree Preservation Order (TPO), though it is noted that the Council's Tree Officer has now placed a TPO on the Lime Tree along Main Street to ensure its amenity value is protected, but at the time of writing the landowner can still object to this. It is accepted that the loss of some trees in order to provide the public benefit of much needed housing is acceptable, though the final layout and number of dwellings should be informed by ensuring that the maximum amount of significant trees can be maintained and accommodated within any final layout. It is also to the benefit of the developer in ensuring protection of significant trees, where possible, as it prevents the need to replant similar size trees in other parts of the site. A condition is recommended to ensure that there is some measure of tree protection put in place to protect trees during construction works.
- 7.31 This specific area of the north side of Main Street has very little development in depth and this proposal will change the character of the built environment. It is noted to the east that Marroway Lane is a linear road that provides development; which leads northwards from Main Street towards the A142, therefore, protruding development to the north. To the east of Marroway Lane there is a significant amount of built and approved development that provides cul-de-sac development up to the A142. The southern side of Main Street in this locality has had developments approved that have led to development in depth behind existing housing.
- 7.32 The Landscape Appraisal Final Report December 2018 (which has informed the Neighbourhood Plan) does not add any specific importance to this site but does express general guidance of avoiding continued development closer to the A142 along Sutton Road. This appraisal considers the site to be within the character area of 'Common Side' that states that housing is mainly cul-de-sacs and gives importance to the historic lanes. In addition, states that the northern village edge is set back from the A142 through 'unkempt' land, which this proposal will maintain through the indicative open space along the northern edge though to a lesser degree than the current situation.
- 7.33 The proposed net density of 23 dwellings per hectare/14 dwellings per acre (for 44 dwellings) is considered reasonable to protect the character of the area while ensuring efficient use of land. The relatively low density again allows for public open space to be provided along the northern and eastern edge of the site, while also allowing space for the trees along the western boundary with Dunham's Lane.
- 7.34 The harm to the built character of the area by allowing back land development would create a low level of harm, as while the proposal will erode the character of a rural walk it is not out of keeping with the overall built form of this part of Witchford. This is by virtue of cul-de-sacs in this character area as highlighted in the Witchford Neighbourhood Plan Landscape Appraisal Final Report December 2018. Main Street as a whole is defined by cul-de-sacs that provide residential development towards the A142. This proposal is, therefore, not out of keeping with the wider

character area of Witchford. Given that the Council cannot demonstrate a five year land supply it would be unreasonable to refuse the application due to this low level of harm.

- 7.35 It is considered that a suitable design of dwellings could be brought forward at a reserved matters stage that would either be in keeping with the existing houses in the locality or enhance upon them.
- 7.36 The proposal is, therefore, considered on balance comply with policies HOU2, ENV1 and ENV2 of the Adopted Local Plan; as while the character of the area will be changed there is no significant or substantial harm to the appearance of the local area.
- 7.37 Housing Mix
- 7.38 The developer has provided an indicative housing mix of:
- Six 2 bedroom dwellings.
 - Twenty-one 3 bedroom dwellings.
 - Seventeen 4 bedroom dwellings
- 7.39 It is considered that this housing mix is too heavily weighted in 4 bedroom dwellings and that these should be reduced and the number of 2 bedroom properties increased in any future submitted reserved matters or some provision of 1 bedroom dwellings. It is also important to ensure there is both market and affordable 2 bedroom properties in order to provide a good social mix. With the site being less than 50 dwellings, there is no requirement to provide lifetime homes or self build plots. It is considered possible for the development to comply with Policy HOU1 with any final scheme.
- 7.40 The developer's provision of open space on its indicative layout is very slightly on the low side in accordance with the Council's Developer Contributions SPD, which requires 0.34 hectares and the developer is providing 0.32 hectares, though if the area of SuDS is usable (dry the majority of the time) it will be able to provide a suitable level of public open space. In addition if the number of houses is slightly reduced or if there is a greater number of 2 or 3 bedroom units and less 4 bedroom units, the amount of needed open space will again reduce.
- 7.41 The level of affordable housing is expected to be 30%, with a split of 77% rented and 23% shared ownership. This is the level that has been considered to be viable in this area and required to provide necessary homes to people seeking an affordable dwelling.
- 7.42 This level of affordable housing does meet with Policy HOU3 that seeks 30% affordable housing in the north of the district. The affordable housing and the tenure split will need to be secured via a S106 Agreement.
- 7.43 Historic Environment
- 7.44 With no listed buildings or conservation area in this locality there is considered to be no harm to the built historic environment. However, with Witchford being on a

historically high area and with the guidance of archaeologists within County Council it is considered fully reasonable to require an archaeological investigation, which can be achieved via a pre-commencement condition to ensure any historical relics or information is fully documented or preserved. On this basis the proposal complies with policy ENV14 of the Adopted Local Plan.

7.45 Ecology

7.46 The developer has submitted an Ecological Appraisal as part of its application, which concludes that the impacts on biodiversity should be minimal if careful measures are taken during construction and ground works. It also provides guidance on biodiversity measures to both mitigate against loss of habitat and to enhance biodiversity in the area. It would be expected that any future reserved matters provides suitable soft landscaping, bird/bat boxes, sensitive lighting , water features, reptile hibernacula and hedgehog holes in fences. Subject to suitable conditions the proposal will comply with policies ENV7 of the Adopted Local Plan.

7.47 Flood Risk and Drainage

7.48 The site is fully located within Floodzone 1, though it is noted that some of the site is liable to surface water flooding (primarily along the eastern boundary). The indicative layout shows it is possible to keep any dwellings out of the area of surface water flooding. The site meets the sequential test of being in an area of low risk of flooding and is able to provide a layout to minimise long term impacts on property.

7.49 The comments of the Lead Local Flood Authority are noted and accepted, a condition is recommended to ensure a suitable drainage system is provided. An open drainage system is suggested and would be sought at a reserved matters stage; as an underground system does not have ecological benefits and substantially limit or place a burden on existing trees.

7.50 SuDS will only count as public open space when they positively add to the open space or where they are dry and usable for the vast majority of the time.

7.51 Anglian Water have confirmed that they have capacity to accommodate this development and on this basis only a condition to ensure suitable connection to the foul water network is required.

7.52 The proposal, subject to conditions, is considered to comply with ENV8 of the Adopted Local Plan and the Cambridgeshire Flood and Water SPD.

7.53 S106/Contributions

7.54 In addition to the contributions mentioned above the other significant contributions the proposal is expected to provide is education, waste bins and CIL.

7.55 The entire proposal will be CIL liable and will therefore help improve a wide variety of infrastructure and will also provide money to the Parish to help improve local infrastructure. Affordable dwellings while liable for CIL contributions are not chargeable in accordance with legislation.

- 7.56 Cambridgeshire County Council are seeking contributions in regards to early years, primary, secondary and adult learning. However, County notes that it does not have a workable scheme of how to spend or provide early years or primary within Witchford as any solution would require the acquisition of additional land from a development site. It must be noted that County Council is the education authority and must provide suitable education to all children of a school age. Education contributions through developments are to cover the sudden influx of children into the local education system, it must also be proportional to the level of development.
- 7.57 Secondary education and adult learning (library provision) will be negotiated and secured as part of a S106. There will need to be ongoing discussion in relation to early years and primary education with the applicant and county following the County Council comments.
- 7.58 Contributions for waste/recycle bins will be secured as part of a S106 in order to ensure people have these when they move into the new properties.
- 7.59 Public open space and SuDS provision and maintenance will be negotiated and secured as part of the S106, with preference of them being handed to a public body.
- 7.60 Other Material Matters
- 7.61 Fire hydrants as requested by the Fire Service can be secured via a condition and is recommended to be added to any approval.
- 7.62 Planning Balance
- 7.63 The benefits of this proposal is it will provide up to 44 dwellings at a time when the Council cannot demonstrate a five year land supply in a relatively sustainable location. It will also provide 30% affordable housing when the Council has a significant shortfall in the provision of affordable dwellings.
- 7.64 It will also provide public open space, new public routes for people to walk across the site and biodiversity improvements. However, these only hold minimal benefit as they are required to mitigate against the long term impacts of the proposal.
- 7.65 The proposal will have a low level of harm to the character of the area by providing back land development on the north side of Main Street on the western edge of Witchford, lead to the loss of at least one substantial tree to allow access and will cause minor-moderate harm to the residential amenity of 196/198 Main Street.
- 7.66 However, it is noted that there are cul-de-sacs in this character area as highlighted in the Witchford Neighbourhood Plan Landscape Appraisal Final Report December 2018. Main Street as a whole is defined by cul-de-sacs that provide residential development towards the A142. This proposal is, therefore, not out of keeping with the wider character area of Witchford.

7.67 On balance it is considered that the application should be recommended for approval, subject to conditions and a S106 Agreement as there is no significant and demonstrable harm from the proposal and the benefits outweigh the harm.

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 appellants 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 member's attention is particularly drawn to the following:

- No statutory objections

9.0 APPENDICES

9.1 Appendix 1 – Recommended conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
19/00754/OUM	Andrew Phillips Room No. 011 The Grange Ely	Andrew Phillips Planning Team Leader 01353 665555 andrew.phillips@ea stcambs.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 - 19/00754/OUM Conditions

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

Plan Reference	Version No	Date Received
1001		23rd May 2019
20461-01-1	B	3rd August 2019

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the layout, scale, appearance and landscaping shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 2 years of the date of this permission.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 4 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 4 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 5 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours 07:30 -18:00 each day Monday-Friday, 07:30 - 13:00 Saturdays and none on Sundays, Public Holidays or Bank Holidays.
- 5 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 6 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.

- 6 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 7 With the first reserved matters application a scheme for the mitigation of noise shall be submitted to and approved in writing by the local planning authority. The scheme of mitigation shall ensure that noise levels do not exceed the noise criteria based on the current figures by the World Health Organisation Community Noise Guidelines Values/BS8233 as below:
- i. Living/dwellings rooms in daytime: 35dB LAeq, 16 hours;
 - ii. Outdoor living areas in daytime: 50dB LAeq, 16 hours;
 - iii. Inside bedrooms at night-time: 30dB LAeq, 8 hours (45dB LAmax).

The development shall be carried out in accordance with the approved scheme and no dwellings shall be occupied prior to its implementation and shall be retained as agreed thereafter.

- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 8 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.
- 8 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 9 No above ground construction shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service or alternative scheme has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative scheme shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.
- 9 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 95 of the NPPF.
- 10 No development shall take place until a scheme for the protection during construction of the trees on the site and adjacent to the site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to the commencement of any

development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

- 10 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 11 The first reserved matters application shall provide full details of a footpath/cycle link running between the two byways to the north and west of the site. The proposed links shall be constructed prior to first occupation or in accordance with a timeframe agreed in writing with the Local Planning Authority.
- 11 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 12 No above ground works shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before first occupation of any dwelling.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment prepared by RPS Group (ref: AAC5497) dated 20th May 2019 and shall also include:

- a) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- b) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- c) Full details of the proposed attenuation and flow control measures;
- d) Site Investigation and test results to confirm infiltration rates;
- e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- f) Full details of the maintenance/adoption of the surface water drainage system;
- g) Measures taken to prevent pollution of the receiving groundwater and/or surface water

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

- 12 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 13 No development shall take place until a scheme to dispose of foul water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation of any dwelling.
- 13 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 14 Prior to the first occupation of the development a Travel Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be implemented in accordance with the programme set out within the approved Travel Plan or any revisions to the Travel Plan that are first agreed in writing by the Local Planning Authority.
- 14 Reason: In the interests of sustainable movement in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 15 The highway shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) before the last dwelling is occupied.
- 15 Reason: To ensure that the highways end appearance is acceptable and to prevent the roads being left in a poor/unstable state, in accordance with policies COM7 and ENV2 of the East Cambridgeshire adopted Local Plan April 2015.
- 16 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 16 Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 17 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.

- 17 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015.
- 18 Prior to or as part of the first reserved matters application, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 18 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.
- 19 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 19 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 20 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
- (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.
- 20 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 21 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local

Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.

- 21 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 22 The development shall be carried out in accordance with all the mitigation measures stated in the Ecological Appraisal May 2019.
- 22 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 23 The access as detailed in Drawing number 20461-01-1 Rev B shall be fully constructed prior to first occupation and thereafter maintained in perpetuity.
- 23 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.