
MAIN CASE

Reference No: 19/00272/FUM

Proposal: Duplicate application to 18/00059/FUM currently under consideration for the erection of 78 residential dwellings together with associated new public open space

Site Address: Land Rear Of 55 To 69 Fordham Road Soham
Cambridgeshire

Applicant: Hopkins Homes Limited

Case Officer: Barbara Greengrass, Planning Team Leader

Parish: Soham

Ward: Soham South
Ward Councillor/s:
Councillor Ian Bovington
Councillor Dan Schumann

Date Received: 21 February 2019 **Expiry Date:** 14 June 2019

[U9]

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.
- 1.2 The S106 agreement will secure the following;
- 30% affordable housing.
 - Financial contribution of £74,160 towards the mitigation required at the A142/Fordham Rd/A1123 roundabout.
 - Transfer of the public open space areas to the Council and financial contributions for the long term maintenance of these areas.
 - Education and libraries contribution of £769,837.
 - Financial contribution of £8,000 towards the upkeep of the Commons.
 - Contribution for wheelie bins

1.3 Conditions;

- 1 Approved plans
- 2 Time Limit Full
- 3 Contamination
- 4 Unexpected contamination
- 5 Construction Environmental Management Plan
- 6 Waste Management plan
- 7 Construction times
- 8 Materials
- 9 Surface water drainage
- 10 Foul water drainage
- 11 Standard estate road construction
- 12 Adoptable standards
- 13 Visibility splays
- 14 Run –off restriction
- 15 Bollards
- 16 Charging plug- ins
- 17 Soft landscaping
- 18 Hard landscape works
- 19 Boundary treatments
- 20 Arboricultural Method Statement
- 21 Obscured glazing
- 22 Tree protection
- 23 Landscape maintenance
- 24 PROW scheme
- 25 PROW defined
- 26 Fire hydrants
- 27 Ecology mitigation
- 28 Biodiversity enhancements
- 29 Sustainability
- 30 Travel plan
- 31 Acoustic treatment.
- 32 Drainage implementation

2.0 **SUMMARY OF APPLICATION**

- 2.1 The application seeks permission on a site of 3.85 hectares (9.51 acres), for the erection of 78 dwellings of which 23 (29%) will be affordable housing. The application is a full application, submitted as a duplicate to 18/00059/FUM, and is on this agenda for consideration.
- 2.2 The main access is onto Fordham Road together with four additional access points to serve small groups of dwellings. The retention and enhancement of the existing Public Right of Way of Clipsall Lane through the site and provision of two new areas of public open space within the development totalling approximately 6000 square metres.

2.3 The 23 affordable dwellings comprise the following mix;

Rented tenure

4 x 1 bed flats

2 x 2 bed flats

6 x 2 bed houses

3 x 3 bed houses

Shared ownership

1 X 2 bed flat

3 x 2 bed houses

4 x 3 bed houses

The 56 market dwellings comprise;

6 x 2 bed dwellings

46 x 3 bed dwellings

3 x 4 bed dwellings

2.4 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

2.5 This application is being determined by Planning Committee in accordance with the Council's constitution as it is over 50 dwellings.

3.0 PLANNING HISTORY

3.1

18/00059/FUM	Erection of 80 residential dwellings together with associated new public open space	Pending
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4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site lies approximately 1 km south-east of the town centre, north-east of the Fordham Road, opposite existing residential development and between frontage development along Fordham Road. The site forms three adjoining irregular-shaped parcels of vacant agricultural land totalling approximately 3.85 Hectares (9.51 acres) in area, located within the settlement boundary of Soham and comprises most of the land allocated within housing allocation SOH4.

4.2 To the north and east, the overall site borders further parcels of undeveloped, vacant agricultural land, with the land to the north strongly enclosed by a mature deciduous woodland belt. On the north-western, Fordham Road frontage, immediately to the north of the site boundary, a pair of two-storey semi-detached dwellings, numbers 51-53, together with their respective residential curtilages, abut

the existing public right of way of Clipsall Lane, which runs broadly eastwards from site frontage, diagonally across the site. This Lane continues eastwards beyond the site, crossing the A142 bypass and on into open countryside.

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.

Soham Town Council

04/04/2019

The proposed development is near current Cherry Tree development which has demonstrated significant sewage, foul water and surface water issues which will be a similar issue for this application.

24 May 2019

Commented that they hoped the level of affordable housing will be maintained. Noted their concerns regarding the open space, who would be responsible for maintaining. Noted that more information is required regarding drainage, a sewage and surface water on site. If the drainage needs to be changed then the plan will require a re-design. Noted concerns regarding impact on SSSI field.

Ward Councillors - No Comments Received

Asset Information Definitive Map Team

20/3/19 - Please note Public Byway No. 92, Soham and Public Footpath No. 96, Soham are affected by this development. Whilst the Definitive Map Team has no objection to this proposal, the applicant should be aware that further consent will be required from Cambridgeshire County Council, as Local Highway Authority for any changes, or enhancements proposed to Clipsall Road. As such, it would be beneficial that a condition be applied to any permission granted to protect Clipsall Road and Footpath No. 96 and allow any scheme of enhancements to be agreed with relevant parties.

Furthermore, the applicant should be aware of the legal alignment and recorded width of the Public Rights of Way (which may differ from what is physically available on the ground) as well as the County Council's guidance on boundary fences and planting. This guidance ensures that boundary fences do not result in the path becoming narrow and uninviting whilst guidance on planting ensures that the future growth of planting does not obstruct the right of way.

To ensure the Public Rights of Way are protected as part of the development, the County Council's Definitive Map Team requests conditions be applied to any permission granted.

- Prior to the commencement of development, an access scheme shall be submitted to and approved by the LPA. Such scheme shall include provision for:

- i. the design of public rights of way routes and their surfacing, widths, gradients, landscaping and structures
 - ii. any proposals for diversion and closure of public rights of way and alternative route provision
- Prior to the commencement of development, the definitive line of the public right of way shall be marked out on site.
 - No fencing shall be erected on or within 1m of the current or any proposed public rights of way.
 - No planting shall be erected on or within 2m of the current or any proposed public rights of way.

Cambridgeshire County Council Education

Contributions sought are; early years - £196,928, primary - £293,148 and secondary, £271,337. Libraries and lifelong learning - £8,424 sought.

Cambridgeshire Archaeology

12/3/19

Our advice is the same as for concurrent application **18/00059/FUM**, namely that we have no objections or requirements for this development.

The site has been subject to an archaeological evaluation (Cambridgeshire Historic Environment Record reference ECB5216). Sparse archaeological features were identified within the site and included a dump of pottery of Roman date. This is most likely a result of secondary deposition of domestic waste within field boundaries and indicates the presence of contemporary settlement in the vicinity, possibly the settlement known from excavations in advance of the Celandine View development to the north west. It is however unlikely that further investigation would add significantly to our understanding of this landscape and we do not consider further archaeological work to be necessary in relation to this application

Cambridgeshire Fire And Rescue Service

Request provision of fire hydrants.

Local Highways Authority

29/05/19

Following amendments no objection subject to conditions.

CCC Transport Team

Recommend approval subject to the same conditions and section 106 agreement as the previous application 18/00059/FUM.

25 September 2018 - It was identified by the Highway Authority that the proposed development is likely to add to the existing pressure on the capacity of the A142/Fordham Road/A1123 roundabout.

To address this capacity issue, the County Council request a contribution towards the improvement scheme set out for the junction. The junction improvement scheme has an in principle total cost of £1.2 million. The total contribution sum and subsequent calculation methodology as set out within the Technical Note 02 dated September 2018 has been accepted by the Highway Authority.

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 a Residential Travel Plan to be agreed in writing with the Local Planning Authority. The Travel Plan shall include the provision of a Travel Plan Co-ordinator and cycle vouchers. The plan is to be monitored annually, with all measures reviewed to ensure targets are met.

S106

- Prior to first occupation, the applicant shall provide a contribution of £74,160 towards improvements to increase the capacity of the A142/Fordham Road/A1123 roundabout.

Lead Local Flood Authority

21/05/2019

We have reviewed the following documents:

- Infiltration Basin Sections prepared by Ingent Consulting Engineers (ref: 1705-005-036) dated April 2019
- Preliminary Drainage Strategy prepared by Ingent Consulting Engineers (ref: 1705-005-001) dated June 2017, Rev G
- Drainage Strategy Infiltration Pond and Filter Drains prepared by Ingent Consulting Engineers (ref: 1705-005-ST001) dated January 2019, Rev C

Based on the above we are able to **remove our objection** subject to conditions.

In order to address the issue of high groundwater levels across the site, the applicant proposes to utilise shallow infiltration techniques to ensure there is a minimum of 1.0 m clearance between the base of the infiltration feature and the peak recorded groundwater level. This requires the use of a combination of shallow crated soakaways in the rear gardens of most properties. Where it isn't possible to achieve the clearance in rear gardens, a shallow infiltration basin is proposed (in an area of the site where the clearance can be achieved) to take water from several properties via a filter drain within rear gardens.

26/3/19 - At present we are awaiting additional information on surface water drainage due to recent ground investigations finding high groundwater levels. Until we receive a revised drainage strategy we are unable to support this application.

Minerals And Waste Development Control Team

CS26 Mineral Safeguarding Areas

The northern part of the application site lies within a Mineral Safeguarding Area for sand and gravel as shown on page 145 of the Cambridgeshire and Peterborough Minerals and Waste Development Plan - Proposals Map C: Minerals Safeguarding Areas (July 2011). Policy CS26 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy states, inter-alia, that development will only be permitted where it has been demonstrated to the Mineral Planning Authority that, 1. The mineral concerned is no longer of any economic value or potential value, or 2. The mineral can be extracted prior to the development taking place, or 3. The development will not inhibit extraction if required in the future, or 4. There is overriding need for the development and prior extraction cannot be reasonably undertaken, or 5. The development is not incompatible.

I note that the area which is likely to have reserves is limited to part of the site and there are dwellings close to the western boundary. Consequently, I am of the view that even if sand and gravel of suitable quality is located within the site, it is unlikely to be viable to extract the mineral prior to development. I would ask that the following informative be included on any planning permission, should it be granted.

Part of the application site lies within a Mineral Safeguarding Area for sand and gravel as shown on page 145 of the Cambridgeshire and Peterborough Minerals and Waste Development Plan - Proposals Map C: Minerals Safeguarding Areas (July 2011). Whilst it is the view of the Minerals Planning Authority that full extraction is unlikely to be possible prior to development, the developer is encouraged to explore the possibilities of making best use of any sand and gravel that is extracted incidentally as part of construction. This should be detailed as part of the Waste Management Audit and Strategy.

Policy CS28 Waste Minimisation, Re-use, and Resource Recovery

I note in the Sustainability Statement that it states that “during the construction phase a site management plan will be produced. This will include measures for identifying, sorting and separating construction and demolition materials for re-use and recycling.

The plan will also identify effective methods for minimizing construction waste.” To ensure compliance with Policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy I would ask that the following condition be imposed, should permission be granted:

Prior to the commencement of development a completed Waste Management Audit and Strategy must be submitted to and approved by the local planning authority. The Audit and Strategy shall detail:

- a) the quantity of anticipated waste and the measures put in place to maximise waste minimisation, sorting, re-use and recovery of waste*
- b) how any sand and gravel incidentally extracted will be handled and where practicable made available for use. It shall be implemented in full prior to the first property being occupied.*

Reason: Compliance with Policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

ECDC Trees Team

21/03/2019

An Arboricultural Impact Assessment needs to be undertaken in order to be able to assess the impact of the development on the trees as it is not possible to be able to judge the compatibility of this design with the trees on site.

24/04/2019

The information submitted as an Arboricultural Impact Assessment (AIA) is a Tree Survey & Constraints Plan and is clearly identified as such on the documents front cover. The document does not contain information to show how trees/hedging worthy of retention would be sustainable and justification and mitigation measures for any tree removals proposed. The AIA shall identify areas to be excluded from any form of development, specify protective fences for these exclusion areas and for individually retained trees, life expectancy of trees, recommendation for any remedial work, identify acceptable routes for all mains services in relation to tree root zones, identify acceptable locations for roads, paths, parking and other hard surfaces in relation to tree root zones, suggest location for site compound, office, parking and site access, identify location(s) for replacement planting and show existing and proposed levels.

This information is needed in order to assess if the proposed site layout is suitable for the existing trees on site.

Environmental Health

5 March 2019

As this is a duplicate application to 18/00059/FUM my comments remain the same as below.

13 Feb 2018 - Conditions recommended for construction times, Construction Management Plan and traffic noise.

The Acoustic consultant SRL indicates that suitable noise levels can be achieved internally with special acoustic trickle ventilators. This would be with windows closed.

ECDC Planning require windows to be openable and still achieve suitable noise levels.

I would advise the following condition:

The acoustic insulation of the dwelling units within the proposed development shall be such to ensure noise levels with windows open do not exceed an LAeq(16hrs) of 35 dB(A) within bedrooms and living rooms between the hours of 07:00 to 23:00 and an LAeq(8hrs) of 30dB(A) within bedrooms and living rooms between the hours of 23:00 to 07:00.

From our point of view if the applicants consider windows need to remain closed for internal noise guidelines to be met there will be a need for an alternative ventilation system which can achieve air changes comparable to an open window. I am aware that the LPA do not consider trickle ventilation to be sufficient for summer cooling etc, therefore some form of mechanical ventilation would be required. The occupants of all habitable rooms will require a suitable ventilation system which achieves 2 - 4 Air Changes per Hour, and we would need information regarding this and any noise levels associated with it.

I think it is important to highlight that the LPA have previously raised concerns (from a residential amenity point of view) with other rural sites where windows have to remain closed to ensure recommended noise levels are not breached. It is important that the design and layout is considered carefully to try to avoid the need for keeping windows closed, for example, distance, screening, trying to locate non-sensitive rooms (kitchens, landings, bathrooms etc.) on noisier facades and if this is not possible, utilising additional windows on quieter facades so residents in noise sensitive rooms have the option of opening alternative windows.

A suitable MVHR system, possibly with additional in duct attenuation to prevent atmospheric noise getting in as well as reducing noise from the unit is a more controllable way of achieving the ventilation required. This does not preclude windows from being opened if the occupier requires it, however the suggested noise levels above may be exceeded if the windows are left open for prolonged periods.

The position of the external intake and discharge grilles can also be positioned to face away from external noise sources.

12 November 2018 – I can't see any update on the noise assessment. Nothing to add

4 February 2019

I have compared the new layout to the previous and note that sites 79, 77, 76 and 75 have new orientations/layouts. I have highlighted these properties as they were indicated as requiring enhanced glazing and ventilators in Figure 3 of the Noise Impact Assessment dated 21 November 2017. I am struggling to interpret the revised floor plans but in any case, the noise report stated that –

“As the site layout and building designs have not been finalised, I have used indicative room and glazing sizes to predict the likely sound insulation Performance required to achieve the required criteria. Once these details have been finalised, the assessment may need to be updated.”

I would not expect these latest amendments to significantly alter the previous report but as mentioned above, when the layout and designs have been finalised it would be good practice for the NIA to be updated.

13 February 2019

I have compared this new noise report to its last iteration and it would appear that the only difference is an updated site plan layout. As the new layout does not appear to have changed the findings of the original noise report I have no concerns to raise at this time.

Strategic Housing Officer

18/3/19 - I would strongly urge to removal of the following clause from the s106:

"If within a period of either 6 months from their completion or 6 months from the commencement of their marketing (whichever is the later) reasonable terms have not been agreed with a Housing Association, the dwellings may then be sold on the open market free from encumbrances. In such circumstances, an agreed sum shall be paid to the authority in lieu of physical provision."

Such a clause is no longer considered reasonable in planning terms as the onus should be on the developer to sell the properties to a Registered Provider as Affordable Housing. If at such a time that the developer approaches the Council and advises that they are unable to sell the properties to a Registered Provider and have exhausted all reasonable efforts, to which Council will require evidence of, then the developer can approach the Council for a Deed of Variation to change the terms of the S106 agreement.

25/3/19 - The Strategic Housing Team supports the above application in principle, as it meets Policy HOU 3 of East Cambridgeshire Local Plan to deliver 30% affordable housing on site (in the north of the district) of the total number of dwellings on sites of 10 or more.

Developers will be encouraged, to bring forward proposals which will secure the affordable housing tenure as recommended by the most up to date SHMA at 77% rented and 23% intermediate housing.

Based on the latest housing needs evidence from East Cambridgeshire's Housing Register, the Strategic Housing Team can confirm that it supports the affordable housing mix proposed on site, of one to three bedroom homes.

I am however concerned regarding some of the wording proposed within the draft S106, Heads of Terms issued as part of the planning application that refers to the affordable housing explicitly and would appreciate further discussions regarding this.

Parks And Open Space - No Comments Received

Waste Strategy (ECDC)

In most cases bin collection points are acceptable although it is noted that the BCP for units 2 & 3, 16-20, 42-43 and 60-74 could be better sited.

SPAB - No Comments Received

Consultee For Other Wards In Parish - No Comments Received

Anglian Water Services Ltd - No Comments Received

The Ely Group Of Internal Drainage Board

25/03/2019

The site is outside the Boards District. Provided that soakaways provide an effective means of surface water disposal the Board will not object.

Natural England - No Comments Received

Design Out Crime Officers

I consider that this proposed layout allows good surveillance over the open spaces, I also think the design and layout of the homes afford good natural surveillance that should hopefully reduce burglary and other distraction offences. This area is vulnerable to volume crime offences such as burglary and vehicle crime. I would like to be consulted in regards to the external lighting plan, consideration for a Condition in this regard would be particularly useful to ensure that levels of lighting support all areas including the shared surface car park areas across the development.

I would also finally request that the Applicant seriously consider submitting a Secured by Design application if planning is approved as I believe this development would achieve a Gold Certificate and I very much look forward to working with them to achieve this.

Cambridge Ramblers Association - No Comments Received

Cambs Wildlife Trust

14/3/19 - As this is a duplicate application please refer to our comments on application 18/00059/FUM, which still apply.

8/5/18 - The Wildlife Trust have the following comments to make, which relate to the site layout, the biodiversity assessment report and associated mitigation proposals.

1. The application includes a biodiversity assessment which acknowledges the potential for recreational impacts (mainly from dog walkers) on Soham Wet Horse Fen SSSI and suggests a range of mitigation measures. These include the provision of 0.6 Ha of green space within the development and the use of signage to explain the value of the SSSI and to direct dog walkers on alternative routes away from the SSSI. These measures must be implemented.
2. Paragraph 5.13 of the biodiversity assessment recognises that the nearby East Fen Common will become the “de-facto” recreational greenspace (for dog walkers) for many of the new developments at the southern end of Soham, and that East Fen Common should be enhanced (in line with Policy Soham13 of the Local Plan).
3. The Wildlife Trust co-ordinated production of the Soham Commons Biodiversity and Access Enhancement Study which identified a range of mitigation and enhancement measures required on the Soham Commons to facilitate the increased levels of access from the proposed new developments. It is essential that all of the new developments that will be using the Soham Commons as “de-facto” open space make a proportionate contribution to the delivery of these measures.

4. The Wildlife Trust therefore requests that East Cambs DC negotiate a financial contribution from this development to deliver agreed elements of the Soham Commons Biodiversity and Access Enhancement Study, in addition to the other commitments made in the Design and Access Statement.

NHS England - No Comments Received

Environment Agency

22/03/19 - As this application is a duplicate of 18/00059/FUM our response is the same as made in our letter AC/2018/126734/02 dated 22 November 2018:- Our comments below are based on information that has been provided to us by Anglian Water and the latest Water Cycle Study (WCS).

WATER QUALITY/WASTE WATER

Evidence suggests that wastewater capacity within the Soham area could be a constraint to planned growth and development. The latest measured flow data we have received from Anglian Water suggests that the foul flows through Soham Water Recycling Centre (WRC) are approaching the maximum permitted by the current discharge permit. Our estimate is that there may be sufficient capacity to accommodate approximately 300-400 new domestic properties before a breach of permit conditions, and a resultant threat of deterioration in the Soham Lode, occurs. Any deterioration in status of the Soham Lode would be in breach of Water Framework Directive obligations. This development, in isolation, may not cause a problem, however foul drainage from the full quantum of development proposed to connect into Soham WRC is unlikely to be accommodated within the current discharge permit. This position has not changed since the Council's first WCS was issued in 2011, and was confirmed by a Joint Position Statement issued by Anglian Water and the Environment Agency in 2014. The WCS has recently been revised and updated having assessed the extent of potential constraints to development across the District. This included an assessment of all allocated sites within the Soham WRC sewerage catchment.

Section 5.3 of the revised WCS, 'Water Recycling Centre Flow Permit Assessment' concludes:

"All of the WRCs are currently working within their permits, however, 4 of the assessed WRCs would exceed their permit if all of the proposed development sites were delivered. These would therefore require infrastructure and/or treatment upgrades to accommodate all of the proposed growth." It further goes on to recommend that ECDC should: *"Take into account the available WRC capacity in phasing of development going to the same WRC"* Soham is one of those 4 WRCs. Section 6 of the WCS, 'Water Quality', concludes:

"The proposed growth is predicted to lead to deterioration greater than 10% and/or class deterioration at Burwell, Ely (New) and Soham WRCs. In the case of Ely (New) and Soham this can be accommodated through an upgrade to the WRC (application of BAT) and a tightening of permits".

The WCS recommends that ECDC and AW:

"Where necessary, identify the scale of likely solutions to accommodate growth and build the likely timescale for delivering the infrastructure into the overall delivery programme to identify key dates and potential programme constraints". The scale of

recent planning applications submitted for development sites in Soham, when considered in light of the Water Cycle Study assessments, suggests that wastewater capacity and the knock-on impact on river water quality is likely to be a significant problem. As recommended in the WCS, development should be phased to allow the necessary upgrades to the foul infrastructure to be completed.

Site-specific comments

Land to the rear of 55 to 69 Fordham Road was included in the recent WCS assessments (Site/23/23), it was allocated an 'Amber' assessment for foul sewerage network capacity and 'Red' for both WRC flow capacity and surface water network capacity. This implies that there are likely to be significant constraints associated with developing this site alone. Therefore, the developer should work closely with Anglian Water Services to determine upgrades needed prior to planning permission being granted.

5.2 **Neighbours** – A site notice was posted and advertisement placed in the Cambridge evening News. 38 neighbouring properties were notified and the two responses received are summarised below. A full copy of the responses are available on the Council's website.

- Noise and pollution during construction
- Safety of children
- Will there be new fences on the boundaries
- Impact on wildlife
- Accessibility of the path behind our fence
- Times and days of building
- Overlooking
- CEMP needs to ensure suitable dust control and construction times.
- Increased congestion at downfields roundabout
- Bird and bat boxes are not shown
- Trees should be protected
- Wildlife and footpaths should be protected.

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
SOH 4	Housing allocation, land off Fordham Road

6.2 Supplementary Planning Documents

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

6.3 National Planning Policy Framework 2019

- 2 Achieving sustainable development
- 4 Decision making
- 5 Delivering a sufficient supply of homes
- 15 Conserving and enhancing the natural environment
- 12 Achieving well designed places
- 11 Making effective use of land
- 8 Promoting healthy and safe communities
- 14 Meeting the challenge of climate change, flooding and coastal change
- 16 Conserving and enhancing the historic environment

6.4 Planning Practice Guidance

7.0 **PLANNING COMMENTS**

7.1 The main issues to consider in determination of this application are

- The principle of development
- Visual impact
- Noise and residential amenity
- Housing mix and layout
- Public open space
- Highway safety and transport impact
- Flood risk and drainage
- Trees
- Ecology and biodiversity

7.2 Principle of Development

- 7.2.1 The site is 3.85 hectares (9.5 acres), located within the settlement boundary of Soham and comprises most of the housing allocation identified within Policy SOH 4 of the East Cambridgeshire Local Plan, for development of up to 90 dwellings. The principle of residential development on this site is therefore acceptable, subject to certain criteria and the other material planning considerations.
- 7.2.2 The site is located within the established development framework of Soham, within close proximity to the range of services and facilities available within the settlement. For the purposes of assessing the proposal in relation to the presumption in favour of sustainable development, the location of the site within the settlement boundary means that the site is considered to be in a sustainable location.
- 7.2.3 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.
- 7.2.4 The benefits of this application are considered to be: the provision of 78 additional dwellings including 23 affordable homes, built to modern, sustainable building standards and the positive contribution to the local and wider economy in the short and the long term through construction work and the contribution of future occupiers to the local economy.

7.3 Visual impact

- 7.3.1 The site has an irregular shape with some substantial boundary planting to the north where its location adjacent to the south eastern corner of the town is well related to the existing built form and is reasonably well visually contained. This means the development of the site for residential will be relatively self-contained within the wider landscape. To the eastern rear edge of the site, the site boundaries are visually open, with only low post and rail timber fencing delineating these boundaries with open fields beyond. This open boundary means that views of the new development will be possible from the A142, although set some distance away from it, at some 95 metres away at the closest point. This boundary will therefore need careful consideration given its impact on the rural setting of the town and the scheme proposes to replace the existing post and rail fencing along this boundary and retain any existing vegetation. In accordance with Policy SOH 4 it is also proposed to provide a landscaped buffer along this boundary to provide for a soft edge to the development and to retain and enhance the rights of way within and alongside the site.
- 7.3.2 The design concept of the development as a whole is focussed upon the proposed open space, with play area, which itself will act as a visual and social centre to both the development and the surrounding area, creating a new focal point for this part of the town. Such a concept will enable new residents to feel part of a local community.

- 7.3.3 In achieving the layout the developer has had due regard to the constraints of the site and the desire to retain as many of the existing landscape features surrounding the site as possible. This has meant that to achieve an acceptable layout and density, the proposal is for 78 dwellings. The public right of way of Clipsall Lane, which runs diagonally through the site, has formed a key element necessary to integrate into the development layout, whilst discussions with the Highway Authority and the resultant need to achieve safe access to and from the site for both vehicles and pedestrians have essentially dictated the location of the access into the site from the Fordham Road frontage. The desire to retain as many of the existing landscape features surrounding the site, together with additional planting to enhance this, along with the creation of pedestrian connections through the development with the retention of Clipsall Lane a key feature within the site, has similarly formed key parameters which have dictated the layout.
- 7.3.4 Whilst limited in number, the layout pays due regard to the desire to ensure that the existing residential amenities of the occupants of the neighbouring residential dwellings fronting Fordham Road are adequately respected and maintained. This has also been a key consideration in the formulation of the development layout together with landscaping and sensitive boundary treatments along the interface with the surrounding countryside.
- 7.3.5 The layout provides for an attractive residential development, with two large areas of green open space to either side of the site linked via the widened, central 'Clipsall Lane' public right of way, with the aim of providing a central green corridor through the development.
- 7.3.6 The overall scale, massing, height, site coverage and detailing of the built form proposed has been carefully considered so as to respond positively to the physical characteristics of the site, whilst minimising the impacts on existing amenities enjoyed by the occupants of neighbouring properties and complying with the Design Guide SPD.
- 7.3.7 The elevational drawings submitted with this application show a built form of a scale commensurate with local character. The character of the surrounding area is obviously of a mixed nature. The development comprises primarily traditional two-storey built forms, with some two-and-half-storey scale built-form within the more central area of the site, which is appropriate.
- 7.3.8 The built form of the dwellings proposed would sit comfortably within their wider surroundings.
- 7.3.9 Detailed scales of the residential dwellings range from two-storey dwellings with eaves heights of approximately 4.95 metres and ridge heights up to 8.9 metres to two-and-a-half-storey dwellings with eaves heights of 6 metres and ridge heights of 9.3 metres. Lesser scaled associated single-storey garages are also proposed, together with a single-storey building to house the electricity sub-station and a similarly scaled foul water pumping station in the north-western corner of the site.

- 7.3.10 The proposed density, of 20 dwellings per hectare (8.4/acre), with provision of open spaces, allows for a development which does not appear overdeveloped in the context of its surroundings and is appropriate for this edge of settlement location.
- 7.3.11 Overall, it is considered that given the separation distance from the A142, the new housing can be successfully integrated into the towns setting with limited adverse effects on visual amenity. There will be an appropriate transition between the wider countryside setting and the built form of the town. The development of this site for 78 dwellings can be achieved without causing significant harm to the character and appearance of the area and as such complies with Policies ENV 1, ENV 2 and SOH 4 of the Local Plan and Design Guide SPD.

7.4 Noise and residential amenity

- 7.4.1 The submitted noise assessment concludes that there are no noise issues for future residents from the A142 but elevated levels would be experienced by the future residents along Fordham Road (14 dwellings). The applicant has amended the internal layout to provide for secondary windows to bedrooms where possible and to ensure that few habitable rooms are affected by road noise. The developer has shown good acoustic design by locating habitable rooms to the rear. The affected dwellings will also be fitted with acoustic ventilators. Overall it is considered that an acceptable level of residential amenity will be experienced by future occupiers.
- 7.4.2 The residents impacted by the development are along Fordham Road which generally have generous rear gardens meaning that the new built form will not be overbearing or cause excessive levels of overlooking by providing for distances of at least 10 metres from the site boundary with any existing boundary vegetation retained in accordance with the Design Guide SPD.
- 7.4.3 The detailed design and layout of the proposed development looks to respect existing boundaries and pay regard to any potential amenity impacts.
- 7.4.4 Suitable separation distances and boundary treatments are proposed to ensure the residential amenity of the adjoining residents are not unduly compromised and the proposed pumping station is sited outside of the required 15 metre cordon sanitaire. It is considered that the proposal accords with Policy ENV 2 in this regard.
- 7.4.5 The layout has been assessed and it is considered that it provides a satisfactory level of amenity for the future residents of the dwellings, in relation to plot sizes and design/positioning of dwellings and the requirements of the Design Guide SPD.
- 7.4.6 Overall the proposal provides for a development with acceptable living conditions and residential amenity for proposed occupiers and existing residents.

7.5 Housing mix and layout

- 7.5.1 The application proposes 78 dwellings, 23 of which are affordable housing. This equates to 29%. The requirements of the adopted Local Plan is 30%. However, the Council's own Viability Assessment Report, April 2019, accepts that for Soham a requirement of 20% affordable dwellings is acceptable. On this basis, the provision of affordable housing at 29% is considered acceptable.

The precise mix of tenure and size is acceptable and reflects the current need for dwellings on the Housing Register as advised by the Senior Housing Strategy and Enabling Officer.

- 7.5.2 The amount and mix of affordable housing will be secured by way of a S106 legal agreement.
- 7.5.3 The mix of market housing is as follows, 6 two bed units, 46 three bed units, and 3 four bed units. The mixes are considered to be acceptable for this location and accords with the requirements of Policy SOH 4 to provide for a mix of dwelling types and sizes to reflect current need within Soham.
- 7.5.4 The obvious desire to retain as much of the existing landscape features within and surrounding the site, together with the creation of pedestrian linkages, both advocated by Policy SOH 4, have formed key parameters which have dictated the layout concept, as has the need for sympathetic treatment of the eastern boundary. In addition, the desire to ensure existing amenities of residents are retained has also formed a key factor on the layout masterplan.
- 7.5.5 The scheme as a whole provides an interesting mix of dwelling types including flats above garages, 1.5 storey, 2 storey and 2.5 storey which are sited to give variety and an interesting streetscape, with two main areas of public open space. The entrance is characterised by frontage two storey dwellings which complement the existing streetscene. The developers have incorporated interesting feature dwellings upon entry to the site with boundary feature walls, providing an attractive gateway to the site entrance. The layout is characterised by frontage development and dwellings fronting the public open space and Clipsall Road byway. To the southern end of the site the public rights of way are retained. The affordable homes on the site are located to the south and north eastern ends of the site and are tenure blind. The designs incorporate a range of materials to add variety, but include red and buff brick with some render, some use of weatherboarding and a mix of black and red pantiles and slate.

7.6 Public open space

- 7.6.1 The amount of public open space provision at 0.6 ha accords with the requirements within Policy SOH 4. This will incorporate a Local Equipped Area of Play within the centre of the site, alongside the existing public right of way. A second area is provided around the site entrance which assists in providing an attractive entrance feature to the site.
- 7.6.2 These areas will be landscaped in accordance with a scheme to be agreed by condition and will include a scheme for the whole development including supplementary planting along the eastern boundary, the site frontage and along Clipsall Lane to retain it as a green corridor across the site. These open space areas will be provided and transferred to the Council by way of a S106 agreement for future maintenance with the payment of a commuted sum.

7.7 Highway safety and transport impact

- 7.7.1 The main access to the site is from Fordham Road, which will form the main estate road for the development in the form of a spine road serving private drives and courtyards. Pedestrian access to the site will also be provided along the existing byway to be retained and enhanced and leading directly to the play area.
- 7.7.2 Additional access points are proposed onto Fordham Road to serve a group of six and 8 dwellings.
- 7.7.3 The access arrangements have been examined by the County Highway Authority and are considered to be adequate in regard to their width, layout and visibility and conditions are recommended. The access location in regard to accessibility and permeability have also been assessed and deemed acceptable by the County Council Transport Planning team. The Transport Statement has been substantially amended since its original submission to overcome various concerns raised by the Transport Planning team. The team are of the view that the proposed development is likely to add to the existing pressure on the capacity of the A142/Fordham Road/A1123 roundabout and have requested a financial contribution of £74,160 to mitigate this impact, together with a Travel plan. This will be secured by S106 agreement and travel plan condition.
- 7.7.4 The proposed car parking provision accords with planning application 18/00059/FUM elsewhere on this agenda. The plans propose 78 dwellings with a total of 185 car parking spaces, including visitors spaces. The total car parking provision therefore exceeds the average car parking standards for the development by 29 car spaces (allowing for 2 spaces per dwelling), as set out in policy COM8 of the Local Plan.
- The proposal includes a total of 28 unallocated visitors spaces when Local Plan policy only requires 20.
 - The total number of 4 bed dwellings has been reduced from 10 to 3, thus reducing the number of dwellings which might be expected to have 3 or more cars.
 - All garages are planned to a size which will accommodate a car and cycle storage having internal dimensions of 6m X 3m.
 - A total of 31 dwellings now have parking spaces which are not tandem, compared with the previous layout which had 21 such dwellings.
- 7.7.5 The developer has submitted a car parking compliance statement which states,

“Policy SOH4 of the adopted 2015 Local Plan allocates the site for **“up to 90 dwellings”** subject to the satisfaction of various criteria. Policy COM 8 of the Local Plan also sets out that **“development proposals should provide adequate levels of car and cycle parking, and make provision for parking broadly in accordance with the Council’s parking standards”**. Table 7.1 of the Local Plan states that for residential development there should be an average 2 car spaces per dwelling (per development). According to the policy,

“parking standards may be relaxed in order to reflect accessibility of/ by non-car modes.

The application site is directly adjacent to the bus stops at Centre Road where the No12 service provides a regular hourly service to the centre of Soham and to Ely or Cambridge further afield. The site is therefore well served by public transport. Furthermore, the site is neither located in an area of parking stress (where there is excess on street parking or parking regulation via parking enforcement/ yellow lining) nor is it in an area of above-average car ownership.

The proposal is within an area, accessible by public transport, where car parking standards may be relaxed. Notwithstanding the fact that car parking could be reduced here, the applicant has amended the planned parking so that it exceeds the car parking standards, exceeds visitor space requirements, and removes tandem parking”.

- 7.7.6 The mix of market homes with the reduction of the number of 4 bed dwellings means that the mix comprises one less 2 bed dwelling and eight more 3 bed dwellings.
- 7.7.7 These amendments mean that the new layout provides for 40% of the dwellings with tandem parking, compared to 73% on the last layout. This is an improvement which together with the reduction of the number of 4 bed houses, to three and the over provision of visitor’s spaces is considered acceptable in giving a mix of parking arrangements.
- 7.7.8 It is considered that this improvement and the amended house types offer an acceptable planning layout, and mix of houses, which accords with the Local Plan and that refusal of planning permission would not be justified, on these grounds.

7.8 Flood risk and drainage

- 7.8.1 The FRA states that groundwater was found to be 1.2 metres below ground level at the north east of the site. The infiltration features designed across the site generally take the form of shallow crates and swales which are set to produce the 1 meter clearance to measured water table. In the northern section of the site from Plots 3 to 26 the solution is to form an infiltration basin which is 500mm deep with bunded sides. The surface water from adjacent plots is collected using filter drains which feed into the basin. This arrangement is acceptable to the Lead Local Flood Authority and therefore complies with Policy ENV 8 of the Local Plan and the Flood and Water SPD.
- 7.8.2 Foul drainage will be dealt with by provision of a pumping station on site which will store and then pump when the system has capacity. The applicant has engaged with Anglian Water at an early stage to design a solution that will be acceptable to them and absorb capacity within the wider network. Anglian Water are satisfied with the solutions put forward.

7.9 Trees, ecology and biodiversity

- 7.9.1 The vast majority of the vegetation and trees on the site will remain. The Tree Officer is satisfied with the submitted Arboricultural Impact Assessment and Tree Protection Plan subject to recommended conditions.
- 7.9.2 An ecology report, produced by Southern Ecological Solutions Nov 2017, accompanies the application. This assesses the impact on designated sites, but particularly on Soham Wet Horse Fen SSSI, the nearest nationally designated site, located approx. 100m north of the site across the A142.
- 7.9.3 Unit 2 of the SSSI is closest to the site, 102m to the north. This 1.18ha unit is separated from the rest of the SSSI by the A142 highway. There is no public access to this unit. The closest part of the rest of the SSSI is Unit 4, 139m north-east. A public footpath bisects the site, but the land is private, and access is not allowed beyond the path.
- 7.9.4 A designated sites assessment for a similar, nearby proposed development of 126 residential dwellings located 160m from Soham Wet Horse Fen SSSI was undertaken recently (SES, 2016). This considered all likely effects including:
- the increase in domestic cat numbers;
 - potential water level changes; and
 - increased recreational disturbance.
- 7.9.5 The report reviewed each of these effects and the results included in this assessment. It is considered that the potential impacts of the proposed development on the SSSI are likely to include an increase in local cat numbers, changes in water level and pollution levels, and an increase in recreational pressure.
- 7.9.6 *Domestic Cats*
Local increases in cat populations may result in increased predation on breeding birds. SSSI Unit 2 is the only unit located close to the site and was considered unlikely to support breeding snipe given the lack of wet grassland habitats (SES, 2016), and as such, any increase in cat population is not considered to affect the SSSI or its qualifying features.
- 7.9.7 *Water level Changes*
Suitable measures will be adopted to ensure delivery of water and wastewater services without water level or pollution impacts to the SSSI. There is potential for the development to disrupt water flows and increase water-borne pollution and sediment loads to the SSSI during the construction phase. This will be mitigated fully through the implementation of the Construction Environment Management Plan.
- 7.9.8 *Recreational Pressure*
Given the habitat types within the SSSI (meadows with footpath), potential increased recreational pressure will likely include walkers and dog walkers. The 2011 census provides average household sizes in East Cambridgeshire District of 2.4 people. Using this average, the proposed development would result in an

increased population of 199 people. Natural England offsetting guidance recommends 8ha of Suitable Alternative Natural Green Space (SANGS) on or nearby site per 1,000 people to offset the indirect recreational effects of development on nearby designated sites. With an increase of 199 people, around 1.6ha of SANGS would be considered sufficient to offset the indirect recreational pressures on Soham Wet Horse Fen.

7.9.9 *Proposed Mitigation*

The site is 3.85ha and includes 0.6ha of greenspace. This is 37.5% of the SANGS requirement. Hence it is expected that a proportion of dog walkers and other recreational walkers will walk from the site on the local public footpath network.

7.9.10 The closest unit of Soham Wet Horse Fen SSSI to the site is Unit 2 located 100m to the north; this is unavailable to the public but does have a public right of way adjacent to the north-eastern boundary. Unit 4 is the nearest unit on the far side of the A142 and with a public right of way along the south-eastern boundary. This public right of way continues to the Clipsall Road running in a north-east direction. The expectation is that dog walkers and others will walk along this track before returning or use other routes along the network. There is therefore no public access within any of the SSSI units and the adjacent access is in both cases well fenced. Additionally, the SSSI has no associated parking; and the units to the north of the A124 may only be accessed from the site via the footpath that runs beneath the A124.

7.9.11 In summary, the development site is well integrated into the current public footpath network that in two locations runs adjacent to two compartments but does not enter any of the SSSI compartments. Hence the increased use of the network by dog walkers and others will not lead to increased recreational pressure or related impacts such as disturbance to breeding birds within the SSSI. This protection may be enhanced by the use of signage at the edge of the site to explain the value of the nearby SSSI units and the sensitive habitats and species that occur there.

7.9.12 Several large areas of SANGS exist close to the site accessible via the public footpath network in the form of public open space; the closest existing area being East Fen Common (23ha), 0.9km north. The ECDC Adopted Local Plan (2015) encourages the improvement of public access to these areas.

7.9.13 Given the lack of accessibility by the public to the SSSI, the large amounts of public green space nearby, and the green space provision on site, it is considered that any increased recreational pressure arising from the proposed development will not significantly affect Soham Wet Horse Fen SSSI or any of its qualifying features.

7.9.14 With the implementation of the required mitigation measures, this assessment concludes that there will be no Likely Significant Adverse Effects in-isolation or in-combination with other plans or projects, and therefore obviates any need for further mitigation measures. These findings are accepted by Natural England who have raised no objection subject to financial contributions towards the delivery of measures identified in the 'Soham Commons Biodiversity and Access Enhancement Study', recently prepared by Footprint Ecology, and contained within Policy Soham13 of the Submitted Local Plan. The purpose is to ensure that increased visitor pressure from people and dogs will not have an adverse impact on the

Commons and Soham Wet Horse Fen SSSI. A contribution will be secured by the s106 legal agreement and landscaping, biodiversity improvements on the development will be secured by condition.

7.10 Other Material Matters

- 7.10.1 Education – CCC have asked for the following financial contributions towards education, which the developer has agreed to pay and this will be secured by S106 agreement. £196,928 for early years, £293,148 for primary, £271,337 for secondary and £ 8,424 for libraries/lifelong learning.
- 7.10.2 Cambridgeshire archaeology have advised that archaeological investigations are not required.
- 7.10.3 In accordance with Policy ENV 4 of the Local Plan, the developer has submitted a sustainability statement which details key measures to be incorporated in the development. The homes and overall development will be environmentally assessed in accordance with the requirements of the appropriate legislation at the time of the development commencing e.g. currently The Code for Sustainable Homes. In addition to this each home will be sold with Energy Performance Certificate (EPC) to demonstrate their effectiveness in this regard. The built forms of the homes meet and exceed current standards of insulation and incorporate measures to minimise energy use. Both the design of the homes and the development layout together with the selection of materials is of key importance to the energy efficiency of the new properties.

8.0 Planning Balance

- 8.1 The residential development of this site would enable economic and social improvements to the local environment, to the benefit of existing local residents, whilst providing much needed additional residential dwellings and affordable homes, of mixed tenures, to maintain and add to the existing dwelling stock within the town. The site is well located in relation to existing services and facilities, with public transport links to the town centre and beyond available from Fordham Road adjacent. The site is also an allocation and although provides for less dwellings has due regard to the constraints of the site. There is no adverse impacts on residential amenity, flood risk, biodiversity or highway safety. These benefits weigh significantly in favour of the proposal.
- 8.2 On balance it is considered that there will be no adverse impacts that would weigh against the proposal and it is therefore recommended for approval.

9.0 COSTS

- 9.1 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.

- 9.2 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.
- 9.3 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.
- 9.4 In this case Members' attention is particularly drawn to the following points:
- This is an allocated site for housing development within the settlement boundary of Soham.
- No objections from statutory consultees.

10.0 **APPENDICES**

- 10.1 Draft conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
19/00272/FUM	Barbara Greengrass Room No. 011	Barbara Greengrass Planning Team Leader
18/00059/FUM	The Grange Ely	01353 665555 barbara.greengrass @eastcambs.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 - 19/00272/FUM Conditions

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

Plan Reference	Version No	Date Received
AIA		23rd May 2019
TS & AIA		23rd May 2019
LA3663 001	D	9th May 2019
1705-005-ST001	C	10th May 2019
1705-005-053	P01	8th May 2019
RP002	B EX WORKS	8th May 2019
RP003	B	8th May 2019
RP004	B MATERIALS	8th May 2019
1705-005-001	G	27th April 2019
1705-005-036 INFILTRATION		27th April 2019
AIA	Tree Survey	22nd March 2019
AIA Plan	6227-D	22nd March 2019
RP146	A	23rd April 2019
RP147	A	23rd April 2019
RP300	A	23rd April 2019
RP301	A	23rd April 2019
Flood Risk Assessment	D	23rd April 2019
Micro drainage calculations		21st February 2019
Habitat Survey		21st February 2019
Site Investigation Report		21st February 2019
Sustainability Statement		21st February 2019
Noise assessment		21st February 2019
Archaeological Trial Trench		21st February 2019
Flood Risk Assessment		21st February 2019
Tree Survey and Constrains Plan		21st February 2019
RP306		21st February 2019
RP305		21st February 2019
RP304		21st February 2019
RP303		21st February 2019
RP302		21st February 2019
RP223		21st February 2019
RP222		21st February 2019
RP221		21st February 2019
RP220		21st February 2019
RP219		21st February 2019
RP218		21st February 2019
217		21st February 2019
216		21st February 2019
215		21st February 2019
RP214	A	1st March 2019
RP213		21st February 2019
RP212		21st February 2019
RP211		21st February 2019
RP209		21st February 2019

RP210		21st February 2019
RP208		21st February 2019
RP205		21st February 2019
RP204		21st February 2019
RP201		21st February 2019
RP200		21st February 2019
RP157	A	1st March 2019
RP156		21st February 2019
RP152		21st February 2019
RP151		21st February 2019
RP150		21st February 2019
RP149		21st February 2019
RP148		21st February 2019
RP143		21st February 2019
RP142		21st February 2019
RP138		21st February 2019
RP137		21st February 2019
RP136		21st February 2019
RP135		21st February 2019
RP129		21st February 2019
RP128		21st February 2019
RP127		21st February 2019
RP126		21st February 2019
RP125		21st February 2019
RP123		21st February 2019
RP124		21st February 2019
RP122		21st February 2019
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RP120		21st February 2019
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RP115		21st February 2019
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RP112		21st February 2019
RP111		21st February 2019
RP110		21st February 2019
RP109		21st February 2019
RP108		21st February 2019
RP107		21st February 2019
RP106		21st February 2019
RP105		21st February 2019
RP104		21st February 2019
RP103		21st February 2019
RP102		21st February 2019
RP101		21st February 2019
RP100		21st February 2019
RP001		21st February 2019
6227-D		21st February 2019

- 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 this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No development shall take place 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.
- 3 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.
- 4 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.
- 4 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.

- 5 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.
- 5 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.
- 6 Prior to the commencement of development a completed Waste Management Audit and Strategy must be submitted to and approved by the local planning authority. The Audit and Strategy shall detail: a) the quantity of anticipated waste and the measures put in place to maximise waste minimisation, sorting, re-use and recovery of waste b) how any sand and gravel incidentally extracted will be handled and where practicable made available for use. It shall be implemented in full prior to the first property being occupied.
- 6 Reason: To comply with Policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 7 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 7.30 to 18.00 each day Monday-Friday, 7.30 to 13.00 Saturdays and none on Sundays, Public or Bank Holidays.
- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 8 The materials to be used in the construction of the external surfaces, including walls and roofs shall be as specified on the materials plan RP 004 Rev B dated 8 May 2019. All works shall be carried out in accordance with the approved details.
- 8 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 9 No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed. The scheme shall include as a minimum:
 - a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events
 - b) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events; (as well as

- 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- d) Full details of the proposed attenuation/disposal measures;
- e) Temporary storage facilities if the development is to be phased;
- f) A timetable for implementation if the development is to be phased;
- g) 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;
- h) Full details of the maintenance/adoption of the surface water drainage system;
- i) Measures taken to prevent pollution of the receiving groundwater and/or surface water

- 9 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.
- 10 Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority.
- Prior to occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.
- 10 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 11 Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on drawing number RP 003 Rev B dated 8 May 2019.
- 11 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 12 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.
- 12 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.
- 13 Prior to first use of the accesses, visibility splays shall be provided each side of the vehicular accesses in full accordance with the details indicated on the submitted layout

plan RP 003 rev B dated 8 May 2019. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

- 13 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 14 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.
- 14 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015.
- 15 Upon completion of the right of way alongside Plots 14 and 17, bollards shall be erected at either end to prevent vehicular access and retained thereafter.
- 15 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 16 Prior to first occupation of any dwelling a scheme for the provision of facilities for charging plug-in and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority and thereafter, provided prior to first occupation of the dwelling to which it relates.
- 16 Reason: In accordance with the aims of the NPPF to provide for sustainable transport modes.
- 17 Prior to first occupation of any dwelling a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 17 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 18 No above ground construction shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: play equipment, and bollards. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.

- 18 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 19 The boundary treatments hereby permitted shall be constructed in accordance with the details specified on the external works drawing number RP 002 Rev B dated 8 May 2019. The boundary treatments shall be in situ and completed prior to the first occupation of the dwelling to which it relates. All works shall be carried out in accordance with the approved details and retained thereafter.
- 19 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 20 No development shall take place until a detailed Arboricultural Method Statement (AMS) has been submitted and approved in writing by the Local Planning Authority. The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.
- 20 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.
- 21 All bathroom and cloakroom windows shall be glazed using obscured glass and any part of the window(s) that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.
- 21 Reason: To safeguard the residential amenity of the occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 22 No development shall take place until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and

backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

- 22 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.
- 23 Prior to any occupation of the development, a scheme for the maintenance of the hard and soft landscaping for a minimum period of 10 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
- 23 Reason: To ensure the longevity of the landscaping scheme, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 24 Prior to the commencement of development, an access scheme shall be submitted to and approved in writing by the LPA. Such scheme shall include provision for:
- i. the design of access and public rights of way routes and their surfacing, widths, gradients, landscaping and structures
 - ii. any proposals for diversion and closure of public rights of way and alternative route provision.
- 24 Reason: To safeguard the PROW and the character and appearance of the area, 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
- 25 Prior to the commencement of development, the definitive line of the public rights of way shall be marked out on site.
- 25 Reason: To safeguard the PROW and the character and appearance of the area, 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.
- 26 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.

- 26 Reason: To ensure the appropriate infrastructure is in place to ensure adequate public safety in accordance with Policies Growth 3 and ENV 2 of the East Cambridgeshire Local Plan 2015.
- 27 The development shall be carried out in accordance with the mitigation and precautionary methods contained within sections 5 and 6 of the Habitat Survey and Designated sites assessment report dated 6 November 2017.
- 27 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 28 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.
- 28 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 29 All development shall be carried out in accordance with the submitted sustainability statement dated 21 February 2019.
- 29 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015.
- 30 Prior to first occupation of development, the developer shall be responsible for the provision and implementation of a Residential Travel Plan to be agreed in writing with the Local Planning Authority. The Travel Plan shall include the provision of a Travel Plan Co-ordinator and cycle vouchers. The plan is to be monitored annually, with all measures reviewed to ensure targets are met.
- 30 Reason: In the interests of sustainable transport, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 31 The properties identified within the noise report shall be acoustically treated as specified within the Noise Assessment Revision D, dated 6 February 2019.
- 31 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 32 Prior to the occupation of any dwelling the associated surface water infrastructure works (including soakaways, infiltration features and pipe work) serving that dwelling shall be completed in accordance with the agreed site-wide drainage strategy, unless otherwise approved in writing by the Local Planning Authority.
- 32 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.