

**TITLE: 23/01338/OUM**

Committee: Planning Committee

Date: 04/09/2024

Author: Senior Planning Officer

Report No: Z51

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**Site Address: Land At Cambridge Road Stretham Cambridgeshire**

**Proposal: Outline planning application for the erection of up to 83 Affordable Homes with associated access, parking and landscaping - all matters reserved except for means of access**

**Applicant: Long Term Land Limited**

**Parish: Stretham**

**Ward: Stretham**

Ward Councillor/s: Bill Hunt  
Caroline Shepherd

**Date Received: 5 December 2023**

**Expiry Date: 11 September 2024**

**1.0 RECOMMENDATION**

1.1 Members are recommended to APPROVE the application in accordance with the following terms:

1. The Committee delegates authority to finalise the terms and completion of the S.106 legal agreement to the Planning Manager; and,
2. Following the completion of the S.106, application 23/01338/OUM be approved subject to the planning conditions at Appendix 5 (and summarised below); or,
3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the statutory determination period to enable the completion of the S106 legal agreement.

(summarised conditions)

- 1 Approved Plans
- 2 Reserved matters
- 3 Time Limit - OUT/OUM/RMA/RMM
- 4 Quantum of development
- 5 Archaeology 1
- 6 Archaeology 2
- 7 CEMP
- 8 Reporting of unexpected contamination
- 9 Drainage
- 10 Foul drainage
- 11 Levels
- 12 Noise mitigation
- 13 Biodiversity
- 14 Fire hydrants
- 15 Access
- 16 Access closure
- 17 Access drainage
- 18 Passive design
- 19 Maintenance of streets

## **2.0 SUMMARY OF APPLICATION**

- 2.1 This item was previously discussed at the April 2024 Planning Committee, where the committee deferred the application to allow for the preparation of an independent assessment on the safety of the proposed highways scheme and if it mitigated the additional number of houses from the 38 already approved. This was specifically in reference to the proposed pedestrian crossing across the A10. The deferral request was made without prejudice to the final decision to be made by the Planning Committee. The April Committee Report (including detailed planning consideration assessment and detailed condition list) is attached as **Appendix 1**, with Agreed Committee Minutes at **Appendix 1a**.
- 2.2 The application was then discussed at the June 2024 Planning Committee, at which the findings of the Council's independent assessment were discussed. In accordance with the Officer's recommendation, the committee deferred the application with prejudice to allow the preparation of a revised highways scheme to address the conclusions of the Council's independent report. The Decision List (**Appendix 4**) states that:

*"That the planning application 23/01338/OUM be **DEFERRED** in accordance with the following terms:*

*a) In order to allow the submission, formal consultation and presentation of an acceptable highways scheme at Planning Committee within a period of 6 months  
AND*

*b) The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the statutory determination*

*period to enable the completion of the works set out under a) and final determination of the application*

*c) That the reserved matters to come back before committee for approval (if the outline application is approved)*

*d) That the planning committee do not have concerns relating to other aspects of the outline application before them.”*

- 2.3 The June Committee Report is attached at **Appendix 2**, with Agreed Committee Minutes at **Appendix 2a**. The independent assessment was prepared by Stantec, and a copy of the report is attached at **Appendix 3**.
- 2.4 Following the outcome of the June Committee, the Applicant prepared a revised highway scheme in discussion with Cambridgeshire County Council’s Local Highways Authority (LHA), culminating in the preparation of a Transport Assessment Addendum. This Addendum contains a revised package of off-site highway works to address the recommendations of the Stantec report and requirements of the Local Highways Authority, including specifically the provision of a Puffin crossing (signalised). The details of these works are set out further within this report.
- 2.5 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council’s Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

### **3.0 PLANNING HISTORY**

- 3.1 See **Appendix 1**

### **4.0 THE SITE AND ITS ENVIRONMENT**

- 4.1 See **Appendix 1**

### **5.0 RESPONSES FROM CONSULTEES**

- 5.1 See **Appendixes 1 through to 3** for a full list of consultation comments on the application as originally submitted, including independent Stantec report.
- 5.2 A revised highways scheme was sent for consultation with the relevant statutory consultees as set out below, neighbouring properties and third-party commentators on the 8<sup>th</sup> July. Only those consultation responses received following this re-consultation on the amended highways scheme have been provided below for brevity, with all previous consultation responses reflected in the two previous committee reports:

**Parish Council** – No Comments Received

**Ward Councillors** – No Comments Received

**Environmental Health (Domestic)** - 8 July 2024

States: "I have no concerns to raise at this time."

**Lead Local Flood Authority - 10 July 2024**

States: "The applicant has not submitted any new information for review. Therefore, we have no further comments to make since our last response on the 5th of March 2023, and remain supportive of the proposals."

**Local Highways Authority - 26 July 2024**

States: "Recommendation

On the basis of the information submitted, from the perspective of the Local Highway Authority, I consider the proposed development is acceptable.

Comments

I can confirm that the information contained in the note ref 2006312-R04 dated July 2024 is an accurate record of correspondence with the developer to date. The revised access and crossing drawing 2006312-D01 Revision B contained in this note has been subject to a Stage 1 Road Safety Audit and the problems identified suitably mitigated. While this scheme will still be subject to a detailed design review plus Stage 2 Road Safety Audit post planning (S278 Agreement), the principle of the scheme is accepted. I therefore have no objection to this application.

All conditions and informatives from the previous permission 23/00712/OUM remain applicable and should be appended to any permission the LPA is minded to grant."

**County Highways Transport Team – 5 August 2024**

"Thank you for your email.

The TA team have recommended no objection to the proposals on 28<sup>th</sup> February 2024. Therefore, we have no comments to make on the additional information submitted as we didn't request it."

**Environmental Health (Scientific) - No Comments Received**

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

**Middle Level Commissioners – No Comments Received**

**ECDC Trees Team - No Comments Received**

**6.0 PLANNING COMMENTS**

6.1 All material planning considerations are addressed within the original reports (Appendix 1 and 2) and this report **only** addresses matters of highway safety and transport impacts. This was agreed at the June 2024 Planning Committee, with the Decision List (**Appendix 4**) noting that, beyond the consideration of a revised highways scheme, "*...the planning committee do not have concerns relating to other aspects of the outline application before them.*"

## 6.2 Highways Safety and Transport Impacts

6.3 The revised off-site highways scheme is encapsulated within the Transport Assessment Addendum (July 2024), prepared by Ardent Consulting Engineers. This includes the following summary of measures, all shown on Drawing Ref. **2006312-D01 Rev B**:

- Street lighting to be extended to include the new access;
- “Keep Clear” markings across the site’s proposed access;
- Puffin crossing (signal-controlled) across the A10;
- Widening of the western and eastern footpaths adjoining the A10 to 3-metres serving the site’s vehicular access, proposed Puffin crossing and Short Road junction (tapering down to 1.2-metres along Short Road to assimilate with existing paths);
- Infilling of “missing” section of footway in between No.42 and 44 Cambridge Road to enable access to the northern-bound bus stop along Cambridge Road;
- Measures to encourage reduced vehicle speeds on Cambridge Road are also proposed, including:
  - creation of a “village gateway” (white gates either side of the road in the verges at the start of the 40mph limit) and “dragon’s teeth” road markings applied on the road;
  - 1m wide central hatched strip with red surfacing together with solid white lining 0.5m from the carriageway edges to reduce the running lanes to 2.85m wide (as requested by CCC);
  - “40” roundels on the carriageway and an additional “40” repeater sign

6.4 Third party land affecting visibility splays at the site’s proposed access have also been clarified with the Local Highways Authority, as set out at Page 4 of the Addendum Report.

6.5 The above package of measures has been subject to a Stage 1 Road Safety Audit, prepared by an independent consultant on behalf of the County Council, and any concerns raised during this process have been mitigated; this was confirmed in the Local Highways Authority response on the 26<sup>th</sup> July 2024.

6.6 The proposed revised highways scheme is considered to address all of the recommendations of the Stantec report, albeit with some alternative solutions proposed to address the matters raised.

6.7 Regarding the proposed pedestrian footpaths in particular, a 0.5-metre grass buffer / margin has not been included as recommended by Stantec, as a grass strip would need to be greater than 1-metre in width in order to provide sufficient space for vegetation growth and sub-surface structures. A path routing through the development was also considered inadvisable by the LHA as this could reduce the visibility of pedestrians to drivers along the highway prior to their point of emergence at the crossing.

- 6.8 However, the footpaths are proposed to be widened to 3-metres wide where they adjoin the A10 carriageway to provide further separation of path users from the carriageway, with scope to introduce pedestrian deterrent hard-paved 0.5-metre 'buffers' at the detailed design stage (S278 stage post-consent). At the request of the LHA, the proposed "village gateway" feature also seeks to encourage reduced traffic speeds beyond those currently experienced upon entrance to the village and prior to the crossing. Collectively, this is considered to reduce the levels of fear and intimidation upon pedestrians, and satisfy the overall objectives of Stantec's conclusions, this being to deliver a pedestrian crossing and associated infrastructure that is inclusive of the majority of users. This is noting the potentially higher levels of child occupants and lower levels of car ownership due to the nature of the proposed development, factors which are likely to give rise to a higher dependence on walking, wheeling and/or cycling to and from the village.
- 6.9 The Local Highways Authority raise no objection to the proposed scheme of highway works, with further detailed design work expected to take place post-consent with the Local Highways Authority, also known as S278 works. This is a standard practice. The County Council's Transport Assessment Team also raise no objection to the proposed highway scheme.
- 6.10 It is therefore considered that the revised highways scheme would ensure the safe crossing of the A10 for prospective occupiers of the proposed affordable housing development, as well as safe vehicular access and egress from the development itself. These measures are considered necessary to ensure that the development provides safe and convenient access to the highway network, whilst giving priority for active modes of travel.
- 6.11 Planning Balance**
- 6.12 A full planning balance has been set out within the previous committee report at **Appendix 1** (April Committee). Following deferral of the application at the April 2024 committee. the report at Appendix 2 (June Committee) provides a further assessment and planning balance on matters of highway safety, supported by Stantec's independent report at Appendix 3.
- 6.13 The Transport Addendum prepared by the Applicant proposes a revised highway scheme which addresses the recommendations of the Stantec Report, whilst taking into account the recommendations and requirements of the Local Highways Authority. The Local Highways Authority and County Council's Transport Assessment Team raise no objection to the revised highway scheme.
- 6.14 On this basis, and for the reasons set out within the original Committee Report at Appendix 1, the proposed development is considered to be acceptable on balance in accordance with the Development Plan and the NPPF, with the proposals considered to carry substantial positive weight overall. This warrants the recommendation of approval, subject to the completion of a S106 legal agreement and suggested conditions.

## **7.0**      **COSTS**

- 7.1      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.
- 7.2      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.
- 7.3      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.
- 7.4      In this case members' attention is particularly drawn to the following points:
- The conclusions of the Planning Inspectorate when approving the development under LPA Ref. 22/00180/OUM.
  - The two previous approvals under LPA Ref. 22/00180/OUM and 23/00712/OUM.
  - The conclusions of the Stantec Report; and
  - The statutory consultee comments of the Local Highways Authority and County Council's Transport Assessment Team raising no objections to the installation of the proposed puffin crossing and the overall acceptability of the proposed highways scheme.
  - The decision as detailed in Appendix 4

## **8.0**      **APPENDICES**

**Appendix 1** – Previous Committee Report (April 2024 Planning Committee) with detailed assessment of planning considerations and detailed list of recommended conditions.

**Appendix 1a** – Agreed Committee Minutes of the April 2024 Committee meeting.

**Appendix 2** – Previous Committee Report (June 2024 Planning Committee) with assessment of independent report prepared by Stantec and recommendation of deferral to enable a revised highway scheme to be submitted.

**Appendix 2a** – Agreed Committee Minutes of the June 2024 Committee meeting.

**Appendix 3** – Independent Report prepared by Stantec

**Appendix 4** – Decision List June Planning Committee 2024

**Appendix 5 – Recommended Conditions:** For clarity all conditions as set out within the report at Appendix 1 have been provided below, with no changes except for Condition 15 for highway works.

The proposed development is recommended for approval subject to completion of the necessary s106 agreement(s) and the following suggested planning conditions;

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

<i>Plan Reference</i>	<i>Version No</i>	<i>Date Received</i>
3288-D1000: Location Plan	06	5th December 2023
FRA & Drainage Strategy	1	15th January 2024
Unda Consulting Letter 250224		26th February 2024
Noise Impact Assessment	1	22nd December 2023
2006312-D01 Revision	B	8th July 2024

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the Layout, Scale, Appearance and Landscaping (hereinafter called "the reserved matters") 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 3 years of the date of this permission.
- 2 Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 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 The total development hereby permitted within the site shall comprise not more than 83 dwellings.
- 4 Reason: To define the planning permission having regard to the proposal put forward and assessed by the Local Planning Authority for a maximum of 83 dwellings.
- 5 No demolition/development shall take place until a Written Scheme of Investigation shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions and:
  - i) the programme and methodology of site investigation and recording;
  - ii) the programme for post investigation assessment;
  - iii) the provision to be made for analysis of the site investigation and recording;
  - iv) the provision to be made for publication and dissemination of the analysis and records of the site investigation;
  - v) the provision to be made for archive deposition of the analysis and records of the site investigation;



vi) the nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

- 5 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 6 No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under Condition 5.
- 6 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 7 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
  - ii) loading and unloading of plant and materials;
  - iii) storage of plant and materials used in constructing the development;
  - iv) wheel washing facilities;
  - v) measures to control the emission of dust and dirt during construction;
  - vi) in the event of the foundations from the proposed development requiring piling, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration
  - vii) measures to control surface water run-off from the site during any construction works;
  - viii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
  - ix) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 8 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.
- 8 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 (as amended 2023).

- 9 Concurrently with the submission of reserved matters, a detailed design of the surface water drainage of the site shall be submitted, include a timetable for implementation. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.  
The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Foul and Surface Water Drainage Strategy for Planning, prepared by Unda Consulting Limited (ref: Ref: 90709d-FuturePD-Stretham V1.0) dated 15<sup>th</sup> January 2024, and the letter, prepared by Unda Consulting, ref: 90709d-FuturePD-Stretham Addendum Letter 250224, dated 26th February 2024 and shall also include:
- 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 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;
  - c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, radiants, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
  - d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
  - e) Site Investigation and test results to confirm infiltration rates;
  - f) 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;
  - g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
  - h) Full details of the maintenance/adoption of the surface water drainage system;
  - i) Permissions to connect to a receiving watercourse or sewer;
  - j) 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 (as amended 2023).
- 10 None of the dwellings hereby permitted shall be occupied until works for the disposal of sewage shall have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted, concurrently with the first submission of reserved matters including a timetable for implementation, to and approved in writing, by the Local Planning Authority.
- 10 Reason: In the interests of residential amenity and to prevent the increased risk of flooding and to protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 11 Concurrently with the first submission of reserved matters the following information shall have been submitted to and approved in writing by the local planning authority:

- i) a full site survey showing: the datum used to calibrate the site levels; levels along all site boundaries; levels across the site at regular intervals and floor levels of adjoining buildings;
- ii) full details of the proposed finished floor levels of all buildings and hard landscaped surfaces.

The development shall be carried out in accordance with the approved details.

- 11 Reason: In the interests of visual amenity in accordance with policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended 2023).
- 12 Construction work shall not take place until a scheme for protecting the proposed noise-sensitive development from noise from the A10 shall have been submitted to and approved in writing by the local planning authority. The scheme shall reflect the principles of the recommendations identified in Cass Allen RP01-23701-R1 revision 1 dated 21st December 2023 and associated documentation. All works which form part of the scheme shall be completed before any part of the noise sensitive development is occupied and retained thereafter.
- 12 Reason: In the interests of residential amenity protection in accordance with policy ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended 2023).
- 13 Concurrently with the first submission of reserved matters a scheme of biodiversity protection, mitigation and enhancement, including a timeframe for implementation and a long-term management plan, informed by an updated ecological appraisal of the site shall be submitted to and approved in writing by 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.
- 13 Reason: To protect and enhance species in accordance with policy ENV 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 14 Prior to works proceeding above slab level, 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 shall be 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.
- 14 Reason: To ensure proper infrastructure for the site in the interests of community safety in that adequate water supply is available for emergency use, in accordance with the aims of policy ENV 2 of the East Cambridgeshire Local Plan (as amended 2023).
- 15 Prior to first occupation of any dwelling hereby approved, the works as detailed in principle on drawing 2006312-D01 Revision B shall have been completed to the satisfaction of the Local Planning Authority and shall thereafter be retained.
- 15 Reason: In the interests of Highway safety in accordance with Policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023). This condition is a Grampian condition because it requires work within the public highway.

- 16 The existing agricultural access(es) to A10 Cambridge Road shall be permanently and effectively closed and the footway shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority, within 28 days of the bringing into use of the new access.
- 16 Reason: In the interests of Highway safety in accordance with Policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 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: In the interests of Highway safety in accordance with Policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 18 The detailed design of the dwellings hereby permitted shall incorporate the five principles of passive house design, as set out within submitted the Energy & Sustainability Strategy, October 2022. Prior to occupation of any dwelling, evidence shall be submitted to the local planning authority to demonstrate that the development has been constructed adopting these principles.
- 18 Reason: The application is deemed acceptable having regard to the need to protect the amenity of future occupiers, balanced with the energy sustainability benefits of the proposal in accordance with policies ENV 2 and ENV 4 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 19 Prior to first occupation or commencement of use details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be 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 for the lifetime of the development, by the applicant or a private management company, 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).
- 19 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 (as amended 2023).

#### Background Documents

23/01338/OUM  
22/00180/OUM  
23/00712/OUM

National Planning Policy Framework -  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

East Cambridgeshire Local Plan 2015 -  
<http://www.eastcambbs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

