

22/00039/RMM



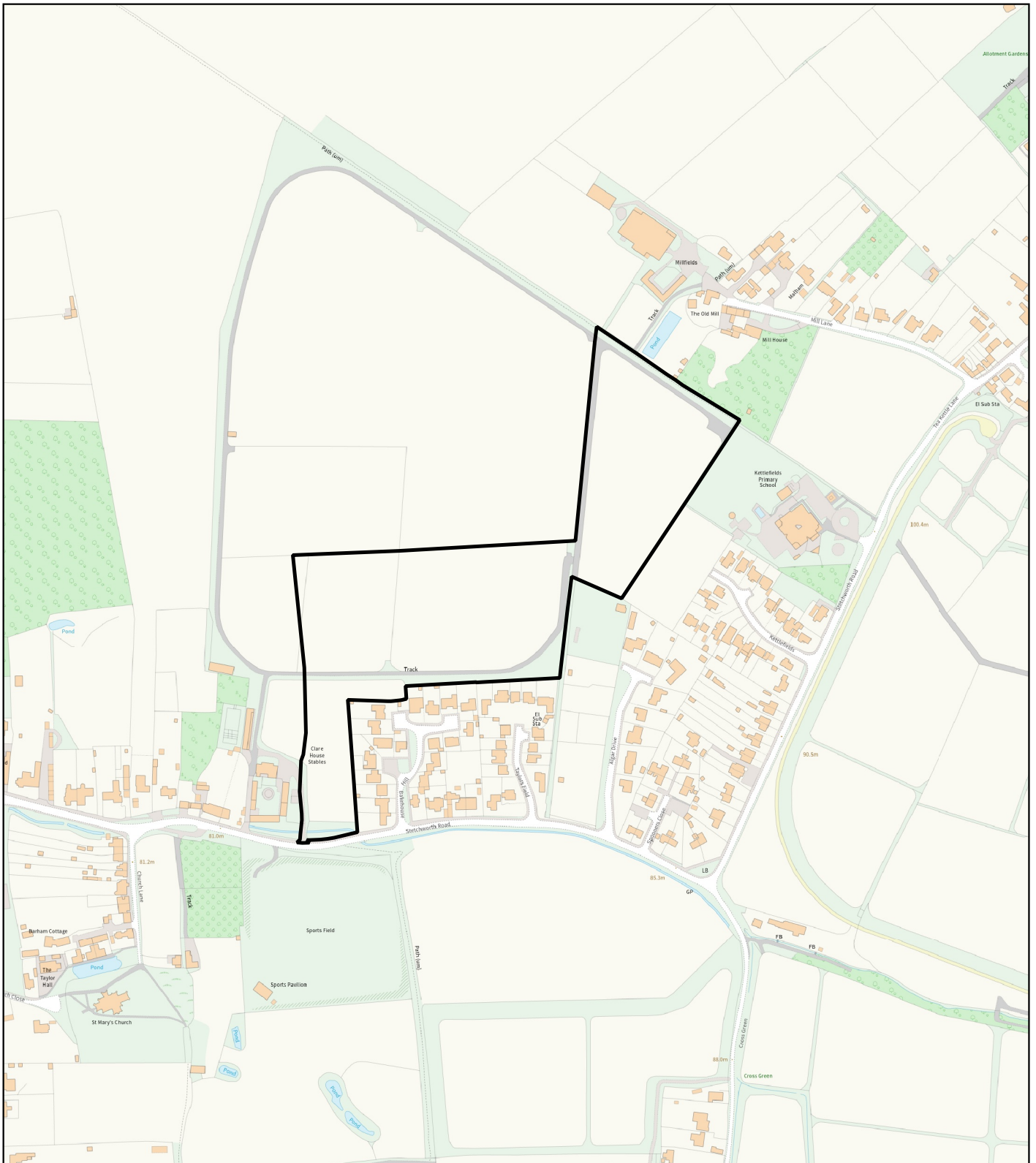
Site East Of Clare House
Stables
Stetchworth Road
Dullingham

East Cambridgeshire
District Council

Date: 21/11/2024
Scale: 1:10,000



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22/00039/RMM



Site East Of Clare House
Stables
Stetchworth Road
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Date: 21/11/2024
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TITLE: 22/00039/RMM

Committee: Planning Committee

Date: 04 December 2024

Author: Senior Planning Officer

Report No: Z114

Contact Officer: Holly Durrant, Senior Planning Officer
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**Site Address: Site East of Clare House Stables Stetchworth Road Dullingham
Suffolk**

Proposal: Approval of the details for reserved matters for Appearance, Landscaping, Layout and Scale of planning application 18/01435/OUM for up to 41 new homes to include 12 new affordable dwellings, accessible bungalows, over 55's bungalows and public open spaces with public footpaths/cycle ways

Applicant: Mr Robert Nobbs

Parish: Dullingham

Ward: Woodditton

Ward Councillor/s: James Lay
Alan Sharp

Date Received: 26 January 2022

Expiry Date: 11 December 2024

1.0 RECOMMENDATION

1.1 Members are recommended to APPROVE the application subject to the recommended conditions summarised below. The conditions can be read in full on the attached **Appendix 1**.

- 1 Approved Plans
- 2 External materials
- 3 Brick, window and door details
- 4 Hard and soft landscaping (including biodiversity)
- 5 Play area details
- 6 Cycle store provision
- 7 Parking/turning provision

8 Waste management

2.0 **SUMMARY OF APPLICATION**

2.1 This application is seeking approval for the reserved matters of the appearance, landscaping, layout and scale of the 41 dwellings and the landscaping of the site, as well as public open space, SuDS and internal roads/infrastructure.

2.2 The matter of vehicular access was agreed and fixed under outline consent 18/01435/OUM, approved 5th February 2020. While shown on some plans the commercial area at the front of the site is not being applied for under this application.

2.3 Beyond submission of the above reserved matters, the outline consent also required the following matters to be addressed at first reserved matters submission (this application) via conditions:

- **Biodiversity and Landscaping:** Details of how the development was incorporating the mitigation and enhancement measures (including landscaping) as set out within the submitted Biodiversity Strategy Report.
- **Drainage:** provision of a surface water drainage scheme for the proposed development, based on sustainable drainage principles.
- **Business Floorspace:** the location of the proposed B1(a) (now use class E(g) and D1 (now use class F.1 and Class E(e) and (f)) floorspace.
- **Heritage:** provision of a heritage statement that provides a professional analysis of the proposal's impacts upon the setting of Grade I Listed St Marys Church from the PROWs within and nearby the site.
- **Sustainability:** provision of an energy and sustainability statement, including any renewable technologies.
- **Over 55's bungalows:** details of the 4-6 units to be clarified.

2.4 It should be noted that **all** the above information has been provided with this submission, and therefore the conditional requirements of the outline consent are satisfied in procedural terms. The following report sets out in greater details as to why the details are considered to be acceptable.

2.5 The S106 legal agreement underpinning the outline consent also requires the following to be delivered as part of the proposed development:

- **Affordable Housing:** 30% of the total number of dwellings (23% shared ownership and 77% affordable rented).
- **Public Open Space:** provision and maintenance.
- **Household Waste Contribution:** provision of waste receptacles for each dwelling.
- **Over 55's units:** ensuring occupation of these units is secured for over 55's only or any other qualifying person.
- **Secondary Education Contribution:** to support increased capacity at Bottisham Village College.
- **Section 278 agreement:** ensuring that a S278 agreement has been entered into with the County Council for improvement works to the PROW running through the site.

- 2.6 The above S106 requirements are legal requirements of the outline consent, and the development submitted under this reserved matters application does not conflict with nor prevent the ability to comply with these stipulations.
- 2.7 The entire 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/>.
- 2.8 This application has been brought to Planning Committee due to the requirement of the outline approval that any reserved matters to be determined by Planning Committee. Cllr Lay also requested that the application be called-in to Planning Committee on the 30th July 2024.

3.0 PLANNING HISTORY

3.1 18/01435/OUM

Proposal for up to 41 new homes to include 12 new affordable dwellings, 250sqm commercial units (Class B1a office, Class D1 community uses), accessible bungalows, over 55's bungalows and public open spaces with public footpaths/cycle ways

Approved

5 February 2020

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site is located outside of the village framework on a slope that rises to the north. The site is currently used as paddock/grazing land. To the south of the site is the public highway (Stetchworth Road) and a drainage ditch. Residential cul-de-sacs are located to the southeast (Bakehouse Hill and Taylors Field) and the existing stables are located to the west of the site. A primary school (Kettlefields) is located to the northeast and a Grade I Listed Church (St Marys) is located to the south.
- 4.2 A Public Right of Way (PRoW) is located through the middle of the site running in a north/south direction and connects to a footpath on the higher part of the slope that runs past the primary school.
- 4.3 Stetchworth Road and a small section of the site's frontage onto the highway and vehicular access lie within Flood Zone 3. The remainder of the site lies within Flood Zone 1.
- 4.4 The site measures approximately 5.6 hectares/13.8 acres in size.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees, with the full responses being available on the Council's website.

Ward Councillor (Cllr James Lay) – 30th July 2024

States: “May I call this application into Planning Committee. Thank you.”

Dullingham Parish Council – 7 March 2022

Submitted by Richard Buxton Solicitors provides a detailed letter that concludes by urging “the Council to refuse the current reserved matters application as incomplete in the essential components required in the Conditions. It follows that the deadline in Condition 2 has not been met, the outline permission lapses, and the Council should require the resubmission of the outline application if the developer wishes to continue”

13 July 2022

Richard Buxton Solicitors writing in on behalf of the Parish again raise concerns over the quality of the submission.

28 November 2022

Richard Buxton Solicitors writing in on behalf of the Parish again raise concerns over the quality of the submission.

29 March 2023

“Dullingham Parish Council have considered the amendment and respond as follows:

As you are aware the Parish Council believe that this RMM application fell well short of what was required when it was submitted and should not have been validated. This is confirmed by the continual amendments and submissions some 12 months after the outline consent expired.

We believe that the applicants have still not submitted a full application and this application should therefore be refused.”

18 September 2023

“Dullingham Parish Council request this application be refused.

Despite the outline consent being granted in February 2020 this application is still being continually amended as the applicants have still, we believe, failed to provide plans that satisfy all aspect that are required.

The application has been flawed from the start and has seen an outline consent being granted for a site that is inherently dangerous because of local topography creating known flood risks that prevent continuous safe access for emergency services.

Since this process commenced the watercourse that flows through the site has now been recognised as a chalkstream. As such it is one of only approximately 250 such ecological sites worldwide and as such this should be given further consideration to ensure that it is protected from all possible effects of this unsuitable site.

Given the time it has taken to date we feel that it is now time that this application be refused without any further delay.”

6 February 2024

Previous comments still apply.

27 March 2024

“Dullingham Parish Council request this application be refused. Despite the outline consent being granted in February 2020 this application is still being continually amended as the applicants have still, we believe, failed to provide plans that satisfy all aspect that are required. The application has been flawed from the start and has seen an outline consent being granted for a site that is inherently dangerous because of local topography creating known flood risks that prevent continuous safe access for emergency services. Since this process commenced the watercourse that flows through the site has now been recognised as a chalkstream. As such it is one of only approximately 250 such ecological sites worldwide and as such this should be given further consideration to ensure that it is protected from all possible effects of this unsuitable site. Given the time it has taken to date we feel that it is now time that this application be refused without any further delay.”

18 April 2024

“Despite the outline consent being granted in February 2020 this application is still being continually amended as the applicants have still, we believe, failed to provide plans that satisfy all aspect that are required. The application has been flawed from the start and has seen an outline consent being granted for a site that is inherently dangerous because of local topography creating known flood risks that prevent continuous safe access for emergency services. Since this process commenced the watercourse that flows through the site has now been recognised as a chalkstream. As such it is one of only approximately 250 such ecological sites worldwide and as such this should be given further consideration to ensure that it is protected from all possible effects of this unsuitable site. Given the time it has taken to date we feel that it is now time that this application be refused without any further delay.”

16 May 2024

“Dullingham Parish Council request this application be refused.

Despite the outline consent being granted in February 2020 this application is still being continually amended as the applicants have still, we believe, failed to provide plans that satisfy all aspect that are required.

The application has been flawed from the start and has seen an outline consent being granted for a site that is inherently dangerous because of local topography creating known flood risks that prevent continuous safe access for emergency services.

Since this process commenced the watercourse that flows through the site has now been recognised as a chalkstream. As such it is one of only approximately 250 such ecological sites worldwide and as such this should be given further consideration to ensure that it is protected from all possible effects of this unsuitable site.

Given the time it has taken to date we feel that it is now time that this application be refused without any further delay.”

28 June 2024

“Dullingham Parish Council request this application be refused.

Despite the outline consent being granted in February 2020 this application is still being continually amended as the applicants have still, we believe, failed to provide plans that satisfy all aspect that are required.

The application has been flawed from the start and has seen an outline consent being granted for a site that is inherently dangerous because of local topography creating known flood risks that prevent continuous safe access for emergency services. Since this process commenced the watercourse that flows through the site has now been recognised as a chalkstream. As such it is one of only approximately 250 such ecological sites worldwide and as such this should be given further consideration to ensure that it is protected from all possible effects of this unsuitable site. Given the time it has taken to date we feel that it is now time that this application be refused without any further delay.

The Parish Council would also like to note that from summary the most recent amendment is just a correction of plans and would like to enquire with the District Council how much longer they intend to allow this to continue.”

18 July 2024

“We believe that the conditions in the grant of outline consent were explicit that a complete and detailed full application needed to be submitted by 5th Feb 2022.

The conditions also required that the first reserved application should include a full drainage plan, this was only submitted in June 2024.

The current RMM has failed to meet the conditions of the original consent and we request that this application be refused due to breach of conditions.

The protracted and continual submission of amendments brings the planning process into disrepute and we cannot understand why this situation has been allowed to arise.

We would ask that you respond to our email by 15th August 2024.”

Newmarket Town Council – 24 November 2022

No Objection

11 April 2024

“The Committee supported the Dullingham PC objection and, additionally, objected to the fact that residents will be expected to use Newmarket facilities without any financial contribution towards the (acknowledged lack of) amenities, such as doctor's surgery, schools, sport and health facilities, as the development is located in East Cambs.”

Local Highways Authority - 14 February 2022

“It is unclear from the applicant's submission which internal roads they wish to offer to Cambridgeshire County Council for adoption. However, the proposals do not meet CCC's standards and would not be considered as being adoptable. Should the applicant wish to offer the roads for public adoption, they will need to re-design their site layout in accordance with CCC's General Principles for Development and Housing Estate Road Construction Specification documents, both of which are available from the link below.

<https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highways-development>

Layout

The following geometries should be adhered to for adoptable roads:

- o Traditional roads - 5.0m-5.5m carriageway with 2m wide footways on both sides, separated by full face kerbs
- o Shared surface roads - 6.0m carriageway with 0.5m paved maintenance strips on both sides
- o Corner radii - 6m

The width of accesses to shared private drives or private parking courts should be minimised to reduce the conflict length between pedestrians and vehicles. The accesses shown on the current submission are unnecessarily wide.

The junction west of plot 35-e should take the form of a bellmouth junction with 6m radii.

It is unclear at the junction between plots 10-d and 15-e who has priority. The layout should be revised so that this is clearer to users.

Visitor parking bays will not be considered for adoption.

Private drives and parking bays shall be perpendicular to the carriageway.

All roads (adoptable and private) must have an appropriately sized turning head within 20m of a dead-end or prior to the start of a shared surface.

Visibility

The applicant should demonstrate 2.4m x 25m inter-vehicle visibility at all internal junctions.

2m x 2m pedestrian visibility splays should be provided for all private roads and driveways which front onto the highway proposed for adoption. Such splays shall be measured to the back of footway (or carriageway edge in the case of shared surfaces) and maintained free from obstruction from a height of at least 0.6m.

Appropriate forward visibility should be demonstrated at sharp bends in the horizontal alignment of roads. This is to ensure a safe stopping sight distance can be achieved if there is an obstruction or a hazard in the carriageway. Such locations include:

- o Adjacent to Plot 7-f
- o Rear of 33-e
- o Rear of Plot 35-e

Vehicle Tracking

To ensure that the roads are safe and suitable, the applicant should provide the following vehicle tracking plans:

- o A refuse vehicle (to ECDC specification) utilising all roads proposed for adoption.
- o A fire tender throughout the entire site
- o Large cars passing (all movements) at the junction between Plots 10-d and 15-e (unless the junction design is suitably amended).

Surface Water Drainage

Adoption can only be considered where the highway drainage complies with CCC's specification. The highway drains in the south of the site appear to discharge to an attenuation basin. Such an arrangement is only acceptable to CCC if the basin is

adopted by a public body with a successor (not a private management company) or the highway drains first connect to an Anglian Water system.

Conclusion

I would like to invite the applicant to prepare a revised submission. If the applicant is unable to address these comments, please let me know so that I can provide further comments.”

17 October 2022

Continues to raise concerns and concludes:

“I would like to invite the applicant to prepare a revised submission. If the applicant is unable to address these comments, please let me know so that I can provide further comments.”

21 October 2022

“The revised submission has addressed my previous comments to the point whereby I do not object to the application. While inter-vehicle visibility splays have been omitted from the latest revision, I am still confident that they can be achieved, as can pedestrian visibility splays. However, the internal roads will not be considered for adoption”

14 March 2023

“As far as I can determine the additional information relates to drainage only and has no bearing on my previous response. In summary, I do not object, but the roads will not be considered for adoption.”

4 April 2023

“In terms of gradients and rest areas, this is acceptable.

There are however a couple comments from my November response regarding adoptability which remain outstanding, repeated below for convenience.

- o The road between Plots 25 and 29 does not have a turning head within 20m of the end, which will result in a length of reversing unacceptable to the LHA. The use of a shared private drive for turning is not accepted.
- o Visitor parking bays (which the LHA do not adopt) are not shown to drain separately to highway water, noting we do not accept permeable paving as a suitable means of drainage in isolation.

The first comment can be addressed by extending an adoptable turning head into the private drive - see below This would need to be sized for refuse vehicle turning, supported by appropriate tracking.

The latter comment could be addressed via a S38 vetting process, but I would strongly advise you give consideration to the drainage of private parking bays now.”

25 September 2023

“The latest proposals (as shown on drawing 1888/002 Rev H & 1888/003 Rev G) have addressed my previous comments and as such, I have no objection to the application.

The applicant should note that the LHA do not accept the use of permeable paving as a suitable means of drainage in isolation. Where private driveways are drained via permeable paving and they fall towards the highway proposed for adoption, a secondary means of drainage shall be needed e.g., a channel drain. This is a detail which can be remedied as part of any future S38 Agreement application.

Please append the following conditions and informative to any permission granted.”

8 February 2024

“I have reviewed the latest submission for the above application and I can confirm that I have no further comments above my response dated 25th September 2023 which remains valid.”

3 April 2024

No additional comments.

21 May 2024

“Recommendation

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

Comments

The latest submitted information has addressed previous comments to an acceptable degree and I therefore have no objection to the proposed development.

In the event that the LPA is minded to grant permission, please append the following Conditions and Informatives.

Conditions

o HW14A: Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2018.

o HW22A: 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.

Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015 and LP17, LP22 and LP30 of the Submitted Local Plan 2018.

o HW23A: No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the

approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

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 and LP17 of the Submitted Local Plan 2018.

o Non-standard condition: Prior to first occupation of use of the development the footway along Stetchworth Road shall be widened as shown on the drawing 1888/002 revision L.

Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2018.”

July 2024

“I've been reconsulted on the above application but can confirm that I have no further comments to make. The proposals remain acceptable in highway terms.”

Asset Information Definitive Map Team - 26 October 2022

“Public Footpath 3, Dullingham runs through the north east site, between the proposed development and meadowlands, orchard and land used for possible school expansion. view the location of the footpath please view our interactive mapping online which can be found at <http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>.

There is no recorded width for the public footpath, that abuts the development. Where there is no legally defined width for a public right of way, we are not able to advise what the width would be. As the dimensions are not known, we cannot guarantee that the applicant would not be encroaching upon the highway. The applicant therefore would proceed with any development that might affect the highway at their own risk. For maintaining what boundary is already in place, please consider the below points which are in accordance with the County Council's boundary policy which is available to view in the guidance for planners and developers document available here Public Rights of Way - Guidance for Planners and Developers v4 (cambridgeshire.gov.uk).

o No fencing shall be erected on or within 0.5m of the current or any proposed public rights of way.

Reason: In the interests of the amenity of the public.

o No planting shall be erected on or within 2m of the current or any proposed public rights of way.

Reason: In the interests of the amenity of the public.

Whilst the Definitive Map Team has no objection to this proposal, the bridleway must remain open and unobstructed at all times.”

27 March 2024

“Our stance on the above planning application has not changed since our last response in October 2022.”

Historic England - 4 February 2022

“Thank you for your letter of 31 January 2022 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.”

16 November 2022

“On the basis of this information, Historic England do not wish to offer any comments. We would therefore suggest that you seek the views of your specialist conservation and archaeological advisers, and other consultees, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.”

Cambridgeshire Archaeology - 21 February 2022

“Our records indicate that this site is located in an area of high archaeological potential, with the proposed development area situated roughly 210m to the north east of the Grade I listed 13th century Parish Church of St Mary (National Heritage List for England reference 1318002) and to the east of Grade II listed Dullingham House and its separately statutorily designated parkland (NHLE refs 1000618, 1331792). Within the area of Dullingham House and the associated parkland are earthwork banks probably representing historic boundaries (Cambridgeshire Historic Environment Record reference 09141) as well as a series of listed structures including the Stables (1164048), boundary walling (1164047) and estate cottages (1126324). Further listed structures are located along Stetchworth Road (for example, 1126327, 1331812, 1164034) and to the south west of the application area (1126315).

The archaeological interest of this site is currently secured against the extant archaeological condition (6) attached to associated Outline planning reference 18/01435/OUM. We recommend that the extant archaeological condition be carried over to any application intended to supersede the existing permission.”

13 October 2022

“the proposed amendments do not alter the advice previously issued by this office on 21/02/2022 in relation to this development.”

18 November 2022

“We have reviewed the amended plans and the changes made do not affect the advice issued in regards to planning application 18/01435/OUM 22/10/2018 and later on this application 21/02/2022. In summary that the archaeological potential of the site is currently secured against the extant archaeological condition (6) attached to associated Outline planning reference 18/01435/OUM. We recommend that the

extant archaeological condition be carried over to any application intended to supersede the existing permission.”

Environmental Health - 31 January 2022

“I have no comments to make at this time.”

17 October 2022

“no comments to make at this time”

15 November 2022

“I have no comments to make at this time.”

NHS England - 26 October 2022

“I have looked back through our records and I think I am correct in saying that this development is for 41 dwellings. If this is the case then we will not be making any representation as we currently don't make mitigation requests for developments under 50 dwellings. The development is unlikely to impact greatly on health services in the area due to its size and therefore we will be happy for you to proceed as planned.”

Environment Agency - 7 February 2022

“We have no comments to make on the reserved matters.”

20 October 2022

“We have no further comment to make on this application”

Lead Local Flood Authority – 22 February 2022

“At present we object to the grant of planning permission for the following reasons: The submitted surface water drainage scheme, as per the Drainage Plan Sheets 1-5, has not been carried out in accordance with the principles set out within the agreed Surface Water Drainage Strategy prepared by 7 Engineering Consultancy Ltd (ref:07128 Rev 00) dated November 2018. To clarify further:

1. Removal of SuDS The previously proposed permeable paving, swales and filter drains have been removed and replaced with impermeable roads proposing to discharge via gullies. Surface water discharging from the site, which includes surface water from the highway, must be treated appropriately (in accordance with the Simple Index Approach) to ensure the risk to polluting of surrounding groundwater, watercourses, water bodies or sewer systems is minimised. A treatment train should be formed to provide a range of different phases of surface water treatment. Chapter 26 of the CIRIA SuDS Manual (C753) outlines the pollution hazard indices. Surface water should meet these indices through the use of SuDS before discharge from the site.
2. Further detail on permeable paving required It is not clear if the proposed permeable paved private driveways have been designed for complete or partial infiltration. The outline surface water drainage strategy proposed for private driveways to be designed with partial infiltration (system B), with an overflow to the piped drainage system due to the low infiltration rates recorded during the

infiltration testing. Please can the proposed method of draining the permeable paving be clarified.

3. Online attenuation basin located in 'Flood Zone 3' Where a below ground attenuation tank was previously proposed within the piped drainage system, it has now been changed for an attenuation basin which is located in the area identified as Flood Zone 3. In some circumstances the outfall may be surcharged, affecting its hydraulic capacity and impacting on the surface water network, and with the absence of supporting information to the contrary, we require the surface water calculations to assume a surcharged outfall.
4. FSR rainfall data used in hydraulic calculations FSR rainfall data has been used to produce all calculation critical storm results up to and including the 1 in 100 year + 40% CC. For storm durations less than 1 hour, Flood Studies Report (FSR) rainfall data should be used. For storm durations greater than 1 hour, Flood Estimation Handbook (FEH) rainfall data should be used.
5. No sediment forebay proposed on attenuation basin The outline drainage strategy proposed to include a sediment forebay on the main inlet of the attenuation basin, which would trap the majority of the sediment and allowing removal without disturbing the main body of the pond, however the details provided for the attenuation basin show that this has been removed from the proposals. For ease of maintenance, we would request that a sediment forebay is included within the current design and for both attenuation basins."

3 November 2022

Having reviewed the revised documentation we can confirm that the LLFA has no further comments beyond those set down in our response of 21st February 2022 (201107240). Our position therefore remains opposed to the development.

29 November 2022

"Our position therefore remains opposed to the development."

5 December 2022

"At present we object to the grant of planning permission for the following reasons:

1. Removal of SuDS

The previously proposed permeable paving, swales and filter drains have been removed and replaced with impermeable roads proposing to discharge via gullies. Surface water discharging from the site, which includes surface water from the highway, must be treated appropriately (in accordance with the Simple Index Approach) to ensure the risk to polluting

of surrounding groundwater, watercourses, water bodies or sewer systems is minimised. A treatment train should be formed to provide a range of different phases of surface water treatment. Chapter 26 of the CIRIA SuDS Manual (C753) outlines the pollution hazard indices. Surface water should meet these indices through the use of SuDS before discharge from the site.

2. Further detail on permeable paving required It is not clear if the proposed permeable paved private driveways have been designed for complete or partial infiltration. The outline surface water drainage strategy proposed for private driveways to be designed with partial infiltration (system B), with an overflow to the piped drainage system due to the low infiltration rates recorded during the infiltration testing. Please can the proposed method of draining the permeable paving be clarified.

3. Online attenuation basin located in 'Flood Zone 3' Where a below ground attenuation tank was previously proposed within the piped drainage system, it has now been changed for an attenuation basin which is located in the area identified as Flood Zone 3. In some circumstances the outfall may be surcharged, affecting its hydraulic capacity and impacting on the surface water network, and with the absence of supporting information to the contrary, we require the surface water calculations to assume a surcharged outfall.

4. FSR rainfall data used in hydraulic calculations FSR rainfall data has been used to produce all calculation critical storm results up to and including the 1 in 100 year + 40% CC. For storm durations less than 1 hour, Flood Studies Report (FSR) rainfall data should be used. For storm durations greater than 1 hour, Flood Estimation Handbook (FEH) rainfall data should be used.

5. No sediment forebay proposed on attenuation basin The outline drainage strategy proposed to include a sediment forebay on the main inlet of the attenuation basin, which would trap the majority of the sediment and allowing removal without disturbing the main body of the pond, however the details provided for the attenuation basin show that this has been removed from the proposals. For ease of maintenance, we would request that a sediment forebay is included within the current design and for both attenuation basins.”

20 March 2023

“At present we maintain our objection to the reserved matters applications for the following reasons:

1. Basin Details

The LLFA appreciates the updated details and response to our previous comments, including the updated calculations and sediment forebays. However, in line with condition 7 of outline permission 18/01435/OUM, details for the surface water drainage around the reserved matters application must be provided to enable the release the condition. In line with this, the LLFA requires the cross sections and details of the proposed basins, with the sediment forebays, to demonstrate that they can be accommodated and provide their purpose within the layout of the site. Until these details for the basins and proposed forebays have been provided, we are unable to support this reserved matters application.

2. Exceedance Plan

The updated modelling indicates that there will be flooding during the 100 year storm including a 40% allowance for climate change. Whilst it is accepted that this is nominal, exceedance plans must be submitted demonstrating where any flood waters will flow in times of exceedance, or system failure. It must be ensured that any property that is in the vicinity of flood exceedance routes are suitably protected, and any exceedance does not increase flood risk to adjacent land or property. It should be noted that these exceedance plans are also a requirement under condition 7.

3. Maintenance Details

A maintenance plan is required in line with condition 7 of permission 18/01435/OUM. Full details of the required maintenance for all surface water drainage infrastructure must be provided, including the maintenance activity, frequency and responsible body. Until this information has been provided, we are unable to support this application.”

26 September 2023

“We have reviewed the updated information and based on these, as Lead Local Flood Authority (LLFA) we can remove our objection to the reserved matters application.

The submitted documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving on private access and parking areas. Filter drains and attenuation basins are proposed within the scheme before discharge into the ditch on the southern boundary at a maximum rate of 6.4 l/s in all storms up to and including the 1% AEP storm including a 40% allowance for climate change.”

21 May 2024

“Having reviewed the revised documentation we can confirm that the LLFA has no further comments beyond those set down in our response of 26th September 2023 (ref 201109730). Our position therefore remains supportive of the reserved matters application.”

8 July 2024

“Having reviewed the revised documentation we can confirm that the LLFA has no further comments beyond those set down in our response of 21 May 2024 (ref: 201110702). The proposals will not have a material impact on the proposed scheme and the discharge rate is still in line with the agreed strategy, and our position therefore remains supportive of the development.”

Anglian Water Services Ltd - 1 December 2022

“Foul Water

We have reviewed the applicant's submitted foul drainage strategy, S104 Layout 2833-03 Rev A Jan 22, and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage. We request that we are consulted on any forthcoming application to discharge Condition 21 of the outline planning application 18/01435/OUM, to which this Reserved Matters application relates, that require the submission and approval of detailed foul drainage information.

Surface Water

We have reviewed the applicant's submitted surface water drainage information, S104 Layout 2833-03 Rev A Jan 22, and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented. A connection to the public surface water sewer may only be permitted once the requirements of the surface water hierarchy as detailed in Building Regulations Part H have been satisfied. This will include evidence of the percolation test logs and investigations in to discharging the flows to a watercourse proven to be unfeasible.

Please do not hesitate to contact the Planning & Capacity Team on the number below or via email should you have any questions related to our planning application response.”

29 May 2024
“Foul Water

We have reviewed the applicant's submitted Drainage Plan Sheet 1 to 5 and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage. We request that we are consulted on any forthcoming application to discharge Condition 21 related to the foul drainage strategy of the outline planning application 18/01435/OUM, to which this Reserved Matters application relates.

Surface Water

We have reviewed the applicant's submitted Drainage Plan 1 to 5 surface water drainage information and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. Please be advised that Anglian Water has no designated surface water sewers within the area of the proposed development. It is also quoted in the SuDS Maintenance Plan Suds will be maintained by a management company who will be funded via a service charge served to property owners at the development. As such, the surface water drainage strategy is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.”

The Ely Group Of Internal Drainage Board - 31 January 2022
“Not within our jurisdiction.”

Cambridgeshire Fire and Rescue Service - 1 February 2022
“With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.”

17 November 2022
Repeats previous comments.

Housing Section - 7 February 2022
“The Strategic Housing Team supports the above application as it will deliver 30% affordable housing on site (12 dwellings) and will meet the required tenure of 77% rented and 23% Intermediate Housing in accordance with the approved s106 agreement.

This affordable housing mix proposed will meet the housing needs of those households in Dullingham as well as helping to meet the Councils overall affordable housing need for the district.”

27 October 2022

“the Strategic Housing Team continues to support this mix and this application as it continues to deliver 30% affordable housing at the required tenure split.”

29 November 2022

“the amendments do not make any changes to the affordable housing and therefore the Strategic Housing Team have no additional comments to make at this time.”

05 November 2024

	Dullingham					
	Pref		55+		LC	
1 Bed	148	67%	60	88%	7	47%
2 Bed	33	15%	5	7%	4	27%
3 Bed	26	12%	3	4%	3	20%
4 Bed	12	5%	0	0%	1	7%
5+ Bed	2	1%	0	0%	0	0%
Total	221		68		15	

“Above is the housing register data as it stands today for those registered for affordable rent. Please note that the 55+ & Local Connection (LC) are subsets of the Preference for (Pref) not in addition to, e.g. of the 148 requiring a 1 bed unit, 60 are aged 55 or older. 7 of the 148 have a local connection but are from all age ranges.

Additional analysis would be required to establish if there are additional requirements such as level access, adaptations, etc. The data would suggest that there is less need for any 4 bed units. It also suggests that there is high demand in each category for 1 bed units although this development doesn't seem to be offering any.

I note the affordable housing statement suggests 8x2B, 3x3B & 1x4B. As there are no one bed dwellings within the site, this mix is in line with the needs of the area. These are all 2 storey houses where it would have been good to have seen the inclusion of 1 or 2 of the bungalows within the affordable allocation.

The above information is in addition to the other comments from Housing Strategy.”

Design Out Crime Officers - 7 February 2022

“There is no mention of crime prevention or security in the Design and Access statement. With that mind, I have the following comments.

External Lighting - Our recommendation is that all adopted and un-adopted roads, private roads, shared drives, footpaths and parking areas, should be lit with columns to BS5489:1 2020. Care should be taken in relation to the location of lighting columns with the entry method for the majority of dwelling burglary being via rear gardens, if columns are located close to the fencing/walls it can act as a climbing aid making them vulnerable. Home security lights to the front and rear of the properties should be dusk to dawn LED bulkhead lights. Bollards should only be used as wayfinding only and not as a main source of lighting. It would be good to see the lighting plan and calculations and lux levels when available.

Landscaping - Consideration should be given to ensuring any tree crowns are maintained to above 2m and hedging to be kept to a minimum of 1 - 1.2m in height

to allow for ongoing natural surveillance. It is also important to consider the location of trees, especially next to fencing/walls as these can also be used as a climbing aid to gain entry to rear gardens. As above.

Boundary Treatment - Some gardens appear to have 1.2m fencing to the rear of the property, our recommendation is that all rear boundary treatments are 1.8m close board fencing as a majority of burglaries occur via the rear garden - mentioned above."

21 October 2022

"Generally, I am happy with the amended plans. However, I have the following comments.

Boundary treatment - Please could you confirm what boundary treatments will be used, especially between the development and the field.

Lighting - As per my previous comments dated 7th February 2022. It would be good to see a lighting plan with calculations and lux levels when available."

- 21 November 2022

"It would be good to see a lighting plan with calculations and lux levels when available. External lighting: Our recommendation is that all un-adopted roads, private roads, shared drives, footpaths, and parking areas/courts should be lit with columns to BS5489:1 2020."

East Cambridgeshire Access Group- 9 February 2023

1) Shared surfaces for pedestrians and cars not be used as they cause problems for the visually impaired, guide dogs, those with learning difficulties, children, people in wheelchairs and pedestrians in general as there is no demarcation between road and footpath.

2) House type A the toilet door opens inwards, please make it opening outwards.

3) I agree with the designing out crime report, I can't find any mention of street lighting in this development. There needs to be an adequate level of street lighting in this development for all road users, particularly partially sighted pedestrians who would struggle to walk around this development without street lighting, especially in the shared space areas where there is no designated area for pedestrians and we have previously mentioned is inaccessible for a variety of road users for a variety of reasons.

4) Considering parts of this development have shared space, which we have already outlined is inaccessible for a variety of people, you will need clear designated refuse collection points to allow blind and partially sighted people and disabled pedestrians to be able to walk through these areas safely without walking into bins or having to walk into the path of cars. This also applies to the areas of this development that have pavement, in these areas there needs to be a designated refuse collection point that is not on the pavement for the above reasons"

Waste Strategy (ECDC) - 11 April 2022

o East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any

sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).

o I would ask the developer to sign an indemnity form for any unadopted roads in this development or build them to adopted standards.

o Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.

o Each new property requires a set of receptacles; the contribution is currently £52 per set. We would recommend the developer made the contribution on behalf of the residents.”

4 April 2023

“East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).

o A swept path analysis was added for vehicles routing and reversing, without details of the vehicle' dimensions. Please, notice that it is requested to be suitable to waste and recycling collection vehicle used by EDCD, whose specifications are outlined in the RECAP Waste Management and Design Guide. The reversing point for plot 25g and 24b would not be acceptable within a private drive, a suitable bin collection point should be identified for those properties. The bin collection point for plot 1 -4a (households) is unsuitable as it would mean pulling too many bins around car parking bays on collection day from our crews.”

24 September 2024

- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).

- Some bin collection points have been located on a private drive, which the swept path analysis shows accessible from our refuse collection vehicles. The road should be built to withstand the weight of our collection vehicles for standard weekly operations. An indemnity agreement to mitigate against possible compensation claims will need to be signed with the Developer. Until this is signed, waste and recycling collections will be made from the point of where the road meets the adopted highways.

Natural England - 9 February 2022

“We note that outline permission for this development was granted prior to the introduction of Natural England’s Cambridgeshire SSSI Recreational Pressure Impact Risk Zone (IRZ), which new development in this location would now trigger. In light of this Natural England would support the inclusion of any measures within the detailed scheme, such as on-site accessible green infrastructure provision, that are likely to minimise the effects of additional recreational pressure on nearby sensitive SSSIs.”

31 October 2022

“The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.”

1 December 2022

“The advice provided in our previous response applies equally to this amendment.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.”

Cambs Wildlife Trust - 18 July 2022

“Having looked through the submitted information there would appear to be a range of survey information missing.

Condition 4 requires the submission of a range of additional information as set out in the Biodiversity Report dated 8 Feb 2019, including survey information for great crested newts, bat survey to determine presence of bat roosts, reptile survey and hazel dormice survey (although as this latter species is not known from the area or this part of Cambridgeshire, it can be dispensed with). These surveys are required to inform detailed species mitigation measures and also potentially to inform applications to Natural England for development mitigation licences in respect of one or more species.

A great crested newt survey of the two ponds previously identified within 250 metres of the development site is required to inform the detailed mitigation strategy. However, if this has not been done, it is now too late to do these this year. An alternative for the applicant may be able to apply to the Natural England Great Crested Newt District Level Licencing Scheme and discharge their obligations in that way.

A survey for potential bat roosts will be required of any trees to be felled and also to inform the lighting strategy during construction and once the development is built out.

Reptile surveys would also inform the detailed approach to mitigation for these species.

As all of the above species groups are legally protected species, the application should not be determined without the relevant survey information and if necessary mitigation plans.

The landscape drawing plans show the proposed location of the various wildlife features recommended in the approved 2019 Biodiversity Report. These are acceptable. However, the submitted Landscape Strategy Rev B 2019 dates from the original application. While this sets out the principles behind management and some of the detail, it does not provide sufficiently detailed information to fully discharge condition 4.

Details of species mixes for the grassland should be provided at this stage and should be based on an analysis of the soil within the proposed open space areas. The details of the local orchard varieties to be planted should also be specified. It would also be helpful to include a detailed timetable of management operations and arrangements for monitoring of the biodiversity outcomes, including specifying who will be responsible for undertaking each management action. Further, the S106 agreement for the development requires the approach to management of the open spaces to be detailed, and this does not as yet appear to have been done.

Once all the required information has been provided in accordance with the approved planning conditions and S106 agreement, then we can comment further. In the meantime, the application should not be determined.”

21 October 2022

“The Biodiversity Mitigation and Enhancement Plan has been prepared to a high standard and if implemented will ensure that this development undertakes the necessary mitigation measures and delivers ecological enhancements that would represent a net gain in biodiversity in accordance with local and national planning policy.

The only other comment I would make relates to the plans for the implementation of the meadow and orchard open space area. I believe these may be covered by a separate planning condition, however these should also be submitted for review and should incorporate details of species mixes to be used, management during the establishment phase, ongoing management and monitoring, including provision for remedial measures if necessary, and details of how the ongoing management will be funded.”

East Cambs Ecologist - 30 January 2024

“Condition 4 can be discharged. It has been completed to an exceptional standard”

15 April 2024

“I have no concerns.”

17 May 2024

“I approve of biodiversity enhancements.”

ECDC Trees Team - 26 October 2022

“The use of *Tilia Cordata* (small leaved Lime) and *Betula pendula* (Silver Birch) where they will develop crowns that overhang or are close to parking spaces should be reconsidered as they are very well known for Aphid infestations which causes Honey Dew that is highly un-desirable in proximity to parked cars. The use of *Juglans regia* (Walnut) should also be reconsidered if their location will result in the branches

overhanging parking areas as large nuts falling on cars will be unsuitable for the trees long term retention (they develop crowns that are wider than they are tall).

The use of *Malus x floribunda*, *Prunus avium* and *Crataegus monogyna* should be reconsidered if their locations will overhang parking areas and footpaths as is unsuitable for their long-term retention. These trees produce soft fruit (Crab apples, Cherries and berries) that can pose a slip hazard as well as making a mess and attracting unwanted insects such as Wasps, Ants etc. The plan includes the acronym SOR LUT which is not included in the key but I would guess this to mean *Sorbus aria* *Lutescens* which is another soft fruit bearing tree with the same issue as the *Malus* previously mentioned, *PYR COM* is also indicated but not identified if this is *Pyrus communis* then careful consideration should be made as to suitable locations bearing in mind the amount of yearly fruit fall.

The use of ornamental tree species in proximity to the residential and parking areas may be more suitable than relying to heavily or native species and reduce the likelihood of future conflict between the trees and residents enabling long term tree retention and the associated benefits of this.

Soft landscaping plan 004 appears to show footpaths through the semi-improved neutral grassland that are obstructed by log piles, it is also not clear if these footpaths will be surfaced in any way or will just be closely mowed areas that will make their usage seasonal and unsuitable for people with mobility difficulties.

The native hedge and shrub mixes are good and will be suitable for the site.

The existing trees on site should have their locations and root protection areas marked on the soft landscaping plans and it is not clear if the existing trees indicated have their root protection areas marked or just an indicative crown size.”

23 December 2022

“Plots 32 – 34 have trees of significant scale planted on their southern boundary that are likely to reduce light into the gardens and cause significant shading. If the *Acer campestre* at the rear of plot 33 were omitted and the two *Carpinus betulus* 'Frans Fontaine' were reduced to one in a central area where the two planting plots are combined this would reduce the significance of the shading and provide these trees with greater soil volume to allow them more room to thrive. With this alteration there would be no further significant tree related concerns with this application.”

4 April 2023

“The amended soft landscaping scheme is acceptable please condition its compliance”

13 March 2024

“The use of *Crataegus monogyna*, *Sorbus aria* and *Prunus avium* should be reconsidered as their locations overhanging or adjacent to parking areas and footpaths is unsuitable for their long-term retention. These trees produce soft fruit (Crab apples, Cherries and berries) that can pose a slip hazard as well as making a mess and attracting unwanted insects such as Wasps, Ants etc.

The use of Silver Birches (*Betula pendula* or *Betula pubescens*) for planting at the front of the site should be reconsidered as they are well known for Aphid infestation which causes Honey Dew which is not desirable in proximity to parked cars.

Due to the issue above the landscaping scheme is not acceptable at this time.”

17 April 2024

“While there are still a few tree species located in less than ideal situations the soft landscaping scheme is predominantly acceptable therefore please condition its compliance.”

County Highways Transport Team - No Comments Received

Conservation Officer - No Comments Received

Parks And Open Space - No Comments Received

Economic Development - No Comments Received

Ramblers Association South - No Comments Received

Cambridgeshire County Council Education - No Comments Received

Minerals And Waste Development Control Team - No Comments Received

Newmarket Horsemen's Group - No Comments Received

Ambulance Service - No Comments Received

5.2 A site notice was displayed near the site on 3 February 2022 and a press advert was published in the Cambridge Evening News on 3 February 2022.

5.3 Neighbours – 145 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses is available on the Council's website.

28 Station Road, Dullingham – Raises traffic and highway safety concerns.

57 Station Road, Dullingham – Objects on the grounds of outside development envelope, inappropriate scale for this village, contrary to sustainability ambitions flood risk and poor highway planning.

68 Station Road, Dullingham – Raises concern over the size of the development, highway impacts and infrastructure/services at capacity.

6 Church Lane, Dullingham – Objects on the size of the development, highway impacts, lack of transport options and drainage.

8 Church Lane, Dullingham – Objects to development on grounds of highway safety, lack of services in village, flooding and harm to biodiversity.

26 Church Lane, Dullingham – Raises concerns over traffic generation and highway safety.

1 Kettlefields, Dullingham – Objects to the development on the grounds the developer continues to fail to provide information and ECDC just continues request extension of times. Considers East Cambridgeshire no longer requires more housing, will have detrimental highway impact and lack of infrastructure/services in locality.

7 Kettlefields, Dullingham - Raises concerns regarding traffic/transport and flooding.

12 Kettlefields, Dullingham – Raises concerns in regard to foul water capacity, traffic generation, highway safety, construction noise and that the development is outside village framework.

3 Taylors Field, Dullingham – Raises concern over the net density of the scheme, lack of biodiversity improvements and highway safety. Also seeks to ensure landscape is maintained in perpetuity.

4 Taylors Field, Dullingham – Raises concerns regarding transport impacts, flood risk, loss of privacy and light/noise pollution from proposal.

6 Taylors Field, Dullingham – Raises concern regarding highway safety/capacity, outside development framework, impact on biodiversity, school capacity and surface/foul water drainage.

7 Taylors Field, Dullingham – Raises concerns regarding drainage/flooding (including from proposed balancing ponds/SuDS). Objects on scale of development, highway impacts, lack of school spaces, impact on biodiversity and loss of privacy/security.

10 Taylors Field, Dullingham – Questions who will maintain the biodiversity/drainage areas (as well as how biodiversity is protected) and what will the boundary treatment be. Raises concern in regard to overlooking.

11 Taylors Field, Dullingham – Is concerned they will be overlooked given the gradient of the land. Also raises concerns in regards to drainage, maintenance of proposed SuDS, outside of village framework, biodiversity, sewage capacity, noise pollution, loss of privacy and highway safety.

5 Stetchworth Road, Dullingham – Objects on the grounds of flooding, loss of paddock land, highway safety and lack of services/infrastructure.

9 Stetchworth Road, Dullingham – Raises concern in regards to surface and foul water, as well as increase in traffic and impact on village (including historical) character. Further objects to the proposal on the grounds of impact on the chalk river and noise pollution.

23 Stetchworth Road (The Rectory), Dullingham – Diocese of Ely objects on behalf of this property on the grounds of lack of amenity/services in the village, flooding issues, traffic creation, harm to biodiversity, loss of agricultural land, harm to residential amenity and increase in crime.

The Reverend who refers to previous local government experience as a highway engineer raises concerns in regards to highway safety.

35 Stetchworth Road, Dullingham – States Dullingham should have already met its quota of housing. In addition objects due to concerns in relation to drainage, foul water capacity, impact on biodiversity, scale of back land development, harm to heritage and lack of amenities.

39 Stetchworth Road, Dullingham – Raises concerns in regards to the quality of the submission and that reports are now out of date. In addition raises concern to the length of time and amount of amendments that have been allowed.

12 Tea Kettle Lane, Stetchworth – Raises concerns in regards to well-being and transport.

19 Tea Kettle Lane, Stetchworth - Raises concerns in regards to impact on horse racing industry, inappropriate size, creation of roads, traffic generation, school capacity, no additional housing needed and biodiversity.

4 Bakehouse Hill, Dullingham – States trees along northern edge of Stetchworth Road need to be preserved.

7 Bakehouse Hill, Dullingham – Occupants states that development is inappropriate in this location due to impacts to roads, highway safety and drainage. Supports the Parish Council's representation.

Is unclear on what the buildings behind pond 2 are, due to lack of detail.

12 Bakehouse Hill, Dullingham – Bought this house without knowledge of the planning history. Raises concern over the harm to village character, traffic generation, impact on local services/amenities, security, loss of view,

16 Bakehouse Hill, Dullingham – Raises questions/concerns in regards to the SuDS on site and concern there will be future development.

16 Brinkley Road, Dullingham – States that proposal is a great opportunity for first time property owner and to stay in the village and be in lovely location.

4 Elm Close, Dullingham – Objects to the proposal as it would spoil the nature of the village and concern over traffic/highway safety.

1 Cross Green, Dullingham – Objects to the proposal on the grounds of design, character of the village, lack of public space, harm to biodiversity and highway safety. Makes specific mention of the need to protect the chalk stream.

10 Cross Green, Dullingham – East Cambs should now refuse the application due to expiry of application and 5 year land supply secured. Proposal leaves potential for future development. Raises concern that drainage is ongoing problem in the village.

16 Algar Drive, Dullingham – Proposal is out of character of village and will cause detrimental highway impacts. In addition, no further housing now needed.

Also raises specific concern over impact on chalk stream.

6.0 THE PLANNING POLICY CONTEXT

6.1 *East Cambridgeshire Local Plan 2015 (as amended 2023)*

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 11	Conservation Areas
ENV 12	Listed Buildings
ENV 14	Sites of archaeological interest
COM 1	Location of retail and town centre uses
COM 4	New community facilities
COM 7	Transport impact
COM 8	Parking provision

6.2 *Supplementary Planning Documents*

Developer Contributions and Planning Obligations
Design Guide
Contaminated Land
Flood and Water
Natural Environment
Climate Change
RECAP Waste Management Design Guide
Hedgehog Design Guide

6.3 *National Planning Policy Framework (December 2023) (NPPF)*

2 Achieving sustainable development
4 Decision-making
5 Delivering a sufficient supply of homes
6 Building a strong, competitive economy
8 Promoting healthy and safe communities
9 Promoting sustainable transport
12 Achieving well-designed and beautiful places
14 Meeting the challenge of climate change, flooding and coastal change
15 Conserving and enhancing the natural environment
16 Conserving and enhancing the historic environment

6.4 *Planning Practice Guidance (March 2014 onwards)*

7.0 PLANNING COMMENTS

7.1 Principle of Development

- 7.2 The principle of development has been established in the approval of the outline consent (18/01435/OUM), as have matters of access onto Stetchworth Road. The outline consent established that the site could accommodate up to 41 dwellings without there being detrimental impacts arising from the development, for instance upon the highway network, flooding, horse racing industry or school provision. This was subject to the relevant conditions and S106 legal agreement being complied with.
- 7.3 The outline consent was determined at a point of time when the Council did not have a five-year land supply, and as such this site will now form part of the Council's supply of housing land in the coming years. The delivery of housing within the site, including open market, affordable and specialist accommodation (over 55's bungalows) brings with it a variety of social and economic benefits, not least contributing to the vitality of the rural community (Paragraph 83 of the NPPF).
- 7.4 At the outline consent stage, the matter of flooding was discussed extensively, and several conditions imposed upon the consent to address any resulting concerns. The principle of the development within an area of flooding has therefore been accepted, subject to the provision of a suitable surface water drainage strategy being provided before or with the first reserved matters submission (that being this application).
- 7.5 The indicative area of commercial floorspace has also been shown on the submitted site layout plan, as required under the outline consent. Whilst no specific details of the floorspace are under consideration under this application, the general location of the floorspace is considered appropriate when considering the stipulations of Policy COM 1 (location of retail and town centre uses) and Policy COM 4 (new community facilities), particularly that the site is well related and accessible to the village (its catchment).
- 7.6 The principle of development has already been established as acceptable under the outline consent, and the location of the proposed commercial floorspace acceptable in accordance with Policies COM 1 and COM 4 of the Local Plan and the NPPF.
- ### **7.7 Housing Mix & Affordable Housing**
- 7.8 Policy HOU 1 requires that housing developments of ten or more dwellings provide an appropriate mix of dwelling types and sizes that contribute to current and future housing needs as identified in the most recent available evidence. The latest Strategic Housing Market Assessment (SHMA) published in 2021 sets out a suggested mix of market housing in order to meet likely future housing needs in the Cambridgeshire and West Suffolk region.
- 7.9 The SHMA indicates that in respect for market homes, there will likely be a highest need for 3-bedroom dwellings (40-50%), followed by need for 2-bedroom and 4+-bedroom dwellings (both 20-30%).

7.10 The proposed mix of market housing (29no units) against the SHMA requirements is as follows:

No. of Bedrooms	Proposed Mix %	SHMA %	
1 - bedroom	Nil / 0%	0-10%	Complies
2 - bedrooms	(8no) 27.6%	20-30%	Complies
3 - bedrooms	(13no) 44.8%	40-50%	Complies
4+ - bedrooms	(8no) 27.6%	20-30%	Complies

7.11 Following revisions to the proposed house types, the proposed housing mix is now in line with the SHMA.

7.12 Regarding affordable housing, the development provides 12no dwellings (30%) as required by the S106 legal agreement, with as close to the 23% shared ownership and 77% affordable rented split as possible also as required by the legal agreement (3 shared ownership, and 9 affordable rented). In terms of bedrooms, the 12 units are split into 8no x 2-bedroom units, 3no x 3-bedroom units and 1no x 4-bed units. The Housing Officer has not raised any objections to the proposed split, and whilst noting that no one-bed units are included, concludes that it is otherwise reflective of local need.

7.13 It is also noted that a higher number of bungalows than normal is being provided on this site, including those specifically for over 55s. Whilst the inclusion of these bungalows has to a degree been dictated by the outline consent (see Paragraphs 2.3 and 2.5 of this report) and the site's heritage constraints, the large proportion of bungalows is still a benefit of the proposed development given that it can provide more appropriate housing for specialist needs, including the elderly and those with disabilities.

7.14 Whilst the lack of one-bed units does weigh slightly against the application, the provision of bungalows and restricted occupancy (over 55s) units is considered to outweigh this limited harm. The proposed development is therefore considered to be acceptable in accordance with Policies HOU 1, HOU 2 and HOU 3 of the Local Plan and the NPPF in providing an appropriate mix of housing and policy-compliant affordable housing. The proposed development is also considered to comply with the S106 requirements.

7.15 Residential Amenity

7.16 The proposed development is on rising ground away from Stetchworth Road, which means that many of the proposed dwellings will be on higher ground than those existing on Bakehouse Hill or Taylors Field adjoining the application site.

7.17 The proposed dwellings to the west of Bakehouse Hill are bungalows (Plots 1 – 4), which are located approximately 8.5m to 10m (c.28 to 33ft) away from the boundary with the dwellings on Bakehouse Hill, also predominantly bungalows. The existing and proposed dwellings will be on approximately the same gradient, and it is not considered necessary to remove permitted development rights for dormer windows or loft conversions/roof lights, from these proposed bungalows, not least as the house type itself provides limited opportunities for this. Even if dormer windows were

introduced within the roof slopes of the proposed bungalows, there would be over 20m (approx. 66ft) back-to-back distance between the dwellings. The relationship between the existing and proposed dwellings to the west of Bakehouse Hill is therefore considered to be acceptable and would not result in significantly detrimental residential amenity impacts for either existing or prospective residential occupiers.

- 7.18 The proposed two storey dwellings to the north of Bakehouse Hill and Taylors Field are located at least 25m (82 ft) away from the boundary line and at least 40m (131ft) window to window with the bungalows and two storey dwellings within these adjoining cul-de-sacs. On this basis, while there is the potential for some overlooking, it is very unlikely that it would be detrimental to existing residents. While tree planting will help improve the situation further, this is not relied upon to prevent loss of privacy as trees might be removed (e.g. disease) and the landscaping design is based upon the ideas of biodiversity and quality of public realm and not protecting amenity to existing residents. The distance between the existing and the proposed would also prevent there from being detrimental overbearing and with the development site to the north there would be at worst a minimal loss of light during the summer months. Finally, it should be noted that the loss of a view is not a material consideration and should have no weight in the determination of the application.
- 7.19 Regarding the amenity of the residents of the proposed dwellings, it is noted that the proposed dwellings all have at least minimum sized gardens (at least or exceeding 50sqm/538sqft) with many of the properties having substantially larger garden sizes and that the dwellings are sufficiently spaced to prevent from having a poor level of residential amenity. 1.3 hectares/3.3 acres of open space is provided throughout the development proposals as well as adjoining the main area of development, to the north-west of Kettlefields. This open space significantly exceeds policy requirements.
- 7.20 The proposed commercial floorspace is located in close proximity to proposed and existing dwellings. However, details of the floorspace are not for consideration under this application, and the nature of uses themselves are generally commensurate with those expected within established residential areas. On this basis, there is no concern regarding the location of the proposed commercial floorspace.
- 7.21 It should be noted that the Environmental Health Team are not raising any concerns regarding this application.
- 7.22 The proposal is considered to comply with the residential amenity elements of Policy ENV2 and GROWTH 3 of the Local Plan, and the Design Guide and Developer Contributions SPDs.
- 7.23 Visual Amenity**
- 7.24 It should be noted that the outline decision took note that this part of Dullingham is defined by cul-de-sacs (Bakehouse Hill, Taylors Field, Algar Drive and Kettlefields) that extend built form towards the development site.
- 7.25 The proposed dwellings are a mixture of single and two storey properties. It is considered that the overall design is of a contemporary nature with agricultural influences, with the use of high-quality materials such as clay pantiles, timber cladding and timber fenestration. It is also noted that there is a good variety of designs

across the scheme that have been carefully considered. In addition, where chimneys are proposed, these form real chimney stacks that positively add to the character of the design.

- 7.26 The landscape drawings have been carefully worked up following advice from the Tree Officer to help ensure it is a positive benefit to the area while being practical. The developer has taken on every opportunity to accommodate streets that are tree lined. The proposal is also providing a large area of meadow land on the eastern side of the site, which includes a new orchard (apple, pear and cherry trees).
- 7.27 Open space on the site equates to c.1.3 hectares/3.3 acres of publicly accessible open space, significantly in excess of the policy requirement of c.0.3-hectares/0.7 acres. In addition, the proposal is also including a play area as part of the publicly accessible open space.
- 7.28 A larger area of c.0.5-hectares/1.2 acres of non-accessible public open space is also provided, including planting and above-ground attenuation for surface water. This contributes overall to the public open space provision and setting of the development proposals.
- 7.29 It is considered that the proposal fully satisfies the requirements of ENV1 and ENV2 of the Local Plan, as well as Chapter 12 of the NPPF.

7.30 Historic Environment

- 7.31 Under the outline consent it was accepted that the development of the site would likely lead to harm to the setting of the Grade 1 Listed St Marys church spire, which was visible from the public right of way along the site's northern boundary. However, to avoid higher levels of harm to the setting of the church, it was concluded that any reserved matters scheme should be designed to facilitate the view of the church spire from the northernmost public right of way. A condition (no.19) was therefore imposed to that effect on the outline consent, as stated below:

19 Each reserved matters shall be supported by a Heritage Statement that provides a professional analysis of the proposal on the setting of the Grade I Listed Church (St Marys) from the Public Rights of Way that run through and to the north of the site.

19 Reason: To safeguard the special architectural or historic interest, character, appearance and integrity of the Listed building and its setting in accordance with policy ENV12 of the East Cambridgeshire Local Plan 2015.

- 7.32 The proposed development has therefore been carefully designed to protect views of the church from the public right of way by virtue of the location of the single and two storey dwellings in relation to the slope of the hill. Section views through the site show this clearly, as does the supporting heritage assessment with the application, demonstrating that views of the church spire would still be visible from the right of way. The design of the development therefore limits its harm to the Grade 1 heritage asset, when viewed from the right of way.

- 7.33 Whilst views of the church spire have therefore been retained from the right of way, based on the supporting information, it is considered that the proposed development would still lead to less than substantial harm to the setting of the church. This is because of the wholesale change in its setting when viewed from the northernmost right of way. This position was accepted at the outline stage when granting the consent.
- 7.34 However, when applying the public benefit test as set out at Paragraph 208 of the NPPF, it is considered that the public benefits of the scheme in delivering high-quality affordable, specialist and market dwellings more than sufficiently outweighs this harm.
- 7.35 Whilst adjacent to the Conservation Area, the proposed development is not considered to result in harm to its setting or significance. The development is set back from Stetchworth Road and is seen largely in the context of the existing cul-de-sacs of Bakehouse Hill and Taylors Field. Architecturally and by using high-quality materials, the proposed development is considered to result in a complementary form of development to the surrounding area.
- 7.36 Matters of archaeological heritage assets are secured under the outline consent.
- 7.37 No comments have been received from the Council's Conservation Officer.
- 7.38 It is considered that the proposal complies with the requirements of ENV 11, ENV12 and ENV 14 of the Local Plan and Chapter 16 of the NPPF.
- 7.39 Highways**
- 7.40 The access onto the public highway has been approved under the outline application, including widening of the footpath along Station Road. The maximum quantum of development that the site could likely accommodate has also been established under the outline consent.
- 7.41 Upon review of the application proposals and supporting documentation, the Local Highways Authority raise no objection to the proposals on matters of highway safety.
- 7.42 It is noted that the Local Highways Authority are requesting several conditions (relating to on-site turning and manoeuvring, access/hard surfacing drainage, footpath widening along Station Road, and road management and maintenance). However, given that the access was agreed at outline stage, except for matters relating to parking/turning, most of these conditions are not considered reasonable to add at this stage. It should also be noted that the outline already has these conditions or similar conditions already added, as well as a requirement for the preparation of a Travel Plan to encourage modal shift to more sustainable modes of transportation.
- 7.43 The proposal also provides at least 2 parking spaces per dwelling and each plot has secure cycle storage provision in accordance with the Council's adopted parking standards. 10 visitor parking spaces are provided in accordance with the standards set out within Policy COM 8 (ratio of 1 space for every four dwellings). These are generally well dispersed throughout the site.

7.44 The proposal is in accordance with policies COM7 and COM8 of the Local Plan and Chapter 9 of the NPPF.

7.45 Ecology

7.46 The application proposals are not subject to mandatory Biodiversity Net Gain as set out within The Environment Act 2021, as they are covered by the transitional arrangements. It therefore falls to local policies and guidance to assess the acceptability of the proposals.

7.47 The Application is supported by a Biodiversity Enhancement & Mitigation Plan (BEMP) and full landscaping plans (001 to 004), which are largely reflective of the details provided at outline planning stage and referenced within Condition 4 of the outline consent. The landscape strategy (Rev B) as submitted under the outline consent has also been carried over from the outline application by the Applicant.

7.48 The proposed enhancement and mitigation scheme for the site includes:

- The retention and protection of existing vegetation where feasible.
- Wildlife-friendly landscape infrastructure and planting, including creation of green corridors across and through the Site.
- Implementation of the measures set out in the Biodiversity Strategy as amended in Appendix I to the BEMP.
- The provision of bird nesting and bat roosting boxes on the site.
- The provision of enhancements for bat, birds, insects and Hedgehogs.

7.49 The land reserved for future expansion of Kettlefields Primary School forms part of the landscaping for the scheme, albeit with the understanding that the longevity of this landscaping is likely to be restricted should development for the school come forwards. On this basis, as set out in the BEMP, significant biodiversity gains for the northern field are not planned, but the existing species-poor sward will be retained, which itself has biodiversity value.

7.50 There is no objection from Natural England. It is also noted that Cambs Wildlife Trust has commented that the proposed biodiversity has been prepared to a high standard and will meet both local and national standards (for pre-Biodiversity Net Gain development). Finally, East Cambridgeshire Ecologist is in support of the proposed biodiversity measures.

7.51 The proposed development is therefore considered to fully satisfy the conditional requirement imposed by the outline consent, and comply with Policy ENV 7 of the Local Plan, Chapter 15 of the NPPF and Natural Environment SPD.

7.52 Flood Risk and Drainage

7.53 When granting outline consent, the Council accepted the principle of the proposed development partially within Flood Zone 3, although it should be noted that only the site's access is located within this zone of higher risk, with the dwellings and commercial development itself to be located in Flood Zone 1 (lowest flood risk). This matter is not therefore under consideration as part of this application. The outline consent also covered matters of emergency service access to the site in general and

in a flood event, with the provision of sprinklers and defibrillators already secured via planning conditions.

7.54 The only matter to be considered therefore as part of this application is the acceptability of the surface water drainage scheme underpinning the proposed development, details of which were to be provided with the first reserved matters submission (this application) as required by the outline consent.

7.55 It is acknowledged that flooding within the village has been reported, but it is for any proposed development to mitigate against its own impact and not to mitigate for existing drainage problems.

7.56 As clarified within the Lead Local Flood Authority's response, the application proposals *"demonstrate that surface water from the proposed development can be managed through the use of permeable paving of the private access and parking areas, with attenuation provided in two basins within the site. Water will then discharge at a maximum rate of 6.4 l/s in all storm events up to and including the 1% AEP including climate change into the ditch to the south of the site. It has also been demonstrated that the system can be maintained for the lifetime of the development."*

7.57 The Lead Local Flood Authority have confirmed that they are content with the surface water drainage strategy received and raise no objection subject to compliance with the strategy proposed. Condition 7 of the outline consent secures compliance with and the implementation of the approved surface water drainage scheme agreed under this application. Anglian Water are also content with the application as long as they are duly consulted when the developer seeks to discharge the foul water condition on the outline consent. The Environment Agency do not wish to provide any comments.

7.58 On this basis, the proposed development is considered to be acceptable in accordance with Policies ENV 8 and ENV 9 of the Local Plan, Chapter 14 of the NPPF and the Flood and Water SPD.

7.59 Other Material Matters

7.60 *Energy, Sustainability and Climate Change* – the proposal is seeking to provide above building regulations levels of insulation including double and triple glazing, water saving measures, energy efficiency light bulbs, as well as Air Source Heat Pumps. These measures are considered to meet the requirements of Condition 23 of the outline consent and Policy ENV4 of the Local Plan, as well as Chapter 14 of the NPPF and the Climate Change SPD.

7.61 *Waste* – the Council's Waste Team notes that some bin collection points have been located on a private drive, which the swept path analysis shows accessible from our refuse collection vehicles. The team note that the road should be built to withstand the weight of the Council's collection vehicles for standard weekly operations, and that an indemnity agreement to mitigate against possible compensation claims will need to be signed with the Developer. Until this agreement is signed, waste and recycling collections will be made from the point of where the road meets the adopted highways. This position is not considered to raise any material concerns. The outline

consent also covered details of road management and maintenance, as well as the requirement for their construction to adoptable standards. A condition is also imposed upon this consent to require further details of refuse collection and evidence of indemnity. It is therefore considered that municipal waste can be managed appropriately on the site, with appropriate access secured for a waste operator.

7.62 Planning Balance

- 7.63 The principle of the proposed development has been accepted under the outline consent, as well as details of vehicular access and associated footpaths. Development contributions were also secured under the outline consent as part of the S106 legal agreement to mitigate the development's impacts as set out at Paragraph 2.4 of this report. The principle of the development is therefore already found to be acceptable in accordance with GROWTH 2 and GROWTH 3 of the Local Plan.
- 7.64 The only matters for consideration therefore relate to the appearance, layout, landscaping and scale of the development proposals, including those matters required by condition under the outline consent and any S106 stipulations (Paragraph 2.3 and 2.5 of this report).
- 7.65 The development proposals have satisfied all these conditional requirements, demonstrating that the development can adequately mitigate for its own impacts, including but not limited to matters of flooding and drainage; car parking and cycle parking; open space and play space provision; and ecological mitigation and biodiversity net gain. The development therefore satisfies Policies ENV 8 and ENV 9; Policies COM 7 and COM 8; Policies ENV 2 and GROWTH 3; and Policy ENV 7 of the Local Plan respectively, as well as the Flood and Water, Developer Contributions, Natural Environment and Hedgehog SPDs, and Chapters 8, 9, 14 and 15 of the NPPF.
- 7.66 The development secures the delivery of 41 dwellings, including 12 affordable units, and 6 over-55's bungalows. This will contribute to the district's overall market, affordable and specialist housing delivery, aligning with local needs and supporting the local economy and vitality of the rural community through their construction. The proposals therefore align with Policies HOU 1 and HOU 3 of the Local Plan and Chapter 5 of the NPPF.
- 7.67 The proposed development is of a high quality, providing a variety of house types within a landscaped setting and extensive open space. A comprehensive ecological mitigation and enhancement strategy underpins the development proposals, ensuring a net gain in biodiversity. The proposals therefore align with Policies ENV 1, ENV 2, HOU 2, GROWTH 3 and ENV 7 of the Local Plan, as well as the Design Guide, Natural Environment, Developer Contributions and Hedgehog SPDs and Chapters 5, 8, 12 and 15 of the NPPF.
- 7.68 The development has been designed to protect public rights of way running through and adjoining the site, as well as protecting views of St Marys Church spire from these rights of way. Whilst the proposed development would result in less than substantial harm to the setting and significance of the Grade 1 Listed church, this level is no greater than the level of harm anticipated when granting the outline consent. This

identified harm would also be outweighed by the many public benefits of the scheme as outlined above, satisfying the test set out within the NPPF. All of the dwellings are also designed to high levels of insulation and sustainability, exceeding building control requirements. The proposals therefore align with Policies COM 7, ENV 12 and ENV 4 of the Local Plan respectively, the Climate Change SPD, and Chapters 9, 14 and 16 of the NPPF.

7.69 It is considered therefore that the proposals accord with the Development Plan when taken as a whole, and cumulatively the benefits of the scheme weigh in favour of approval. There are no material issues that would direct that the development should be refused.

7.70 It is on this basis that Members are recommended to approve the development proposals.

8.0 COSTS

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

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

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

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

- Principle and quantum of development approved by the Council via the outline application.
- Access onto the public highway agreed at outline stage.
- Comments of statutory consultees raising no objections.

9.0 APPENDICES

9.1 Appendix 1 – Proposed conditions for this Reserved Matters approval

9.2 Appendix 2 – Outline Decision Notice

9.3 Appendix 3 – Outline Committee Minutes

Background Documents

22/00039/RMM

18/01435/OUM

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.eastcamb.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX 1 - 22/00039/RMM Conditions

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

Plan Reference	Version No	Date Received
1888/001	Rev O	5th November 2024
1888/002	Rev N	5th November 2024
1888/003	Rev L	5th November 2024
1888/006	Rev E	5th November 2024
1888/007	Rev B	5th November 2024
1888/008	Rev D	5th November 2024
1888/025	Rev D	5th November 2024
Biodiversity Enhancement and Mitigation Plan		25th July 2024
003	I	25th July 2024
2833-07	E	25th July 2024
2833-13	C	25th July 2024
011	2	25th July 2024
010	2	25th July 2024
1888/027	C	25th July 2024
1888/028	A	25th July 2024
1888/029		25th July 2024
SWS CALC	C	24th June 2024
2833-09	E	20th June 2024
2833-02	C	20th June 2024
2833-03	E	20th June 2024
2833-08	E	20th June 2024
2833-10	C	20th June 2024
Sustainability Statement	A	30th April 2024
Affordable Housing Statement	A	30th April 2024
1888.020	C	30th April 2024
1888.021	C	30th April 2024
1888.022	C	30th April 2024
1888.023	C	30th April 2024
1888.024	C	30th April 2024
1888.026	C	30th April 2024
2833-05	D	30th April 2024
2833-06	D	30th April 2024
2833-12	A	30th April 2024
2833-99	C	30th April 2024
001	F	30th April 2024
002	G	30th April 2024
004	E	30th April 2024
SuDS Maintenance Plan		10th May 2023
1888/005	A	26th January 2022
AY/2833 Drainage Letter (05 th January 2023)		05th January 2023
AY/2833 MTC Cover Letter (20 th June 2024)		24th June 2024
Landscape Strategy	B	22nd November 2024

- 1 Reason: To define the scope and extent of this permission.

- 2 The materials to be used in the construction of the external surfaces of the development shall be either:
 - a. As detailed on approved house type drawings (1888/027 Rev C, 1888/020 Rev C, 1888/021 Rev C, 1888/022 Rev C, 1888/023 Rev C, 1888/024 Rev C, 1888/026 Rev C, 1888/025 Rev D;) or,
 - b. Submitted to and approved in writing by the Local Planning Authority prior to their use in the construction of the hereby approved development.

All works shall be carried out in accordance with the approved details.

- 2 Reason: To safeguard the character and appearance of the area, in accordance with Policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 3 Notwithstanding the approved plans and the materials approved under Condition 2, no above ground construction shall take place on site until details of the external bricks, windows and doors to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with Policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 4 All soft and hard landscaping works (including biodiversity enhancement and mitigation measures) shall be carried out in accordance with the approved details (drawing numbers 001 Rev F, 002 Rev G, 003 Rev I and 004 Rev E), the Biodiversity Enhancement and Mitigation Plan (dated July 2024) and the Landscape Strategy Rev B. The works shall be carried out prior to the first occupation of any part of the development or in accordance with a programme to be submitted to and agreed in writing with the Local Planning Authority prior to first occupation of the hereby approved 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.
- 4 Reason: To assimilate the development into its surroundings, in accordance with Policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 5 Prior to first occupation of any hereby approved dwelling a scheme detailing the Play Area including timetable for completion shall be submitted to and approved in writing by the Local Planning Authority. Development shall commence in accordance with the approved details and timetable.
- 5 Reason: To ensure appropriate levels of play equipment as required by Policy GROWTH 3 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and the Developer Contributions SPD.

- 6 The proposed cycle stores, as indicated on the approved drawing Refs. 1888.001 Rev O and 1888.026 Rev C, shall be provided prior to the first occupation of the dwelling that it relates to.
- 6 Reason: In the interests of highway safety, in accordance with Policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 7 Prior to the first occupation of the dwelling that it relates to, the proposed on-site parking and turning areas for that dwelling shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan Ref. 1888.001 Rev O and thereafter retained for that specific use.
- 7 Reason: In the interests of highway safety, in accordance with Policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 8 With the exception to demolition, no works shall proceed above slab level until a refuse collection scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include;
 - i) Confirmation that the main road within the site (as detailed on plan reference 1888/001 Rev O) can accommodate gross vehicles weights of up to 26 tonnes; and
 - ii) Confirmation of agreement that where refuse vehicles have to access an unadopted road for waste collection, that East Cambridgeshire District Council will bear no responsibility for any damage to that road surface.
- 8 Reason: To ensure that suitable means of waste collection is achieved, in accordance with Policy ENV 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Policy 14 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

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White Crown Stables Limited
C/O Lynwood Associates Ltd
Fao: Mr D Brocklesby
Lynwood House
Murray Park
Newmarket
CB8 9BU

This matter is being dealt with by:

Andrew Phillips

Telephone: 01353 616359
E-mail: andrew.phillips@eastcambs.gov.uk
My Ref: 18/01435/OUM
Your ref

5th February 2020

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

OUTLINE PLANNING PERMISSION

Subject to conditions

The Council hereby **approves** the following:

Proposal: Proposal for up to 41 new homes to include 12 new affordable dwellings, 250sqm commercial units (Class B1a office, Class D1 community uses), accessible bungalows, over 55's bungalows and public open spaces with public footpaths/cycle ways
Location: Site East Of Clare House Stables Stetchworth Road Dullingham Suffolk
Applicant: White Crown Stables Limited

This consent for outline planning permission is granted in accordance with the application reference **18/01435/OUM** registered 12th October 2018.

Subject to the additional conditions set out below:

ADDITIONAL CONDITIONS

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

Plan Reference	Version No	Date Received
1888/004	B	23rd January 2019
1888/005	A	29th January 2019

1 Reason: To define the scope and extent of this permission.

- 2 Approval of the details of the Appearance, Landscaping, Layout and Scale (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 2 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 first reserved matters application shall include the mitigation and enhancement measures contained within Biodiversity Strategy Report (8 February 2019) within the layout and landscaping of the site. The developer will also need to demonstrate how the landscaping measures in drawing numbers 001 - 004 (dated February 2019) have been duly considered in the proposed layout/landscape. Development shall be carried out in accordance with the approved details.
- 4 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 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 protection of biodiversity (in line with Biodiversity Strategy Report 8 February 2019) 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 to protect biodiversity and to ensure safe vehicular movements, in accordance with policies ENV1, ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 6 The tree protection measures as shown in appendix 5 and 6 of the Arboricultural Impact Assessment (9 October 2018) shall be implemented prior to the commencement of development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.
- 6 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.
- 7 Prior to or with the first reserved matters a surface water drainage scheme for the site, based on sustainable drainage principles, shall be 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 be based upon the principles within the agreed Surface Water Drainage Strategy prepared by 7 Engineering Consultancy Ltd (Rev 01 February 2019) dated November 2018 and shall also include:

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

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

- 7 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.
- 8 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.
- 8 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.
- 9 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.
- 9 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015.
- 10 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 10 Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 11 The vehicular access and footpaths (as shown on drawing number 1888/04 Rev B) shall be constructed prior to first occupation.

- 11 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 12 Prior to the first occupation of the development a Travel Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be implemented in accordance with the programme set out within the approved Travel Plan or any revisions to the Travel Plan that are first agreed in writing by the Local Planning Authority.
- 12 Reason: In the interests of sustainable movement in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015
- 13 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 13 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 14 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.
- 14 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 95 of the NPPF.
- 15 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.
- 15 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.

- 16 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.
- 16 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.
- 17 The amount of B1(a) and/or D1 Use space shall not exceed 250 square metres. The first reserved matters application shall at least identify the land that these buildings and associated parking shall be sited upon either in a master plan or as part of the reserved matters details sought for approval.
- 17 Reason: The application has been assessed and determined on this basis; as well as to ensure the proposal complies with policies ENV2, EMP3 and COM4 of the East Cambridgeshire Local Plan 2015.
- 18 The B1(a) and D1 uses hereby permitted shall take place only between the hours of 08:00 - 23:00 Friday to Saturday and 08:00 - 22:00 on Sundays - Thursdays, Bank Holidays and Public Holidays.
- 18 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 19 Each reserved matters shall be supported by a Heritage Statement that provides a professional analysis of the proposal on the setting of the Grade I Listed Church (St Marys) from the Public Rights of Way that run through and to the north of the site.
- 19 Reason: To safeguard the special architectural or historic interest, character, appearance and integrity of the Listed building and its setting in accordance with policy ENV12 of the East Cambridgeshire Local Plan 2015.
- 20 Prior to first occupation of any given phase (defined by reserved matters submissions) a scheme of providing broadband shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be fully implemented prior to first occupation in accordance with an agreed in writing phasing programme with the Local Planning Authority.
- 20 Reason: In order to provide superfast broadband to the future occupants (including working from home) in accordance with paragraph 112 of the National Planning Policy Framework and Growth 3 of the East Cambridgeshire Local Plan 2015.
- 21 No development shall take place until a scheme to dispose of foul water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation.

- 21 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.
- 22 No development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction (including timeframe of implementation) is submitted to and agreed in writing by the local planning authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan.
- 22 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.
- 23 Prior to or as part of the first reserved matters application, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 23 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015.
- 24 As part of the first reserved matters application the provision and details of the over 55's bungalows (4 - 6 dwellings) shall be provided. The development shall be completed in accordance with the approved details.
- 24 Reason: The application has been submitted and determined on this basis, as well as to ensure the proposal complies with HOU 1 of the East Cambridgeshire Local Plan 2015.
- 25 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 07:30 - 18:00 each day Monday-Friday, 07:30 - 13:00 Saturdays and none on Sundays, Public Holidays or Bank Holidays.
- 25 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 26 No above ground construction works shall commence until a scheme for domestic automatic sprinkler system (installed in accordance with BS 9251: 2014 or equivalent acceptable standard) is submitted to and agreed in writing with the Local Planning Authority. No dwelling shall be occupied until the agreed sprinkler system has been installed and made operational. The sprinkler system shall remain and be maintained in perpetuity.
- 26 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 95 of the NPPF.
- 27 Prior to first occupation a scheme to provide defibrillators for public use and details of future maintenance/management of the defibrillators shall be submitted to and agreed in writing with the Local Planning Authority. Prior to first occupation the defibrillators shall be in situ in accordance with the agreed details and the maintenance/management details approved shall thereafter be complied with in perpetuity.

- 27 Reason: To ensure proper infrastructure for the site in the interests of public safety for emergency use. This is supported by paragraph 95 of the NPPF.

INFORMATIVES RELATING TO THIS APPLICATION

- 1 The calculations demonstrating the attenuation volumes required for the site have only been calculated with 20% climate change for the 1% Annual Exceedance Probability (AEP) event. This would likely mean that the 1% AEP 40% climate change event would cause exceedance of the system and therefore flooding would occur over the site during this event. Exceedance modelling for this event would be required at the detailed design stage to demonstrate that there will not be any adverse impacts from this flooding. It should also be noted that the whole systems performance should be modelled with the 40% climate change value to demonstrate how the drainage system copes with this intensity storm.

Contrary to the Surface Water Drainage Strategy, highways do not adopt permeable paving on any road surface whether it is main access or minor residential roadways. It should also be noted that if the swales are to be proposed for adoption by the highway authority the swales should only take the highway water drainage from the road and not contain any other surface water runoff from the site. If they contain any water which is not highways runoff they will not adopt the swales but may still offer adoption of the road.

Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance:

<https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and-waste/watercourse-management/>

Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

Appropriate signage should be used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design.

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

- 2 Any reserved matters will need to be taken to Planning Committee for a decision.
- 3 East Cambridgeshire District Council is a Community Infrastructure Levy (CIL) Charging Authority. All applicants for full planning permission, including householder applications and reserved matters following an outline planning permission, and applicants for lawful development certificates are

required to complete the CIL Additional information Requirement Form -
https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/2

Exemptions from the Levy are available but must be applied for and agreed before development commences, otherwise the full amount will be payable.

For more information on CIL please visit our website
<http://www.eastcambs.gov.uk/planning/community-infrastructure-levy> or email
cil@eastcambs.gov.uk.

- 4 The public right of way crossing/adjoining the site shall be retained on its existing alignment and maintained free from obstruction until alternative way has been provided under the appropriate Statutory procedure.
- 5 This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an offence to carry out works within the public highway without permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents and approval under the Highways Act 1980 and Street Works Act are also obtained from the County Council.
- 6 The decision to approve this application has been taken, having regard to the policies and proposals in the Local Development Plan and all relevant material considerations, including the NPPF. The proposal is considered to be in accordance with the policies of the Development Plan, that are considered to be up to date, and represents 'sustainable' development in compliance with the provisions of the NPPF. The application has been subject to pre-application advice/extensive discussion and amendments have been made that address officer concerns in regards to visual impact, heritage, highway safety and drainage.
- 7 This decision notice should be read in conjunction with the Section 106 Obligation dated 28 January 2020 and the development completed in strict accordance with the provisions contained therein, to the satisfaction of the Local Planning Authority.

PLEASE ALSO NOTE THAT THIS PERMISSION IS GRANTED SUBJECT TO DUE COMPLIANCE WITH THE BYE-LAWS AND GENERAL STATUTORY PROVISION IN FORCE IN THE DISTRICT AND DOES **NOT** CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS. YOU ARE ADVISED TO CONTACT THE BUILDING REGULATIONS SECTION IF YOU WISH TO DISCUSS THIS FURTHER



Rebecca Saunt

Planning Manager

Dated: 5th February 2020

Members of the Planning Committee to consider all the comments and reach a democratic decision on the future protection of the five TPO trees.

The Trees Officer said that while determining whether or not the trees were of sufficient amenity value was to some extent subjective, he remained of the opinion that they made a visual contribution to the local landscape and character of the area.

Members noted that a small error was spotted early in the consultation period. The Council's Senior Legal Assistant had confirmed that it was a minor error and could be amended on the original documents in the relevant sections with the Planning Manager's signature.

In response to a Member's question, the Trees Officer confirmed that if the Committee was minded to confirm the TPO with the modification, the Council could consider future tree work applications and approve suitable tree work specifications for the management of the TPO trees or refuse an application if the proposed tree work was not supported. If the TPO was confirmed, the five trees could not be removed without consent, and the Authority could seek replacement trees if they were to be removed.

However, if Members decided not to confirm the TPO, the Council would be unable to prevent the loss of the trees.

It was proposed by Councillor Wilson and seconded by Councillor Brown that the Officer's recommendation for confirmation of the TPO be supported, and when put to the vote,

It was resolved unanimously:

That TPO E/08/19 be confirmed with the minor amendment correcting tree T3 species name from Oak to Field Maple in the TPO schedule and on the TPO Plan for the following reason:

- The five trees are prominent specimens within the small copse, and visually contribute to the amenity of the local landscape in this part of Haddenham.

50. 18/01435/OUM – SITE EAST OF CLARE HOUSE STABLES, STETCHWORTH ROAD, DULLINGHAM

Andrew Phillips, Planning Team Leader, presented a report (reference U101, previously circulated) which provided Members with an update on application reference 18/01435/OUM which had been granted delegated approval at the Planning Committee meeting on 7th August 2019.

It was noted that since Members had made their decision, the Fire Service and Lead Local Flood Authority had submitted additional comments

following being approached by Dullingham Parish Council in relation to flood risk and emergency planning issues.

Dullingham Parish Council also did not consider the Sequential Test to have been fully covered in the previous committee report and therefore additional information in respect of this was provided in this report.

Paragraph 5.1 of the Officer's report summarised the responses received from consultees since the previous Committee meeting.

A number of illustrations were displayed at the meeting, including a site location map, aerial photograph, proposed junction, an indicative Masterplan and maps relating to areas of flooding.

The main considerations in the determination of the application were:

- New consultation comments;
- Flood Risk and Drainage – Sequential/Exception Test; and
- Access in an Emergency.

With regard to the principle of development, Members noted that the Council could only demonstrate 3.7 years of housing supply. However, Dullingham had a train station and the proposal was a mixed use development in close proximity to the village. The site was considered to be in a relatively sustainable location and would provide much needed housing.

The Lead Local Flood Authority previously had no objection to the scheme, subject to a drainage condition. This still formed Condition 7 and was covered in the previous Committee decision. The proposal would still lead to a short term improvement in drainage and in the long term, lead to a neutral impact.

The Fire Service had expressed concern that it would be delayed in getting to a fire in the event of a 1:100 year flood. It had specifically expressed the need to provide each proposed dwelling with a sprinkler system to cover the potential delay and minimise the risk to life. Although such a blanket requirement would be unreasonable in the planning system, in this case there was a very specific reason as to why sprinklers were required and on this basis it was considered reasonable to add a condition to ensure their provision.

The NHS East Anglian Ambulance Service had not commented during the consultation period but had since confirmed that a flood event would delay them on the ground. They sought community defibrillators to be located on the site, and the following new condition was therefore recommended:

'Prior to first occupation a scheme to provide defibrillators for public use and details of future maintenance/management of the defibrillators shall be submitted to and agreed in writing with the Local Planning Authority. Prior to first occupation the defibrillators shall be in situ in accordance with the agreed

details and the maintenance/management details approved shall thereafter be complied with in perpetuity.

Reason: To ensure proper infrastructure for the site in the interests of public safety for emergency use. This is supported by paragraph 95 of the NPPF.'

The Environment Agency had no objections to the proposal.

Turning next to the issue of flood risk and drainage, the Planning Team Leader drew Members' attention to the various illustrations and explained that the proposal was considered to comply with Policy ENV8 and the NPPF, as the site had passed both the Sequential and Exception Test. The housing would be fully located within Flood Zone 1 and it would also not increase surface water flooding elsewhere in the long term. All residents could evacuate the site on mass if needed in an emergency during a flood, and therefore an Emergency Plan was not needed.

It was therefore considered that the public benefits of the scheme would outweigh the harm and the application was recommended for delegated approval, subject to the completion of a S106 agreement and recommended conditions.

The Planning Team Leader responded to a number of questions from Members. He said that because climate change was an unknown, there would be additional storage on the site to cover any potential change and this would reduce flood risk by up to 40% in the short term.

The point was made that people would need training in the use of defibrillators and they would require maintenance and upkeep; this was covered by the previously mentioned new condition. It was suggested that the Air Ambulance could land if needed, but the Planning Team Leader replied that it would depend on weather conditions and the state of the landing area.

At the invitation of the Chairman, Ms Sarah Mardon addressed the Committee and made the following points:

- She was speaking on behalf of residents, and they believed the application should be refused;
- It was not consistent with local and national policy and the developer had failed to provide any supporting evidence;
- No suitable surveys had been carried out and the Wildlife Trust recommended that the application either be withdrawn until the surveys had been done, or refused as it was contrary to the NPPF;
- Natural England believed the scheme to be in direct conflict with paragraph 175 of the NPPF;
- The Wildlife Trust reiterated the need for the proposal to demonstrate a net biodiversity and ecology gain;

- The AGB Environmental Report stated that further survey effort were required. There was no evidence of this and therefore the application was not legally compliant;
- The levels of traffic had not been taken into account and did not include Station Road or the Stetchworth Road. The B1061 was a key route out of the village and was already beyond very congested;
- There were only two buses per day and trains only hourly at peak times and every two hours for the rest of the day and there was no safe cycle route to Newmarket.

At the invitation of the Chairman, Mrs Kathryn Slater, agent, addressed the Committee and made the following remarks:

- The application was considered at Committee in August 2019 and nothing had changed in the interim. It had come back before Members because of further comments from the Fire and Ambulance Services, the Environment Agency, County Council and the Parish Council;
- The Fire Service had raised the risk of delayed access during flooding, but had said that this could be mitigated;
- The applicant would be happy to provide sprinklers in the dwellings and the Fire Service had withdrawn its objection;
- The County Council Lead Local Flood Authority felt there were insufficient grounds to object to the scheme;
- The footpaths and pedestrian access would be located in dry areas;
- The flood maps showed the water levels to be below 300mm;
- The Sequential Test was explained in the Officer's report;
- The Environment Agency had no objections and the Parish Council's concerns regarding access by the Fire Service during a flood were not shared;
- Dullingham is a sustainable village and this would be a sustainable development adjacent to the framework;
- There were no outstanding technical objections;
- The Council could not demonstrate a 5 year supply of housing land and therefore the presumption should be in favour of sustainable development;
- The proposal would boost housing numbers in the District and would include bungalows for the over 55's.

A Member enquired about the provision of community defibrillators. Mrs Slater confirmed that the applicant would be happy to provide them and the Planning Manager assured the Committee that this matter would be addressed.

At the invitation of the Chairman, Councillor Mark Robertson, Dullingham Parish Council, addressed the Committee and made the following comments:

- The site failed the Sequential Test, as there was an alternative site on the edge of the village that was put forward as part of the Local plan process;
- It also failed paragraph 157 of the NPPF and the Exception Test as not showing the site will be safe for its lifetime;
- Access and egress should be designed to cover all eventualities;
- Existing properties were built before the legislation and also before there were emergency services;
- The Fire Service did not believe an evacuation plan to be necessary, but the maximum depth of 300mm was incorrect. Run-off had no impact on flooding;
- Using CIL money was ridiculous;
- The proposal failed Policy ENV8 and failed to follow depth guidance;
- There would be no vehicular access for ambulance crews in the event of flooding, access by foot would be impractical and the Air Ambulance could not be used;
- The proposal would raise the risk of death and injury, and this was being done in the full knowledge that it failed local and national policy. The Authority was asking to gamble on people's lives and it made a mockery of the planning process;
- How could Members consider the application when so many matters were outstanding?
- Why was the authority backing the application when it failed the tests? The only option was to refuse the application.

A Member challenged Councillor Robertson's assertion that having housing on the land would present a greater risk than using it for equine activities. He thought that equine use could result in quite serious injuries, more so than that of housing. Councillor Robertson disagreed, saying that he believed the risk for 41 properties to be greater and the Air Ambulance was not always available to attend incidents.

In response to a question from another Member regarding the alternative site, Councillor Robertson said that it had been put forward during the Council's 'Call for Land' during the last Local Plan process and they were in discussions with the Parish Council. The site was an equivalent size to this application site, there was no risk of flooding and the land was available, subject to planning.

At the invitation of the Chairman, Councillor Alan Sharp, a Ward Member for Woodditton, addressed the Committee and made the following points:

- The application seemed to have been pushed through quickly. Comments were still coming in and they should be available to the public;
- There were many inconsistencies. The report stated that the Ambulance Service had not provided comments, but the Case Officer has now advised that comments were received after the report was written. Ambulance Service vehicles had the wading depth of a car tyre. The nearest response team was at Melbourne and the Air Ambulance was not equipped for dark or bad weather;
- Paragraph 7.6 – emergency vehicles would have to go up and down a steep hill;
- Paragraph 7.10 stated that there was a lack of available housing sites but one, which was far more suitable, had been put forward in the 'Call for Sites';
- A lot of money would be needed for vital infrastructure, the CIL money would not cover the amount needed;
- No species-specific surveys had been done and there was no mention of the stud land. If it threatens the horse racing industry then it should be refused;
- The site had not been marketed for ten years and traffic was still a big issue;
- There were lots of potential conditions that could be included in a more detailed application;
- The application should be refused on the grounds of ecology, flooding, public safety and traffic and the loss of stud land.

The Planning Team Leader reminded Members that the loss of paddock land had been considered when the last application was assessed at Committee. The Planning Manager added that the current status of the application following August's Committee that it was a live application and no decision had been issued. She cautioned that if Members were now to refuse

permission for reasons that they had previously been happy with, it could leave the Authority open to challenge.

A Member raised the issue of ecology, saying that some of the comments had not been available last time. The Planning Team Leader advised that it could be dealt with in one of two ways: either carry out detailed surveys early on and mitigate, or use the 'gold standard' and treat the site as if every species was present; the latter would result in a much larger improvement.

Another Member wished to know how many points on the road would be liable to flooding and was advised that it was the whole stretch. However, the Lead Local Flood Authority had said that the road would drain more equally and the Fire Service had raised the matter because it was something they had to check.

It was proposed by Councillor Schumann that the Officer's recommendation for delegated approval be supported. Having reviewed the minutes from the meeting in August, he was still not comfortable but felt that there were not significant enough reasons to tip the balance in favour of refusal. He hoped that the condition relating to the defibrillator would not be made too onerous, as defibrillators are fool proof to use.

The motion was seconded by Councillor Stubbs.

A Member remarked that there had been some comments made questioning the competency of Officers and it should be remembered that Members were not the experts; they relied on Officers for their training and expertise.

Another Member, having listened to the views of the Parish Council, questioned why this site should be accepted when there was one more suitable with no problems and why that site was not coming forward for development.

The Committee returned to the motion for approval and when put to the vote, it was declared carried with 10 votes for and 1 vote against.

It was resolved:

That planning application reference 18/01435/OUM be APPROVED subject to the signing of the S106 Agreement and the recommended conditions as set out in the Officer's report and in the Committee update, with authority delegated to the Planning Manager and Legal Services Manager to complete the S106 and to issue the planning permission.