



# East Cambridgeshire District Council

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## Meeting: Planning Committee

Time: 2:00pm

Date: Wednesday 3 April 2024

Venue: Council Chamber, The Grange, Nutholt Lane, Ely, CB7 4EE

Enquiries regarding this agenda: Jane Webb

Telephone: (01353) 616457

Email: [democratic.services@eastcambs.gov.uk](mailto:democratic.services@eastcambs.gov.uk)

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## Committee membership

**Quorum:** 5 members

### Conservative members

Cllr Christine Ambrose Smith  
Cllr David Brown (Vice-Chairman)  
Cllr Lavinia Edwards  
Cllr Martin Goodearl  
Cllr Bill Hunt (Chairman)  
Cllr James Lay

### Conservative substitutes

Cllr Keith Horgan  
Cllr Julia Huffer  
Cllr Alan Sharp

### Liberal Democrat members

Cllr Chika Akinwale  
Cllr Kathrin Holtzmann  
Cllr John Trapp  
Cllr Christine Whelan  
Cllr Gareth Wilson (Lead Member)

### Liberal Democrat substitutes

Cllr Christine Colbert  
Cllr Lorna Dupré  
Cllr Mary Wade

**Lead Officer:** David Morren - Interim Planning Lead

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**10:25am:** Planning Committee members meet at The Grange reception for site visits.

## AGENDA

### 1. Apologies and substitutions

[oral]

### 2. Declarations of interests

[oral]

To receive declarations of interests from Members for any items on the agenda in accordance with the Members Code of Conduct.

### 3. Chairman's announcements

[oral]

#### 4. 23/00847/FUL

Change of use to garden land and relocation of access

Location: Land North West Of 3 Arthurs Way, Fordham

Applicant: Mr Alan Nash

Public access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RYNHJDGGMAY00>

#### 5. 23/00877/FUL

Demolition of 1no. semi-detached bungalow and erection of replacement 1 1/2 storey dwelling

Location: Clovelly 116 Ashley Road, Newmarket, CB8 8DB

Applicant: Miss Holly Roeder

Public Access Link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RZ0NWGGGMGM00>

#### 6. 23/01338/OUM

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

Location: Land At Cambridge Road, Stretham

Applicant: Long Term Land Limited

Public access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S57EU9GGHP100>

### 7. Planning Performance Report – February 2024

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#### Notes

1. Members of the public are welcome to attend this meeting. Please report to the main reception desk on arrival at The Grange. Visitor car parking on-site is limited to 1h but there are several [free public car parks close by](https://www.eastcambs.gov.uk/parking/car-parks-ely) (<https://www.eastcambs.gov.uk/parking/car-parks-ely>). The maximum capacity for meetings in the Council Chamber has been set by the Fire Officer at 100 persons. Allowing for Member/Officer attendance and room layout constraints this will normally give a capacity for public attendance of 30 seated people and 20 standing. Public access to the Council Chamber will be from 30 minutes before the start of the meeting and, apart from for registered public speakers, is on a “first come, first served” basis. The livestream of this meeting will be available on [the committee meeting's webpage](https://www.eastcambs.gov.uk/meetings/planning-committee-030424) (<https://www.eastcambs.gov.uk/meetings/planning-committee-030424>). Please be aware that all attendees, including those in the public gallery, will be visible on the livestream.
2. The Council has a scheme to allow [public speaking at Planning Committee](https://www.eastcambs.gov.uk/committees/public-speaking-planning-committee) (<https://www.eastcambs.gov.uk/committees/public-speaking-planning-committee>). If you wish to speak on an application being considered at the Planning Committee, please contact Democratic Services [democratic.services@eastcambs.gov.uk](mailto:democratic.services@eastcambs.gov.uk), to **register by 10am on Tuesday 2 April**. Alternatively, you may wish to send a statement to be read at the

Planning Committee meeting if you are not able to attend in person. Please note that public speaking, including a statement being read on your behalf, is limited to 5 minutes in total for each of the following groups:

- Objectors
- Applicant/agent or supporters
- Local Parish/Town Council
- National/Statutory Bodies

3. The Council has adopted a 'Purge on Plastics' strategy and is working towards the removal of all consumer single-use plastics in our workplace. Therefore, we do not provide disposable cups in our building or at our meetings and would ask members of the public to bring their own drink to the meeting if required.
4. Fire instructions for meetings:
  - if the fire alarm sounds, please make your way out of the building by the nearest available exit, which is usually the back staircase or the fire escape in the Chamber and do not attempt to use the lifts
  - the fire assembly point is in the front staff car park by the exit barrier
  - the building has an auto-call system to the fire services so there is no need for anyone to call the fire services
  - the Committee Officer will sweep the area to ensure that everyone is out
5. Reports are attached for each agenda item unless marked "oral".
6. If required, all items on the agenda can be provided in different formats (such as large type, Braille or audio tape, or translated into other languages), on request, by calling main reception on (01353) 665555 or e-mail: [translate@eastcambs.gov.uk](mailto:translate@eastcambs.gov.uk)
7. If the Committee wishes to exclude the public and press from the meeting, a resolution in the following terms will need to be passed:

"That the press and public be excluded during the consideration of the remaining item no(s). X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s) there would be disclosure to them of exempt information of Category X of Part I Schedule 12A to the Local Government Act 1972 (as amended)."

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**23/00847/FUL**

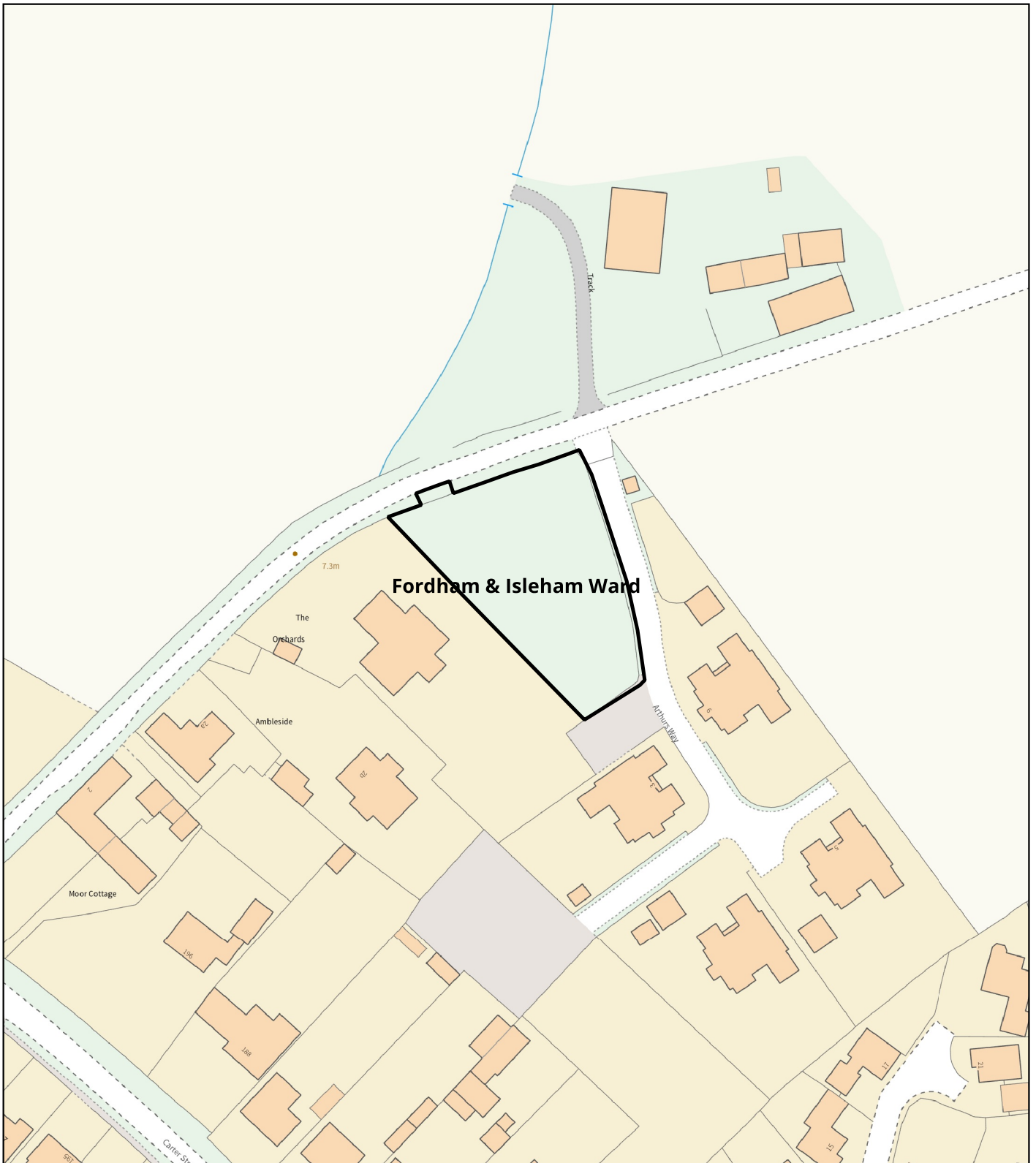
Land North West Of 3  
Arthurs Way  
Fordham

Change of use to garden land and relocation of access

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RYNHJDGGMAY00>





23/00847/FUL

Land North West Of 3  
Arthurs Way  
Fordham



East Cambridgeshire  
District Council

Date: 15/03/2024  
Scale: 1:1,250



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**TITLE: 23/00847/FUL**

Committee: Planning Committee

Date: 3 April 2024

Author: Planning Officer

Report No: Y185

Contact Officer: Rachael Forbes, Planning Officer  
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01353 616300  
Room No 011 The Grange Ely

**Site Address: Land North West Of 3 Arthurs Way Fordham Cambridgeshire**

**Proposal: Change of use to garden land and relocation of access**

**Applicant: Mr Alan Nash**

**Parish: Fordham**

**Ward: Fordham And Isleham**

Ward Councillor/s: Julia Huffer  
Kelli Pettitt

**Date Received: 31 July 2023**

**Expiry Date: 10 April 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 Time Limit
- 3 Biodiversity Enhancements
- 4 Access
- 5 Removal of Permitted Development Rights (outbuildings)
- 6 Removal of Permitted Development Rights (fences, gates and walls)
- 7 Land only to be used in connection with The Orchards, 2C Moor Road

## **2.0 SUMMARY OF APPLICATION**

- 2.1 The application seeks a change of use from agricultural land to domestic garden land associated with The Orchards, 2c Moor Road. The proposal originally included the provision of a garage and driveway; however, these have been removed from the proposal following officer concerns around the impact of the proposed development on the character and appearance of the area. The plans have been amended to slightly relocate the existing access to avoid the root protection area of the tree at the front of the site.
- 2.2 The application is being heard at Planning Committee as it is a departure from the development plan.
- 2.3 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

## **3.0 PLANNING HISTORY**

- 3.1 **23/00975/FUL**  
1.4m high post and rail fencing and five bar gate to entrance - retrospective
- 3.2 The above planning application is still under consideration at the time of writing. A more extensive planning history of the land surrounding the site is included at Appendix 2.

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

- 4.1 The application site is a piece of land situated between the residential dwelling and garden at The Orchards, 2c Moor Road and the access to the development of four bungalows, Arthurs Way. Arthurs Way runs alongside the eastern boundary of the land and wraps around the southern boundary. The application site is outside of the development envelope and is therefore considered to be in the countryside.

## **5.0 RESPONSES FROM CONSULTEES**

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

### **Parish Council - 23 August 2023**

'This application is out of the development envelope, and we would request that District Council call this into committee.

Fordham Parish Council expect all applicants or their representatives to have familiarised themselves with the East Cambridgeshire District Council (ECDC) website. This includes having a full understanding of Trees, Hedgerows and Wildlife. This can be found on the website under 'P' for Planning.



One of the Parish Council's values is 'biodiversity' we uphold this value very seriously. The precious but limited land we have should be preserved and protected for future generations including the wildlife that lives within it.

As a Parish Council we want to support local enterprise and development, but by not respecting our values or to comply with our values may result in a fine by ECDC or a referral to the Cambridgeshire Police Force.'

**Parish Council** – 29 February 2024

'Whilst we understand the requirement to move the access to avoid damage to the tree and we fully support maintaining the tree, the new planned access now comes out on a blind bend, onto what is essentially a single track road with no street lights, heavily used by Farm Traffic, dog walkers, runners and members of the public wishing to access the river walk, this would make exiting very dangerous for not only the owner but people using the road, if it is a change of use to garden land, could it not be accessed directly from the owners property which is adjoining land? This would seem to be a less dangerous option.'

**Ward Councillors** - No Comments Received

**Minerals And Waste Development Control Team** - No Comments Received

**ECDC Trees Team** – 18 October 2023

'There appears to be an Oak tree significant to the street scene that is either close to the new entrance or where the entrance is indicated to be located yet this tree is not plotted on the submitted plans and there are no details as to its condition.

Due to the presence of tree in proximity to the development in accordance with policy SPD.NE8: Trees and Woodland Natural Environment Supplementary Planning Document 2020 an Arboricultural Impact Assessment (AIA) is required prior to determination of the application.

The (AIA) shall provide information to show how trees/hedging worthy of retention would be sustainable and justification and mitigation measures for any tree removal proposed. The AIA shall identify areas to be excluded from any form of development, specify protective fences for these exclusion areas and for individually retained trees, life expectancy of trees, recommendation for any remedial work, identify acceptable routes for all mains services in relation to tree root zones, identify acceptable locations for roads, paths, parking and other hard surfaces in relation to tree root zones, suggest location for site compound, office, parking and site access, identify location(s) for replacement planting and show existing and proposed levels in accordance with BS 5837:2012 Trees in relation to demolition, design and construction – Recommendations.'

**Trees Officer** – 14 March 2024

The information in relation to the entrance off Moor Road and the neighbouring tree is acceptable.

The proposed tree planting locations on the boundary with Arthurs Way and planting methodology is acceptable.

**Local Highways Authority - 25 August 2023**

‘On the basis of the information submitted, I have no objections in principle, however, the following points require attention to make the development acceptable in highway terms:

The access needs to be constructed with a metalled surface for at least an initial length of 5m, measured from the existing carriageway edge.

The site level is higher than the public highway, meaning that in order to prevent private water discharging into the highway, a means of surface water interception will be needed across the access prior to the highway boundary. Please note that the LHA do not accept the use of permeable surfacing in isolation.

If the applicant is unwilling or unable to amend the application or provide additional information as outlined above, please advise me so I may consider making further recommendations.’

**Local Highways Authority – 12 January 2024**

‘After a review of the amended drawings the Local Highway Authority raises no further objections to the proposed development.

**Recommended Conditions**

The access shall be laid out to the approved number 23070-1 Rev I and be metalled for a minimum distance of 5m into the site measured from the near edge of the highway carriageway and thereafter retained in perpetuity.’

5.2 A site notice was displayed near the site on 8 August 2023 and a press advert was published in the Cambridge Evening News on 10 August 2023.

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

- Queries regarding the accuracy of the application form in respect of the access
- Under application 17/00781/OUT, the Local Highways Authority requested a condition that the existing access was to be closed – therefore, the comments of the LHA are surprising
- Concerns regarding the likelihood of flooding occurring
- There are other matters at the site that should be resolved before other development is considered.

There were comments received in respect of the impact of the proposed garage on the character and appearance of the area, however, this element has been

removed from the proposal. In addition, no comments have been received following consultation on the amended plans.

## **6.0 THE PLANNING POLICY CONTEXT**

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted East Cambridgeshire Local Plan (2015) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

6.2 East Cambridgeshire Local Plan 2015 (as amended 2023) ('ECLP')

GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development
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
COM 7	Transport impact
COM 8	Parking provision

6.3 Fordham Neighbourhood Plan 2018

Policy 2	Character and Design
Policy 8	Wildlife and Habitats

6.4 Supplementary Planning Documents

Design Guide  
Natural Environment SPD  
Climate Change SPD

6.5 National Planning Policy Framework 2023

- 2 Achieving sustainable development
- 4 Decision-making
- 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

6.6 Planning Practice Guidance

## **7.0 PLANNING COMMENTS**

The main considerations in the determination of this application are the principle of development, visual amenity, residential amenity, ecology and climate change.

## 7.1 Principle of Development

- 7.1.1 Policy GROWTH 2 of the ECLP states that outside defined development envelopes, development will be strictly controlled, having regard to the need to protect the countryside and the settings of towns and villages. Development will be restricted to the main categories listed in the policy and may be permitted as an exception, providing there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied.
- 7.1.2 The proposal seeks a change of use of land to use domestic garden land which is not an exception listed in the Policy GROWTH 2. As it is not listed as an exception, the proposal is therefore contrary to GROWTH 2.
- 7.1.3 However, paragraph 47 of the National Planning Policy Framework states '*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise*'. This is a reflection of the requirements of the Planning and Compulsory Purchase Act referred to above.
- 7.1.4 While the proposal is contrary to Policy GROWTH 2, there has been development in the immediate area which has resulted in a change to the character and appearance of the area. As set out in the visual amenity section of this report, no harm has been identified to the character and appearance of the countryside. Furthermore, the piece of land is surrounded by development on three sides and the road is situated to the north of the site. It is considered that the site is not large enough to reasonably be used for agriculture and the use as garden land is likely the most compatible use when considering the surroundings.

## 7.2 Visual Amenity

- 7.2.1 Policy ENV 1 of the ECLP states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV 2 states that development proposals ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area.
- 7.2.2 Policy 2 (Character and Design) of the Fordham Neighbourhood Plan states that delivering high quality design is responding to context, such as the size and shape of the site; views of the site, nearby buildings or other features; topography of the site and its surrounds; and materials and vernacular design.
- 7.2.3 The proposal seeks the change of use of land to use as domestic garden land in association with The Orchards, 2c Moor Road.
- 7.2.4 The application site is situated between the residential dwelling and existing garden land at The Orchards to the west. To the east, is the access to the development of four bungalows to the rear, Arthurs Way. Arthurs Way also sits behind the application site.

- 7.2.5 At the time of the site visit (11<sup>th</sup> August 2023), the application site was bounded by heras fencing on the western boundary, a close board fence on the eastern and southern boundary and corrugated steel fencing to the northern boundary at the front of the site. There is also a post and rail fence present along the northern boundary – it is officers understanding that the current fencing arrangements are for safety while building work is taking place at The Orchards. There has been a separate application submitted for the fencing to the front of the site which consists of 1.4 metre (4.5ft) post and rail fencing across the front of the site; this has also been shown on the amended plans for this application.
- 7.2.6 While the proposed garden land is outside of the development envelope, so are the dwellings to the west and south/south east and the access to Arthurs Way to the east. The site is not in an isolated location and there is residential development and gardens surrounding the site. It is considered that although the site would be visible from Moor Road, as the boundary proposed is a post and rail fence, the use of land as garden land would not be incompatible with the immediately surrounding area. Further to this, the character of the surrounding area has changed since the adoption of the Local Plan and the development envelope boundaries; both the dwelling to the west (The Orchards) and the dwellings to the south (Arthurs Way) have been approved, built and occupied.
- 7.2.7 There is no built form proposed as part of the application; originally a garage was proposed, however this has been removed from the application following officer concerns around the impact of the building on the character and appearance of the area.
- 7.2.8 Planning Practice Guidance cautions that *'conditions restricting the future use of permitted development rights or changes of use may not pass the tests of reasonableness or necessity... Area-wide or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity.'* However, efforts have been made previously to protect the character and appearance of the countryside. The four dwellings at Arthurs Way have had permitted development rights removed for Classes A (enlargement, improvement or alteration to a dwelling), B (additions to the roof), C (other alterations to the roof) and E (buildings in the curtilage) under application reference 21/00703/VAR. An application (20/01576/FUL) was submitted for a 1.8-metre-high closed board fence along the front of this piece of land, as well as a temporary 1.8 metre (5.9ft) high fence along what is now the frontage to Arthurs Way. This application was refused for the following reason:

*'2C Moor Road marks the end of the settlement's built-up area, where it passes into open countryside. The proposed closed board fencing to the boundary is considered to be an inappropriate and uncharacteristic boundary treatment for the open countryside location resulting in a harmful urbanising impact on the rural landscape. The proposal does not conserve, preserve or enhance the distinctive and traditional landscapes, does not maintain a clear distinction between the countryside and developed areas and does not relate sympathetically to the surrounding area. The proposal is therefore contrary to Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 and policy 2 of the Fordham Neighbourhood Plan.'*

- 7.2.9 In light of the above, it is considered that it would be reasonable and necessary to remove Schedule 2, Part 1, Class E (outbuildings) permitted development rights to protect the character and appearance of the area. Further to this, it is considered reasonable and necessary to remove Schedule 2, Part 2, Class A permitted development rights (gates, walls and fences) to prevent inappropriate enclosure of the land, resulting in harm to the character and appearance of the area. It is also considered that it would be reasonable and necessary to condition that the garden land shall be used as garden land as part of The Orchards, 2c Moor Road and for no other purpose.
- 7.2.10 It is considered that with the imposition of appropriate conditions that the proposal would not result in a significant adverse impact to the character and appearance of the area nor result in significant harm to the countryside and is therefore considered to comply with Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended) and Policy 2 of the Fordham Neighbourhood Plan.
- 7.3 Residential Amenity
- 7.3.1 Policy ENV 2 of the ECLP states that new development will be expected to ensure that there is no significantly detrimental effect on the residential amenity of nearby occupiers and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity.
- 7.3.2 Policy 2 of the Fordham Neighbourhood Plan states that development proposals must deliver high quality design through providing adequate amenity space for future occupiers of the proposals and not resulting in unacceptable impacts on the amenity of occupants of neighbouring or nearby properties.
- 7.3.3 The Orchards, 2c Moor Road has five adjacent neighbours; numbers 3, 4, 5 and 6 Arthurs Way and Ambleside, 2b Moor Road. While Ambleside shares a boundary with The Orchards, only 3 Arthurs Way shares a small section of boundary with the land in question.
- 7.3.4 There is no longer any built form occurring as part of the application, following the removal of the garage from the proposal. The application site is surrounded by residential dwellings and gardens and the change of use proposed is therefore considered to be compatible with the surrounding area. The change of use would result in a large garden at the property but the use of the site by a single residential property is not considered to result in any significant increase in noise and disturbance to the neighbouring residential properties.
- 7.3.5 The proposal is considered not to result in any significant adverse impacts to the residential amenity of neighbouring occupiers and is therefore considered to comply with Policy ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended).
- 7.4 Highway Safety and Parking
- 7.4.1 Policy COM 7 of the ECLP states that development proposals shall provide a safe and convenient access to the highway network.

- 7.4.2 The land proposed to change use includes an access which is separate to that which is used to access the dwelling. It has been established that this is an existing access but would need to be upgraded for the proposed use. The LHA commented that to make the development acceptable in highways terms, the access would need to be constructed with a metalled surface for a length of 5 metres and a means of surface water interception will be needed across the access prior to the highway boundary.
- 7.4.3 In providing the measures that the LHA requested, the proposal would have resulted in conflict with the Oak tree to the front of the site. To avoid any potential conflict with the tree, it has been proposed to relocate the access slightly to the west (it will be positioned approximately 0.6 metres from the root protection area of the tree).
- 7.4.4 Fordham Parish Council have commented that while they understand the requirement to move the access to avoid damage to the tree and fully support maintaining the tree, the new planned access now comes out on a blind bend, onto what is essentially a single track road with no street lights, heavily used by Farm Traffic, dog walkers, runners and members of the public wishing to access the river walk, which would make exiting very dangerous for not only the owner but people using the road. They have commented that as the proposal is for garden land, could this not be accessed by the access to the dwelling.
- 7.4.5 While officers have questioned the need for an access in this location, as it is existing officers considered that requiring its removal would be unreasonable. There have also been comments received that on a previous application, the Local Highway Authority requested the existing access to the site to be closed and that given this, the comments of the LHA are surprising. The Local Highway Authority have reviewed the current proposal and have raised no objections and therefore it would not be reasonable to refuse an access in this location on that basis. Although the proposal now seeks to relocate the access, which does result in the access being closer to the bend, the relocation of the access is not so significantly removed from the existing location that it would be reasonable to insist on its removal. In addition to this, given that it is not the main access to the dwelling, it is unlikely to be used intensively and as it only serves a single dwelling is unlikely to be a significantly more intensive use than a field access.

The proposal is therefore considered to comply with Policy COM 7 of the East Cambridgeshire Local Plan, 2015 (as amended).

## 7.5 Ecology

- 7.5.1 Policy ENV 7 of the ECLP states that all applications for development that may affect biodiversity and geology interests must be accompanied by sufficient information to be determined by the Local Planning Authority, including an ecological report, to allow potential impacts and possible mitigation measures to be assessed fully. It also states that all development will be required to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds. Policy ENV 1 states that development proposals should protect, conserve and where possible enhance the pattern of distinctive historic and traditional

landscape features such as watercourses, characteristic vegetation, individual and woodland trees, field patterns, hedgerows and walls and their function as ecological corridors for wildlife dispersal. Policy ENV 2 states that all development proposals will be expected to make efficient use of land while respecting the density, urban and village character, public spaces, landscape and biodiversity of the surrounding area.

- 7.5.2 The Council has adopted the Natural Environment SPD which states that all developments must result in biodiversity net gain.
- 7.5.3 Policy 8 (Wildlife and Habitats) of the Fordham Neighbourhood Plan states that 'Overall a net gain in biodiversity should be achieved, demonstrated by appropriate evidence prepared by a suitably qualified person on behalf of the applicant.'
- 7.5.4 The officer report for the development at Arthurs Way (19/00887/FUL) described the site as a paddock and grazing land with the boundaries marked by post and rail fencing. The application site and surroundings have changed since that time with the development of The Orchards and Arthurs Way. The land subject of this application, at the time of the site visit (11<sup>th</sup> August 2023) was being used for the storage of building materials for the development taking place at The Orchards (23/00389/FUL, construction of side extension, basement, dormer window and velux reposition).
- 7.5.5 No information has been provided in respect of biodiversity net gain, however, given the proposal is for a change of use to garden land, it is likely that the majority of the garden will be laid to grass and that this would not be dissimilar in biodiversity terms to the paddock use. The amended plans show tree and hedge planting along the boundary with Arthurs Way and the retention of the existing hedging to the front. The Trees Officer has confirmed that the tree planting proposed and methodology is acceptable. Given the size of the plot, it is considered that additional biodiversity enhancements could be achieved and details of this can be secured by condition.
- 7.5.6 The proposal is therefore considered to comply with Policies ENV 1, ENV 2 and ENV 7 of the East Cambridgeshire Local Plan, 2015 (as amended) and the Natural Environment SPD and Policy 8 of the Fordham Neighbourhood Plan.
- 7.6 Climate Change
- 7.6.1 Local Plan Policy ENV4 states: '*All proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable*' and '*Applicants will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction.*' The adopted Climate Change SPD encourages all development to include sustainability measures within their proposal. No measures have been put forward as part of the application, however, due to the nature of the development proposed, it is considered that the inclusion of sustainability measures reasonably related to the development would be difficult and in this instance is it considered acceptable not to provide any such measures.



## 7.7 Other Matters

- 7.7.1 Comments have been received querying the accuracy of the application form in respect of the access and that if there is a new or altered vehicular proposed that the applicant should have ticked yes. The Local Planning Authority, having looked at previous applications and street view images considered the access to be existing. Since the application has been submitted, it has been proposed to relocate the access and this has been consulted on so all interested parties are aware.
- 7.7.2 There have been comments received that the site is within 20 metres of a watercourse and that during construction on the adjacent site, an underground spring has been discovered and as a consequence there are thousands of gallons of water being pumped under the road in to the Fordham Parish ditch which flows to the River Snail and that this ditch is full. Concern has been raised that it is very likely that flooding will now occur on Carter Street and Moor Road which has never happened previously.
- 7.7.3 While officers are aware that there have been some issues arising during construction at the adjacent site, those are not issues that can be dealt with as part of this planning application. Given the nature of the proposed development and the fact there is no built form proposed, it is considered that the proposed change of use to garden land would not result in any additional drainage or flooding impacts. In addition to this, the works to the access requested by the LHA include the provision of an aco drain to prevent surface water run off into the highway.
- 7.7.4 It has been commented that there are other matters at the site that should be resolved before other development is considered. This largely relates to the boundary treatment along the front of the land proposed to change use and the boundary between the application site and Arthurs Way; an application has been submitted to address these issues (23/00975/FUL) which at the time of writing is still being assessed.

## 7.8 Planning Balance

- 7.8.1 Whilst the proposed development does not accord with policy GROWTH 2 as it does not fall within one of the exemptions for development in the countryside, it would not cause any harm to the character of the countryside which is a key aim of policy GROWTH 2.
- 7.8.2 The proposal is considered to be acceptable in all other aspects including impacts of the proposal upon the character and appearance of the surrounding area and impacts to the amenity of neighbouring occupiers and complies with all relevant Local Plan policies regarding those considerations. It is therefore considered that no demonstrable harm would arise from the proposed development.
- 7.8.3 The surroundings of the site have changed since the adoption of the Local Plan and the development envelope boundaries which have resulted in the application site being surrounded by built form. However, the built form and impact on the character of the area have been carefully considered. The change of use of the land is considered to be acceptable as no built form is proposed and it is considered that

with the appropriate conditions, that the character and appearance of the countryside would be protected.

- 7.8.4 The lack of any demonstrable harm to the character of the countryside is considered to form a material consideration of sufficient weight to warrant a departure from the Local Plan in respect of the strict application of policy GROWTH 2. The application is therefore recommended for approval.

## **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 costs award can be made against the Council.
- 8.2 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.
- 8.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

## **9 APPENDICES**

- 9.1 Appendix 1 - Conditions  
9.2 Appendix 2 - Planning History for associated dwelling and surrounding sites

### Background Documents

23/00847/FUL

23/00975/FUL

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

Appendix 1:

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

Plan Reference	Version No	Date Received
23070-1	Rev I	25.01.2024
23070	V2	25.01.2024

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 Prior to the commencement of use, a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 3 To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 4 The access shall be laid out to the approved number 23070-1 Rev I and be metalled for a minimum distance of 5m into the site measured from the near edge of the highway carriageway and thereafter retained in perpetuity.
- 4 In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modifications), no development within Class E; of Part 1; of Schedule 2 of the Order shall take place on site unless expressly authorised by planning permission granted by the Local Planning Authority.
- 5 To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modifications), no development within Class A; of Part 2; of Schedule 2 of the Order shall take place on site unless expressly authorised by planning permission granted by the Local Planning Authority.
- 6 To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 7 The garden land hereby permitted shall be used for purposes ancillary to the residential use of the main dwelling known as The Orchards, 2C Moor Road, Fordham and shall

not be used for any other purpose unless agreed in writing with the Local Planning Authority.

- 7 To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

Appendix 2:

23/00389/FUL	Proposed construction of side extension, basement, dormer window and velux reposition	Approve	16.06.2023
23/01204/FUL	Construction of side extension, basement, dormer window and velux reposition	Approve	01.02.2023
23/00948/FUL	Change of use from agricultural land to residential garden - retrospective	Approve	21.12.2023
17/02152/FUL	Erection of bungalow	Refuse Appeal allowed	07.03.2018
21/00703/VAR	Variation of condition 1 (approved plans) of previously approved 19/00887/FUL for construction of 4no. single storey dwellings with garaging, parking and associated site works – phased development	Approve	29.09.2022
21/00105/FUL	Single storey side extension and detached shed (part retrospective)	Approve	18.03.2021
17/01757/FUL	Proposed demolition of existing outbuilding and replacing with detached dwelling and associated works	Refuse	20.12.2017
18/01045/FUL	Proposed demolition of existing outbuilding and replacing with detached dwelling and associated works	Refuse	20.09.2018
20/01576/FUL	Boundary treatment, both permanent and temporary (retrospective)	Refuse	07.04.2021
17/00871/OUT	Residential development for the construction of 4 bungalows – access and scale only	Approve	11.08.2017
19/00911/FUL	Retrospective planning for erection of garden shed, fence (over 1.0m) & gates at entrance	Approve	05.09.2019
19/00887/FUL	Construction of 4no. single storey dwellings with garaging, parking and associated site works – phased development	Approve	15.01.2020
21/01751/FUL	Proposed side extension and basement	Approve	30.08.2022



**23/00877/FUL**

Clovelly  
116 Ashley Road  
Newmarket

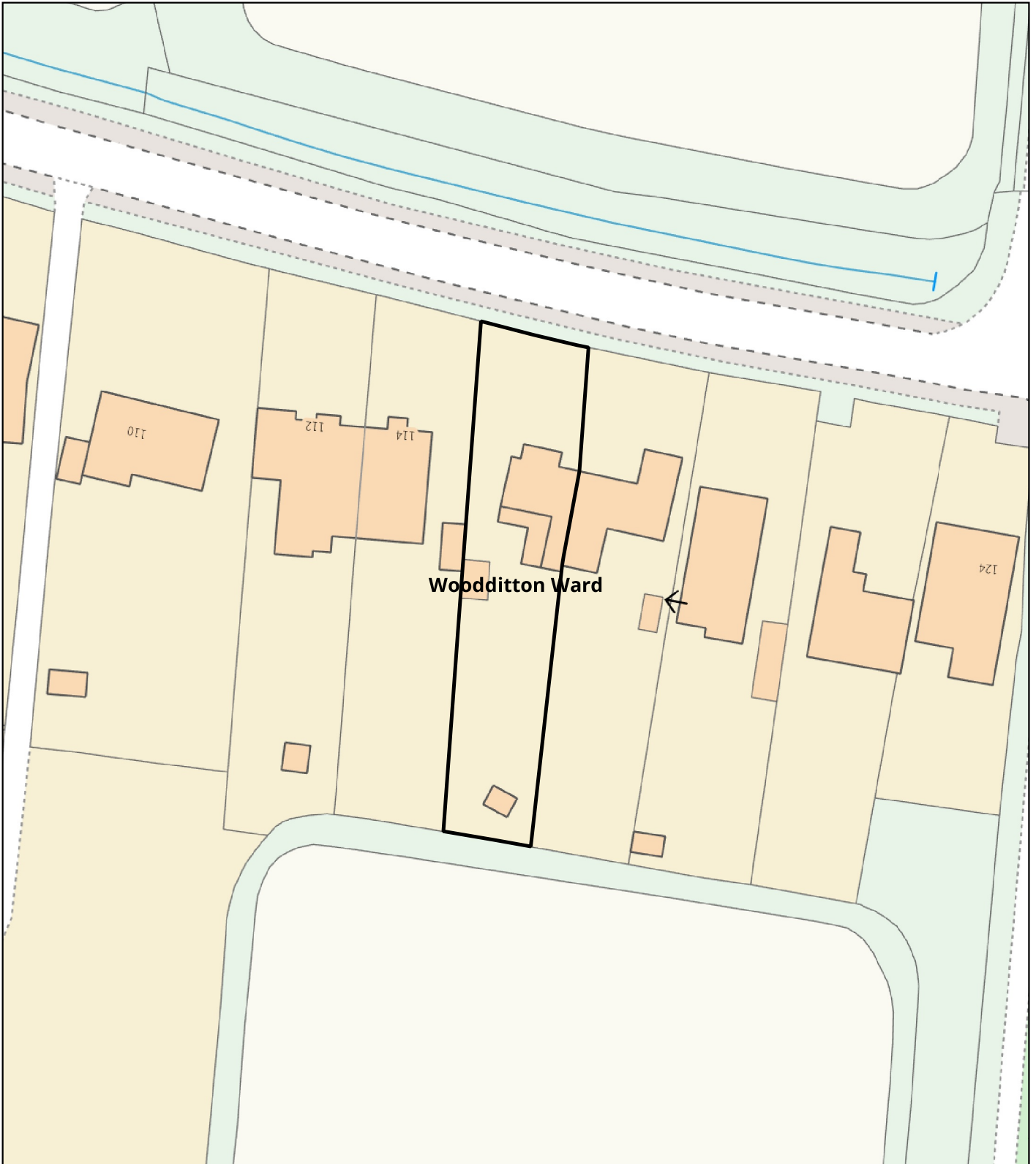
CB8 8DB

Demolition of 1no. semi-detached bungalow and erection of replacement 1 1/2 storey dwelling

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RZ0NWGGGMGM00>





23/00877/FUL

Clovelly  
116 Ashley Road  
Newmarket



East Cambridgeshire  
District Council

Date: 15/03/2024  
Scale: 1:689.669478



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**TITLE: 23/00877/FUL**

Committee: Planning Committee

Date: 3 April 2024

Author: Planning Officer

Report No: Y186

Contact Officer: Olivia Roberts, Planning Officer  
Olivia.Roberts@eastcambs.gov.uk  
01353 616240  
Room No 011 The Grange Ely

**Site Address: Clovelly 116 Ashley Road Newmarket Suffolk CB8 8DB**

**Proposal: Demolition of 1no. semi-detached bungalow and erection of replacement 1 1/2 storey dwelling**

**Applicant: Miss Holly Roeder**

**Parish: Cheveley**

**Ward: Woodditton**

Ward Councillor/s: James Lay  
Alan Sharp

**Date Received: 7 August 2023**

**Expiry Date: 8 April 2024**

**1.0 RECOMMENDATION**

1.1 Members are recommended to REFUSE the application for the following reason:

The proposed replacement dwelling, due to its height, roof alignment and overall form, would visually dominate the existing semi-detached dwelling that it would be joined to, to the detriment of the visual amenity of the semi-detached pair. The dwelling, by virtue of its significant footprint, height and overall design, is considered to be out of keeping with the existing character and appearance of the development within the wider street scene, appearing incongruous within its setting. The proposal is therefore contrary to policies ENV1 and ENV2 of the East Cambridgeshire Local Plan as well as the aims of the National Planning Policy Framework.

## **2.0 SUMMARY OF APPLICATION**

- 2.1 The application originally sought planning permission for the demolition of an existing semi-detached bungalow and the erection of a detached one and a half storey dwelling.
- 2.2 During the course of the application, officers raised concerns to the design and scale of the dwelling and the impacts that the proposal would have on the character and appearance of the wider street scene.
- 2.3 In response to the concerns raised, amended plans have been submitted for the demolition of the existing semi-detached dwelling and the erection of a replacement one and a half storey, semi-detached dwelling.
- 2.4 The proposed semi-detached dwelling would have an eaves height of approximately 2.6m (8.5ft) and a ridge height of 5.4m (17.7ft), incorporating accommodation at first floor level that would be served by a dormer window and roof lights to the rear elevation. The design of the dwelling includes a large full width rear addition, rear dormer, front extension and timber framed canopy entrance porch. The materials are proposed to be brick and render for the external walls and tiles for the roof.

The replacement dwelling would use the existing vehicular access into the site which would be widened as part of the proposal.

- 2.5 The application has been called-in to Planning Committee by Cllr James Lay to allow for a discussion on planning matters.
- 2.6 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

## **3.0 PLANNING HISTORY**

- 3.1 No planning history at the site.

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

- 4.1 The application site comprises an existing single storey, semi-detached dwelling at 116 Ashley Road. The site is located within the Newmarket Fridge development envelope within an existing residential area. Vehicular access is taken to the front of the site where there is also a lawned garden area. The dwelling benefits from a larger garden area and detached outbuilding to the rear.

## **5.0 RESPONSES FROM CONSULTEES**

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

## **Local Highways Authority - 18 August 2023**

Upon review of the information submitted, I have no objection to the proposed variation of building use. The change in use will not adversely impact the highway.

### Conditions

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.

Non-Standard Condition: Prior to the occupation of the dwelling, the vehicular access shall be constructed to include the provision of a metalled/sealed surface for a minimum length of 5m from the existing carriageway edge.

### Informatives

#### Works in the Public Highway

This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

## **Waste Strategy (ECDC) - 22 September 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).

- 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 (delivery and administration) 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.

- Each new property requires a set of receptacles; the contribution is currently £57 per set. We would recommend the developer made the contribution on behalf of the residents. Please note that the bins remain the property of East Cambridgeshire District Council.

- Payment must be made in advance of bins being delivered; East Cambs District Council Account Number 43135897, Sort Code 52-41-19, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number.

#### **ECDC Trees Team - 18 October 2023**

No tree related objections to this application but the provision of a soft landscaping scheme should be provided by condition to aid the integration of the new development into the surrounding area.

#### **Parish - 13 March 2024**

Cheveley Parish Council met on 12th March to discuss the above application. The parish council object on the grounds that the proposed building will be too large and out of character of surrounding properties. They object to the layout, density of building design and visual appearance.

#### **Ward Councillors - No Comments Received**

- 5.2 A site notice was displayed near the site on 17 August 2023.
- 5.3 Neighbours – 4 neighbouring properties were notified, and the two responses received as part of the original consultation period are summarised below. A full copy of the responses are available on the Council's website.
- Supportive of the plans to bring 116 Ashley Road up to standard and in keeping with other properties in the area.
  - The plans are visually appealing and complimentary to neighbouring properties.
  - The proposed works which would appear aesthetically pleasing can only enhance the look and feel of the road and as a local neighbour fully support the plans.
- 5.4 Following consultation on the amended plans, one additional response has been received and is summarised below.
- As the owners of 118 Ashley Road, we do have concerns regarding the demolition of number 116.
  - It appears we are now looking at a different project completely, demolition of 116 Ashley Road and rebuild attached to 118 Ashley Road.
  - The plans assume that our lounge at the rear of 118 is attached to 116 at present, this is not accurate. There is a 70cm gap between the lounge we extended to the bungalow over 30 years ago. If 116 is built adjoining 118 at this point the boundary will be crossed and built on. This impacts on land boundary, of the building and garden. We're not expecting to change our garden.
  - 116 will be taller and the rear is out of line with 118. This will encroach our eyeline from 118 rear window in lounge, we do not think this is acceptable.

- We are not happy about the creation of a valley on the roof between the two properties which may cause problems in the future.

## **6.0 THE PLANNING POLICY CONTEXT**

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted East Cambridgeshire Local Plan 2015 (as amended 2023).

6.2 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 5	Presumption in favour of sustainable development
HOU 2	Housing density
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
COM 7	Transport impact
COM 8	Parking provision

6.3 Supplementary Planning Documents

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

6.4 National Planning Policy Framework (December 2023)

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

6.5 Planning Practice Guidance

## 7.0 **PLANNING COMMENTS**

7.1 The main considerations which are considered to be relevant to the proposal are the principle of development, the impact on visual amenity, residential amenity, highway safety, trees, ecology, flood risk and drainage, contamination and climate change.

### 7.2 **Principle of Development**

7.3 Policy GROWTH 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023) (the Local Plan) provides the locational strategy for development within the district and provides a hierarchy for the location of housing development. The hierarchy seeks to focus the majority of development on the market towns of Ely, Soham and Littleport. It however allows for more limited development within villages within a defined development envelope. It continues that within the defined development envelopes, housing, employment and other development to meet local needs will normally be permitted, provided there is no significant adverse effect on the character and appearance of the area and that all other material planning considerations are satisfied.

7.4 Policy GROWTH 5 of the Local Plan also states that the District Council will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

7.5 The application site is located within the development envelope for the Newmarket Fringe. The principle of development may therefore be acceptable subject to all other material planning considerations being satisfied.

### 7.6 **Visual Amenity**

7.7 Policy ENV 1 of the Local Plan states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements.

7.8 Policy ENV 2 states that development proposals ensure that the location, layout, massing, materials, and colour of buildings relate sympathetically to the surrounding area.

7.9 Paragraphs 135 and 139 of the NPPF seek to secure visually attractive development which improves the overall quality of an area and is sympathetic to local character and history.

7.10 The application originally sought permission for the demolition of the existing semi-detached dwelling and the erection of a detached, one and a half storey dwelling.

7.11 Whilst the existing dwelling is semi-detached in nature, comprising a true single-storey bungalow, it is noted that this stretch of Ashley Road comprises a mix of semi-detached and detached dwellings. On review of the originally submitted plans, Officers considered that a detached 1.5 storey dwelling could potentially be

accommodated on the site. Notwithstanding this, the size and layout of the plot is derived from the existing semi-detached nature of the property, and it was considered that the proposed detached dwelling, due to its scale and design, would appear cramped and contrived within the plot. Furthermore, due to the scale and design of the dwelling, which included a number of contrasting roof forms and external architectural features, it was considered that the dwelling would appear incongruous within the street scene and would not be in keeping with the existing development along this stretch of Ashley Road.

- 7.12 These concerns were relayed to the applicant's agent and revisions were requested to the scale and design of the proposal. Amended plans have been submitted proposing a replacement one and half storey, semi-detached dwelling.
- 7.13 Officers have no objection to the proposed replacement dwelling taking a semi-detached form, however careful consideration has to be given to the design of the dwelling and the impacts that it could have on the visual amenity of not only the application site, but also the adjoining dwelling. The proposed materials would include brick, render and roof tiles which are considered suitable within the context of the site.
- 7.14 The replacement dwelling would include first floor accommodation within the roof space, served by a dormer window and roof lights to the rear elevation. Whilst the eaves of the dwelling would form a continuation of those on the adjoining dwelling at 118 Ashley Road, the ridge height would be 5.4m (17.7ft), sitting approximately 0.65m (2.1ft) higher, with the introduction of a hipped roof element where the two roof forms would join. The height of the dwelling in relation to the adjoining property is considered to be uncoordinated and disjointed in appearance. In addition, the dwelling would be designed so that the ridge line, as well as being of a greater height, would be set back further in the site, and would not align with the ridge line of the adjoining property. This is considered to further exacerbate the uncoordinated and disjointed appearance of the dwelling and would result in the dwelling being visually dominant within the semi-detached pair. It is noted that the existing pairs of semi-detached properties within the street scene are of the same overall height and roof alignment, and as such it is considered that the proposed dwelling would appear out of place within the street scene.
- 7.15 The replacement dwelling would be of a substantial footprint. The design of the dwelling includes a number of projecting elements, including a large extension with a triple gable roof form of differing heights to the rear, as well as a dormer window. To the front, the dwelling would benefit from a canopy entrance porch and substantial projection. The extensions would be designed with gable roof forms, which would appear at odds with the Jerkinhead roof form which is proposed to the main element of the dwelling. The introduction of a Jerkinhead roof form would also be out of keeping with the true hipped roof form to the adjoining dwelling.
- 7.16 Officers acknowledge that there is some variation in the design and appearance of the dwellings within the wider street scene. However, the cumulative impacts of the proposal, by virtue of its significant footprint, height and design, would result in the introduction of a dwelling to the site which would appear visually dominant and out of keeping with the character and appearance of the existing dwellings within the street scene. This is considered to result in detrimental harm to the visual amenity

of the site and adjoining property, as well as to the character and appearance of the wider street scene.

- 7.17 It is considered that the proposal would be contrary to policies ENV1 and ENV2 of the Local Plan.

### **7.18 Residential Amenity**

- 7.19 Policy ENV 2 of the East Cambridgeshire Local Plan requires that all new development proposals will be expected to ensure there is no significantly detrimental effect on the residential amenity of nearby occupiers, and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity.
- 7.20 The proposed dwelling would adjoin to 118 Ashely Road, with the majority of the bulk and massing of the dwelling running immediately alongside the existing built form of the dwelling. Reference has been made in the neighbour comments to the height of the dwelling and the positioning of the rear elevation in relation to 118 Ashley Road and how this would encroach the line of sight from the rear lounge window. Whilst the rear wall of the dwelling would align with the rear wall of the adjoining property, the design would include a roof overhang with an additional projection. Given the limited projection of this element, it is not considered that it would result in a harmful overbearing or overshadowing impact to the neighbouring property.
- 7.21 A single storey projecting element is proposed to the front elevation of the dwelling which would be located within close proximity of the boundary shared with the adjoining property. The property benefits from an opening within close proximity of the boundary. The extension would be located due west and therefore has the potential to have some overshadowing impact. However, when considering the projection of the extension, which would be approximately 3.6m (11.8ft), and the fact that it would be set in slightly from the shared boundary, it is not considered that any overbearing or overshadowing impact would be to a level detrimental to the amenity of the occupiers of the adjoining property as to warrant a reason for refusal. No openings are proposed to the side elevation of the extension which would prevent overlooking towards the property.
- 7.22 The dwelling would be located to the side of 114 Ashley Road, set in from the boundary shared with the property as well as its side elevation. Whilst the property benefits from openings to the side elevation, it is considered that sufficient distance would be retained to prevent the proposal from resulting in harm to the amenity of the occupiers by way of overbearing and overshadowing. Openings to the side elevation of the dwelling would be limited to a utility room window and a secondary opening to an open plan kitchen, dining and living area. The nature of these openings, together with the distance retained, is considered sufficient to prevent harmful overlooking between the two properties.
- 7.23 There is the potential for noise and vibration to be generated during the construction phase of the development. In order to limit such impacts to an acceptable level, conditions could be attached to the decision notice in relation to construction hours and the use of ground piling should the application be permitted.



7.24 It is considered that the proposal would have an acceptable impact on the residential amenity of the existing and future occupiers, in accordance with policy ENV 2 of the Local Plan.

### **7.25 Highway Safety and Parking Provision**

7.26 Policy COM 7 of the Local Plan states that development proposals shall provide a safe and convenient access to the highway network. Policy COM 8 requires that development proposals shall provide sufficient parking to serve the development.

7.27 The proposed dwelling would utilise the existing vehicular access into the site which would be widened as part of the proposal. The Local Highway Authority have been consulted as part of the application and have raised no objections to the proposal on the basis that the development would not adversely impact on the highway.

7.28 The block plan demonstrates that the existing front garden would be laid to hardstanding and would be able to accommodate at least two vehicles with space retained for on-site turning. It is considered that there would be sufficient space for cycle and bin storage on the site.

7.29 The proposal is considered acceptable from a highway safety perspective and would provide adequate parking provision in accordance with policies COM 7 and COM 8 of the Local Plan.

### **7.30 Trees and Ecology**

7.31 Policy ENV 7 of the Local Plan states that all applications for development that may affect biodiversity and geology interests must be accompanied by sufficient information to be determined by the Local Planning Authority, including an ecological report, to allow potential impacts and possible mitigation measures to be assessed fully. It also states that all development will be required to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland, and ponds.

7.32 Policy ENV 1 states that development proposals should protect, conserve and where possible enhance the pattern of distinctive historic and traditional landscape features such as watercourses, characteristic vegetation, individual and woodland trees, field patterns, hedgerows and walls and their function as ecological corridors for wildlife dispersal. Policy ENV 2 states that all development proposals will be expected to make efficient use of land while respecting the density, urban and village character, public spaces, landscape, and biodiversity of the surrounding area.

7.33 The Council has adopted the Natural Environment SPD which states that all developments must result in biodiversity net gain.

7.34 The application seeks permission for a replacement dwelling and the proposal is not considered to result in a significant impact on ecology in the area. However national and local policies require that all development bring about ecological enhancements. It is considered that a scheme of ecological enhancements, for example through the provision of bird nest and bat roosting boxes, would be sufficient to secure an

ecological enhancement given the small scale of the proposal. Were permission to be granted, this could be secured by condition.

7.35 The Trees Officer has been consulted as part of the application and has raised no objections to the proposal. A condition has however been requested requiring the submission of a soft landscaping scheme to aid the integration of the new development into the surrounding area. This condition could be appended to the decision should it be granted.

7.36 Subject to the inclusion of the above conditions should the application be permitted, the proposal is considered to accord with policies ENV 1, ENV 2 and ENV 7 of the Local Plan and Policy SPD.NE6 of the Natural Environment SPD.

### **7.37 Flood Risk and Drainage**

7.38 Policy ENV 8 of the Local Plan states that new development should normally be located within Flood Zone 1 and should contribute to an overall flood risk reduction.

7.39 The site is located within Flood Zone 1, where the principle of development is acceptable in flood risk terms.

7.40 The application form states that surface water would be disposed of through sustainable drainage systems and the main sewer and foul water via the main sewer which is considered acceptable. The application is for a single dwelling and the information submitted is therefore considered acceptable for the purposes of the planning application. It is noted that more detailed information in relation to surface and foul water drainage would be required for building regulations and the applicant would need to seek consent from Anglian Water before connecting to the main sewer.

7.41 It is therefore considered that an acceptable drainage scheme could be achieved at the site in accordance with policy ENV 8 of the Local Plan.

### **7.42 Contamination**

7.43 All applications for residential development are considered to be particularly sensitive to the presence of contamination. Notwithstanding, the application seeks permission to replace an existing dwelling within the residential curtilage. The application site is therefore considered to pose a low risk of contamination. However, as a safeguarding measure, a condition regarding the reporting of unexpected contamination could be attached to the decision notice should the application be permitted.

7.44 Subject to the relevant condition should the application be permitted, the proposal is considered to accord with policy ENV 9 of the Local Plan as well as the aims of the NPPF.

### **7.45 Other Material Matters**

7.46 With regard to the neighbour comments in relation to the boundary between the two properties. Matters of land ownership are not a material consideration which can be

taken into account as part of the assessment of this planning application. Ownership Certificate B has been signed during the course of the application. It is also advised that the granting of planning permission does not override ownership or rights of access.

## **8.0 Planning Balance**

- 8.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 The development is contrary to policies ENV 1 and ENV 2 of the Local Plan. The proposal would introduce a dwelling to the site which would visually dominate the existing semi-detached dwelling to which it would be adjoined. The dwelling, by virtue of its significant footprint, height and overall design is considered to be out of keeping with the character and appearance of the development within the wider street scene, appearing incongruous within its setting.
- 8.3 Officers acknowledge that there would be some benefits to the scheme through the creation of short-term employment during construction. This benefit however carries limited weight and is restricted by the scale of the development which is for a single dwelling.
- 8.4 It is therefore considered that the scheme does not accord with the development plan when taken as a whole and, having considered the benefits of the scheme against the harm, that there are no material considerations that indicate a departure from the development plan is warranted in this instance.
- 8.5 The application is therefore recommended for refusal.

## **9.0 APPENDICES**

None

### Background Documents

23/00877/FUL

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 (as amended 2023) -

<https://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20adopted%2019%20October%202023%20-%20final%20with%20cover.pdf>



**23/01338/OUM**

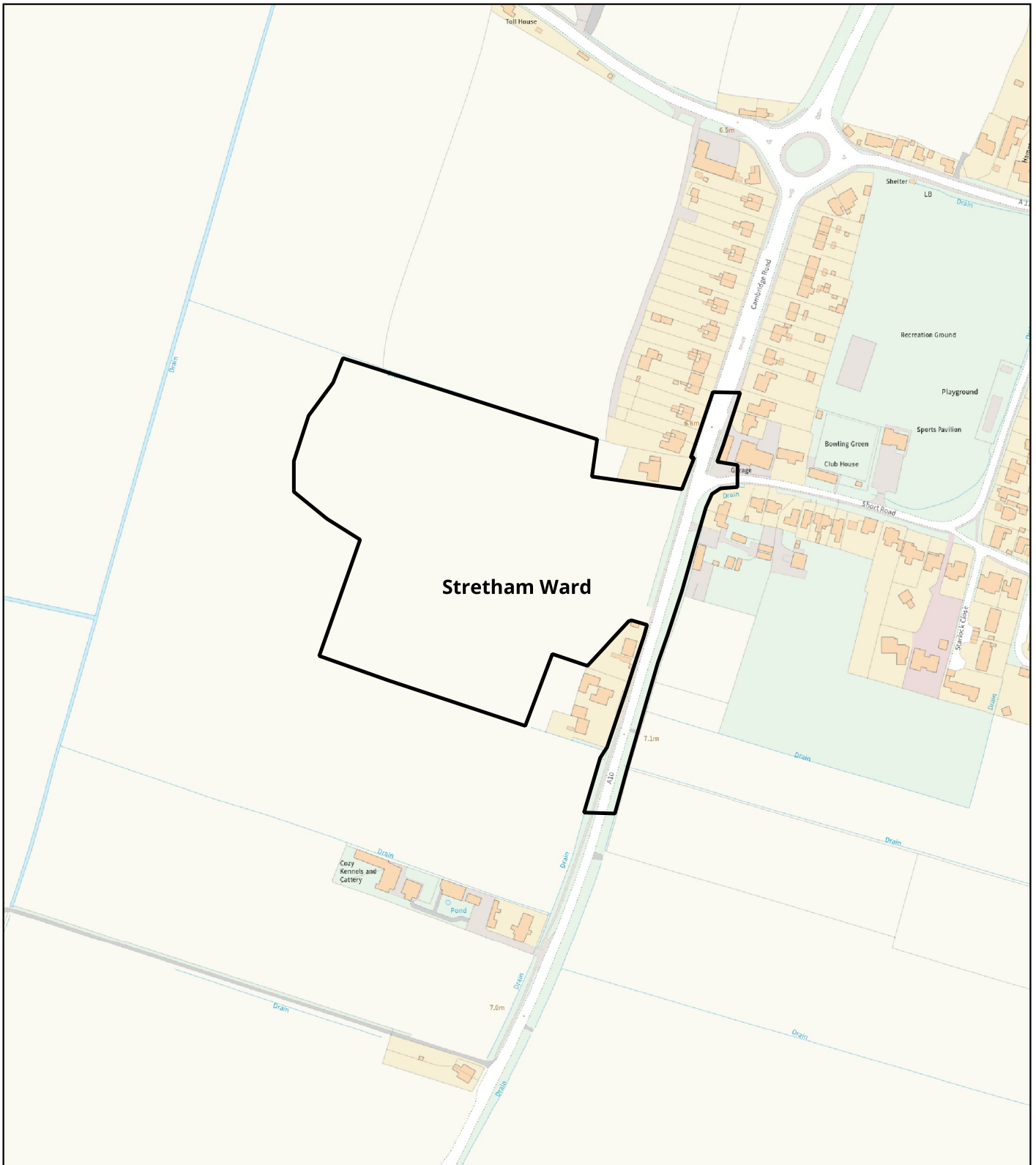
Land At Cambridge Road  
Stretham

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

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S57EU9GGHP100>





23/01338/OUM



Land At Cambridge Road  
Stretham

East Cambridgeshire  
District Council

Date: 15/03/2024  
Scale: 1:4,000



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**TITLE: 23/01338/OUM**

Committee: Planning Committee

Date: 3 April 2024

Author: Senior Planning Officer

Report No: Y187

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

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

**Applicant: Long Term Land Limited**

**Parish: Stretham**

**Ward: Stretham**

Ward Councillor/s: Bill Hunt  
Caroline Shepherd

**Date Received: 5 December 2023**

**Expiry Date: 5 April 2024**

**1.0 RECOMMENDATION**

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

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

(summarised conditions)

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

## **2.0 SUMMARY OF APPLICATION**

- 2.1 The application seeks outline planning permission for the residential development of the site for up to 83 affordable dwellings. Only matters of access are committed, meaning that matters of layout, scale, appearance and landscaping are reserved for future consideration.
- 2.2 The application is supported by an access plan (2006310-004 Rev B) detailing how the access is proposed to be configured, which details an access directly from Cambridge Road (the A10 highway) into the site, with a general access arrangement also proposing amendments to Cambridge Road, in summary; by way of footway widening leading northwards towards the roundabout and to the kerb radii and footway at the junction of Short Road (north east), with a refuge island providing a crossing point across the A10. All on/off-site highway works are to take place within the 40mph speed-restriction zone.
- 2.3 The application is accompanied by an illustrative layout plan and illustrative aerial layout plan to show how the quantum of dwellings could be arranged within the site, which shows a terrace of dwellings fronting the highway north of the access, with a looser planned development of dwellings behind, extending southwards behind No. 46 Cambridge Road and westward into the countryside. An area of open space is shown at the site's frontage with Cambridge Road (inclusive of indicative play space), with an indicative community orchard along the southern/western site boundary. SuDS are shown indicatively along the site's northern boundary.
- 2.4 Whilst the detailed matters of the dwellings are not committed, the applicant has indicated that dwellings will be between 1 and 2 storeys in height, and passivhaus ('passive house') principles will be adopted for construction. However, this does mean that the proposed dwellings may not necessary be constructed to Passive



House certification standards. A Design and Access Statement (DAS) has also been submitted with the proposals to provide an assessment of the site's context, and the proposals are also supported by a Landscape Visual Impact Assessment (LVIA).

2.5 The application is being presented to Planning Committee in accordance with the Council's Constitution as it comprises an outline application of more than 50 dwellings.

2.6 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.

### **3.0 PLANNING HISTORY**

3.1 Relevant planning history for the application site is set out below:

#### **22/00180/OUM**

Outline planning application for the erection of up to 19 Affordable Homes with associated access, parking and landscaping - all matters reserved except for Means of Access

**Refused**

17 November 2022

**Appeal Allowed** (Appeal ref: APP/V0510/W/23/3317675)

22 August 2023

#### **23/00712/OUM**

Outline planning application for the erection of up to 38 Affordable Homes with associated access, parking and landscaping - all matters reserved except for Means of Access

**Approved**

28 November 2023

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

4.1 The site comprises circa 5.18-hectares (12.8 acres) of agricultural land located to the southwest of Stretham, immediately adjoining the policy-defined settlement boundary to the north.

4.2 To the north of the site is a linear development of semi-detached properties and to the south is a loose knit arrangement of 3 dwellings, which the proposed development would partially sit behind. To the west of the application site is open countryside, and immediately opposite the site (to the east) beyond the A10 is paddock land enclosed in part by corrugated fencing along the A10 boundary.

4.3 The site lies in Flood Zone 1 in respect of flooding from rivers and sea, and mainly at a low risk of flooding from surface water.

4.4 There are no nearby listed buildings or conservation areas that would be affected by the application proposals.

## **5.0 RESPONSES FROM CONSULTEES**

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

### **Parish - 7 February 2024**

States: "Stretham Parish Council considered this matter at the meeting held last night (6th February 2024) and recorded a decision to OBJECT to this application on the following grounds:

Inadequate access: insufficient provision for motorised vehicles; safety concerns for non-motorised vehicles and public safety

Highways issue: exceptionally fast road; busy junction; insufficient provision by developer to address these concerns

Flooding risk - insufficient provision for surface water drainage."

### **Parish - 8 March 2024**

States: "Stretham Parish Council considered this matter at the meeting held on Tuesday 5th 2024 and recorded to make no comment on the additional surface water drainage and flood risk assessment information provided.

As previously advised, Stretham Parish Council decided to OBJECT to this application, due to the inadequate provision of highway and pedestrian safety issues."

### **Ward Councillors - No Comments Received**

### **Design Out Crime Officers - 25 January 2024**

States: "I have viewed the documents in relation to crime, disorder, and the fear of crime.

I note the updated documents. My additional comment is that safety signage is placed near to the SUDS to alert residents of the risks."

### **Design Out Crime Officers - 18 December 2023**

States: "Thank you for the opportunity to comment on this application. I have viewed the documents in relation to crime, disorder, and the fear of crime. I have searched the Constabulary crime and incident systems covering location and ward for the last 2 years and have provided an updated crime analysis of the ward. I would consider the proposed location to be an area of medium to high risk to the vulnerability to crime based on the figures below.

<b>Total Crime: 2121</b>	<b>Stretham Ward</b>	<b>Cambridge Road</b>
Criminal Damage	54	3
Robbery	1	0
Theft from person	0	0
Bicycle Theft	1	0
Theft from a vehicle	24	2
Theft of a vehicle	6	1
Vehicle Interference	3	0
Public Order	34	3
Burglary Business	10	0
Burglary Dwelling	30	2
Possession of drugs	1	0
Theft other	39	6
Trafficking of drugs	5	0
Possession of weapons	2	1
Violence (including Stalking/Harassment )	143	2
<b>Total Incidents: 1022</b>		
Rowdy Nuisance	27	2
Vehicle Nuisance / Stolen Vehicle	22	0
Suspicious Circumstances	112	1
Drugs	3	1

I note section 4.8 - Safety and Security on page 42 of the Design and Access Statement (DAS). It is important that security and crime prevention are considered and discussed at the earliest opportunity to ensure that the security of buildings, homes, amenity space and the environment provide a safe place for people living, working in, and visiting this location.

NPPF Para 130(f) states - Planning policies and decisions should ensure that developments - create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The proposed development looks very nice, with most gardens being back-to-back, and the orientation of plots appear to overlook the public realm, this will help reduce the vulnerability to crime and provide natural surveillance. Due to the limited detailed drawings available, this office will reserve further comment until we have received the reserved matters/full application. In the meantime, I have the following recommendations for your consideration.

- External lighting - Our recommendation for external lighting is that all adopted and un-adopted roads, private roads, shared drives, footpaths, and parking areas/courts 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 most of the

dwelling burglary being via rear gardens, especially where there is little surveillance from neighbouring properties as they can be used as a climbing aid if positioned too close to the fence/wall. Home security lights to the front and rear of the properties should be dusk to dawn LED lights, including car ports for the safety of the resident. Please note: Bollard lighting should be used as wayfinding only and not as a main source of lighting. A qualified lighting engineer will be able to produce a lighting plan appropriate for the safety and security of residents and their property as well as ecology and wildlife. I would like to see the lighting plan, including lux levels and calculations when available please.

- Boundary Treatments - All boundary treatments should be 1.8m close boarded fencing or walls for each dwelling. It is important to note that most burglaries occur at the rear of the property and is therefore essential to reduce that risk where possible.

- All private gates should be fitted with a self-closer and are lockable from both sides and any shared gates should have a self-closer.

- Our recommendation is that no rear footpaths are created to the rear of properties to allow the resident to move bins, these will only increase the vulnerability to crime.

- It is important that boundary treatments to the site are considered as Cambridgeshire experience hare coursing on open fields.

- Rear access footpaths - There is a rear footpath within the cluster of plots 1-12. As mentioned above, shared gates should be as close to the front building or fence line as possible fitted with a self-closer, private gate should be fitted with self-closers and lockable from both sides. Whilst the shared gates to the front are not be lockable, they will provide a defensible space and help to deter un-authorized access, this will also allow the residents to challenge anyone seen within these areas. It is recognised that most burglaries occur via the rear garden so it important that security measures are always considered. The fence to the rear of the garden should be lowered to 1.5m with 300mm trellis to improve the surveillance over the footpath.

- The Community Orchard - The plots with the fence line backing onto the Orchard and open field should be lowered to 1.5m and 300mm trellis added to allow the resident to have some surveillance at the back of their dwelling.

- Residents parking (houses) - The parking is to the front, side, or opposite dwelling. The parking areas opposite side of the road appear to be overlooked by properties, this will provide some natural surveillance. Those parking areas should be lit by columns - see lighting standard above.

- Cycle Storage (houses) - There is a proposal to have sheds in the rear garden to allow the resident to store and secure their bikes (this is our preferred option for bike security).

- Minimum requirements are as follow:

- Shed construction and security 38x50mm (min) planed timber frame.

- Floor and roof constructed from 11mm boards (minimum).

- 11x125mm (min) Tongue & Grooved board walls and door.

- No window to be present.

- door hinges should be coach-bolted through the shed structure or secured with security or non-return screws.

- Two hasp and staples that meet 'Sold Secure' Silver should be used. One positioned 200mm - 300mm down from the top of the door, and one positioned 200mm - 300mm up from the bottom of the door. Additionally, hasp and staples should be coach bolted through the shed structure or secured with either security or non-return screws.
- Both padlocks should meet 'Sold Secure' Gold or LPS 1654 Issue 1.1:2014 Security Rating 1. Specialist Cycle Parking (Page 20 section 5.8) - Please click on the link for more information: [05132-Cycle-Parking-and-Security-Standards-June-2021-REV-6.pdf \(securedbydesign.com\)](#)
- Apartments - Doorsets & Access Control - The communal entrance doors to the flats should be access controlled with a video entry system to allow the resident to see/speak to any visitors before allowing access, there should be no trade buttons. All doorsets allowing direct access into to the home, e.g., front, and rear doors, interconnecting garage doorsets, French doors, bi-fold or sliding patio doorsets, dedicated private flat or apartment entrance doorsets, communal doorsets, easily accessible balcony doorsets should be certificated to one of the following standards:
  - PAS 24:2016 (Note 23.4b), or
  - PAS 24:2022 (Note 23.4b), or
  - STS 201 Issue 12:2020 (Note 23.4c), or
  - LPS 1175 Issue 7.2:2014 Security Rating 2+ (Note 23.4d), or
  - LPS 1175 Issue 8:2018 Security Rating A3+, or
  - STS 202 Issue 10:2021 Burglary Rating 2 (Note 23.4d), or
  - LPS 2081 Issue 1.1:2016 Security Rating B (Notes 23.4d and 23.4e), or
  - STS 222 Issue 1:2021
- Cycle Parking (Apartments) - Can you confirm what the provision is for the apartments please. Our recommendation is as follow.  
 Internal Cycle (Apartments blocks) - Cycle storage should be enclosed within a solid structure, well-lit and the doors should have LPS1175 SR1 rated security enhanced door-sets fitted with self-closers and a thumb turn or push to exit for egress to ensure that people cannot be locked in. There should be no visibility inside the stores to prevent criminals viewing the cycles (no windows). Stands should be secured (cemented 300mm) into the ground (not bolted down) as per Secured by Design guidelines. Minimum requirements for such equipment are:
  - Galvanised steel bar construction (Sheffield stands).
  - Minimum foundation depth of 300mm with welded 'anchor bar'
  - The cycle stands must facilitate the locking of both wheels and the crossbar.
 Clarification required what construction will these doors be?
- Will there be provision for E-bikes and cargo bikes?
- Secondary doors within the storage area providing access to the main core of the block should be access controlled and not a push to release. This is to mitigate against any technical problems or if the door is left insecure.

- Covered by CCTV both internal and external

Please be aware there are now tested products available and are listed on the SBD site which would be advisable when taking into consideration the high cycle crime rates within Cambridgeshire. Specialist Cycle Parking Page 20 section 5.8 - Please click on the link for more information 05132-Cycle-Parking-and-Security-Standards-June-2021-REV-6.pdf securedbydesign.com

- Footpath, Open Space, Landscaping, whole development including - pedestrian links on this proposed development, footpaths should be straight with clear visibility and a minimum 2m wide, the landscaping along these paths should be maintained with a good management plan in place. Please ensure that tree crowns are raised above 2m in height and ground planting and hedging is kept to a minimum of 1 - 1.2m in height, this will allow for ongoing natural surveillance across the development, open spaces, and footpaths and to reduce possible conflict with lighting. Care should also be taken not to place column lighting within 5m of trees to reduce conflict or within 1m of private residential fences as they could be used as a climbing aid most dwelling burglaries are committed via rear gardens. These should encourage residents to use the green space and further improve natural surveillance which is always a proven deterrent to crime and anti-social behaviour as well as being a positive to health and wellbeing and a safe route. See lighting standard above

Our office would be happy to discuss Secured by Design and measures available to reduce the risk to vulnerabilities of crime. Please be aware that the secured by design homes guide has been updated, the latest edition is the SBD homes 2023 guide

**Design Out Crime Officers - 22 December 2023**

States: "I have viewed the documents in relation to crime, disorder, and the fear of crime.

I note the additional documentation. I have no further comment or objection. "

**Anglian Water Services Ltd - 24 January 2024**

States: "We have reviewed the submitted documents and we can confirm we have no additional comments to add to our previous response PLN-0201002."

**Anglian Water Services Ltd - 2 January 2024**

**ASSETS**

**Section 1 - Assets Affected**

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement.

Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption

agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

## WASTEWATER SERVICES

### Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Stretham Water Recycling Centre that will have available capacity for these flows

### Section 3 - Used Water Network

This response has been based on the following submitted documents: Design and Access, Illustrative layout plan.

The sewerage system located in Cambridge Road at present has available capacity for these flows. If the developer

wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act

1991. We will then advise them of the most suitable point of connection. 1. INFORMATIVE - Notification of intention

to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by

Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. 2.

INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for

the proposed development. It appears that development proposals will affect existing public sewers. It is

recommended that the applicant contacts Anglian Water Development Services Team for further advice on this

matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. 3.

INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of

3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on

0345 606 6087. 4. INFORMATIVE: The developer should note that the site drainage details submitted have not

been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer

adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact

our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption

should be designed and constructed in accordance with Sewers for Adoption guide for developers, as

supplemented by Anglian Water's requirements.

## Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The preferred method of surface water disposal would be to a sustainable drainage system SUDS with connection to the sewer seen as the last option. A flood risk assessment or surface water strategy has not been submitted, there is insufficient information to allow us to comment make comments on the surface water proposal. We would like to note that Anglian Water has no designated surface water sewers within the area of the proposed development site and we are unable to offer a solution for the surface water discharge at a later stage. We would expect the developer to consider the use of a Suds scheme as the surface water strategy. We recommend that once the surface water information is submitted that the Cambridge LLFA is re-consulted as per their response to the planning application dated 20-12-2023 We request a condition be applied to the decision notice if permission is granted. The purpose of the planning system is to achieve sustainable development. This includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy. It is appreciated that surface water disposal can be dealt with, in part, via Part H of the Building Regulations, it is felt that it is too late at this stage to manage any potential adverse effect. Drainage systems are an early activity in the construction process and it is in the interest of all that this is dealt with early on in the development process.

## Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

### Surface Water Disposal (Section 4)

No development shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.



FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information:

#### Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution.

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

#### Surface water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:
  - Development hectare size
  - Proposed discharge rate (Our minimum discharge rate is 2l/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website - <http://www.uksuds.com/drainagecalculation-tools/greenfield-runoff-rate-estimation> . For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)
- Connecting manhole discharge location
- Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)

#### **Anglian Water Services Ltd - 14 December 2023**

States: "We are unable to make an accurate assessment for the proposed development because no drainage strategy has been submitted with the application and therefore it is not clear where the applicant is proposing to connect to Anglian Water network."

**Cambridgeshire Archaeology - 22 January 2024**

States: "Thank you for the re consultation regarding the archaeological implications of the above referenced planning application. We have reviewed the additional documents and confirm that this does not alter our previous advice, 22/12/2023 and 11/12/23.

Namely that due to the archaeological potential of the site, a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:

**Archaeology Condition**

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (Wintertree Software Inc.) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the Wintertree Software Inc., no demolition/development shall take place other than under the provisions of the agreed Wintertree Software Inc., which shall include:

- a) The statement of significance and research objectives;
- b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) The timetable for the field investigation as part of the development programme;
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

**REASON:** To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021)

**Informatives:**

Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development.

Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the Wintertree Software Inc..

A brief for the recommended programme of archaeological works is available from this office upon request. Please see our website for CHET service charges."

**Cambridgeshire Archaeology - 22 December 2023**

We have reviewed the newly uploaded documentation and can confirm they do not alter the advice given by this office on 11/12/23.

Namely that due to the archaeological potential of the site, a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:

**Archaeology Condition**

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

- a) The statement of significance and research objectives;
- b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) The timetable for the field investigation as part of the development programme;
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

**REASON:** To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).

**Informatives:**

Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development.

Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI.

**Cambridgeshire Archaeology - 11 December 2023**

States: "Our records indicate that this site lies in an area of archaeological potential, immediately adjacent to the west of the 18th century Ely turnpike road (Cambridgeshire Historic Environment Record reference 05353) and less than 200m west of the projected line of a former Roman Road running north to Ely and Littleport (CHER ref 05352). To the east and south of the application area extensive artefactual evidence of Prehistoric-Roman occupation (for example, MCB17005, MCB17019, MCB16998, 06928a, MCB17002, MCB17023) is recorded in proximity to a settlement site of Romano-British date visible on historic aerial photographs as

cropmarks and which was mapped as part of the East Cambridgeshire Aerial Investigation and Mapping project (ECB6189, MCB31404). Archaeological investigations to the north within the village have revealed evidence of early through to late medieval remains, including structures possibly associated with an early manor (CHER refs MCB19851, 09833, MCB17659, 10199 and MCB17658). Earthwork remains of ridge and furrow cultivation and known to the north and south of the development area, including levelled earthwork remains within the development area itself (CHER refs MCB31270 and MCB30384).

We have commented on development within the area previously (22/00180/OUM and 23/00712/OUM) and advise that our previous recommendations remain for this application also. Namely that due to the archaeological potential of the site, a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:

#### Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

- a) The statement of significance and research objectives;
- b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) The timetable for the field investigation as part of the development programme;
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).

#### Informatives:

Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development.

Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI."

## Cambridgeshire County Council Education - 8 January 2024

States: "A summary of the County Council's Education and Libraries/Lifelong Learning contributions are set out in the extract below. Their full response is available on the Council's Portal, and should be read in conjunction with the below table:

### 2. S106 Summary Table

2.1 Table 1 below summarises the contributions requested by the Council. Subsequent sections of this response provide the detailed explanation as to how these contributions have been calculated. The Council provides a cost for the proposed education mitigation projects calculated in accordance the standards as set out in Building Bulletin 103. Where there is no project cost available, the most recent Department for Education scorecard costs will be used.

**Table 1: s106 contributions – summary table**

	Contribution	Project	Indexation date	Trigger
<b>Early Years</b>	To be calculated in accordance with appendix 3	Additional Early Years Places in Stretham	1Q2022	50% prior to commencement 50% prior to occupation of 50% of the scheme
<b>Primary</b>	N/A	N/A	N/A	
<b>Secondary</b>	To be calculated in accordance with appendix 3	Expansion of Witchord Village College	1Q2022	
<b>Libraries</b>	£12,272	Enhanced provision at Ely Library	1Q2021	100% prior to occupation of 50% of the development
<b>Strategic Waste</b>	n/a			

## CCC Growth & Development - No Comments Received

### Cambridgeshire Fire And Rescue Service - 23 January 2024

States: "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.

The position of fire hydrants are generally agreed upon when the Water Authority submits plans to:

Water & Planning Manager  
Community Fire Safety Group  
Hinchingsbrooke Cottage  
Brampton Road  
Huntingdon  
Cambs, PE29 2NA

Where a Section 106 agreement or a planning condition has been secured, the cost of Fire Hydrants will be recovered from the developer.

The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the "National Guidance Document on the Provision of Water for Fire Fighting" 3rd Edition, published January 2007.

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required, the details of which can be found in the attached document.

I trust you feel this is reasonable and apply our request to any consent given."

**Cambridgeshire Fire And Rescue Service - 12 December 2023**

States: "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.

The position of fire hydrants are generally agreed upon when the Water Authority submits plans to:

Water & Planning Manager  
Community Fire Safety Group  
Hinchingsbrooke Cottage  
Brampton Road  
Huntingdon  
Cambs  
PE29 2NA

Where a Section 106 agreement or a planning condition has been secured, the cost of Fire Hydrants will be recovered from the developer.

The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the "National Guidance Document on the Provision of Water for Fire Fighting" 3rd Edition, published January 2007.

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required, the details of which can be found in the attached document.

I trust you feel this is reasonable and apply our request to any consent given.

Should you require any further information or assistance I will be pleased to advise.”

**County Highways Transport Team – 29 February 2024**

States:

**“Background**

The document reviewed is the transport assessment dated December 2023, written by Ardent for a proposed 83 dwellings.

**Transport Assessment Review**

**2.3**

A review of the existing network has been undertaken.

It is noted that there is a missing section of footway just to the north of the proposed development.

**2.16**

Stretham is a small, isolated village with very limited facilities, its unlikely many residents would walk/cycle at peak times to schools or employment.

A site in this location is likely to be reliant on the private motor car as demonstrated by the census data and mode share.

**2.18**

It is noted that Stretham is served by a limited bus service.

**2.24**

it is noted that accident data has only been provided for a few hundred metres fronting the site and not an agreed study area.

**2.28**

The use of 2021 census data is not acceptable, due to covid and restrictions the results are not a true reflection.

**2.30**

MCC were undertaken at the Cambridge Road junction with Short Road on 15 sept 2021.

**3.5**

It is proposed to provide a pedestrian refuge island and a new section of footway on the eastern side of the A10. This will enable pedestrians from the site to walk north into the village centre. It should be noted that the footway and pram crossing at the petrol filling station whilst may be within public highway, looks difficult to deliver.

**3.18**

The LPA are the parking authority and will provide comments on parking.

**5.1**

The use of TRICS is acceptable.

## 5.8

The use of census 2011 data to determine modal split is acceptable.

As expected for a site in such a rural location there are just a handful of walking/cycling trips in the peaks.

## 6.2

The network peaks have been determined from the 2021 traffic surveys,

## 6.3

2027 does seem a bit optimistic, but the future years are noted.

## 6.4

The use of TEMPRO is acceptable.

## 6.7

The proposed distribution is acceptable.

## 6.9

A percentage impact assessment is not acceptable as this does not show how a junction is operating. If a junction is operating over capacity, then any new vehicles could have a severe impact.

## 6.18

The modelling results are noted.

The Highway Authority is aware that the A10/A1123 roundabout already suffers from being over capacity and leads to queuing on more than one arm at peak times. Queuing at the roundabout is also shown on google earth.

It is likely that vehicles will queue from the A10 roundabout past the proposed site access at peaks times, this could prevent vehicles from exiting the site. Queuing of vehicles trying to exit the site on a small side road is not a concern to the Highway Authority. A planning application of this size is not able to “fix” the existing capacity issues at the A10 roundabout.

**The Highway Authority does not wish to object to the proposals subject to the following –**

1. Prior to first occupation of any dwelling, the applicant shall deliver on the ground the footway improvements, refuge island and pram crossings as show in principle on drawing 20 0 6310-0 0 4 Rev B. Full details to be submitted to and approved in writing by the local planning authority.”

**Environment Agency - No Comments Received**

**Environmental Health - 22 January 2024**

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



**Environmental Health - 5 January 2024**

States: "I have read the Design & Access Statement dated June 2023 prepared by Metropolis which indicates that this is a greenfield site. I recommend that a condition requiring investigation for contamination is not required. Due to the proposed sensitive end use of the site (residential) I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission."

**Environmental Health - 14 December 2023**

States: "We have commented on a similar proposal at this location in the past.

If Peter wishes to make any comments he will respond separately.

I would advise that construction times and deliveries during the construction phase are restricted to the following:

07:30 - 18:00 each day Monday - Friday  
07:30 - 13:00 on Saturdays and  
None on Sundays or Bank Holidays

I would also advise that prior to any work commencing on site a Construction Environmental Management Plan (CEMP) shall be submitted and agreed in writing with the Local Planning Authority (LPA) regarding mitigation measures for the control of pollution (including, but not limited to noise, dust and lighting etc) during the construction phase. The CEMP shall be adhered to at all times during the construction phase, unless otherwise agreed in writing with the Local Planning Authority (LPA).

If it is necessary to undertake ground piling I would request that a method statement be produced and agreed in writing with the Local Planning Authority (LPA) before work takes place. This document should include the commitment to notifying nearby properties prior to the work commencing to advise how long the works will last. This notification should also provide a contact number so that if there are any concerns while the piling is taking place they can contact the contractor. If the method of piling involves impact driving I would request a commitment to the following restricted hours specifically for piling - 09:00 - 17:00 each day Monday - Friday and None on Saturdays, Sundays or Bank Holidays.

If there is no intention to utilise ground piling then I would request this be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA.

For the previous application at this site there was a NIA included. There isn't one visible on the Portal for this application. It may be useful to have a discussion concerning noise at this site before I comment further.

No other comments to raise at this time but please send out the environmental notes."

**Housing Section - 16 February 2024**

States: "The application will support East Cambridgeshire District Council to address housing need.

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

Detailed discussions are recommended with the developer prior to submission of the reserved matters application in order to secure an affordable housing mix that meets the housing needs of the area. Early indications suggest that we will be requiring an affordable housing mix of one to five-bedroom homes on site.

It is recommended that the space standards for the affordable dwellings should meet the minimum gross internal floor area as defined within the DCLG; National Describes Space Standards. Please see link: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/524531/160519\\_Nationally\\_Described\\_Space\\_Standard\\_\\_\\_\\_Final\\_Web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard____Final_Web_version.pdf)

Should consent be granted, I would request the s106 Agreement contains the following Affordable Housing provisions:

1. That Affordable Housing is secure with the tenure requirement of 77% rented and 23% intermediate housing.
2. That the dwellings will be Affordable Housing in accordance with the definition contained in NPPF.
3. That the dwellings will transfer to a provider of social housing approved by the Council, either a Private Registered Provider or an alternative affordable housing provider (including but not limited to a housing trust or company, a community land trust or an almshouses society).
4. That the tenure of each dwelling will be Affordable Rent, Social Rent or Shared Ownership, and no subsequent alteration will be permitted without the Council's prior approval.
5. That the rent charged for the Affordable Rented properties will not exceed Local Housing Allowance rate for the equivalent property size.
6. That the Affordable Dwellings are constructed to DCLG, National Described Space Standards or as a minimum all new dwellings should meet Building Regulation Part M (Volume 1), Category 2, unless there are exceptional design reasons why this is not possible.
7. That the Provider will not dispose of any dwelling by outright sale (except any sale to a tenant under statutory provisions)
8. That occupation will be in accordance with a nomination agreement.
9. That these affordable housing conditions shall be binding on successors in title, with exceptions for mortgagees in possession and protected tenants."

**Local Highways Authority - 1 February 2024**

States: "Following a review of the updated information submitted, I have no further comments

or recommendations following my response on the 2nd January 2024.

I have not provided comment on the layout presuming it is illustrative and noting it is not to CCC adoptable standard."

### **Lead Local Flood Authority - 5 March 2024**

States: "We can remove our objection to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed using a step swale (planted step) and an attenuation basin which will be discharged to an ordinary watercourse site via a pump, restricting surface water discharge to greenfield equivalents.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

We request the following conditions are imposed:

#### **Condition 1**

No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Foul and Surface Water Drainage Strategy for Planning prepared by Unda Consulting (ref: 90709d-FuturePD-Stretham) dated 15th January 2024 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Site Investigation and test results to confirm infiltration rates;
- f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- h) Full details of the maintenance/adoption of the surface water drainage system;
- i) Permissions to connect to a receiving watercourse or sewer;
- j) Measures taken to prevent pollution of the receiving groundwater and/or surface water

#### **Reason**

To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts.

#### **Condition 2**

No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

#### Reason

To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.”

#### **Lead Local Flood Authority - 5 February 2024**

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

##### 1. Limited SuDS

It is appreciated that the applicant proposes basins and step swales. However, interception source control should be sought on every site, such as permeable paving, rain gardens, bioretention, or green roofs. This sets up the start of the SuDS Management Train and provides the first stage of treatment and surface water management before discharging into the watercourse. The applicant has not incorporated source control into the site, nor provided evidence of why they would be inappropriate.

##### 2. Impermeable Areas

It is currently unclear whether the applicant has included the surface area of the attenuation basin as part of the total impermeable area. The attenuation basin must be treated as an impermeable surface in calculations these areas will be positively drained into the system.

##### 3. Further information required about proposed outfall

It is acknowledged that images provided appear to show a well-maintained watercourse, however clarification of maintenance on the downstream extents is required. In addition, the following information is also required:

- capacity of the watercourse (the applicant must demonstrate that the watercourse has sufficient available capacity to cope with the influx of surface water from the site). An approximate assessment of channel capacity based on its dimensions should be undertaken. As a worst-case scenario, the smallest part of the watercourse should be assessed.

- outfall of the watercourse (the applicant must identify a final effective outfall of the watercourse). We would accept a desktop trace, but the applicant should also include any other available information, such as aerial photography, that proves the physical presence of a watercourse.

#### Informatives

#### Ordinary Watercourse Consent

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

#### Pollution Control

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.

#### Assistance For Developers

- Cambridgeshire County Council has a surface water guidance document which is available to view here. This document provides checklists and templates to help ensure you include sufficient information within your drainage strategies. Following this guidance will help reduce the risk of an objection which can hold up a planning application.

- We also offer a pre-application service which enables you to discuss your drainage proposals with the LLFA Officers prior to submission of a formal application.”

#### **Lead Local Flood Authority - 5 January 2024**

States: “At present we object to the grant of planning permission. The applicant has not provided any new information since our last response. Therefore, the LLFA would like to reiterate the following:

Paragraph 173 of the National Planning Policy Framework requires planning applications to be supported by a site-specific flood risk assessment. Such an assessment should include a surface water strategy and must demonstrate that the proposed development incorporates sustainable drainage systems (SuDS), unless there is clear evidence that this would be inappropriate. The SuDS should:

- a) Take account of advice from the Lead Local Flood Authority;
- b) Have appropriate minimum operational standards;
- c) Have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) Where possible, provide multifunctional benefits

As a flood risk assessment/surface water strategy containing the above information has not been submitted there is insufficient information in order for us to determine the impacts of the proposal.

In order to assist developers with the preparation of surface water strategies Cambridgeshire County Council has prepared a guidance document which is available to view here.

For an outline application the following should be included within the surface water strategy:

- i. Existing impermeable area
- ii. Proposed impermeable area / developable area (including an allowance for urban creep)
- iii. A description of site topography
- iv. A description of ground conditions (using site investigation where possible)
- v. Identification of any surface water flood risk
- vi. Existing site drainage arrangements
- vii. Proposed method of surface water disposal
- viii. Existing and proposed runoff rates (if discharging off-site)
- ix. Existing and proposed runoff volumes (if discharging off-site)
- x. Required volume of attenuation (m<sup>3</sup> per m<sup>2</sup> of impermeable area)
- xi. Preliminary SuDS proposals
- xii. Infiltration test results in accordance with BRE365 (or second viable option for surface water disposal if testing hasn't yet been undertaken)
- xiii Details of proposed phasing”

**The Ely Group Of Internal Drainage Board - 9 February 2024**

States: “The Board has no further comment to make from our letter dated 21 st December 2023.

You may wish to contact Haddenham Level IDB regarding this application.”

**The Ely Group Of Internal Drainage Board - 21 December 2023**

State: “This application for development is outside of the Littleport and Downham Internal Drainage District.

The Board has no comment on this aspect of the application.”

**Haddenham Level Drainage Commissioners - No Comments Received**

**Waste Strategy (ECDC) - 30 January 2024**

States: “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 will be required to comment on the safe access and reversing of our vehicles for collection, assuming the roads are built to adoptable standards. We advise the applicant to refer to the Recap Waste Management and Design

Guide, which includes the specifications of our collection vehicles and road dimensions.

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 (delivery and administration) 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 £57 per set. We would recommend the developer made the contribution on behalf of the residents. Please note that the bins remain the property of East Cambridgeshire District Council.

o

Payment must be made in advance of bins being delivered; East Cambs District Council Account Number 43135897, Sort Code 52-41-19, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number.”

5.2 A site notice was displayed near the site on 14<sup>th</sup> December 2023 and a press advert was published in the Cambridge Evening News on 21<sup>st</sup> December 2023.

5.3 **Neighbours** – 87 neighbouring properties were notified of the proposal. 74 responses were received with 4 objections to the proposal and 70 comments in support. The responses have been summarised below. A full copy of the responses are available on the Council’s website.

All of the supportive comments were received from contributors through the ‘Just Build Homes’ service, a service established by ‘Shared Voice’, a communications agency.

- Many people were supportive of the application due to its high affordable housing scheme and rent- to- buy options. This was stated to be “a step towards addressing the housing affordability issues in the area” and providing “fantastic opportunities for families starting out.”
- The inclusion of the community orchard and play area within the scheme was also praised.

Four objections were also raised to the proposal stating:

- Concerns with highways safety in particular with how the A10 and highway network would be able to accommodate the additional traffic.
- It was also noted that many concerns were raised with pedestrian safety when crossing the A10 and that many felt a solution should be provided.
- Neighbouring properties raised concerns with a lack of parking being provided for future occupiers on site.
- It was also raised that residents have concerns with the existing water pressure and drainage systems being unable to accommodate the additional development.
- Concerns with flooding of the site were also raised.

## **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

HOU 4: Affordable housing exception sites

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 14: Sites of archaeological interest

COM 7: Transport impact

COM 8: Parking provision

### **6.2 *Cambridgeshire & Peterborough Waste and Minerals Local Plan, 2021***

### **6.3 *National Planning Policy Framework, 2023 (December)***

1 Introduction

2 Achieving sustainable development

3 Plan-making

4 Decision-making

6 Building a strong competitive economy

9 Promoting sustainable transport

11 Making effective use of land

12 Achieving well-designed places

14 Meeting the challenge of climate change, flooding and coastal change

15 Conserving and enhancing the natural environment

16 Conserving and enhancing the historic environment

### **6.4 *Planning Practice Guidance***

– Noise

### **6.5 *ProPG: Planning and Noise for New Residential Development, May 2017***

### **6.6 *Supplementary Planning Documents (SPD)***

– East Cambridgeshire Design Guide

– Flood and Water

– Contaminated Land

– Natural Environment

– Climate Change



6.7 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted East Cambridgeshire Local Plan (2015)(as amended 2023) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

## 7.0 **PLANNING COMMENTS**

7.1 Key Issues:

- Principle of Development
- Access and Highway Safety
- Indicative Layout and Visual Amenity
- Residential Amenity
- Flood Risk and Drainage
- Biodiversity
- Infrastructure
- Other matters

## 7.2 **Background to the Application**

7.3 An application for outline planning permission at the site for 19-affordable dwellings was recently refused in 2022 (see history section above) on the following grounds;

- 1 *The application site is located in an area exposed to noise from the adjacent transport network. The application proposes to mitigate the noise by relying on closed windows and mechanical ventilation throughout all properties. Whilst this would reduce internal noise levels to acceptable levels, it would not be possible for occupiers to open any windows without being affected by noise levels in excess of recommended limits. Consequently, the development would fail to provide a high-quality living environment contrary to policy ENV 2 of the East Cambridgeshire Local Plan (2015) and paragraph 130(f) of the NPPF.*
- 2 *The application site is located in an area exposed to noise from the adjacent transport network. The application proposes to mitigate the noise by arranging dwellings fronting the highway in a terrace formation. The site sits outside of the development envelope of Stretham where buildings are looser knit and as such the introduction of a terrace of properties in this location would fail to complement and enhance the local distinctiveness of the area, contrary to policies ENV 1 and ENV 2 and paragraph 130 of the NPPF.*
- 3 *The application proposes a residential housing scheme which would require contributions towards education, open space as well as securing affordable housing as a rural exception site. However, the application is not supported by a legal agreement deemed necessary to secure this, contrary to policy GROWTH 3 and HOU 4 of the East Cambridgeshire Local Plan, 2015.*

7.4 An appeal against the Council's refusal was subsequently lodged and the appeal dismissed, thereby granting outline planning permission. In summary, the following key conclusions were drawn by the Planning inspectorate;

- That the proposal would be built to passive-house standards, whereby it is not necessary to open windows,
- That through the appeal submission and notwithstanding the passive-house standard, the development demonstrates that at least 1 window on the quieter façade of all properties and serving habitable rooms could be opened whilst achieving acceptable internal noise levels,
- That the use of a terrace design would not result in unacceptable visual harm to the character of the area
- That, through the appeal submission, the infrastructure contributions necessary to the make the development acceptable were secured via legal agreement.

7.5 A subsequent application for a 38-dwelling scheme was then submitted (23/00712/OUM), incorporating some of the same design solutions to the appealed proposal e.g., passive-house standard design, quieter facades and terrace design along the frontage. Significant weight was afforded to the appeal decision when considering the most recently approved 38-unit scheme, given its similarities with the appeal proposals.

7.6 It is considered, as above, that significant weight should again be afforded to the appeal decision and the recently approved 38-unit scheme when considering the current scheme as material considerations in the planning consideration process. Albeit a larger proposal, the scheme seeks to incorporate the same design-principles as above.

### **7.7 Principle of Development**

7.8 The site is located outside of the defined development envelope of Strettham and comprises an agricultural field. Policy GROWTH 2 of the adopted Local Plan 2015 seeks to strictly control development outside of defined development envelopes, having regard to the need to protect the countryside and the setting of towns and villages. Development will be restricted to the main categories listed below, and may be permitted as an exception, providing there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied;

- Affordable housing exception schemes (see Policy HOU 4).

7.9 The site comes forward as 100% affordable housing, with a provider, Stonewater Ltd. confirming that they intend to take on the scheme. In this regard, the proposal would meet with the exception set out in policy GROWTH 2 under Policy HOU 4, subject to compliance with the development plan and consideration of impacts on the character of the countryside.

7.10 Policy HOU 4 supports Affordable Housing exception sites, subject the following being met;

- There is an identified local need which cannot be met on available sites within the development envelope (including allocation sites), or sites which are part of community-led development.
- The site is well related to a village which offers a range of services and facilities, and there is good accessibility by foot/cycle to those facilities.
- No significant harm would be caused to the character or setting of the settlement and the surrounding countryside.

- The scale of the scheme is appropriate to the location and to the level of identified local affordable housing need.
  - The scheme incorporates a range of dwelling sizes, types and tenures appropriate to the identified local need; and
  - The affordable housing provided is made available to people in local housing need at an affordable cost for the life of the property.
- 7.11 It is acknowledged that there is a significant need for affordable housing in East Cambridgeshire (paragraph 4.5.1 of the Local Plan) with an accepted under-delivery of sites in the plan period so far.
- 7.12 The application is supported by a Housing Needs Assessment (HNA) (January 2024) which considers the needs of the villages of Stretham and Little Thetford, both of which are in the Stretham ward. The inclusion of Stretham and Little Thetford as part of the HNA was agreed for both of the previous consents within the application site, and has therefore been taken forwards under the current scheme. The results indicate a need for at least 44 affordable dwellings, with only 63 affordable dwellings granted in the last 6 years in Stretham and Little Thetford (57 of which have been granted within the application site under the two recent approvals, one of which at appeal). The other 6 of these 63 units were delivered as part of the Plantation Gate housing scheme and passed to the Stretham Community Land Trust (CLT).
- 7.13 The Council's Housing team have advised that as of late February 2024, there are 75 people on the housing register with a 'local connection' to Stretham and Little Thetford (49 Stretham/26 Lt. Thetford), with 327 and 317 people also indicating a preference to live within either Stretham or Little Thetford respectively.
- 7.14 The Council's Housing team has reviewed the proposal and confirmed that the scheme would meet an identified local need (subject to the final tenure and mix) and in this regard, the proposal would comply with policy HOU 4. Furthermore, with the proposed highway improvements, the site would be well-linked to local services and facilities within Stretham itself including the recreation ground, garage and central village amenities.
- 7.15 With regard to tenure, following review of the Housing Needs Assessment, the Council's Strategic Housing Team have also agreed that a tenure split of circa 50/50 rent to intermediate housing across the site is also acceptable in the context of the need within the local area, as opposed to the usual preference of 77/23 rent to intermediate housing. This also includes a tenure mix of affordable rent, shared ownership and rent-to-buy, offering a range of tenure as required by Policy HOU 4. Further details of Heads of Terms and S106 legal agreement are provided in following sections of this report, including matters of affordable housing.
- 7.16 On the above basis, it is considered there is sufficient evidence of local need for affordable housing in the Stretham ward, and the scheme would satisfy this local need. Whilst the 83-unit scheme would slightly exceed the current local need as understood from the Council's Housing Team, it is relevant that the scheme is for 'up-to' 83-units, and this is a maximum not a minimum number subject to future reserved matters submission(s).

- 7.17 The understanding of local need for affordable housing is also highly unlikely to be static, and the scheme has the potential to therefore in-build a small degree of flexibility in meeting a growing local need, which has itself increased across applications within the site since 2022 (from 45 to 75 individuals with a local connection). This flexibility should also be considered in the light of the district's aforementioned significant need for affordable housing and accepted under-delivery of sites in the plan period so far, and limited delivery of affordable housing in the Stretham ward over preceding years, which itself should be afforded weight in the decision-making process. It is therefore considered that the scale of the scheme is appropriate to the location and to the level of identified local affordable housing need, in compliance with Policy HOU 4.
- 7.18 In respect of policies GROWTH 2 and HOU 4 and the impact of the development on the countryside; the site is straddled by built form, but it is acknowledged that the development extends notably beyond existing built form within the village. It is also acknowledged that views of the openness in this section would be lost through the development. This would need to be balanced against the benefits of delivering an affordable housing scheme where there is an identified need, and that the Local Plan accepts some loss of open countryside through rural exception sites. In this respect it is likely that a scheme could come forward (subject to detailed design) which would not significantly harm the open character of the countryside. Further comments on landscape and settlement impacts are provided within later sections of this report.
- 7.19 It is considered therefore, that the principle of the development can be supported through strategic policy GROWTH 2 and housing policy HOU 4 and other relevant policies of the development plan.

## **7.20 Access and Highway Safety**

- 7.21 The Local Highways Authority (LHA) has confirmed that, as agreed under the previous scheme (LPA Ref. 23/00712/OUM) the access arrangements and wider mitigation as set out on plan ref: 2006310-004 B are acceptable, subject to conditions. The LHA has confirmed in further discussions that the highway mitigation works are acceptable to mitigate the impact of the development in highway safety terms. Subject to the scheme being delivered in accordance with the arrangement and conditional requirements, it is considered that the proposal would be served by safe and suitable access as required under policy COM 7 of the ECLP and paragraph 114(b) of the NPPF. The additional works beyond the site access including footpath widening, refuge island and tactile paving could also provide benefits to residents accessing Short Road e.g. to access the recreation ground.
- 7.22 The County Council's Transport Assessment Team have also raised no objections to the proposals, subject to the proposed highway works being completed prior to occupation of the proposed development. It is noted in their comments the Transport Assessment Team have raised a few technical concerns with the data used in the Transport Assessment, and deliverability of the off-site highway works. However, in further clarification with Officers, the Transport Assessment Team have concluded that making further amendments to the submitted Transport Assessment to address the technical issues raised would not affect the current outcome of the assessment. On this basis, there are no objections raised, and no further amendments technical or otherwise to the Transport Assessment required.

- 7.23 Regarding the deliverability of the off-site highway works, the Local Highways Authority (LHA) have confirmed that all works proposed are understood to take place within the highway boundary which benefits from highway rights. However, it has been advised that matters of existing encroachment into the highway boundary may potentially need to be addressed when the highway works are undertaken (for example under S278 and S38 works for adoption and works in the highway). This is a separate legislative process and relates to third-party disputes, not the technical acceptability or deliverability of the proposals to mitigate the development's impacts. This legal process is also independent of the planning system, and Officers have been advised by the LHA that given the land is subject to highway rights, the LHA cannot in principle refuse highway mitigation works within it. The highway mitigation works are therefore considered to be deliverable to mitigate the impacts of the development, and the Grampian condition trigger suggested at Condition 15 would preclude occupation of the site until such a time these mitigation works were completed.
- 7.24 Car parking in accordance with Policy COM 8 (two spaces per dwelling – maximum requirement) is also shown indicatively on the submitted plans as being possible.
- 7.25 On the above basis the proposed development is considered to be acceptable in terms of its highway impacts and in terms of highway safety as per the policies of the Local Plan and NPPF.
- 7.26 Indicative Layout and Visual Amenity**
- 7.27 Whilst layout is not a committed detail with this application, it is generally necessary for the applicant to demonstrate that the quantum of development could be satisfactorily accommodated within the site. In this respect, the applicant has submitted an indicative layout plan and an assessment of the scheme in the context of the wider Stretham village as set out within the Design and Access Statement (DAS).
- 7.28 The indicative layout demonstrates that the quantum could likely satisfactorily fit into the site and could achieve rear garden sizes and open space (inclusive of play space) compliant with standards expected within the adopted Design Guide and Developer Contributions SPDs. An indicative density of c.18.2 dwellings per hectare (7.4 units per acre) is shown within the DAS suggesting a density generally commensurate with the density of development along Cambridge Road immediately to the north of the application site.
- 7.29 The Council previously raised concerns under LPA Ref.22/00180/OUM that a terrace of dwellings along the frontage would be at odds with the prevailing looser-knit character of the area. However, as noted above, this concern has recently been tested at appeal, whereby the Inspector considered that, whilst only in outline, such an arrangement would not result in visual harm sufficient to warrant refusal of the application and that a suitable scheme could likely be secured at reserved matters which could respond positively to the character and settlement pattern of the area. In this respect, having regard to the significant weight to be afforded to the appeal decision, the Council found under the subsequent scheme for 38-dwellings (23/00712/OUM) that the proposal to repeat the indicative frontage of terrace dwellings does not warrant sufficient grounds to refuse the application. It is considered that the same conclusions can be drawn for the current proposals on this matter.

- 7.30 The previous application proposed only up to 38 dwellings and therefore occupying a smaller area of the site, with the above-mentioned indicative terrace of dwellings across the site's frontage with a looser-knit secondary row of rearward units. This latest proposal utilises a deeper area of the agricultural field, introducing more dwellings and a greater amount of supporting infrastructure e.g., roads, landscaping and open space and therefore extends further into the open countryside.
- 7.31 The application is supported by a landscape and visual impact assessment (LVIA), which considers the visual impact of the development from various viewpoints across the open countryside.
- 7.32 It is to be noted that the proposed development would result in adverse landscape impacts during construction and at completion stages, with these impacts diminishing with the establishment of the site and the proposed mitigative planting, and with distance from the site itself. The perceptibility of the development itself contributes to these adverse impacts, albeit the presence of development itself is not inherently harmful, rather how it's introduction impacts upon the characteristics of a visual composition/landscape and the ability to enjoy the view. It is also to be noted that as a rural exception site, it is accepted by local and national policy that such schemes will more often than not come forwards on sites not normally used for housing and in rural areas (Policy HOU 4 and Paragraph 82 of the NPPF), and that a degree of countryside incursion and associated adverse landscape and character impacts is likely in order to meet local affordable housing needs.
- 7.33 In terms of specific landscape/character impacts, the LVIA concludes that at a local scale at completion (taken to be Year 1), the proposed development could potentially result in development of a minor adverse landscape effect on the cusp of Significant and Not Significant. Officers concur that the development at Year 1 and beyond, in the absence of any mitigation, would be clearly perceptible and would affect how the landscape/character of the area is appreciated, with the most perceptible impacts within the immediate locality of the site and its frontage to Cambridge Road. The development at completion / Year 1 is therefore likely to result in moderate to high adverse impacts upon the immediate local landscape character, but these impacts quickly diminish with distance from the site, which is acknowledged itself to be adversely characterised by the A10 highway.
- 7.34 To mitigate these potentially significant effects, mitigative planting is proposed predominantly south/west boundaries, with reinforcement of existing eastern and northern boundaries. After this planting has established after the 15 year mark (where planting establishment becomes effective and effects are then considered to be permanent) the development would have a Low Adverse Landscape Impact with a Negligible to Minor Landscape Effect/Not Significant/Long Term.
- 7.35 In simplified terms, the LVIA concludes that after established mitigative planting, the development will result in perceptible albeit small, long term (permanent and irreversible) changes in the components of a landscape and how it is appreciated, with further mitigation beyond that already set out deemed unnecessary or to be a consideration of only limited weight. The resulting permanent impacts of the development upon the character of the area would not ultimately therefore be significant.

- 7.36 It is to be noted that the use of landscaping to make an unacceptable scheme acceptable is rarely an acceptable approach adopted by the LPA. However, there is an overall planning balance to be reached (as set out within the later section of this report).
- 7.37 At a county and national level, the LVIA also concludes that the Magnitude of Landscape Impact/Effect is judged to be Low Adverse Impact/Minor Landscape Effect/Not Significant/Long Term at completion and after planting would have established. In simple terms, at the national/county scale the scale of change as a result of the development would be perceived as indiscernible at both completion and after establishment of planting (15 years onwards).
- 7.38 The LVIA therefore ultimately concludes that the Site is capable of accommodating change and would not be an incongruous new development at a local scale or county/national scale and would not result in significant harm to the character of the countryside or village with mitigative planting once established. Officers concur with this assessment at the outline stage.
- 7.39 Cumulative impacts, impacts upon public viewpoints (including Public Right of Ways) as well as nighttime (lighting) impacts have also been considered within the LVIA, concluding that impacts would also not be significant, with lighting in particular seen in the context of the existing village.
- 7.40 Consequently, the development as indicated would conflict with policies ENV 1, ENV 2 or HOU 4 at completion/Year 1. However, with mitigation and establishment of landscaping, it is likely a detailed design scheme could come forward (based on the indicative arrangement proposed) which would complement the local distinctive character of the area which protecting the intrinsic beauty of the countryside, and not result in significant harm to the character or setting of the settlement and the surrounding countryside, and therefore comply with the overall aim of Policy HOU 4.

#### **7.41 Residential Amenity**

- 7.42 Whilst matters of precise layout, scale and appearance e.g., specific location of window positions, would be matters to be considered at future time, the indicative layout suggests that it is unlikely that the development would result in any severe overlooking, overshadowing or overbearing impacts on existing residents. Furthermore, and as noted above, each property would likely achieve adequate garden sizes for future occupiers.
- 7.43 Whilst the construction of the development could cause some disruption to living conditions for existing residents, this could reasonably be managed through an agreed Construction Management Plan, for example to ensure that hours of construction, use of plant and machinery and dust and mud suppression is controlled appropriately. The plan could reasonably be secured through planning condition as recommended by the Council's Environmental Health team.
- 7.44 As noted, the Noise Impact Assessment (NIA) submitted by the applicant indicates that ambient noise levels across the site are dictated by constant road traffic noise from Cambridge Road adjacent, with some noise impacts from the Cosy Kennels to the south of the site also. These impacts, predominantly road traffic noise, would need

to be carefully managed, with confirmation that the proposed layout would fail to achieve acceptable internal noise levels for a high number of units without some reliance on closed windows and a Mechanical Ventilation and Heat and Recovery system (MVHR).

- 7.45 The indicative layout plan is supported by an acoustic modelling plan which demonstrates that the exposed facets of a large number of dwellings would be affected by noise exceeding 50dB, meaning that it would not be possible for occupiers to open windows on these affected facades without being affected by noise levels in excess of current guidance (35dB LAeq daytime (resting and bedrooms) and 30dB LAeq at 23:00hrs to 07:00hrs for bedrooms) in accordance with the acceptable levels set out at Figure 2 of the ProPG Guidance. Indicative plots 55-83 would however be able to rely on openable windows to control overheating and for general amenity purposes whilst achieving reasonable internal noise levels.
- 7.46 The scheme is for affordable housing for which, as established above there is a significant need for. As such, it would be reasonable to apply the +5dB uplift and this relaxation does result in a number of dwellings (in their indicative locations) falling into 'acceptable' noise levels. Nonetheless there would still be a reliance on a number of facets needing the MVHR mitigation to maintain acceptable internal noise levels.
- 7.47 It is acknowledged that this approach would likely achieve adequate ventilation, in-line with passivhaus standards/principles which the NIA concludes will be applied across the site's construction, and is a recognised and sustainable means of building, effectively recycling and re-circulating air to maintain internal temperatures and clean air in an energy efficient way. It is also recognised that ProPG guidance identifies this method as an acceptable means to mitigate noise, as previously acknowledged by the Council's Environmental Health Officer when assessing the previous scheme for 38 dwellings under 23/00712/OUM.
- 7.48 As set out above in the background section of this report, the Council previously objected the scheme on the basis of a significant reliance on MVHR to manage noise interference, concluding that its degree of use would not achieve high standards of amenity for future occupiers. However, given the weight to be afforded to the associated appeal decision, and the acceptance of MVHR under the 38-unit scheme (23/00712/OUM), the repeated proposal to design the development to passivhaus principles, it is considered that a refusal on this basis would not be supported at appeal and therefore that this approach should be supported with this application. The Environmental Health Officer has raised no objections to this MVHR approach.
- 7.49 With regard to noise from the kennels, the NIA concludes that the proposed glazing and MVHR strategy would ensure acceptable internal noise levels to address any noise interference from this nearby use, reducing its impact to 'present and not intrusive', requiring no further specific measures. The Council's Environmental Health Officer has not raised any concerns with this approach. It is also concluded on this basis that the presence of the development would not result in detrimental impacts upon the operation of the existing business.
- 7.50 With regard to external amenity areas of the development, noise levels are predicted to be acceptable and compliant with national guidance, provided that 2m high close-



boarded timber fencing is used around all gardens. The Environmental Health Officer has raised no objections to this approach.

- 7.51 As such, it is concluded based on the design standards and mitigation proposed and in giving significant weight to the associated application history to the site, the development would achieve high standards of general amenity as required under NPPF Chapter 12 and Local Plan Policy ENV 2.

## **7.52 Flood Risk and Drainage**

- 7.53 The application site is generally agreed to be in an area at low risk of flooding (wholly within Flood Zone 1). The Flood Risk Assessment nevertheless suggests that the site is subject to surface water flooding, with the site frontage subject to a low risk of surface water flooding, and very small parts of the site at medium to high risk of surface water flooding (area already has planning approval). Flood depths are predicted to be between 150mm to 300mm (c.6 to 12 inches) in the 'High' 1 in 30-year model (3.3% probability), and a maximum of 600mm (c. 24 inches) in the 'medium' (1:100 year) (1% probability) and 'low' (1:1000 year) (0.1% probability) events. Residential development should usually be considered as being in-situ for a minimum of 100-years, and there is no reason to consider this development as especially time-limited (i.e. no impacts of coastal change) to warrant a shorter flooding probability forecast.
- 7.54 In terms of alternative sites at a lower risk of surface water flooding, whilst it is not considered that a sequential test is required to consider whether alternative sites are available at a lower risk of surface water flooding, it has been previously accepted by the LPA (on the basis of evidence submitted previously by the Applicant) that there are no other areas of land reasonably available at a lower risk of surface water flooding that could accommodate the proposed development. It is considered unreasonable for the LPA to conclude differently for the current proposals.
- 7.55 In terms of a site-specific sequential approach, the Applicant's Flood Risk Assessment puts forward a strategy for locating development, with the majority of residential development *indicatively* shown to avoid the majority of the low, medium and high surface water flood risk areas. Raised thresholds above finished floor levels of 300mm (12 inches) are recommended for the majority of the site within the FRA, with raised thresholds of 600mm (24 inches) for the parts of the site with the deepest flood depths, to mitigate the worst flooding impacts in a flood event (low risk). It is considered that at a detailed design stage, this strategy could be appropriately realised and a condition has been imposed to secure compliance of the detailed scheme with the recommendations of the FRA.
- 7.56 Ultimately, the application is supported by a flood risk assessment which demonstrates that surface water can be adequately managed on site without causing flooding elsewhere, and that solutions are available to make the development safe for its lifetime. This would be subject to further demonstration a detailed design stage – but nonetheless the Lead Local Flood Authority has accepted the outline drainage strategy and it is considered that the proposal complies at this stage with the aims of Local Plan policy ENV 8 and the NPPF.
- 7.57 Matters of foul drainage would also need to be secured at detailed design stage (reserved matters) and there is nothing to indicate that solutions would not be

available to the developer in achieving a satisfactory scheme in this regard, with Anglian Water confirming that the Stretham wastewater recycling centre has available capacity for the development.

## **7.58 Biodiversity**

- 7.59 Policy ENV 7 of the adopted Local Plan seeks to protect biodiversity and geological value of land and buildings and requires that through development management processes, management procedures and other positive initiatives, the council will among other criteria, promote the creation of an effective, functioning ecological network. The Council's adopted Natural Environment SPD sets out that all development proposals would be expected to provide environmental enhancements proportionate to the scale and degree of the development proposed.
- 7.60 The application is supported by a preliminary ecological appraisal (PEA), comprising a Phase 1 habitat survey which formed consideration for the previous planning applications and assess the application site and the wider area for constraints and opportunities for biodiversity protection and enhancement. The PEA was undertaken in 2020 and is therefore out of date in accordance with CIEEM guidance, but it has nevertheless informed the two previous (extant) consents and provides a general overview of the site as follows.
- 7.61 The site features generally comprise arable bare ground with boundary hedgerow, perimeter scrubland and dry ditches. Whilst the site area has been extended further with this latest application, the previous conclusions of the PEA (which captured a much wider site area in any case) can be generally relied upon and are proportionate to the nature and scale of the application and are sufficient to guide the Local Planning Authority in their statutory duties at this outline stage when considering the principle of development and access only.
- 7.62 The site is agricultural land with the main feature being the front and northern boundary hedge. It is considered that whilst at present the site likely yields low to modest biodiversity value; most likely in respect of invertebrates, and nesting/ foraging for birds and commuting/foraging bats through the hedge, it is likely that a scheme could come forward which would demonstrate biodiversity net gain through the retention of the hedge (with exception to where the access is proposed and highway visibility is necessary) and additional planting and habitat creation.
- 7.63 Members are advised that given the submission date of 5 December 2023, the current proposals (and any future reserved matters pursuant to it) would not be the subject of mandatory 10% biodiversity net gain (as established by the Environment Act 2021 and secondary legislation). Nevertheless, the Local Plan and Natural Environment SPD are still applicable during this transitional period, and a significant biodiversity net gain would still be required to be demonstrated with any reserved matters consent.
- 7.64 It is noted that recommendations of the PEA include further pre-development surveys, such as for reptiles and badgers due to the transient nature of these species. Given the date of the PEA, it is also considered a future reserved matters submission would need to be supported by an up-to-date ecological appraisal of the site. It is considered that this can be incorporated into an updated ecological survey and mitigation scheme to accompany any future reserved matters application(s) and would meet the aims of

Local Plan policy ENV 7 and the aims of the SPD. This strategy was adopted when approving LPA Ref. 23/00712/OUM for the 83-unit scheme and is therefore considered to be applicable to the current proposals.

## **7.65 Infrastructure and S106 Planning Obligation**

- 7.66 Policy GROWTH 3 of the East Cambridgeshire Local Plan, 2015 requires developments to mitigate their impacts through infrastructure provision, by way of planning conditions and / or S106 obligations – this includes where affordable housing, open space, sustainable drainage, and education contributions are to be secured.
- 7.67 As with the previous 38-unit consent, given the quantum of dwellings proposed it is considered that the education and library contributions sought by the County Council, the open space requirements (comprising on-site infrastructure inclusive of play-space and orchard), the sustainable drainage (SuDS), and the affordable housing (which would include details of a nomination agreement and a guarantee of being retained as affordable housing and future transfer agreements), are necessary to mitigate the impacts of the development and meet the tests as set out under CIL 122 Regulations (necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development).
- 7.68 With specific regard to the affordable housing obligations, the Applicant has agreed to include a cascade mechanism within the S106 to ensure priority is first given to those with a local connection to Stretham and/or Little Thetford, with this then widening out to surrounding parishes and then the wider district. This is considered pertinent given the notable uplift in affordable units being proposed under the current scheme, and to ensure that the housing is genuinely meeting the local identified needs as per Policy HOU 4. The S106 obligation will also include details of tenure split (c.50/50 rented to intermediate housing as agreed with the Council's Strategic Housing Officer) to reflect locally identified need.
- 7.69 It would be necessary to secure the above via S106 legal agreement to make the development acceptable and the applicant has confirmed their agreement to the heads of terms set out by the Council. Subject to the completion of the necessary S106 agreement(s), the development would accord with the requirements of policies GROWTH 3 and HOU 4 of the Local Plan.

## **7.70 Other matters**

- 7.71 Archaeology
- 7.72 The County Council's Archaeology team has advised that the site lies in an area of potential interest and has sought a planning condition to secure a written scheme of investigation, in the interests of safeguarding archaeological assets. It's considered this would be necessary having regard to the aims of policy ENV 14 of the Local Plan and such a pre-commencement condition could be reasonably secured.

### 7.73 Community safety and security

7.74 The comments from the Local Policing team are noted and it would be for the developer to bring forward a detailed scheme which considers the recommendations as set out by the Police, in order to address security and the fear of crime in accordance with Local Plan policy ENV 2.

### 7.75 Planning Conditions

7.76 A number of conditions have been recommended by consultees during the assessment of this application. Whilst most have been accommodated with the conditions schedule as set out below, as with the approved 38-unit scheme, regard is had to the suite of recommended conditions set out by the Planning Inspector under the previous appeal for LPA Ref. 22/00180/OUM, which considered the conditions suggested by the Council, against the tests of planning conditions. A number of conditions recommended by consultees were not accepted by the Inspector. These included;

- The Council's Environmental Health team's previous recommendation for a full ground contamination site investigation. Instead, the standard unsuspected contaminated land condition was imposed, and this has been accepted by the Council's Scientific Officer under the current application;
- The Council's Environmental Health team's recommendation to restrict construction hours which the Inspector felt could be secured via an overarching Construction Management Plan. A condition is recommended to secure such a plan;
- The Local Highway Authority's recommendation to remove permitted development to erect gates across the access, which they have requested under the current application but will not be imposed for the above reason;
- The Lead Local Flood Authority's request for a condition controlling construction surface water run-off. Pollution control measures are captured under their first condition requiring an overall drainage strategy. This requirement has been repeated in the LLFA's latest consultation response, and will not therefore be incorporated into the recommended conditions list.

7.77 In the interests of consistency, the conditions set out within Appendix 9 are generally identical to those imposed upon the approved 38-unit scheme with minor updates where necessary.

### 7.78 Planning Balance and Conclusion

7.79 The scheme would achieve significant benefits in bringing forward a wholly affordable housing scheme to meet a robustly evidenced locally identified need (significant benefit), contribute to district-wide need for affordable housing (limited weight), with a variety of tenures indicated. The dwellings themselves would be built to sustainable passivhaus principles (high benefit), which would likely result in a development with low energy usage. These factors together would carry substantial positive weight,

primarily in social benefits. Furthermore, there would be economic benefits (limited benefit), through local spend by future occupiers, thereby helping to sustain the village.

- 7.80 As with the previous 38-unit scheme, it is acknowledged that the scheme would rely, in part, on closed windows and mechanical means of ventilation to mitigate the effects of transport noise from the A10 highway (and nearby kennels), which carries negative weight. However, the associated appeal decision, which concluded that this is an acceptable means of mitigation and would achieve high levels of amenity, having regard to the passivhaus principles relied upon, carries significant weight in the determination of this application. This is in conjunction with the subsequent approval of the 38-unit scheme adopting such Passivhaus principles, and it would therefore be unreasonable for the LPA to object to this strategy for the current scheme.
- 7.81 Notwithstanding the above, the scheme would be expected to secure net gains in biodiversity, in-line with current national and local policy, and would introduce highway upgrades which would likely also provide some very modest benefit to existing nearby residents on the western side of the A10 highway.
- 7.82 Finally, and based on the indicative layout, it is likely a details scheme could come forward which would positively respond to the built environment of Stretham and would not result in significant harm in the long term to the character of the countryside. Whilst the development could have potential significant harm to the immediate locality in the short term, in the long term with the establishment of mitigative planting, any resulting adverse impacts upon the landscape character and settlement at a local, county and national scale (which are likely to be at a low level) are also considered to be outweighed by the benefits of delivering a 100% affordable housing scheme to meet an evidenced local need, which itself is afforded significant weight in the decision-making process.

## **8.0 COSTS**

- 8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.
- 8.2 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.
- 8.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

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

- There are no technical objections from statutory consultees. Specifically, this includes no objections regarding noise impacts, highway safety impacts (including pedestrian crossing of the A10), flooding/drainage or contamination; and
- The conclusions of the Planning Inspectorate when approving the development under LPA Ref. 22/00180/OUM.

## 9.0 **APPENDICES**

9.1 Approve subject to completion of the necessary s106 agreement(s) and the following planning conditions (Appendix 1).

## Appendix 1

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

<i>Plan Reference</i>	<i>Version No</i>	<i>Date Received</i>
3288-D1000: Location Plan	06	5th December 2023
FRA & Drainage Strategy	1	15th January 2024
Unda Consulting Letter 250224		26th February 2024
2006310-004: Access Plan	B	22nd December 2023
Noise Impact Assessment	1	22nd December 2023

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

2 Approval of the details of the Layout, Scale, Appearance and Landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this permission.

2 Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.

3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.

3 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.

4 The total development hereby permitted within the site shall comprise not more than 83 dwellings.

4 Reason: To define the planning permission having regard to the proposal put forward and assessed by the Local Planning Authority for a maximum of 83 dwellings.

5 No demolition/development shall take place until a Written Scheme of Investigation shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions and:

i) the programme and methodology of site investigation and recording;

ii) the programme for post investigation assessment;

iii) the provision to be made for analysis of the site investigation and recording;

iv) the provision to be made for publication and dissemination of the analysis and records of the site investigation;

v) the provision to be made for archive deposition of the analysis and records of the site investigation;

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

5 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

6 No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under Condition 5.

6 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

- 7 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
  - ii) loading and unloading of plant and materials;
  - iii) storage of plant and materials used in constructing the development;
  - iv) wheel washing facilities;
  - v) measures to control the emission of dust and dirt during construction;
  - vi) in the event of the foundations from the proposed development requiring piling, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration
  - vii) measures to control surface water run-off from the site during any construction works;
  - viii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
  - ix) delivery, demolition and construction working hours.

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

- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 8 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 8 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 9 Concurrently with the submission of reserved matters, a detailed design of the surface water drainage of the site shall be submitted, include a timetable for implementation. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan. The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Foul and Surface Water Drainage Strategy for Planning, prepared by Unda Consulting Limited (ref: Ref: 90709d-FuturePD-Stretham V1.0) dated 15<sup>th</sup> January 2024, and the letter, prepared by Unda Consulting, ref: 90709d-FuturePD-Stretham Addendum Letter 250224, dated 26<sup>th</sup> February 2024 and shall also include:
- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
  - b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
  - c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, radiants, dimensions and pipe reference



numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);

d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);

e) Site Investigation and test results to confirm infiltration rates;

f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;

g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;

h) Full details of the maintenance/adoption of the surface water drainage system;

i) Permissions to connect to a receiving watercourse or sewer;

j) Measures taken to prevent pollution of the receiving groundwater and/or surface water

9 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

10 None of the dwellings hereby permitted shall be occupied until works for the disposal of sewage shall have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted, concurrently with the first submission of reserved matters including a timetable for implementation, to and approved in writing, by the Local Planning Authority.

10 Reason: In the interests of residential amenity and to prevent the increased risk of flooding and to protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

11 Concurrently with the first submission of reserved matters the following information shall have been submitted to and approved in writing by the local planning authority:

i) a full site survey showing: the datum used to calibrate the site levels; levels along all site boundaries; levels across the site at regular intervals and floor levels of adjoining buildings;

ii) full details of the proposed finished floor levels of all buildings and hard landscaped surfaces.

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

11 Reason: In the interests of visual amenity in accordance with policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended 2023).

12 Construction work shall not take place until a scheme for protecting the proposed noise-sensitive development from noise from the A10 shall have been submitted to and approved in writing by the local planning authority. The scheme shall reflect the principles of the recommendations identified in Cass Allen RP01-23701-R1 revision 1 dated 21st December 2023 and associated documentation. All works which form part of the scheme shall be completed before any part of the noise sensitive development is occupied and retained thereafter.

12 Reason: In the interests of residential amenity protection in accordance with policy ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended 2023).

13 Concurrently with the first submission of reserved matters a scheme of biodiversity protection, mitigation and enhancement, including a timeframe for implementation and a long-term management plan, informed by an updated ecological appraisal of the site shall be submitted to and approved in writing by the local planning authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.

- 13 Reason: To protect and enhance species in accordance with policy ENV 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 14 Prior to works proceeding above slab level, a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service or alternative scheme shall be submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative scheme shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.
- 14 Reason: To ensure proper infrastructure for the site in the interests of community safety in that adequate water supply is available for emergency use, in accordance with the aims of policy ENV 2 of the East Cambridgeshire Local Plan (as amended 2023).
- 15 Prior to first occupation of the development, the works as detailed in principle on drawing 2006310-004 Revision B shall have been completed to the satisfaction of the Local Planning Authority and shall thereafter be retained.
- 15 Reason: In the interests of Highway safety in accordance with Policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023). This condition is a Grampian condition because it requires work within the public highway.
- 16 The existing agricultural access(es) to A10 Cambridge Road shall be permanently and effectively closed and the footway shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority, within 28 days of the bringing into use of the new access.
- 16 Reason: In the interests of Highway safety in accordance with Policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 17 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 17 Reason: In the interests of Highway safety in accordance with Policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 18 The detailed design of the dwellings hereby permitted shall incorporate the five principles of passive house design, as set out within submitted the Energy & Sustainability Strategy, October 2022. Prior to occupation of any dwelling, evidence shall be submitted to the local planning authority to demonstrate that the development has been constructed adopting these principles.
- 18 Reason: The application is deemed acceptable having regard to the need to protect the amenity of future occupiers, balanced with the energy sustainability benefits of the proposal in accordance with policies ENV 2 and ENV 4 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 19 Prior to first occupation or commencement of use details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details for the lifetime of the development, by the applicant or a private management company, until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

- 19 Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

### Background Documents

23/01338/OUM

23/00712/OUM

22/00180/OUM

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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



# Planning Performance – February 2024

Planning will report a summary of performance. This will be for the month before last month, as this allows for all applications to be validated and gives a true representation.

All figures include all types of planning applications.

## Determinations

	Total	Major	Minor	Householder	Other	DIS /NMA	Trees
<b>Determinations</b>	<b>107</b>	<b>3</b>	<b>23</b>	<b>27</b>	<b>17</b>	<b>18</b>	<b>19</b>
<b>Determined on time (%)</b>		<b>100%</b> (90% within 13 weeks)	<b>83%</b> (80% within 8 weeks)	<b>93%</b> (90% within 8 weeks)	<b>88%</b> (90% within 8 weeks)	<b>78%</b> (80% within 8 weeks)	<b>100%</b> (100% within 8 weeks)
<b>Approved</b>	<b>96</b>	<b>2</b>	<b>19</b>	<b>27</b>	<b>11</b>	<b>18</b>	<b>19</b>
<b>Refused</b>	<b>11</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>0</b>

## Validations – 95% validated within 5 working days (ECDC target is 85%)

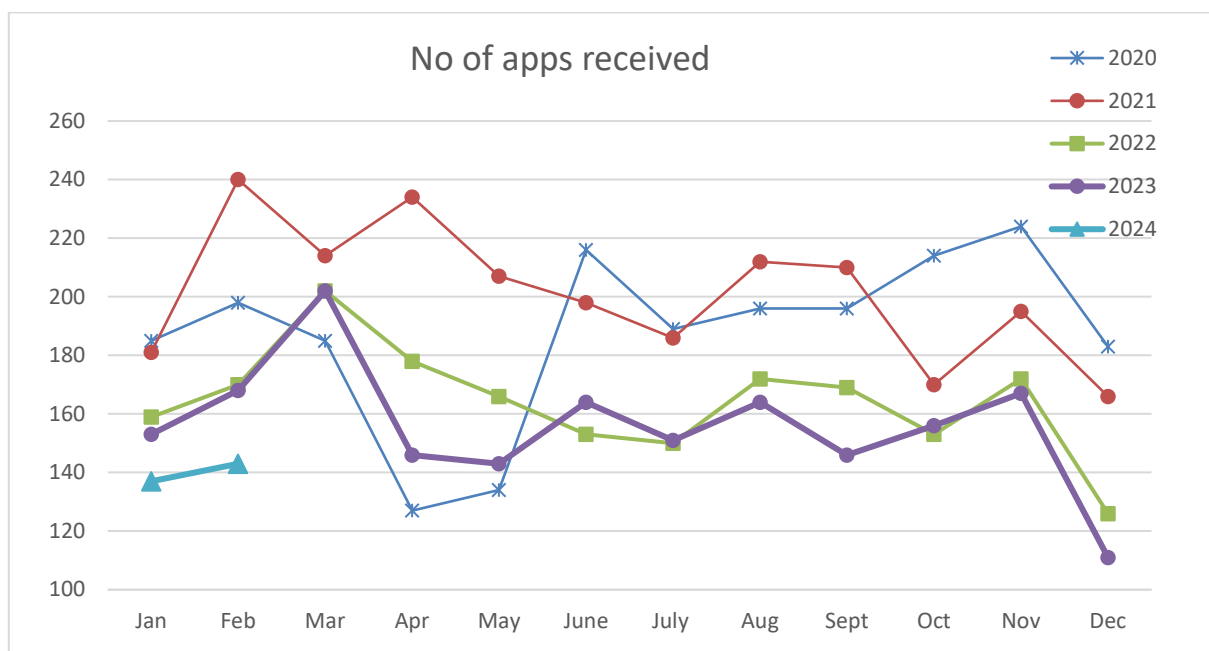
	Total	Major	Minor	Householder	Other	DIS /NMA	Trees
<b>Validations</b>	<b>128</b>	<b>4</b>	<b>21</b>	<b>25</b>	<b>17</b>	<b>25</b>	<b>36</b>

## Open Cases by Team (as at 20/02/2024)

	Total	Major	Minor	Householder	Other	DIS /NMA	Trees
<b>Team 1 (3 FTE)</b>	<b>76</b>	<b>8</b>	<b>11</b>	<b>9</b>	<b>18</b>	<b>30</b>	<b>0</b>
<b>Team 2 (3 FTE)</b>	<b>110</b>	<b>10</b>	<b>28</b>	<b>19</b>	<b>20</b>	<b>33</b>	<b>0</b>
<b>Team 3 (3 FTE)</b>	<b>107</b>	<b>11</b>	<b>25</b>	<b>15</b>	<b>18</b>	<b>38</b>	<b>0</b>
<b>Team 4 (2.8 FTE)</b>	<b>110</b>	<b>5</b>	<b>17</b>	<b>26</b>	<b>22</b>	<b>40</b>	<b>0</b>
<b>No Team (3.4 FTE)</b>	<b>43</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>38</b>

(No Team includes – Trees Officer, Conservation Officer and Office Team Leader)

The Planning department received a total of 143 applications during February which is 15% decrease of number received during February 2023 (168) and 5% increase to the number received during January 2024 (137).



### Valid Appeals received – 3

Planning reference	Site Address	Decision Level
23/00631/FUL	36 Ten Mile Bank Littleport	Delegated
23/01049/FUL	9 Plantation Gate Stretham	Delegated
23/01153/VAR	Station House Lynn Road Chettisham	Delegated

### Appeals decided – 2

Planning reference	Site address	Decision Level	Appeal Outcome
23/00205/OUM	Land Rear Of 163 To 187 High Street Bottisham	Non-Determination	Allowed
23/00801/FUL	23 Church Street Fordham	Delegated	Dismissed

### Upcoming Hearing dates – 0

### Enforcement

New Complaints registered – 19 (1 Proactive)

Cases closed – 12 (1 Proactive)

Open cases/officer (2.6FTE) – 180 cases (14 Proactive)/2.6 = 69 per FTE

### Notices served – 0

### Comparison of Enforcement complaints received during February

Code	Description	2023	2024
<b>ADVERT</b>	Reports of unauthorised adverts	2	1
<b>COND</b>	Reports of breaches of planning conditions	4	6
<b>CONSRV</b>	Reports of unauthorised works in a Conservation Area	0	0
<b>DEM</b>	Reports of unauthorised demolition in a Conservation Area	0	0
<b>HEDGE</b>	High Hedge complaints dealt with under the Anti-Social Behaviour Act	0	0
<b>LEGOR</b>	Reports of breaches of Legal Obligation (NEW CODE)	0	0
<b>LISTED</b>	Reports of unauthorised works to a Listed Building	0	0
<b>MON</b>	Compliance Monitoring	1	0
<b>OP</b>	Reports of operational development, such as building or engineering works	4	3
<b>OTHER</b>	Reports of activities that may not constitute development, such as the siting of a mobile home	2	0
<b>PLAN</b>	Reports that a development is not being built in accordance with approved plans	4	4
<b>PRO</b>	Proactive cases opened by the Enforcement Team, most commonly for unauthorised advertisements and expired temporary permissions	3	2
<b>UNTIDY</b>	Reports of untidy land or buildings harming the visual amenity	0	0
<b>USE</b>	Reports of the change of use of land or buildings	3	2
<b>TOTAL</b>		<b>23</b>	<b>18</b>